

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT
STATE OF HAWAII

FRIENDS OF MĀHĀ‘ULEPŪ, et. al,) Civil No. 5CCV-24-0000021
))
) Plaintiffs,) DECLARATION OF GLENN SILVA
))
) vs.))
))
5425 PAU A LAKA, LLC, et. al,))
))
) Defendants.)

DECLARATION OF GLENN SILVA

I, GLENN SILVA, do declare under penalty of law that the following is true and correct.

1. I make this declaration upon personal knowledge.
2. I was born in California, but was raised in Kōloa, on the island of Kaua‘i. I currently live in Puhi, Kaua‘i.
3. I am a member of Plaintiff FRIENDS OF MĀHĀ‘ULEPU, a nonprofit corporation, and a member of Plaintiff SAVE KŌLOA. We brought the above-captioned proceeding to stop Defendants 5425 PAU A LAKA, LLC, a Hawai‘i limited liability company, MP ELKO II, LLC, a Nevada limited liability company, MP FINANCIAL GROUP LTD. dba Meridian Pacific, a Nevada profit corporation, MP ELK GROVE LLC, a California limited liability company, KAUAI HALE, INC., a Delaware profit corporation from unlawful grading and grubbing for a luxury vacation condominium project named Kauanoe o Kōloa situated on approximately 27.8 acres in Kōloa, Kaua‘i, Hawai‘i, designated by Tax Map Key Nos. (4) 2-8-014-032:0001- 0019 (the “property” or “project”).
4. I am Kānaka Maoli and descended from the aboriginal people who inhabited the Hawaiian Islands before 1778.
5. I am retired from my work as a land title researcher.
6. I have longtime family ties to the area, including this property.
7. My grandmother and my aunt accessed the property from Hapa Trail to take ho‘okipa to grave sites in tribute to our ancestors buried on the property. Now there is fencing along the parcel that prevents me from going to these graves.
8. I have walked Hapa trail many times. We used it to go to the coastline to fish,

throw net, swim, and gather. We would collect medicinal plants and limu.

9. The property has been known as an area for hunting and a place for births and deaths, with burials placed in caves that underlie the property and in nearby areas.

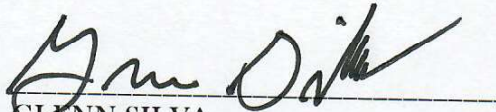
10. This area is very important to Kānaka Maoli communities and local residents. I am concerned that improper treatment of the land, including the subterranean areas beneath the surface, will impact ecosystems, underground flows of water, and disturb iwi kupuna that have been laid to rest on this property long before the Developers purchased it.

11. My exercise of Kānaka Maoli traditional and customary rights include utilizing Hapa trail, which is adjacent to the property, for gathering traditional plants and to access the beach for fishing, gathering limu and opihi, swimming and other nearshore practices.

DECLARANT FURTHER SAYETH NAUGHT

DATED: Kōloa, Kauaʻi

March 3, 2024



GLENN SILVA

Declarant