

October 15,2018

Aloha Committee Chair Cochran and Committee Members.  
Ian testifying to agenda number IEM -79 regarding the Banyan Tree Park

Thank you for having this hearing regarding the Banyan Tree Park and allowing the community to give input.

I would like to start out by saying that, this is not about demeaning the merits of other organizations or groups under the Banyan Tree Or a Fight as we have been accused of ...This is about what is clearly stipulated in the Executive Order for the Banyan Tree Park which is 'Public Use" This is about equal access to land deemed Public Use. This is about the guidelines that were put forth by the acting planning director in 2004 which governed The Banyan Tree . One of those guidelines were No Exclusive Rights to the existing groups under the tree Contrary to what you have been told in previous testimony Exclusive rights have been given.

You can cut this agenda item in a million pieces and serve it up with different points of view or opinions But the bottom line remains the same NO EXCLUSIVE RIGHTS combine that with PUBLIC USE..... Public Use does not consist of 3 groups .

These groups have had Exclusive Rights under the Banyan Tree for over 30 years, Some of these same groups ask and receive subsidiary additional funding through the County, State and Federal and other outside grants, Some attend budget hearings and request even more monies. One organization to the tune of 750,000 being granted this year alone.

To receive exclusive rights via 10 year lease to public land excluding any other organizations and receive Public Taxpayer monies seems out of balance to me.

Give the guideline the rules and regulations and allow others to comply...If those guidelines are to perpetuate the Hawaiian culture... So be it as I personally would love nothing better given my children grandmother was 100% Hawaiian and the Hawaiian blood runs strong through my children veins. And as a widowed single mother I made sure my children knew the heritage of their people their bloodline.

I would like you to know that After submitting our Appeal Letter we heard no further communication from the Parks Dept,  
Instead we got word from other sources that the Parks Dept. Had contacted Theo Morrison of the Lahaina Restoration Foundation an asked her to put in a 10 year lease for the Banyan Tree.(which she did) This information was confirmed by Theo Morrison...The Parks Director then submitted a 42 page document to the BLNR On Oahu it had many stipulations such as you could only contest this item if you were physically at the meeting on Oahu. It was also stipulated that only the groups that were currently under the tree be the only ones allowed to operate. I find this in direct conflict with the rights of the people of Maui and the Executive Order that was set forth.  
To receive Public Taxpayers monies and exclusive rights to the most coveted place on Maui seems out of balance to me....The system is broken.  
That being said I leave you with these questions to ponder

- 1.Has the County been giving special treatment to certain Non profits over others by awarding them valuable no bid leases as well as County grant funding? Isn't this in effect double dipping?
2. How much money does the County expend each year on the Banyan Tree Property Via Grants, Parks Personnel, Landscape, Maintenance and Repair etc; What would a similar property generate?
- 3.In terms of revenue in the Lahaina area (What is the County losing in terms of revenue in granting long term leases to tenants?
5. Is the County permitted to generate revenue for the area under Executive Order? If not, What revenues are generated by use of the property and is that permitted under Executive Order?
- 6.What Administrative rules exist for the use of the property and when were they last reviewed and updated.

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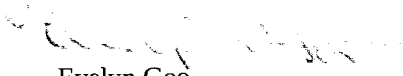
7. To have exclusive rights excluding other groups Is that considered a fair process?

8. Shouldn't an audit system be implemented to track income of these groups that receive funding?

9. Is it legal to issue a 10 year lease of "Public Land" deemed for Public Use to a private entity?

I humbly ask that you form a committee to gather information and further investigate the matter of the Banyan Tree Park. And further move it through the body of the County Council a body that is elected by the people and for the people.

Thank you for your time and consideration.

  
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