

From: Kea Gulino
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] #3 Waiohonu-Kaiko
Date: Tuesday, July 21, 2020 6:33:20 AM

Aloha mai kakou,

I am writing this testimony in regards to the state parcel listed below as # 3 on the agenda, of Waiohonu-Kakio. This parcel is access for many local families And community members to their gathering rights. It has become a concern that this access may be blocked by new permit holder, if permit is granted. This would take away the livelihood of many people, especially in a time of food insecurity and community isolation. Please consider not granting the permit or granting a revocable permit with a stipulation that community members have access without requiring permission.

3. [Issuance of Revocable Permit to Tracy Hayward for Invasive Species Control Purposes, Waiohonu-Kakio, Hana, Maui, Tax Map Key: \(2\) 1-4-012:003. \[Testimony\]](#)

Mahalo for your hard work and community support.

Kea Gulino

From: Lucille Lecker
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] DLNR meeting on July 24, 2020 Issuance of Revocable Permit to Tracy Hayward for Invasive Species Control Purposes, Waiohonu-Kakio, Hana, Maui, Tax Map Key: (2) 1-4-012:003.
Date: Monday, July 20, 2020 12:29:21 PM

Aloha Committee,

I am writing regarding the permit that has been submitted by Tracy Hayward for TMK 140120030000 1.84 acreage((2)1-4-012:003).

I am NOT in support of this permit for TMK 140120030000 1.84 acreage((2)1-4-012:003).

Tracy Hayward's first attempt to lease the property was denied and now she submits a second request claiming invasive species control purpose.

The land for many generations have been used as an access to the ocean to gather food to feed our Ohana and community. Opihi, fish, limu and other food resources we get from the ocean. It's a part of our culture as a Hawaiian to gather and eat from the Mountain to the Ocean.

There are no invasive species on that land . The land has cane grass, wild berrie bush and trees.

Her intentions and motives clearly this second time around is for self gain hiding under a disguise of invasive species control.

I am strongly against this permit as I feel this will block our Hana community access which means our food resource. We are living in a time where we must protect our natural resources and protect access to those resources. This state land in question plays a vital role for our community. The land does not need any interruption of its natural growth.

Please except this testimonial letter

Mahalo for hearing my heart,

Lucille Noe Lecker
P.O. Box 113 Hana
Hi 96713
808-344-1881

From: Tracy Hayward
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] TMK (2) 1-4-012:003/Hearing July 24. Written testimony
Date: Monday, July 20, 2020 12:35:51 PM

Dear DNLN Management Team,

I wish to express to the DNLN board my appreciation for taking time to meet to discuss how best to manage this state land parcel.

I am the homeowner of 7127 Hana Hwy and my property abuts the TMK referenced parcel above. You are reviewing the lease of this parcel Friday.

This parcel has traditionally been leased to the homeowner for the abatement of weeds through cattle. The state parcel, added to my paddock size, gives sufficient land to manage two steer in this pasture. Without access to both parcels, I will not have sufficient land to feed or be able to manage two steer for grazing weed abatement naturally.

This pasture land has been an overgrown mess since I moved in two and a half years ago. I do not have fencing that prevents passage along the shoreline.

I hope you will take these points into consideration when you make your decision.

With Aloha,
Tracy Hayward

Homeowner, 7127 Hana Hwy, Hana, HI. 96713

Tracy@HanaHorizons.com
Mobile: (808) 212-8061
PO Box 1047, Hana, HI 96713

From: makenzie pu
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Issuance of revocable permit to Tracy Hayward
Date: Tuesday, July 21, 2020 9:26:47 AM

To whom it may concern,

I am writing to say that I oppose the issuance of a revocable permit to Tracy Hayward for invasive species control purposes at Waiohonu- Kakio, Hana Maui, Tax map key (2) 1-4-012:003. This is where I grew up and where my grandmother and some of my neighbors lived for 30 plus years. We have used that trail to get to the ocean for many years and would like for the next generations to be able to do the same. All the property owners in the area have helped to maintain the site and keep it under control. Again, I oppose to granting a revocable permit to Tracy Hayward!

Mahalo,
Makenzie Pu

Sent from my iPhone

From: Vicki Sawyer
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] July 24, 2020 Meeting Agenda
Date: Monday, July 20, 2020 12:35:34 PM

Regarding: D. Land Division, #3

We, Timothy and Vicki Sawyer who live in the Pu'uiki Area of Hana, are opposed to the issuance of a Revocable Permit to Tracy Hayward for Invasive Species Control on TMK (2) 1-4-012:003 because it would obstruct access to the ocean. We feel the parcel should be kept in conservancy.

From: fawnelder@aol.com
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Issuance of revocable permit to Tracy Hayward
Date: Tuesday, July 21, 2020 9:08:28 AM

To whom it may concern,

I'm writing to express my concerns in issuing Tracy Hayward a revocable permit for invasive species control purposes at Waiohonu-Kakio Hana, Maui tax map key (2) 1-4-012:003.

I have lived on the property closest to the stream for 30 years and raised my 6 kids here. We have used this access to the ocean for fishing and gathering for the last 30 years and still do.

I have heard of her plans to deny access to the property owners and tenants bordering this property as she would like to have an inclusive private spa area for only her guests of her vacation rental on this property.

Again I oppose issuing Tracy Hayward a permit to lease this property as it will affect not only my family but the other property owners and tenants to have access to the ocean for fishing.

Thanks for your consideration in this matter,
Fawn Elder

From: Tracy Hayward
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] TMK (2) 1-4-012:003/Hearing July 24. Written testimony
Date: Monday, July 20, 2020 12:35:51 PM

Dear DNLN Management Team,

I wish to express to the DNLN board my appreciation for taking time to meet to discuss how best to manage this state land parcel.

I am the homeowner of 7127 Hana Hwy and my property abuts the TMK referenced parcel above. You are reviewing the lease of this parcel Friday.

This parcel has traditionally been leased to the homeowner for the abatement of weeds through cattle. The state parcel, added to my paddock size, gives sufficient land to manage two steer in this pasture. Without access to both parcels, I will not have sufficient land to feed or be able to manage two steer for grazing weed abatement naturally.

This pasture land has been an overgrown mess since I moved in two and a half years ago. I do not have fencing that prevents passage along the shoreline.

I hope you will take these points into consideration when you make your decision.

With Aloha,
Tracy Hayward

Homeowner, 7127 Hana Hwy, Hana, HI. 96713

Tracy@HanaHorizons.com
Mobile: (808) 212-8061
PO Box 1047, Hana, HI 96713

From: Tracy Hayward
To: [Ferreira, Darlene S](#); [DLNR.BLNR.Testimony](#)
Cc: [Chris Harrington Pryor](#)
Subject: [EXTERNAL] Testimony/Friday hearing re:/revocable permit Hana state land TMK (2)1-4-012-003-000
Date: Wednesday, July 22, 2020 7:19:52 AM

Dear DLNR Board Members,

My name is Tracy Hayward and I am submitting this written testimony, in addition to requesting to be virtually present at the upcoming board meeting for Item 3 on the agenda for Friday, July 24, 2020. I applied for the revocable permit for the state land TMK (2)1-4-012-003-000 about two years ago. The previous owners of my property at 7127 Hana Hwy in Hana grazed two cows on a fenced portion of this land and it was a successful method of keeping the growth down including invasive species such as *Widelia*. I wish to resume this historically successful system of weed abatement. This not only keeps the growth down on the DLNR state land, but it helps to keep the invasive species from creeping onto my land and that of my neighbors.

There has been concern that my intention is to block off access to local families and community members who have traditionally crossed this land to fish along the coast. Nothing could be further from the truth. I often invite people to go through my property to access this coastal land and I intend to continue to do so. If granted this revocable permit, all locals will be able to enjoy traditional and customary practices that include fishing and gathering and follow the King's trail—if you can get through the overgrowth. Hence, pastured animals will keep the coast line open.

My intention is only to continue what has historically been done with regard to weed abatement. To alleviate concerns in the community, I requested that some wording to this effect be included in the permit. In addition to that, I am submitting this testimony so that it can be part of the public record. I have made every effort to insure my neighbors and the community that this is my intention. Additionally, there has been speculation that I wish to pursue some commercial enterprise through obtaining this lease. Again, nothing could be further from the truth. I am retired. My goal is to steward the land and keep the growth down through grazing two cows.

Finally, I would like to add that if, in the future, there is an opportunity to put this land into perpetual conservation, such as that being successfully accomplished with the semi-adjacent Maka'alae coastal lands, I fully support that effort.

Mahalo for your consideration,

Tracy Hayward

Tracy@HanaHorizons.com
Mobile: (808) 212-8061
PO Box 1047, Hana, HI 96713

From: Chris Harrington
To: [Case, Suzanne D](#); [Ferreira, Darlene S](#); [DLNR.BLNR.Testimony](#)
Cc: [Cynthia Day](#)
Subject: [EXTERNAL] DLNR Testimony July 24, 2020 meeting Revocable Permit TMK (2) 1-4-012:003:0000
Date: Wednesday, July 22, 2020 12:38:03 PM

Aloha DLNR Board Members

I am submitting this testimony for the Item #3 on the agenda for Friday's DLNR board meeting regarding the Revocable Permit application by Tracy Hayward for TMK (2) 1-4-012:003:0000

I am writing for two reasons. One is to support Tracy Hayward's application for the revocable permit for the state land referenced above. I am also writing to suggest and strongly support a future conservation opportunity for this property.

First, the permit application: There is a great deal of misinformation being spread about Tracy Hayward's intent in applying for the revocable permit on this land. She is only interested in grazing two cows on the property in the same location that has historically been grazed and to steward the rest of the property as is needed and feasible. It is absolutely not true (nor realistic) that she intends to fence off the entire property and keep the community from accessing the coast or that she intends to perform any kind of commercial activity. Additionally, this property is not oceanfront. Tracy has supplied written testimony to the DLNR for the public record stating that she has no intention of refusing anyone from access across the state land. She has also asked that a clause be inserted into the permit to this effect, which I believe will be presented at the meeting. I am not sure what else she can do to alleviate the concerns of the community. If she tried to do anything other than what she has stated on this land, the permit is revocable.

On this land there has recently been dumping of yard debris, tree stumps and there are also building materials, cement and a van on the property that need to be dealt with. I am including photos with my testimony that shows this debris on the land. It is time for this property to be cared for properly and Tracy is willing and able to do this. She is a good person who cares for the `aina and the Hana Community.

Second, conservation: In my conversations with some members of the Hana community and with a few members of the DLNR, there is a strong interest in this land, TMK (2) 1-4-012:003) and also possibly the adjacent state owned oceanfront parcel which includes a portion of Waiohonu stream, TMK (2) 1-4-012:019, being put into perpetual conservation in the future to benefit Hawaii and the Hana community. There is a current effort in Hana by a locally formed non-profit agency to purchase the semi-adjacent coastal lands at Maka'alae and place them into perpetual conservation. They have already closed escrow on the first large parcel closest to Hamoa Beach and they have had great success with grant funding for purchasing more of this coastal land. At this time, It would be premature to ask this non-profit to accept this state land as they need to focus on their current acquisition efforts and they should also have a seasoned track record for managing their land before accepting more lands. This may take a couple of years.

The ideal scenario would be for this organization (or one in a similar position) to take title to this land for the purpose of putting it into perpetual conservation for the future generations of Hana. Having this state land maintained by Tracy Hayward in the interim will not only make it easier for a future non-profit to accept the land without debris, weeds and invasive species, but also hopefully prevent it from being turned over to a different governmental agency and possibly lose the potential of future conservation. I realize there is a lot to discuss before anything like this can happen, but big accomplishments always start with the seed of a good idea.

I will be available virtually for testimony and questions during the meeting

Chris Harrington Pryor (805) 689-7418













From: hanajenn
To: [DLNR.BLNR.Testimony](#)
Cc: [Ferreira, Darlene S](#)
Subject: [EXTERNAL] I did not see my letter posted so here it is again, just in case
Date: Thursday, July 23, 2020 12:28:32 PM

D3 under land management; I oppose an issuance of a permit to Tracy Hayword

>>> In reference to D3, under land management, I am opposed to the issuance of a RP to Tracy Hayword for invasive species control on TMK (2) 1-4-012:003.

>>> First of all, there is nothing specifically mentioned on what is entailed for invasive species control. I believe if invasive species control is going to be done, there should be some guidelines. I have lived here for 15 years and have not seen the foliage change on this state land, so personally, I have no idea what Tracy Hayword would be doing in regards to invasive species control. Second, if there was a definition on what the invasive species were, what is the state going to do to check up on the situation. This should be addressed before giving Ms. Hayword the lease.

>>> Bigger picture, there has to be a better way to steward the land. This is 1.84 acres of pristine ocean front land in the secluded area of Hana, Maui. We cannot afford to give the lease to anyone unless we know their full intentions. There should be a stipulation that the land not be fenced. There should be guidelines on what can or can't be done to protect the communities access of the ocean. Ultimately this land is perfect to be put into preservation. That would be the end goal.

>>> Which leads me to my last point, if the end goal of a pristine piece of ocean front state land is to be put into preservation, why should one person get the lease on the land in the interim. That does not serve the best interest of the community of Hana. To all the people in the community that have walked across this land to the ocean there should be NO fence put up. In the wording of the request for a lease, there is no provision to protect the people of Hana from ACCESS to the ocean.

>>> Jennifer and Steve Livingston

>>> 7063 Hana Hwy

>>> Hana, Hi 96713

>>> Puuikijenn@gmail.com

7/22/2020

Dear BLNR,

My name is Mary Ann Kahana and I am a lineal descendant of Hana specifically Hamoa Ahupua'a. I am from the Pi'ilani lineage who have lived here for generations. It was brought to my attention that D. LAND DIVISION item number 3 Issuance of Revocable Permit to Tracy Hayward for Invasive Species Control Purposes, Waiohonu-Kakio, Hana, Maui, TMK: (2) 1-4-012:003 per your board meeting agenda, this is the current proposal.

I am requesting your board to disapprove this proposal at this time for the following unknown reasons:

1. What Invasive Species are we referring to? And what is currently happening to these unknown species that Tracy Hayward would like to protect?
2. How does she plan to protect the species?
3. In her letter, she noted protect Wedelia, is this it? Just one invasive species that she plans to take down for that million-dollar view and two cows to graze for possibly a tax break. Please elaborate.
4. She noted in her letter that she is protecting her land. This comment leads to self-gain.
5. Would it deter our Hawaiian cultural resources such as our fisherman uses this parcel to go fishing to feed their ohana. She noted access would be open, but why would we as lineal descendants want to go through her personally? There are still lineal descendants that lives on Maka'alae and it is already open to the ohana. Please explain.
6. The Wedelia has been there prior to Tracy coming here to Hana, so I may not be the subject matter expert but to state careful for taking all the Wedilia down because then we may have a bigger problem with erosion and marine life change. An example, is on Haneo'o Road private owner came to take down the Naupaka trees without permission and now we are faced with the ocean rocks and debris on the road due to king tides.
7. Do you know the use of the Wedelia? Hawaiians used it as a net to hold the fish. It also secures the ground.
8. What credentials she has to be an expert of how this parcel should be maintained?
9. Per Facebook, the letter is addressed to DLNR, what was the outcome of DLNR that lead this matter to BLNR.

Sincerely,



From: Patty Yeknich
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Referencing #3..Issuance of Revocable Permit to Tracy Hayward
Date: Wednesday, July 22, 2020 4:22:48 PM

Referencing #3...Issuance of Revocable Permit to Tracy Hayward for Invasive Species Control Purposes
Waiohonu-Kakio, Hana, Maui. Tax Map Key (2) 1-4-012-003

To Whom It May Concern:

I am a resident at 45555 Hana Highway, Hana. I am opposing the issuance of this permit.

It is state land that encompasses a significant portion of the coastline. Locals have been accessing this precious area for generations to fish and gather. It is their inherent right. By allowing a single individual to have control of this area, would put a burden on this right. The person who has the lease has the ability to block access to the ocean requiring one to ask for permission. It is not appropriate to have just one individual (private) to have rule over such precious lands.

Respectfully,

Patty Yeknich
45555 Hana Highway
P.O.Box 417
Hana HI 96713

From: WENDY BERMAN
To: [DLNR.BLNR.Testimony](#)
Cc: [Jack](#)
Subject: [EXTERNAL] July 24 Agenda Item: Waiohonu-Kakio, Hana, Maui, Tax Map Key: (2) 1-4-012:003.
Date: Wednesday, July 22, 2020 6:23:36 PM

To Whom this May Concern:

I am the property owner at 7059 Hana Hwy, Hana, HI 96713, and have previously submitted a letter of Testimony. My first letter was sent pre-mature, before the DLNR website listed the Agenda item with its supporting documentation.

Since that time, several items have come to light:

1. I understand that the final version of the Agenda Item will INCLUDE a provision to permit community members access to the point for fishing. We also grant access to numerous individuals in the community to pass over our land to fish.
2. From conversation with Tracy Hayward, I understand her intent is to re-fence the portion of land previously fenced when the Gales were property owners. That is, the portion of land under the canopy trees will remain unfenced.
3. While the application states the permit is for Invasive Species Control, it is unclear what invasive species exist here. The Agenda item includes exemption from an Environmental Assessment, which is further confusing.

My hope is that this land is placed in conservation in perpetuity.

Mahalo for your consideration of these comments.

Wendy Berman (720-971-8379 mobile+text)

7059 Hana Hwy

Hana, Maui 96713

From: Maka'aloholohi O Kalani Lecker-Tolentino
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Oppose
Date: Wednesday, July 22, 2020 11:14:03 PM

I am opposing the revocation of the invasive species! Oppose! Oppose! Oppose! Mahalo!

Sent from my iPhone

From: Bryden Lind
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Tracy Hayward opposition
Date: Wednesday, July 22, 2020 11:19:51 PM

ATTENTION PLEASE READ. CONTENTS BELOW HAVE
EXTREME IMPORTANCE:

Aloha.

I hope you folks take the time to read this. I'm writing concerning the exemption of an EIS for this parcel of land. This woman has no connection to this wahi pana like we kanaka do. It's extremely important to me that this woman gets no short cuts in obtaining this land. Please have her provide a work plan on how she intends to control the said invasive species and also how she decides to manage this parcel. Also make very clear that as kanaka and rightful tenants and stewards of the land have every right to gather medicinal seaweeds, numerous types of sea life like: opihi (limpets), moi (threadfish), aholehole (hawaiian flag fish) kole (yellow eyed sturgeon) u'u (menpatchi, big eyed emperor) and thousands of sea life we depend on as a village.

As you can see this is more than an opposition more than a simple email. This is a way of life that has sustained us for generations and we intended to keep it that way for generations to come. Mahalo.

Sent from my iPhone

From: Lucille Lecker
To: DLNR.BLNR.Testimony@hawaii.gov
Subject: Re: [EXTERNAL] DLNR meeting on July 24, 2020 Issuance of Revocable Permit to Tracy Hayward for Invasive Species Control Purposes, Waiohomo-Kakio, Hana, Maui, Tax Map Key: (2) 1-4-012-003.
Date: Thursday, July 23, 2020 8:23:54 AM

Aloha,

I'm am in hopes that it is not too late to submit photo of tress that has already been cut along the coastline.



If Permission by DLNR was already grated to Tracy Hayward for removal of trees (Invasive species in her eyes) then you can add this photo to your files.

I do not support cutting of trees along the coastline.

Mahalo,
Lucille Lecker
344-1881

> On Jul 20, 2020, at 4:01 PM, DLNR.BLNR.Testimony <blnr.testimony@hawaii.gov> wrote:
>
> Aloha,
>
> Your testimony will be forwarded to the Land Board members for their consideration.
>
> Mahalo
>
> Darlene S. Ferreira
> Secretary
> State of Hawaii
> Board of Land and Natural Resources
> Kalamimoku Building, Room 131
> 1151 Punchbowl Street
> Honolulu, Hawaii 96813
> (808) 587-0404
> www.dlnr.hawaii.gov/meetings
>
>
> ----- Original Message -----
> From: Lucille Lecker <uoellecker@yahoo.com>
> Sent: Monday, July 20, 2020 12:29 PM
> To: DLNR.BLNR.Testimony <blnr.testimony@hawaii.gov>
> Subject: [EXTERNAL] DLNR meeting on July 24, 2020 Issuance of Revocable Permit to Tracy Hayward for Invasive Species Control Purposes, Waiohomo-Kakio, Hana, Maui, Tax Map Key: (2) 1-4-012-003.
>
> Aloha Committee,
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> I am writing regarding the permit that has been submitted by Tracy Hayward for TMK 140120030000 1.84 acreage((2)1-4-012-003).
>
> I am NOT in support of this permit for TMK 140120030000 1.84 acreage((2)1-4-012-003).
>
> Tracy Hayward's first attempt to lease the property was denied and now she submits a second request claiming invasive species control purpose.
> The land for many generations have been used as an access to the ocean to gather food to feed our Ohana and community. Opili, fish, limu and other food resources we get from the ocean. It's a part of our culture as a Hawaiian to gather and eat from the Mountain to the Ocean.
> There are no invasive species on that land. The land has cane grass, wild berrie bush and trees.
> Her intentions and motives clearly this second time around is for self gain hiding under a disguise of invasive species control.
>
> I am strongly against this permit as I feel this will block our Hana community access which means our food resource. We are living in a time where we must protect our natural resources and protect access to those resources. This state land in question plays a vital role for our community. The land does not need any interruption of its natural growth.
>
> Please except this testimonial letter
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> Mahalo for hearing my heart,
>
> Lucille Noe Lecker
> P.O. Box 113 Hana
> HI 96713
> 808-344-1881
>
>
>
>
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>

State of Hawaii
Bureau of Land + Natural Resources

July 22, 2020

meeting July 24, 2020

D3. Land Division - Tracy Hayward

TMK (2) 1-4-012:003

I can only "speak" from experience as a local resident of Mākaala, Hana.

During the many years this parcel was leased to the McAllisters, we (the community here) never had any problems with the cows which kept the wild brush + cane grass down.

Just to set the record set, we have had several dealings with neighbor Tracey. She respects our Hawaiian culture + way of living. She gets along with locals ... just ask the ones who have worked for her + met her. She doesn't try to move property lines to her advantage. She doesn't throw yard/coronuts in her neighbor's yard + DNR land. She respects your privacy. She doesn't use us locals for her personal wants. Whether or not Tracy Hayward is granted this lease ... people will still have right of way for fishing access this DOES NOT MEAN one can use the property for their personal pleasure/recreation. It is also NOT an extension of one's property to use as such.

Aloha

Christel Medina Travin

From: joseph oliveira
To: [DLNR.BLNR.Testimony](#)
Cc: shane.sinenci@mauicounty.us
Subject: [EXTERNAL] July 24th meeting concerns
Date: Friday, July 17, 2020 2:40:08 PM

To Department of land and natural resources.

Is writing this letter to voice my concerns as well as my family's concerns. Refer to item number 3 under land division Revocable permit to Tracy Hayward for invasive species control waiohonu-kakio Hana Maui TMK (2) 1-4-012:003

This land is adjacent to my property TMK 140120100000 which has been our access to the ocean to gather fish opihi limu diving etc. for generations in our families and the community. We feel by leasing this land it will be put under control and access will be blocked to the ocean as far as invasive species. I have submitted some photos of the different types of trees and shrubs none of which is invasive. Kamani nut trees, California grass, lauhala trees and some other shrubs which has been there forever in front of Tracy Hayward's house. She has been maintaining in front of the other neighbor they have been maintaining the rest of the land. Nature has been maintaining it for years. WE DONT WANT OUR ACCESS BLOCKED AND CONTROLLED

SOME OF THE OTHER FAMILY MEMBERS CONCERNED

Felicia castaneda 808 248-4920
James Oliveira. 808 248-7741
Francis Oliveira. 808 248-8203
Kazmer Oliveira. 808 248-8203
Joseph Oliveira. 808 248-8691











