

***“The Life of the Land is perpetuated in Righteousness”***

Dear State Land Use Commissioners,

Deceive, deceived, deceiving is to mislead by a false appearance or statement; delude: to mislead or falsely persuade others; practice deceit. Synonyms would include dupe, fool, hoodwink, trick, defraud, outwit, entrap, ensnare, betray, or cheat. The case before you may prove that the State Land Use Commission has been the victim of such a practice.

I am writing in regards to Docket No. A06-771, in the matter of the Petition of D.R. Horton-Schuler Homes, LLC, to amend the Agricultural Land Use district into Urban. It is located in the Ewa District, Island of Oahu, Tax Map Key No. (1) 9-1-017:004 and 072; (1) 9-1-018:001 and 004.

Recently, Dr. Kioni Dudley, Intervenor Friends of Makakilo, filed a Motion to Show Cause why the property should not revert to its former land classification. The arguments and evidence is compelling. Docket A06-771, Horton-Schuler Homes, must be examined to the fullest extent of the law to ensure good governance and the doctrine of integrity is taking place in the system.

The traffic report that is being refuted is a perfect example of how deceiving evidence will negatively affect the community. It begs the question of what other issues is Horton-Schuler not forthcoming with? In what other ways will the community suffer?

Did the Petitioner, DR Horton-Schuler Homes LLC make false representations or false promises about the farmland? Did they pay Austin, Tsutsumi, and Associates to create a Traffic Analysis Report? Compelling evidence, from Intervenor Dr. Dudley, Friends of Makakilo, shows that the outcome of the Petitioner’s impossible conclusions will have a disastrous impact on commuter traffic. The State Land Use Commission’s ruling would be null and void if found that the numbers were falsified or facts misrepresented.

The State Land Use Commission must review the Motion to Show Cause filed by Intervenor Friends of Makakilo. If the Commission finds that the Petitioner, D.R. Horton-Schuler Homes LLC, did indeed make any false representations or promises, then the Petitioner’s request to amend the Agriculture Land Use District Boundaries into the Urban Land Use District would be

denied. They should not get to proceed with their Project. The property would remain in agriculture land use designation.

When testimony is presented at the State Land Use Commission it is under oath. Evidence is received under the assumption of truth, which is factual and accurate. If there is no recourse for false promises or misrepresentation, then the process loses credibility and corruption is sanctioned by way of approval. If there is no accountability, then the State Land Use Division has no authority and is a waste of your precious time and tax payer's money. Committing perjury, misrepresentations, or presenting falsified evidence must have serious consequences.

The State Land Use Commission/Division is only as good as the enforcement of the laws and statutes. If deceit is allowed for land use approval and no one holds the Petitioners accountable then the process is a sham.

I am confident that you will do the right thing. The future of Hawaii is depending on your unique insights and discernment. The process it meant to ensure that we are developing Hawaii with integrity. You are chosen and appointed to make decisions that will greatly impact the development of the islands. These decisions will have ramifications from generation to generation. What you do is important. The outcome, above all else, must be righteous. The life of the land depends on it! Thank you for your efforts on behalf of the people of Hawaii.

Sincerely,

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