



P.O. Box 2122, Wailuku, HI 96793

May 11, 2022

Ms. Suzanne Case, Chairperson
And Members
Board of Land & Natural Resources
P. O. Box 621
Honolulu, HI 96809

RE: Supporting DOFAW Pohakea Watershed Lands Legacy Lands Acquisition, TMK(2)3-6-001:018

Aloha Chairperson Case and BLNR Members,

Ma'alaea Village Association (MVA) and its over 200 members strongly supports this grant award to the Division of Forestry and Wildlife for the Acquisition of Pohakea Watershed Lands in Ma'alaea. There has been strong community support for this purchase. Your approval will provide the additional funds that may be necessary to purchase this keystone property for watershed protection. The parcel is critical for managing wildfires, a chronic threat in this area of Maui. It is also key to mitigating erosion/soil runoff and pollution of Ma'alaea Bay and its nearshore coral reefs.

Maui will benefit from the desire of DLNR Division of Forestry and Wildlife to assume title to this land.

- Without designation the parcel would likely continue to be threatened by wildfire and erosion
- The scenic vistas and natural resources will be protected to enhance Maui's quality of life
- The State plans to add this property and surrounding state lands in forest reserve to manage them holistically to prevent fire, restore native habitat and enhance public recreational activities
- The historic Lahaina Pali Trail will be expanded with additional parking and signage for the benefit of Maui residents and visitors.

MVA will be actively involved with other community partners including Maui Nui Marine Resource Council, Maui Cultural Lands and the Mauna Kahalawai Watershed Partnership in developing a management plan to enhance public benefits and large scale protection of these important natural and cultural resources.

Approval of the acquisition of this land for Legacy Land Conservation will ensure much needed protection for generations to come.

Mahalo for your support!

Lynn Britton
Immediate Past President and Co-Founder, Ma'alaea Village Association

Cc: Scott Fretz, Maui District Manager, DLNR Division of Forestry and Wildlife (DOFAW)
Lea Hong, Hawaii Director, The Trust for Public Land
Senator Gil Keith-Agaran
Senator Roz Baker
Representative Angus McKelvey
South Maui Councilmember Kelly King



HAWAII

1164 Bishop St., Ste. 1512
Honolulu, HI 96813
tpl.org

THE TRUST FOR PUBLIC LAND'S TESTIMONY
IN SUPPORT OF BLNR AGENDA ITEM C.1(b) LEGACY LAND COMMISSION
RECOMMENDATIONS ---POHAKEA WATERSHED LANDS (ALSO KNOWN
AS MA'ALAEA MAUKA)
Board of Land and Natural Resources
May 13, 2022 9:15 a.m.

HAWAII BOARD

Steve Kelly, Chair
James Campbell Company LLC

Blake Oshiro, Vice Chair
Capitol Consultants of Hawaii

Dr. Noa Emmett Aluli
Molokai General Hospital

Stanford S. Carr
Stanford Carr Development

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AES

Race Randle
Lendlease Americas

Tom Reeve
Conservationist

Ka'iulani Sodaro
Ward Village/Howard Hughes

Jan Sullivan
Oceanit

Aloha Chair Case and Board Member:

The Trust for Public Land (TPL) strongly supports Agenda Item C.1(b) relating to a Legacy Land Conservation Program grant of \$1 million to the State of Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) for the purchase and protection of the Pohakea Watershed Lands at Ma'alaea, Maui.

TPL has been working closely with DOFAW on this purchase which will allow DOFAW to manage these 257 acres of land and adjacent state lands to prevent wildfires, reduce erosion affecting Ma'alaea Bay and its corals, improve nearshore water quality, and enhance access to the Lahaina-Pali trail. The Maui County Council has approved a total of \$6.2 million of County funds to contribute to the purchase. This project is strongly supported by Maui community organizations and individuals. During the Legacy Land Conservation Commission proceedings, 22 organizations and individuals testified in strong support of the project and their testimony is attached for the Board's consideration. There was no testimony in opposition.

Testifiers in support:

1. Maui County Council Resolution
2. Kelli Medeiros
3. Mr. & Mrs. B. Best
4. State Senator Rosalyn H. Baker, Sixth District
5. Mark Hyde
6. Berta Unabia-Verkerke
7. Amita Schmidt
8. Thomas Grimaldi
9. Samuel Werner
10. Ma'ala Village Association
11. Robert & Diane Knourek
12. Anne Rillero
13. Matthew Gurewitsch
14. Napili Bay and Beach Foundation
15. Kihei Community Association
16. Lora Harbo, Gayle Harbo & David Liebersbach
17. Malie Miller-Pierce & Neil Rhoads
18. Pacific Whale Foundation
19. State Representative Angus McKelvey

- 20. David Dorn
- 21. Anne Allison
- 22. Maui Tomorrow Foundation

The Legacy Land Conservation Program funds will allow TPL to purchase of the subject lands from the private seller and transfer the lands to DOFAW for management and collaborative conservation efforts to address watershed protection, fire prevention and mitigation, and erosion control.

Mahalo to the Board of Land and Natural Resources for its support in protecting these lands.

Mahalo –

A handwritten signature in cursive script, appearing to read "Lea Hong".

Lea Hong
Associate Vice-President, Hawai'i State Director
Edmund C. Olson Trust Fellow
The Trust for Public Land

KATHY L. KAOHU
County Clerk



JAMES G.M. KRUEGER
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

February 25, 2022

Mr. David Penn, Program Specialist
Legacy Land Conservation Program
Department of Land and Natural Resources
1151 Punchbowl Street, Room 325
Honolulu, Hawaii 96813

Dear Mr. Penn:

Transmitted herewith is a certified copy of Resolution No. 22-55, FD1,
which was adopted by the Council of the County of Maui, State of Hawaii, on
February 18, 2022.

Respectfully,

A handwritten signature in black ink that reads "Kathy L. Kaohu".

KATHY L. KAOHU
County Clerk

/djy

Enclosure

Resolution

No. 22-55, FD1

SUPPORTING POHAKEA WATERSHED LANDS' APPLICATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES' LEGACY LAND CONSERVATION PROGRAM

WHEREAS, Pohakea Watershed Lands, also known as Mā'alaea Mauka (Tax Map Key (3) 6-001-018)), is 257.7 acres of coastal plain located in a highly visible scenic area at the base of the West Maui Mountains mauka of the Mā'alaea Small Boat Harbor in South Maui; and

WHEREAS, Pohakea Watershed Lands is a keystone property for watershed protection and provides important natural habitat for bats, the sphinx moth, and nēnē, and

WHEREAS, the property is critical for managing wildfires—a chronic threat in this area of Maui—and for mitigating erosion, soil runoff, and pollution of Mā'alaea Bay and its nearshore coral reefs; and

WHEREAS, Legacy Land Conservation Program of the State Department of Land and Natural Resources ("DLNR") "provides grants to community organizations and government agencies that strive to purchase and protect land that shelters exceptional, unique, threatened, and endangered resources," as stated on the DLNR website; and

WHEREAS, approving Pohakea Watershed Lands' application for a Legacy Land Conservation Program grant would designate the property for much-needed protection; and

WHEREAS, without designation, the parcel will likely continue to be threatened by wildfire and erosion, and the cycle will persist; and

WHEREAS, DLNR's Division of Forestry and Wildlife already has firebreaks on this property and would incorporate the property in an area-wide wildfire-management strategy; and

WHEREAS, the State plans to add this property and surrounding State lands to the Forest Reserve and manage them holistically to prevent fire, restore native habitat, and enhance public recreational activities, providing connectivity of lands and continuity of conservation action; and

WHEREAS, the State plans to work with community partners to prevent wildfire, reduce erosion and runoff, and improve nearshore water quality at Mā‘alaea Bay; and

WHEREAS, the Countywide Policy Plan notes that two of highest priorities of Maui County are to protect the natural environment and to promote sustainable land use and growth management; and

WHEREAS, the Kihei-Makena Community Plan identifies “provide for limited residential expansion in Maalaea which complements the existing natural and built environment” and “preserve, protect, and restore unique natural areas with significant conservation values” as top goals to enhance the region’s overall living environment; and

WHEREAS, designation will ensure future stewardship will align with the community vision; and

WHEREAS, acquisition will maximize public benefits by enabling large-scale protection of important natural and cultural resources and minimizing risk from environmental hazards and natural disasters; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it supports Pohakea Watershed Lands’ application to the Department of Land and Natural Resources’ Legacy Land Conservation Program; and
2. That certified copies of this resolution be transmitted to David Penn, Program Specialist, Legacy Land Conservation Program, Department of Land and Natural Resources, Division of Forestry and Wildlife; Native Ecosystems Protection & Management; Shelee Kimura, President & CEO, Hawaiian Electric Company; Hōkūao Pellegrino, President, Hui o Na Wai ‘Ēha; Lyndon Ibele, President, Mā‘alaea Village Association; Bradford Ventura, Chief, Department of Fire and Public Safety; Edwin “Ekolu” Lindsey III, President, Maui Cultural Lands; Robin Newbold, Chair and co-founder, Maui Nui Marine Resources Council; Chris Brosius, Program Manager, Mauna Kahalawai Watershed Partnership; and the Honorable Mayor Michael P. Victorino, Mayor, County of Maui.

INTRODUCED BY:

Kelly T. King

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 22-55, FD1, was adopted by the Council of the County of Maui, State of Hawaii, on the 18th day of February 2022, by the following vote:

MEMBERS	Alice L. LEE Chair	Keani N. W. RAWLINS- FERNANDEZ Vice-Chair	Gabe JOHNSON	Natalie A. KAMA	Kelly T. KING	Michael J. MOLINA	Tamara A. N. PALTIN	Shane M. SINENCI	Yuki Lei K. SUGIMURA
ROLL CALL	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye	Aye



COUNTY CLERK

From: [Kelli Uderitz](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Pohaku Watershed
Date: Monday, March 7, 2022 10:08:19 AM

Aloha, I am a resident of Maui and ask you to support the purchase of the land by the DLNR. We need to protect this area and not allow more development of this area. Green space is already so limited on Maui and development would cause catastrophic runoff into Maalea bay. Thank you, Kelli Medeiros

From: [Bill or Bobbie Best](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] We support Maalaea Mauka/Pohakea Watershed Land Acquisition
Date: Monday, March 7, 2022 10:50:00 AM

It's exciting to see progress on this Legacy Land Conservation Program
Mahalo nui loa

Mr. & Mrs. B. Best
280 Hauoli
Wailuku HI
808-242-9119



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

March 4, 2022

Legacy Land Conservation Program
Department of Land and Natural Resources
1151 Punchbowl Street, Room 325
Honolulu, HI 96813

Aloha mai e Legacy Land Conservation Program Commissioners,

I am writing to express my enthusiastic support for the acquisition and protection of Pōhākea Watershed Land. For over four years, Trust for Public Land has been working closely with the Mā'ala'ala Village Association, Maui Nui Marine Resources Council, the Ocean Center and others in the Mā'ala'ala community and later with Department of Land and Natural Resources (DLNR) Maui Department of Forestry and Wildlife (DOFAW) to acquire and protect Pōhākea Watershed Land on Maui.

Protecting Pōhākea Watershed Land will conserve 257.7 acres of open space land which would be included as part of a "Conservation Corridor." Purchase of the property includes three wells, a 750,000-gallon tank and easements for the delivery of water across adjacent lands. The water resources will provide significant benefits for land management and provide support and protection to other conservation habitats such as the Kealia National Wildlife Refuge, Mā'ala'ala Harbor, and state conservation lands that provide protection for native plants, birds, and other wildlife. Protecting Pōhākea Watershed Land will also aid in natural hazard management and mitigation from heavy rains, fires, and runoff which flow to the makai conservation regions. In addition, the project will preserve an intact cultural landscape with dozens of cultural sites including 17 habitation complexes, pōhaku (rocks), petroglyphs, and the entrance portion of Lahaina Pali Trail, which traverses State-protect conservation lands.

There is resounding community support for this project and once the land is publicly owned and protected from development threats, the community, County, and the State will collaborate to protect cultural and scenic resources, reduce recurrent wildfire risks and soil erosion, safeguard clean drinking water, and enhance marine ecosystem health of Mā'ala'ala Bay.

The acquisition of Pōhākea Watershed Land will ensure protection for perpetuity so that future generations will be able to be able to enjoy the many bounties that Mā'ala'ala has to offer.

Me ke aloha pumehana,

Rosalyn H. Baker
SENATOR
6th District - South and West Maui

From: [Mark Hyde](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] March 11, 2022 Agenda Item 2A SUPPORT
Date: Tuesday, March 8, 2022 3:19:20 PM

I am a full time resident of Maui, residing at 4320 E. Waiola Loop, Wailea, 96753.

I **SUPPORT** 3/11/22 Agenda Item 2.A providing funding for the purchase of land *mauka* of Ma'alaea. In so doing near shore water quality at Ma'alaea will be protected from the effects of mud and debris runoff that result from development. In addition, conserving the land will preserve views from east to west and mauka to makai which are themselves a natural resource. Once acquired, this area can serve as a place for low impact recreation and, hopefully, re-vegetation for fire prevention and beautification.

Mahalo,

Mark Hyde

From: [Berta Unabia-Verkerke](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Support the purchase of 257.8 acres of Pohakea Watershed
Date: Tuesday, March 8, 2022 6:47:47 PM

Aloha all involved with making this land purchase happen. Please help to preserve a necessary area to protect the watershed area from sediment runoff to containing wildfires. If development were to happen there could be easier runoff of sediments and possibility of sewage runoffs into Ma'alaea Bay, which is vital breeding and birth place for our Kohola (whale). We need to protect this area for the creatures of Kai(ocean) and 'Aina (land), we need to do this for our children and our future Keiki. Mahalo nui and Malama Pono,

Sent from my iPad

From: [Amita Schmidt](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Support of state purchase of Pohakea watershed land
Date: Tuesday, March 8, 2022 9:27:56 PM

I support the state's purchase of the 257 acres in the watershed. Please help to preserve this Pohakea watershed.

This is such a unique area. It is very vulnerable to fires and runoff if it is not preserved.

It should not be used for development due the unique nature of how the property goes right into the bay and harbor and connects with important water sources.

Please support support this legacy watershed protection.

Mahalo.

Amita Schmidt

Kihei HI 96753

From: [T.G](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Testimony in support of fund allocation for DNLr DOFAW purchase of Pohakea Watershed Lands (Mā'alaēa Mauka) for March 11, 2022
Date: Wednesday, March 9, 2022 5:17:22 AM

To Hawaii Legacy Land Commission:

Aloha,

I, Thomas Grimaldi, support the protection and preservation of Ma'alaēa Mauka, part of Pohakea Watershed. I support use of funds from the state Land Conservation Fund to be directed to the purchase of 257.8 acres of Pohakea Watershed Lands. I am herein asking the commission to allocate \$1 million dollars of the available funds to facilitate this purchase. As a result of this allocation of funds, it will be possible to bring in State, Federal and private funds to implement the Pohakea Stormwater Management Plan to protect the ocean water quality and coral reefs of Mā'alaēa Bay.

The land in question, if able to be purchased and transferred to the ownership and management of the Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife, would be designated to be part of a "State Forestry Reserve" allowing for active management and protection for the entire watershed from wildfires and sediment runoff into Mā'alaēa Bay.

The allocation and subsequent purchase would be an important step to begin the urgently needed actions to appropriately manage this land, so that sound and respectful techniques to preserve it and the surrounding marine environment may be applied in the very near future. I support the work and proposed land management initiatives described in the submission of the Maui Nui Marine Resource Council.

Thank You

Thomas Grimaldi
2777 S. Kihei Road
J-221
Kihei, Maui, HI 96753

Sent from my iPhone

From: [Sam Werner](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Please protect the pohakea watershed
Date: Wednesday, March 9, 2022 9:29:14 AM

Hello,

I'm writing to submit public testimony regarding the pohakea watershed. Please protect these delicate and critical areas of Maui.

-Samuel Werner



March 9, 2022

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

RE: MEETING 75 OF THE LEGACY LAND CONSERVATION COMMISSION
FRIDAY MARCH 11, 2022

Aloha to the LLC,

This letter, on behalf of the 190+ members of the Ma'alaea Village Association ("MVA") and Ma'alaea's residents, visitors and businesses, is to urge the Legacy Land Commission to approve the \$1,000,000 land acquisition grant for the Pohakea Watershed (Ma'alaea Mauka). Added to the \$6 million committed from the Maui County Open Space fund, this will go a long way to ensuring the protection of this property.

MVA and its predecessor organization, the Ma'alaea Community Association, have long advocated for the conservation of the 257 acre Ma'alaea Mauka parcel. The time is ripe to make this a reality, with a willing seller, and with the DLNR Division of Forestry and Wildlife willing to own/manage the property.

There are long term benefits to all of Maui in putting this parcel into public ownership, including:

- Preservation of the iconic scenic vistas and open space for public enjoyment and recreation;
- Expansion and protection of the historic Lahaina Pali Trail for future generations;
- Wildfire hazard management at this critical crossroads between Central, South and West Maui communities;
- With this purchase, DOFAW can incorporate 3,000+ acres of unprotected state land above the property into a "state forestry reserve" for the entire Pohakea Watershed for long term management to stabilize soil and increase capacity to absorb stormwaters and reduce runoff.

Most importantly, the acquisition of this property is a critical part of an ongoing, community-wide "mauka to makai" effort to improve the health of Ma'alaea Bay, which is an EPA-listed impaired body of water. The health of Ma'alaea Bay is critical to the health, prosperity and quality of life for all of Maui.

Please take this opportunity to influence history.

Sincerely,

Lyndon C. Ibele, President-Ma'alaea Village Association

cc: Maui Councilmember Kelly King, Senator Gil Keith-Agaran, Senator Roz Baker

Ma'alaea Village Association
P. O. Box 2122, Wailuku, HI 96793
maalaeavillageassociation@gmail.com

From: [Robert Knourek](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Pohakea Watershed Preservation - Written Testimony
Date: Wednesday, March 9, 2022 12:45:36 PM

I believe that the Pohakea Watershed should not be zoned or permitted for housing or other commercial development.

The original plan, which was to purchase the land for the Trust for Public Land, should remain in force.

Allowing development of this land will negatively impact:

- The water quality of Maalea Bay
- The coral reefs of Maalea Bay
- Availability of recreational land for local people and tourists alike
- Traffic in the area, for a considerable period of time

There are probably other impacts as well, but I believe that the above reasons are sufficient to support putting the land into the public trust.

My wife and I are property owners on Maui and spend much of our time on the island. We pay significant sums in local taxes and contribute to many local charities.

Our long term plans are to relocate to the island.

Thanks for your consideration of our views.

Malama!!

Robert and Diane Knourek
50 Nohea Kai Drive
Lahaina, HI.
96761

TO: Hawaii Legacy Land Conservation Commission
FROM: Anne Rillero
DATE: March 9, 2022
RE: **Testimony in support of allocating \$1 million from the Land Conservation Fund toward the purchase of the 257.8 acre Mā'alaea Mauka land**

Aloha Legacy Land Conservation Commissioners,

I'm a 20+ year Maui resident of Kula writing to express my strong support for the application submitted by the Hawaii Department of Land & Natural Resources, Division of Forestry & Wildlife requesting a \$1 million Land Acquisition Grant from the Land Conservation Fund toward the purchase of the 257.8 acre Pohakea Watershed - Mā'alaea Mauka land.

Here are the reasons why I support this purchase:

1. Protecting this land from imminent development:

This land is owned by the Spencer Family who has repeatedly tried to develop this land. Their past proposals had included an 1,100 unit affordable housing subdivision and later 55 affordable homes + 55 rural lots, all of which were rejected by the community. If the public purchase of this 257.8 acre Mā'alaea Mauka parcel does not happen, I would not be surprised if the Spencer Family sells this land to another developer -- who may be able to find their way to obtaining approval to develop the land.

2. Protecting the Lahaina Pali Trail:

As you probably know, there are few public hiking trails in the South and Central Maui area. The Lahaina Pali Trail is the only day hike trail in Mā'alaea and it is used and enjoyed by many in our community. The views of the ocean, Kaho'olawe and Lana'i from the trail are beautiful and there is much to be realized about our island's history from walking this intact section of an ancient "around all of Maui" trail. Conversion of the Mā'alaea Mauka land to public land will make it possible to expand upon and improve this historic trail.

3. Protecting Mā'alaea Bay's coral reefs and marine resources from stormwater runoff:

There are many photos and reports documenting the severe brown water conditions that have occurred in Mā'alaea Bay following stormwater events that transport sediment from the slopes of Pohakea Watershed into the ocean. Corals are harmed by excessive sediment in the water; they need clean ocean water to live, grow and reproduce. Mā'alaea's corals are in poor shape and need all of the help we can provide to reduce sediment pollution in the bay.

Maui Nui Marine Resource Council and Michael Reyes created the Pohakea Stormwater Management Plan to address ways to reduce this runoff. However, in order to enact a management plan, the land needs to be accessible for improvement projects. Please support the purchase of the 257.8 acre Mā'alaea Mauka land to support protection of the marine wildlife and coral reefs of Mā'alaea Bay – which will also help provide for clean ocean water for all people who use the bay for boating, swimming, fishing, paddling and other forms of recreation.

By approving the \$1 million for “Mā’alaia Mauka” land in Pohakea Watershed you will be placing this land under the ownership and management of the Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife as part of a “State Forestry Reserve” to allow for active management and protection for the entire watershed from wildfires and sediment runoff into Mā’alaia Bay. This will ensure that the land is used appropriately, and will remain as a habitat for wildlife and a community resource for recreation into the future, for our children’s children.

For all of these reasons, please allocate the \$1 million from the state Land Conservation Fund toward the purchase of the 257.8 acre Mā’alaia Mauka land. Thank you for the opportunity to provide this testify.

Mālama pono,
Anne Rillero
104 Malapua Place
Kula, HI 96790

Submitted to:
llcc@hawaii.gov
PHONE (808) 586-0921 | FAX (808) 587-0160
Legacy Land Conservation Commission
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, HI 96813

From: [Matthew Gurewitsch](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Testimony for MEETING 75 OF THE LEGACY LAND CONSERVATION COMMISSION
Date: Wednesday, March 9, 2022 4:51:40 PM

Aloha, Commissioners!

Malama aina!

I am writing in whole-hearted support of all efforts to **protect the Pohakea Watershed (Ma'alaea Mauka)**.

Over the last 30 years, Maui's coastline has been developed beyond recognition. The high cost of this helter-skelter economic exploitation has been tremendous. Worst of all has been the impact on the ecology of the near-shore waters and the health of our coral reefs. But it is not too late to take meaningful action.

The plans of the Department of Land and Natural Resources Division of Forestry and Wildlife (DOFAW) for this 257-acre parcel are well thought out. For cultural, ecological, and purely aesthetic reasons, it is vital for our generation to preserve this land. Not only does DOFAW's plan keep Pohakea in open space, it increases public access for low-impact recreational uses, and protects the grievously imperiled coral reefs of Ma'alaea Bay.

Mahalo for your attention. Again I say: malama aina!

m.

Matthew Gurewitsch
3415 Kuaua Pl.
Kihei (Maui) HI 96753

t/+1 (808) 874-8925
fx/+1 (212) 656-1647

on the web: beyondcriticism.com
on skype & twitter: mg1228



PO Box 10823
Lahaina, HI 96761

March 9, 2022

To: Hawaii Legacy Land Commission

Protection of watershed lands is essential to health of Maui's coastal waters and coastal reefs.

The more hardscape on the land, the more runoff travels to coastal waters, impairing the Water Quality, which negatively impacts the health of the reef that can protect the whole island as sea levels rise. Further, hardscape results in loss of groundwater, and the past few years of drought on Maui have demonstrated that this can result in fires/loss of property and to loss of essential potable water for residents and visitors alike.

All of this means a loss of quality of life on Maui.

Maui County Open Space Fund has allocated \$6M to help purchase the land, as an indicator of the strong public support in this regard. Whale and turtle habitat lie in the coastal waters below it, and the Lahaina Pali Trail lies within it, and all three are endangered by allowing development on these lands.

As you are aware, DOFAW plans to bring this parcel into the 3,000+ acres of State lands above the property as a State Forestry Reserve, further ensuring a strong, healthy watershed.

For all of these solid environmental reasons, we support the State's purchase of the Pohakea watershed parcel of 257.8 acres.

Mahalo,

A handwritten signature in black ink that reads "Pat B. Lindquist". The signature is fluid and cursive.

President

We are a non-profit organization formed to protect and improve the health of Napili beach and bay.

Pat B. Lindquist, President

Gregg Nelson, Vice-President

Nane Aluli, Secretary

Norm Runyan, Director

Jamie Lung-Ke'o, Director

Tano Taitano, Director

From: [Mike Moran](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Written testimony for 3/11/22 meeting at 930 AM ITEM 2 A
Date: Wednesday, March 9, 2022 7:13:17 PM

Aloha

The Kihei Community Association (KCA) www.gokihei.org is offering our input in support of Item 2 A. Pohekea Watershed. Over the last decade we have advocated to first stop any development at this location and then the following steps to the point we are this week,

supporting the state's purchase of 257.8 acres in the watershed!

Mahalo

Mike Moran President Kihei Community Association

March 9, 2022

Testimony for March 11, 2022
Meeting 75 of the LLCC
DLNR, DFAW
Pohakea Watershed (Ma'alaea Mauka)

Dear Legacy Lands Conservation Commission,

Aloha and mahalo for your consideration of the Department of Land and Natural Resources, Division of Forestry and Wildlife's application regarding the environmentally valuable 257.8 acres of the Pohakea watershed. We are writing in enthusiastic support of their request of \$1,000,000 in funding to facilitate the purchase of Ma'alaea Mauka. These lands are vital to ensure the vision of ecological restoration of the area, including the reefs and marine animals in Ma'alaea Bay, and to maintain scenic, open spaces for Maui residents, families and visitors to continue to enjoy for years to come!

With DLNR's and partner organization's planned management of the watershed, many benefits will flow, to include:

- Restoration of soil binding vegetation will increase the hillside's ability to absorb inundating rainstorm events and decrease erosion, thereby reducing damaging brown water, sediment-filled runoff into the already degraded reefs and waters of Ma'alaea Bay.
- Mitigation of wildfire threats along Honoapiilani Highway, a vital corridor in and out of West Maui, by creating fire breaks and planting fire-resistant vegetation.
- Protection of scenic views and recreation opportunities along the historic Lahaina Pali trail.
- Expansion of the 3,414 forest reserve in Ma'alaea Mauka.

Please make the wise and prescient decision to approve this application, and enable the purchase and preservation of this sustaining watershed.

Mahalo nui loa,

Lora Harbo
Gayle Harbo
David Liebersbach
Owners and residents of Ma'alaea

Mailea Miller-Pierce, Ph.D. and Neil Rhoads

385 Kenolio Rd.
Kihei, HI 96753
(707) 227-6623
m.miller-pierce@wsu.edu

9 March 2022

Legacy Land Conservation Commission, Division of Forestry and Wildlife

1151 Punchbowl Street, Room 325
Honolulu, HI 96813
PHONE (808) 586-0921 | FAX (808) 587-0160
llcc@hawaii.gov

Re: Acquisition of Pohakea Watershed (Ma'alaea Mauka)

Dear Commissioners,

We are the co-authors of two recent studies concerning water quality issues around Maui, with particular focus on West and South Maui. Based on our research we are strongly in favor of placing this land under the ownership and management of the Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife.

During manuscript preparation for our 2016 paper published in *Marine Pollution Bulletin* we investigated the significant water quality degradation caused by nutrients and turbidity both inside and outside of Ma'alaea Harbor.

In our 2019 paper we reported a notable degradation in water quality downslope of developments employing septic tanks and/or cesspools. Of particular note was the degradation seen at Launiupoko after development, compared to when it was agricultural prior to development.

We believe that placing these lands under proper stewardship and management will provide the best opportunity for near shore water quality recovery and long term reef health.

Our 2016 paper is available online here: [The influence of wastewater discharge on water quality in Hawai'i: A comparative study for Lahaina and Kihei, Maui](#)

Our 2019 paper is available online here: [Clostridium perfringens testing improves the reliability of detecting non-point source sewage contamination in Hawaiian coastal waters compared to using Enterococci alone](#)

Sincerely,

Mailea Miller-Pierce, Ph.D. and Neil Rhoads

For protection and preservation of the Pohakea Watershed Lands

March 11th, 2022

Hawai'i Legacy Land Commission

To the members of the Commission,

My name is Shelby Serra, and I am the Conservation Advocate for Pacific Whale Foundation (PWF), a 501 (c)(3) non-profit with nearly 4,000 supporting members, whose mission to protect the ocean through science and advocacy and inspire environmental stewardship. Today I am testifying in support of the allocation of \$1 million from the state Land Conservation Fund toward the purchase of 257.8 acres of Pohakea Watershed Lands (Ma'alaea Mauka).

PWF has long advocated for science-based solutions to the major threats facing the health of the ocean, as well as educated our supporters on the delicately linked terrestrial and marine ecosystems, and the importance of these connections to the overall preservation of environmental health.

Protecting the Pohakea Watershed is an integral part of protecting the health and longevity of the unique marine life that utilize Ma'alaea Bay. In addition to highlighting the threatened marine life in the area, I would like to emphasize the need to hold this place free from the continued unsustainable development of these islands. Although I do not have history or roots within the Hawaiian culture, I feel a responsibility to uplift these ideals and traditions in the context of conservation.

The Kumulipo, the sacred creation chant of Hawaiian ali'i, is one of the principal sources of information on Hawaiian mythology, early culture, political structure, and way of life¹.

In the first part of the chant, the creation of life story talks of individual creation in the sea, and subsequent life that guards it on land¹. This connection between the land and sea is held dearly by Hawaiian cultural practices, as the ahupua'a extends from the mountain tops to the sea (mauka to makai), once providing access to everything the people in that ahupua'a would need². This connection is precisely the reason why the preservation of this land is not only imperative for the conservation of the species that live in the adjacent waters, but it also honors the culture that has been here long before there were State agencies and developers to dictate its use.

I imagine, on a larger scale, the Pohakea watershed as the guardian land of the Ma'alaea Bay waters.

Here at PWF, our aim has always been to give a voice for the whales that cannot speak for themselves – to protect them from the threats they face.

While in Hawai'i, humpback whales show a preference for wide, shallow bank areas, including Ma'alaea Bay³. Ma'alaea Bay has been considered an important area for the most vulnerable members of the population (moms and calves) since the early 1980s³, and in consideration of the growing population of this North Pacific stock of humpback whales in general, the importance of this area has only increased.

In more recent times, our research has shown that groups of whales with a calf showed a preference for shallow waters⁴, almost 40 years after the first studies were conducted. More and more research points to marine mammals, and particularly large migratory whales, serving critical functions within marine systems, from bio-indicators of health of marine ecosystems to the maintenance of key nutrient levels in surface waters in temperate marine regions⁵.

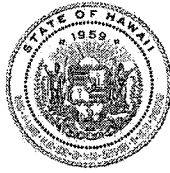
We believe that due to the intrinsically linked land and sea ecosystems, coupled with the importance of the marine resources found here in Hawai'i, the purchase of the Pohakea Watershed Lands to keep as open space is imperative for the preservation of these lands and waters. The development of these lands is sure to diminish not only the value of the land, but the ecosystem value of the waters it guards. It is up to us, as humans, to utilize whatever power we have to protect the natural systems in place, and to honor the culture that has existed here for hundreds of years.

Mahalo for the opportunity to advocate, and for your time.

Sincerely,
Shelby Serra
Conservation Advocate

References

1. Ulukau: The Hawaiian Electronic Library
2. Solomon Pili Kaho'ohalahala, *Earth is Blue Magazine*, National Marine Sanctuaries
3. Forestell, P., Brown, E., *Description of humpback whale use of Ma'alaea Bay, Maui, Hawaii*, 1992
4. Currie, J., et al., *Utilizing occupancy models and platforms-of-opportunity to assess area use of mother-calf humpback whales*, 2018
5. Cartwright, R., et al., *Between a rock and a hard place: habitat selection in female-calf humpback whale pairs on the Hawaiian breeding grounds*, 2012



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

March 10, 2022

State of Hawai'i Legacy Land Conservation Commission
Department of Land and Natural Resources
1151 Punchbowl Street, Room 325
Honolulu, Hawai'i 96813

VIA: EMAIL – HARDCOPY TO FOLLOW

RE: PŌHĀKEA WATERSHED LAND

Dear Chairperson Haase and Members of the Commission,

As the Hawaii State Representative for District 10–West Maui, Mā‘alaea, and North Kihei, I support the proposed purchase of Pōhākea Watershed Land, which is within the district in that I serve. The allocation of funds needed to carry out the Trust for Public Land's purchase of 250 acres of Pōhākea Watershed Land to help expand the state forest reserve is an absolute necessity for the future environmental prosperity of the West Maui community.

Pōhākea Watershed Land is deeply entrenched with Hawaiian history that connects our local community to their ancestors. Lāhainā Pali Trail known by the local community as "Kings Trail" is a 500-year-old trail that was used to connect West side communities to Wailuku. The establishment of public access will allow members of our community to walk in the same footsteps as their ancestors once did hundreds of years ago. Therefore, the land would serve as both an educational and recreational site for the community to connect with the lands enriched history via existing cultural resources and hiking trails. It is essential that we as a community value the importance of prioritizing Hawaii's detailed history. It is my hope and expectation that

the State Land Commission will earnestly prioritize the importance of protecting Hawaii's unique landscape, history and resources when considering funding for projects; the funding for this land acquisition does that.

In addition, Pōhākea Watershed Land will provide various social, economic, and environmental benefits to the land, people of Maui, and our state. Social opportunities may include educational trips and various community programs. Further, opening the land to the public will provide additional economic growth throughout the local community. Lastly, the purchase of Pōhākea Watershed Land will enable further protection for various native plant and animal life. Doing so will protect the well-being of our beloved state bird, the Nēnē.

I thank you in advance for your consideration and look forward to your positive response.

Sincerely,



State Representative Angus L. K. McKelvey

cc: Trust for Public Land

From: [David Dorn](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Hawaii Legacy Land Commission, meeting Friday, March 11, 2022,
Date: Thursday, March 10, 2022 1:55:19 PM

Testimony in support of the state's purchase of 257.8 acres in the Pohakea watershed.

Dear Hawaii Legacy Land Commission,

My name is David Dorn, a Kihei resident and I am not a lobbyist. I am a member of the South Maui Save the Wetlands Hui, and the Sierra Club Maui Chapter.

I support the state's purchase of 257.8 acres in the Pohakea Watershed Lands (Mā'alaia Mauka).

The preservation and protection of this watershed is vital to the health of the waters of Mā'alaia Bay. Unfortunately the waters of Mā'alaia Bay are already impaired by pollution and runoff, so we must do our utmost to reduce pollution, and to preserve the watershed.

Too many essential watershed areas on Maui have already been lost to development with drastic consequences on the environment. Proper functioning watersheds are necessary for the management of rainwater and stormwater. Watersheds and their open-space catchment areas need to be preserved in order to protect the quality of surface waters, groundwater, aquifers, and ocean waters.

Pollution from unmanaged streams and pastureland in this area has created non-pointsource pollution that negatively impacts marine life in the bay. In particular, sensitive marine organisms are harmed, and the entire coral reef ecosystems are damaged by silt and pollution carried by storm waters.

These watershed lands have long been neglected and have gradually deteriorated over time. Especially the stream beds and the ground cover. Stream beds and stream banks are eroding and contributing to the pollution of storm-water that flows into the bay.

This watershed should be preserved as a natural area, with restored native vegetation. And it also needs to be managed and maintained. This will also help provide habitat for native species and reduce erosion and soil loss. Streams and surface flows through these lands affect nearby wetlands, the harbor, local beaches, the ocean, and all their associated natural resources. There are also many economic reasons to protect the water quality, and preserve the natural ecosystems, on which so much of our economy relies.

This watershed area needs to be protected, and ultimately restored to a more natural state, so that it can have proper function, and provide better protection to ocean and ecosystems.

Thank you,

David Dorn

From: [Anne A](#)
To: [DLNR.FW.LLCC](#)
Subject: [EXTERNAL] Protect Pohakea Watershed
Date: Thursday, March 10, 2022 3:32:20 PM

Please protect Pohakea Watershed. The run-off now is a problem. With development there will not be adequate mitigation. Please think of the future and the viability of Maalaea Harbor and our sacred ocean.

Aloha,

Anne Allison, resident of Maui



MAUI TOMORROW

Protecting Maui's Future

TO: Legacy Land Conservation Commission
llcc@hawaii.gov

FROM: Maui Tomorrow Foundation
Albert Perez, Executive Director
director.mauitomorrow@gmail.com

DATE: March 10, 2022

RE: ITEM 2.A: DLNR DOFAW, Acquisition of Pohakea Watershed (Mā'alaea Mauka)

Maui Tomorrow strongly supports Legacy Lands funding for acquisition of 257.8 acres of Pōhākea Watershed/Mā'alaea Mauka lands. Protection of these lands will ensure that cultural and historic resources are preserved, provide for natural hazards mitigation, and will create the opportunity to expand access to open spaces and the Lahaina Pali Trail.

The mission of Maui Tomorrow includes preservation of open space and promotion of ecologically sound development. We have repeatedly fought against poorly conceived proposals to develop this land, and have always maintained that it should remain undeveloped in order to protect the health of the lands makai, and the waters of Mā'alaea Bay.

This area is well suited for preservation as Open Space. It lies at the base of the steep slopes that lead up to the wind farm, and is the natural flood plain for numerous gulches that carry storm waters to Mā'alaea Bay and Harbor. Maui County's 2006 Scenic and Historic Resources Inventory identified the views from Honoapi'ilani Highway across this parcel as being of "high" value.

In past years, much destruction has been caused by large storm flows passing through these lands, especially after major fires that leave bare soil exposed. Culverts become clogged, mud ends up on the highway, and there are major "brown water" events that have had a cumulative detrimental impact on Mā'alaea Bay. Thanks to the collaboration of Maui Nui Marine Resource Council (MNMRC) and DLNR, strategies have been formulated to mitigate the impacts of flood waters that cross under the highway and into the ocean, and to better understand the high-

volume drainage impacts in the area. This acquisition would eliminate ongoing pressure to urbanize these lands, and would provide an opportunity to prevent siltation of the waters of Mā'alaea Bay, which are popular for fishing and recreation, and are critical to humpback whales.

Please see the photos below.

We strongly urge you to support acquisition of this land.

Mahalo nui loa.



Mā'alaea Mauka lands, vegetated with very dry grass (Google Earth photo)



Mā'alaea Mauka lands after a major fire: Bare soil and rocks are exposed and vulnerable to runoff during storms, which are known to result in brown-water events that deposit sediment up to one-half mile offshore.



Mā'alaea Mauka Lands: Showing mauka to makai view from humpback whale habitat in Mā'alaea Bay