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Date: 7/19/2019 1:17 PM
Subject: Testimony for Draft West Maui Community Plan

Testimony for the Draft West Maui Community Plan July 25, 2019

1) Page 1-9: Quote: "Between 1860's and 1920's Pioneer Mill Company's predecessors acquired the land of Hawaiian residents."

Source: (Maly, Kepā and Onaona Maly. Volume I (Part 1): He Wahi Mo'olelo No Kaua'ula A Me Kekāhi Āina O Lahaina I Maui - A Collection of Traditions and Historical Accounts of Kaua'ula and Other Lands of Lahaina, Maui. Hilo: Kumu Pono Associates, LLC, 2007.)

Please change the language in the community plan with full disclosure. Some land was only leased by Pioneer Mill Company's predecessors. In subsequent sales, leased lands were included with purchased lands of Hawaiian residents resulting in the necessity of quiet title and quit claims today.

Recently a jury decided in favor of Kaua'ula Hawaiian heirs, which proves that Hawaiians have a legitimate grievance. However, due to insufficient documentation or lack of financial resources for court appeals, many kuleana heirs are discriminated against.

How many Hawaiians are being swindled from family lands due to this unjust practice? How can the West Maui Community Plan address these questionable titled lands?

Include statements in the community plan that these contentious land issues exist especially in agricultural zones. Being forthright about the issue may guard against unsuspecting investors that are unaware of the problem. It also recognizes the plight of native Hawaiians and may help them obtain justice.

2) Page 1-12: "Housing Demand to 2040" needs to emphasize that 73% of West Maui workers earn less than \$44,000 annually. Housing demands need to be met with homes affordable for that income bracket. HUD guidelines are unaffordable and should be disregarded.

Include criteria in the community plan that a percentage of future housing is to be affordable in perpetuity. Use the model of Department of Hawaiian Homelands to create an inventory of affordable homes for all residents.

3) Page 2-4: Historical preservation needs a higher level of scrutiny and protection measures in the community plan. The State Historic Preservation Department lacks the resources to ensure historical places are protected.

Obviously this is true considering David Malo's homestead gifted to him by Kamehameha III and the site of a famous battle between the High Chief of Maui and Kamehameha the Great are currently under construction.

County agencies check the box when developers submit reports but do not check for accuracy or truthfulness. In this case the developer reported that nothing of consequence occurred in this location despite their referenced to the 1884 Map of Lahaina that clearly indicates the Land Court Awardee of a prestigious Hawaiian. David Malo's LCA 3702 is in this exact location.

The community plan can address this issue by requiring an independent cultural, archeological and historical report for future developments.

4) Page 3-10: Resort/Hotel in community plan design. The community plan is meant to reflect the wishes of the community for the next ten years. In light of this, the community plan should put a moratorium on Resort/Hotel development.

Resources should primarily be put toward affordable housing and agricultural related development.

Due to sea level rise, the Resort/Hotel provisions in the community plan should be related to managed retreat or construction to address the loss of eroding shoreline.

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