

(APPROVED: 06/04/09)

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
APRIL 2, 2009**

*** All documents, including written testimony, that was submitted for or at this meeting are filed in the minutes file and are available for public viewing at the Maui County Department of Planning, 250 S. High St., Wailuku, Maui, Hawaii. ***

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Erik Fredericksen, Cultural Resources Commission member, at approximately 10:10 a.m., Thursday, April 2, 2009, in Lana`i High & Elementary School Cafeteria, 555 Fraser Avenue, Lana`i City, Lana`i, Hawaii.

A quorum of the Commission was present. (See Record of Attendance.)

B. INTRODUCTION OF NEW COMMISSIONER - RHIANNON CHANDLER

Mr. Erik Fredericksen, former vice-chairperson, called the meeting to order, and Stanley Solamillo, Cultural Resource Planner, introduced the new Commissioner, Rhiannon Chandler.

C. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR THE 2009-2010 BOARD YEAR

Mr. James Giroux: In the absence of our chairperson and vice-chairperson, I'm just going to open up the floor for nominations for chairperson.

Ms. Veronica Marquez: I nominate Erik Fredericksen for Chairperson.

Mr. Giroux: Okay, any other nominations?

Mr. Kepa Maly: Second.

Mr. Giroux: Any other nominations?

Mr. Kalei Moikeha: I move that it be closed.

Mr. Giroux: Okay, nominations closed.

There being no other nominations, a vote was taken.

It has been nominated by Ms. Marquez, seconded by Mr. Maly, then unanimously

VOTED: that Commissioner Erik Fredericksen serve as Chairperson.

Mr. Giroux: Okay, I'm reading that as unanimous and Erik Fredericksen is now the Chair and he will take over the elections for the vice-chair.

Mr. Erik Fredericksen: Good morning, everyone. To all my fellow Commissioners, I thank you. I will do my best and will continue this discussion down the road. Let's see, any nominations for vice-chair?

Ms. Nani Watanabe: Yes. I nominate Ray.

Mr. Maly: Second.

Mr. Fredericksen: Going once. Any other nominations?

Mr. Moikeha: I move that it be closed.

Mr. Fredericksen: Okay, Ray Hutaff, Vice-Chair. Okay, well let's -- let's see. So we've gotten through A, B, C. Let's go to D, Approval of Meeting Minutes of February 5, 2009. Oh, sorry.

There being no further nominations, a vote was taken.

It has been moved by Ms. Watanabe, seconded by Mr. Maly, then unanimously

VOTED: that Commissioner Ray Hutaff serve as Vice-Chairperson.

Mr. Fredericksen: Okay, unanimous. Okay, now we'll move on to D, approval of 5 February 2009 minutes.

Mr. Maly: Mr. Chair, may I? There are just a few little notes and I had a question for Stanley Solamillo. On Page 24 of the draft minutes, down into the large last paragraph, there's a section that says that this is William Hauahaha`au. Is that Kauaha`ao.

Mr. Solamillo: That should be ...(inaudible)...

Mr. Maly: Kauaha`ao, yeah? So what I'll do as we did in the past, there are couple other things like the Keomuku Mancado Federation for Filipino Federation also misspelled on Page 26, so if I may share a couple of --

Mr. Fredericksen: Those with Suzie?

Mr. Maly: With Suzie; that way we could look at -- those were the only -- just a few typos that were identified.

Mr. Fredericksen: Okay, great. Any -- any other comments? Okay, does anybody want to make a motion to approve those - the minutes with the ...(inaudible)...

Mr. Hutaff: Yeah, I move that --

Mr. Fredericksen: That Kepa will get Suzie --

Mr. Hutaff: That we approve the minutes with Kepa's changes.

Mr. Fredericksen: Is there a second?

Ms. Marquez: Second.

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Hutaff, seconded by Ms. Marquez, then unanimously

VOTED: to approve the minutes with Kepa's changes.

Mr. Fredericksen: Okay, that's taken care of. Okay, Stan?

Mr. Solamillo: Good morning. My name is Stanley Solamillo. I'm the Cultural Resource Planner for Maui County. I wanna thank everyone who is here today and we're going to go into our next item:

- E. MR. STANLEY SOLAMILLO, on behalf of the MAUI COUNTY PLANNING DEPARTMENT, requesting review and comment on a proposed multi-property nomination of the Lana`i City Business County Town (BCT) Historic District to the Hawai`i Register of Historic Places, including buildings and sites located in the 300 and 400 Blocks of Seventh and Eighth Streets, 600 Blocks of Ilima Avenue, Lana`i Avenue, Jacaranda Street, and Gay Street, 700 Blocks of Fraser and Lana`i Avenues, 800 Blocks of Fraser Avenue and Houston Street, and Dole Park, located in TMK 4-9-006 and 4-9-011 (Por.), Lana`i City, Lana`i, The CRC may comment and provide recommendations. Public testimony will be accepted.**

Mr. Solamillo: I wanna thank, once again, all the citizens who are here today. I wanna thank the numerous telephone calls, letters, emails that the Department has received on both sides of this issue. As a matter for -- everyone was kinda predicated on a schedule that there would be a hearing of the Hawaii Places Review Board that was scheduled to take place on April 25, and that has been postponed, so this item will be postponed until the next Hawaii Historic Places Review Board. I do not have a date at this time but that meeting usually occurs quarterly and that will be announced with proper noticing.

Right now, I'm going to give you a background briefing, so if somebody could hit the lights in this room cause some of the colors will not show on the slide show. Thank you very much. Lana`i City was designed in 1922 and built from 1923 to 1929. It is unique and it is the only type of -- or only town of its type in Maui County and in Hawaii. It is the last intact plantation town remaining in Maui County. In late 2007 and early 2008, Castle -- excuse me -- Castle & Cooke Resorts or CCRL submitted applications for 12 demolitions in the Lana`i City BCT. The cases were deferred at two CRC hearings. The BCT was surveyed and determined eligible for listing in the HRHP by staff from Maui County as well as SHPD.

If we took just the Lana`i City BCT demolitions by themselves, they appear to be isolated project and they might appear innocuous. However, when considered within the context of a 201G affordable housing project, which was approved for the Company in 1998, the trend and impact of piecemeal demolition for Lana`i City becomes apparent.

Under the 201G project that was approved in 1998, 214 house sites will be developed; that includes demolitions as well as rehabilitations that don't meet the Secretary of the Interior Standards. Roughly, if we look at the map that's shown in front of you, every parcel that has a red X on it is a property impacted. That's a sizable amount of properties in this town.

Under the 201G project, 4 houses were to be preserved. They are marked with "P" and shown as green parcels. Zero houses were to be preserved that were built from 1923 to 1929 or had been occupied by pineapple workers and their families. Only the houses of Hapco supervisors and office workers were identified for preservation.

As the result of that project and the trend that has been occurring in Lana`i City, the number of demolitions by themselves caused the Historic Hawaii Foundation to designate Lana`i City as one of the year's most endangered historic sites in Hawaii in 2006.

A word about Lana`i City demos and I think it's important because this is the last plantation town left in Maui County. Demolitions erase physical remnants of a community's history. Demolitions ...(inaudible)... an authentic history to be replaced by fabricated histories that are formulated for specific markets. They can either be tourism or they can be real estate. This is a fact that occurs in Maui County today. Demolitions comprise the authenticity of

a place and eventually erode its appeal as a real destination because the authenticity has been entirely removed.

A survey was conducted by SHPD and Maui County in April 2008 for the two TMK's not included in the 201G affordable housing project. Site forms and photo forms were produced I think with the final document ended up being over three hundred some pages. The survey included residential, institutional, and commercial buildings contained within the Lana`i City BCT Zoning District.

An addendum was prepared after the findings of the survey had been compiled and that will be -- the reasoning for that'll become clearer further on into this presentation. It was prepared in March 2009 and included buildings which are located on the east side of Lana`i City BCT Zoning District.

Briefly, Lana`i Island's history involves some attempts by various owners and companies to make a profit off the island. The first, and probably the most notorious, was Walter Murray Gibson with his Lana`i Ranch; then came Maunalei Sugar Company; Charles Gay; and H.A. and F.F. Baldwin. In 1922, the Island of Lana`i for sale advertisement was placed in a Mainland newspaper. Lana`i City was purchased by Hawaiian Pineapple Company in 1922. Lana`i City was the first planned community in Hawaii and is the first example of what we call "garden city planning" in the State. It was designed by engineer David E. Root. It was built from 1923 to 1929 by Japanese carpenters under the direction of Kikuichi Honda and Masaru Takaki from Wailuku. Lana`i City is a garden city and was based at least on the central core of which contains Dole Park and the block immediately fronting the sides as well as the ends. It was probably based on a Hawaiian Sugar Planters Association Standard Plan that was developed in 1920. It featured three blocks that were central and on those blocks were located parks and recreation facilities.

In the Lana`i City block arrangement of 1922, we still have a central park, which becomes a garden city park; it's flanked on either side by six blocks and roughly, if you compare the two plans together, they seem fairly closely matched. Lana`i City as a garden city was to be a community planted with trees; a community planted with gardens; a community surrounded by a perpetual green belt, in this case, it was pineapple fields.

Various pictures that were taken of Lana`i City reinforce this image of this plantation town surrounded by fields of pineapple.

The Lana`i City BCT was also a hierarchically planned community that was sited on a slope built around the garden city park, open space with central quadrangle. The Company or Hawaiian Pineapple Company, its administrative buildings, management, and the Baldwin Bank were located at the top of the hill. God and religious institutions were found at the bottom. And retail was sited along the sides as well as government, education, and other

ancillary functions. The housing for workers was spread out along the sides - from the rental outwards to both ends of the town.

In the Lanai BCT, no two sides are alike. They are all different. Each side contains different buildings and functions. Each building has an architecture and history that is unique. And each side of the town's park or central quadrangle is therefore unique.

Lana`i City plats were filed after the town was actually staked out and built. They were filed in 1929 and 1939 in land court applications that were prepared by Wright, Harvey and Wright Surveyors. And then again in 1946 by the same company.

If we compare Lana`i City with other pineapple camp or pineapple town developments of the same period, we see that it is very much different. Maunaloa, Camp No. 1, was a contemporary pineapple company developed. It was platted and built in 1923 by Libby McNeil and Libby of Honolulu at Maunaloa, Moloka`i. It is very different from Lana`i City. Hali`imaile was a contemporary pineapple company develop -- development that was platted and built in 1925 by Maui Pineapple Company at Hali`imaile, Maui. It is also very different from what we find in Lana`i City. Lana`i City is a one of a kind development and design and very different from anything else built during the period.

Lana`i became the largest plantation in the Hawaiian archipelago that was dedicated strictly to the pineapple and it had a workforce population of some 3,000 people. After James Dole began his pineapple operations, he also was responsible for the development of some pretty successful campaigns that went nationwide and eventually ensured that he spread pineapple throughout the world. So ripening in Hawaiian's sunshine to be eaten next winter all over the world were Lana`i pineapple and the island was often referred to as "The Pineapple Kingdom." Of course, the workers comprised the means by which this was all accomplished.

Lana`i City is also interesting because it's a site for Americanization, and a lot of people don't wanna talk about that. But because of its isolation, it was perfect for this kind of activity. This was the aim primarily at Hapco's Japanese workers when they first arrived here at a hundred families. The methods chosen specifically were language, movies, and structure recreation. These were identified as the primary means to Americanize immigrant children and youth. That's why when I first came to this town, it was very shocking to see a theater as big as it really was. It dominates it. And if you go back into the literature, you find that there were statements made by HEA or prominent HEA pastors that are advocating the use of this theater and recreation to socialize and Americanize immigrant populations. The other thing that was built first, I believe in this case, was a play field. I think this is a tennis court. Later shots, I think within five years after the tennis court was built, there were swing sets, slides, and other accessories spread throughout Dole Park. And in one particular photograph, that I couldn't get a decent copy of, there were at least

a hundred kids playing on swing sets provided by the Company. This, as we know, occurred during a period when the Japanese had functioned essentially as allies of the United States during World War I, and they routinely came to the islands. The American fleet docked at Lahaina roads but Kahului, on Maui, as well as Hilo and Lihue, in Kauai, were spots that were favored by the Imperial Japanese Navy. This particular shot was taken in 1918 and shows the Imperial Japanese Navy Vessel, Asahi, at Kahului Harbor. The ship's visit was followed by one made by the Imperial Japanese Navy Ship, Tokiwa, which had been Togo's flagship in his Port Arthur campaign, which was successful in beating the Russian Navy. I wanna remind everyone that Imperial Japanese Vessels visited Hawaii at least 41 times from 1897 through 1939 and patrolled the Pacific for the U.S. Navy during World War I in search of German commerce raiders. This is a history that has almost been -- been lost because of the Second World War.

There was some distrust of our Japanese population when they first got here that maybe conjectured that the celebration of the Emperor's birthday was within probably a few months of them having arrived prompted Hawaiian Pineapple Company to eventually choose to bring in Filipino workers, and Filipino workers became the dominant population in Lana`i City. Unfortunate, we do not have many photographs at this time, and I apologize to everyone in the audience.

I'm going to go through a series of pictures now and everyone, I think, who is from Lana`i City, has seen them in one shape or form. This was taken on March 28, 1924 showing the first houses, the Hapco shops, and what -- the Hapco offices as well as the bank building already constructed. This is a partial view of that panorama or of another panorama taken in 1926 looking north from the Hongwanji Mission; another looking in the opposite direction showing that a lot of the buildings that we see today were there in 1926, which is a rarity by itself. This is at the top of what later became known as "Up Camp" or "Snob Hill," and it is looking downs towards Dole Park and if you can look far off into the distance, you can see the Hongwanji Mission, which later became Union Church in 1942. These are enlargements of the same photographs, again, showing you the building that were here in 1926 are here today. Those are all identified with arrows. Another enlargement showing a lot of those buildings, and that's on Lana`i Avenue, I believe, are still present to this day. Another view of Dole Park looking in the opposite direction taken in 1928. This is a picture of an entourage that arrived that included the Territorial Governor, Wallace R. Farrington, in 1926 with Lana`i City as the background. Everyone was very proud of all the accomplishments that had been made by Hawaiian Pineapple Company and James Dole. This shows the town's development in 1929. The area roughly outlined in red indicates where Honda's first houses were built, and the areas that spread out from those were built primarily by Masaru Takaki and he works from, I believe, '24 through '29. It's a five-year build-out period. We don't have a photograph of Takaki. We only have one of Kikuichi Honda taken, I believe, two years before his death in 1941. This is another view.

As far as building types, the Company, at the top of the hill, what is known as Hotel Lana`i today is virtually intact and, therefore, it is eligible for listing. Even the newer Hapco offices are eligible for listing to the Hawaii Register of Historic Places. The bank, which shows up in a photograph of Japanese families waving at Governor Farrington and his entourage, is still intact even with some minor alterations made through time. Looking at the area that was demarcated for occupation by God at the bottom of the hill, we have the Lana`i Hongwanji Mission, which actually was Nishi Hongwanji Mission. The congregation, as it was shot in 1938, after its completion in 1924 on the right side of the photograph, and that too was toured by Farrington. And as it appears today. It was acquired by Union Church in 1942. The other I guess anchor for God was the Church of the Sacred Hearts. And we are limited as far photographic coverage and history of this specific institutional building. Beginning our lineup for retail, it was obviously the Lana`i Theater as well as all the other buildings, and this is going to kind of just be quick shots of the retail that everyone here in the room is familiar with. Every building here, and that has been documented succinctly by Kepa Maly and several -- at least two histories for Lana`i City and their walking tours gives you specific histories of the families who built these first retail establishments and operated them for generations. All of these buildings, despite alterations made through time, are eligible. And when you have buildings that have been altered through time, it's the collection, there being a thematic group of buildings, which makes them eligible as a district.

On our line-up for government, Lana`i City Courthouse. This is kind of odd because in Hana we have a really small courthouse, and we find that these courthouse buildings, when you got away from Wailuku, which was the County seat and Lahaina, which was the County seat before then, they get really small and they get really mediocre, so they often used house plans or plans generated from house designs, but they're really significant because that's where government business was conducted. In the Hana Courthouse, they restored the interior and it serves as a museum space, but you can see it's just one room for a courtroom, that's it; outside of that, it looks like a simple -- we would call it, if we came from the Mainland, "a shotgun," which is, you know, one room wide and maybe two or three rooms deep, but that's it. In this case, I think it's only two rooms deep. This courthouse was brought as one of the applications for demolition in 2007. Under government, we have to not forget there was a National Park Service I think statement issued in 2005 that said that -- that all places where Japanese had been interned during the war should be looked at by all the State Historic Preservation offices in specifically the Western States and Hawaii and, in this case, that brings us to Lana`i because Pearl Harbor was attacked on December 7, 1941 and, all of sudden, we had people from Lana`i who were placed into the Lana`i City jail. I've heard people on the bus ride up here and they call it "a shack" and they call it, you know, "oh, I wouldn't wanna spend a night there," but in full view of one's community, if you were the pastor of the Hongwanji Mission, and you were placed under arrest and you were kept there, that is a serious loss of face. That pastor, I believe, did not return after the war. He went to Kauai and his family never came back either. The list of

Lana`i City internees included: Reverend Tadao Kouchi Nishi from the Nishi Hongwanji Mission; T. Okamoto from Okamoto Store; and a gentleman with the surname of Hasegawa who we cannot find his family and determine what his -- his first name was. As I said, that building is more important than anybody realizes.

From there, the Lana`i internees were sent to Sand Island, and from there they were sent to the U.S. Mainland. They joined a list of Maui internees including: Soka Ueoka, Pastor of Paia Mantokuji Soto Mission, and they even met up with I think it is Yasotaru Soga, who was the editor of the Nippu Jiji Japanese language newspaper in Honolulu. If you ever get an opportunity to read the book, I think it was reprinted last year, it's an excellent book done by -- by Soga, and he details all the Hawaii internees - what ships they left on, and what camps they ended up in and for how long. It's a very important book. And I think you can Google it under "Soga." Anyway, the lives of many of our professionals from Maui County and, in this instance, Lana`i City were packed up and ...(inaudible)... to the Mainland to serve the rest of the war years internment camps, therefore, the buildings associated with the decision when the reverend was brought before a judge, I'm presuming, and placed under arrest, he and the other members of the Lana`i community make that building important - actually the two buildings: the courthouse and jail. As we all know, Lana`i servicemen served in the war. Lana`i Japanese served, in this case, I believe it's a shot of the 442nd with a Maui soldier on the right, Higa, and of the many who were sent, five gave their lives for the war effort; those include Saul Diaz; Shosei Kutaka; Choyei Oshiro; Wallace H. Oshiro; and Nobuaki Tomita.

Under worker housing, Kikuichi Honda's housing still exist on some limited streets within the district. They're the only ones that they're one of the kind types of housing based on actually an earlier house type that was built on other parts or other islands in the archipelago; some were built at Ewa Plantations; some were built at Pioneer Mill; and some were actually built over in Kauai at Grove Farm. These are called actually, based upon the Mainland model, it's called "a double-pen." It's a two-room house and these were first houses that were built here on Lana`i City. The next version that was built of housing for workers was built by Masaru Takaki, and they appear to be based on the cottage for one family. A plan that was developed by the Hawaiian Sugar Planters Association and approved by the Board of Health Secretary -- oh excuse me, Sanitary Engineer S.W. Tay. The example that's shown at the top of this slide was demolished in 2007. These are plans that were generated for Lana`i City in 1966. In 1951, a new administrative building was erected by Hapco in '51 and that shows the location of it.

The proposed Lana`i City BCT HRHP District is what is shown on this sheet. All the buildings that are kind of blackened and in negative are those buildings which are contributing; those which are left blank are non-contributing buildings.

In an addendum, there's a proposed modification of the boundaries and those are outlined in dashed orange lines. Both of these plans will be taken up at the Hawaii Historic Places Review Board.

The fact that this district is being brought to you today is the result of actually the community plan that was adopted in 1998. It appears as an implementing action under land use. The goal is to maintain and enhance a small island town environment or the environment which is unique to the State of Hawaii. Under Objectives and Policies: It is to preserve the unique island town character of Lana`i City by maintaining Dole Park and its surrounding environments. The actual language of the implementing action is to study and appropriately designate Dole Park and its adjoining town core in order to protect and preserve the historic character of the town.

A summary of the reasons why this nomination is deemed appropriate at this time is that Lana`i City BCT is the last intact plantation town in Maui County, in the State of Hawaii, and was the first planned community in the Territory of Hawaii. The district is the last intact example of the garden city and HPSA village planning standards remaining in Maui County and one of the last in the State of Hawaii. Lana`i City BCT contains the largest collection of intact plantation period buildings remaining in Maui County, which were constructed almost exclusively by Asian contractors under the leadership of Kikuichi Honda, from '23 to '24; Masaru Takaki, from '24 to '25 and '26 to '29, and another gentleman, who I didn't discuss, which was Thomas Tanaka who built teachers quarters as well as Hapco carpenters and unidentified contractors. The district contains the largest intact collection of double-houses, that was referenced to you as a double-pen, my mistake, which are examples of an important and rare American vernacular house type in Maui County and the State of Hawaii. The district contains former government buildings, which are important to the history of Maui County, the State of Hawaii, and the United States, which functioned as the sites related to the Japanese internment during World War II. They include the County courthouse, jail, and the police chief's house. The Lana`i City BCT also contains buildings which housed the island's early businesses and institutions; as such, they comprised the physical remnants of the island's unique history of commerce, industry, and labor relations, which are significant to Maui County and to the State of Hawaii. The district was the home of some 3,000 former plantation workers and their families and remains a home to their decedents and the destination for numerous family members who return annually as well as for visitors from around the world, offshore homeowners, and tourists. And lastly, the Lana`i City BCT was recognized by the Historic Hawaii Foundation as one of the nine most endangered historic places in 2007.

I've been asked, and I kind of threw these together because a lot of people were calling and asking: Well, what really are the benefits? Right now, it's kind of a bad economic time. Everyone will admit to that. And in bad economic times, the things that usually take the hits the most often are historic and cultural resources. We wanna clear them; get rid of them;

make that land clean and sellable, and that is a big development pressure that occurs in Maui County and throughout the State. What we try to do is actually work off of something that occurred, I believe, two years ago, which was -- it may have been last year, which was when Maui County was designated a Save America's Treasures site, okay. That meant specifically that Federal funds would become available for use by people interested in doing historic preservation in Maui County. Listing on the Hawaii Register makes property owners eligible to be considered for Federal grants and aid and loan guarantees when they were implemented for historic preservation. It also allows such properties and such activities to be considered for CDBG or Community Development Block Grant funds. This is the first time probably that -- that we've got everything kind of lined up where if we wanna take a proactive stance at looking at doing preservation in Maui County, we can do that. Also, if a property is listed on the Hawaii Register, certain Federal Income Tax provisions may apply to the owners of those properties and they're pursuant to various codes that I've listed 2124 of Tax Reform Act of 1976, the Economic Recovery Tax Act of '81, and the Tax Treatment Extension Act of 1980.

Now, there was another thing that -- that has been used a lot on the Mainland to make it possible to rehabilitate buildings that are expensive to do and they are called "Rehabilitation Tax Credits." This happens when you take your plans for your rehabilitation, you submit them to the National Park Service; the National Park Service checks your plans against the Secretary of the Interior Standards and says, "Alright, you're doing what you're supposed to do according the Secretary of the Interior Standards. We will certify your rehabilitation as meeting those standards." You're eligible at that point to receive 20 percent of the total rehabilitation cost in the form of a tax credit. You can take the tax credit and you can sell it, okay, and you can use that to generate capital, and that's what a lot of people on the U.S. Mainland have been doing for at least the last two decades, and it hasn't been really done too much here in Hawaii and I guess that might be because a lot of folks that come here to development, they have lots of cash in hand. What we were doing and what I was personally involved with was preparing some of the documentation, in this case it was for several properties in Dallas, Texas, to make sure that this happened, and these are all tax credit projects. Yes, they're two-story buildings, and yes, they're brick and they're not wood and termite eaten like ours are, but you can apply the same model. You just take all the buildings and group them together into a large tax credit project and you do it as a grouping; that'll give you maximum impact and effect. We also did another project, which was significantly greater, this was a 13.5 million dollar rehabilitation of the inter-urban building in Dallas, Texas. This was a place where all the trains came. There was a station in the lower floor and there were offices above including, not just for the train companies, but for a lot of land development companies. This building sat vacant, I believe, for over a decade and has finally been rehabilitated using the tax credits as part of its -- its fundraising strategy. All I'm trying to do is just give you little examples. If you can do a -- how many stories is that? Two, four, six, eight -- maybe ten. If you can do a ten-story building, you can do smaller buildings. These are your possibilities.

What has happened and what appears to have taken place here, and I'm not here to point fingers at anybody, but we get alterations that happened and we get deferred maintenance for whatever reasons; over time, these begin to compromise buildings. Does anyone know what this building is? Of course, everyone knows. It's the post office. That was how it looked in 1923. When I finally saw a photograph of the post office, I kinda went: What is that? That's what happens when things just get done and they're not considering what the impact of the building is. By the time it came in for a demolition permit, it had been so completely changed, it wouldn't have been eligible even if I tried, so it wasn't, and it's gone. That's okay. I'm going to show another building. This is Kaluakini House in Lahaina, and this is the sheriff's house - or, excuse me, deputy sheriff's house. He came here to meet with the police chief of Lana`i City. He came here to take prisoners back to Lahaina and then to Wailuku. The buildings that I pointed to you: the courthouse, the police chief's house, and the jail are connected to this man. He's very important. His house looked awful. It was a tear-down easily. Back in 2004, the termites have gotten to it; a lot of moisture had happened; and it was a goner. But somebody cared. The roof was gone, the floor was gone, and that's how it looks in 2008, and it is on the Hawaii Register of Historic Places. That is I believe Sheriff Kaluakini with his granddaughter. I think that's in 1926. This is possible. People just need to want to do it. And people are here to help.

We received a lot of support for -- for this and we've received a lot of black eyes and will continue to do so, of course, but we've gotten letters and we've gotten signatures in support of this nomination from families and their decedents from the U.S. Mainland, from Maui County, and Honolulu. And, today, it's your turn to say what you think. That concludes this presentation. Are there any questions?

Mr. Fredericksen: Thanks, Stan. At this time, let's go ahead and take public testimony. Before we -- we take public testimony, I'll just note that we -- that the Planning Department received a letter, April 1, 2009, from Castle & Cooke Resorts, LLC, and so this -- this has been placed in -- on the record. Okay -- April 1, 2009. Okay, let's go ahead and take public testimony. I'm looking at a sign-in sheet. The first person is Kimberly Cummings Dupre? Dupree?

Ms. Kimberly Cummings Dupree: Aloha kakahiaka. First of all, I'd like to thank you for a very educated -- I mean I think probably this is one of the most comprehensive presentations -- one of the most comprehensive presentations that I've seen, and not just seen, but understand. I myself, personally, love history. That's part of what I really love about the Island of Lana`i is the richness of the history; Hawaii, how close we are to our history as well as to our culture. However, I am born and raised in Hawaii. I am a resident of Lana`i -- from Maui -- of Maui County all my life. This is my big move away from home, from Maui. I moved here for many, many different reasons. But I've also been privileged to come here as a child. Some of the changes, while they were shocking, also gave us an opportunity here as residents of the island, who are raising children, to give our children

more. Back in the pineapple days, what we did, basically, was we exported two things: One was pineapples, and the other were our youth. They were not able to come back and get back to our community because who wants to come back with a college education and pick pineapples in the fields? The way that it is -- stands right now, the opportunities are greater for our students and for our children to return home, share their mana`o with us, and to contribute more to their community as well as giving them the opportunity to have an income base in which to support their family.

I am also -- I've been here now for 20 years. I'm also a business owner here. I had the great privilege of being able to take over what used to be the Emura Store. I remember, if I was a good girl and sat really nicely at the door, I was able to have a comic book, and that was right there by the door. So I have very, very fond memories of Lana`i. However, at the time with the move, just getting into the building cost me \$20,000 - that was 12 years ago and that was just for the repairs on the building. We painted floors. We used a case-and-a-half of caulking; a case of tape to make it cosmetically a viable place. We've had -- I recently had a situation where I went to go and do some cleaning and an entire section crumbled and I almost fell over and hurt myself. I am not saying that these buildings are not fixable but the cost is incredible. Being held to historic guidelines eliminates many of -- many of the things that creates Lana`i to make Lana`i itself. It is the blending of new ideas while trying to keep the old together and to create what we have now within the dynamic of the town.

One of the fears that I have and what I think a lot of people need to realize also is that this is a community with less area. This is not Front Street, Lahaina. This is not Miami Beach or Nantucket. This is Lahaina -- Lana`i itself and that in itself creates its own individuality. I think that most people, while they agree that many of things need to be preserved historically, one of the things that we also need to keep in mind is the fact that we do have a country and town zoning, which has yet to be implemented. This zoning has been approved and passed and we are not able to use this zoning. We also have building guidelines to create and keep the buildings the way that they are in the sense that you have to build -- you can't build yourself an ABC Store. It has to fit within the community itself.

I understand the many, many benefits of having it historical. I understand many of the fears, you know. I also see many people shaking their heads and thinking: Well, you know, maybe she really doesn't know what she's talking about. But I have watched historical sites come up in Maui County and have effectively pushed out the small business owner to be replaced by those people with deeper pockets than what we have as well as larger corporations, franchises, and chains. The smaller businesses, even in Lahaina, have be relegated to the very back area of Lahaina, okay. Businesses are closing left and right, and not just because of the economic times, but because the mandates themselves and the pressure that is put on business owners and landowners to keep up with the guidelines of the historical society.

Currently, in my lease, I am required to do the upkeep of my building, okay. Granted Lana`i Company will give you back some of the money as they approve it. I cannot afford that extra 80 percent; 20 percent is great, but where is that other 80 percent coming from? It's coming out of my pocket that I don't have one that is deep enough. Currently, I don't even have a pocket, you know. If it becomes the fact that it does change and Lana`i Company decides that, okay, we're going to be the ones to take over the repair of your building, those costs are going to be passed on to me. I'm going to pass them on to my customers. We're just going to be another Miami Beach, you know, in an area that it shouldn't be. Granted, the history is rich in this community. It truly is a rich cultural community. But it is the people that make this community rich, not our buildings. Are we going to forsake our people for a building granted that we already have these guidelines in place that we have approved of decades ago and are still waiting to see them implemented? Instead, we have been put in a stock gap and have been told, as people who were born and raised here and have an invested interest in this island, by those who think that they know what we need.

I truly appreciate this opportunity that you have all given us to speak up, but I find it very disconcerting that its done at 10:00 in the morning on barge day. It's very difficult to bear. I think that we would have had much more people if it were at a time that was more appropriate for everyone here. Like I said, the benefits are many but as far as I see in my position here as a single mother who owns a business, who has a son who's about to go to college, a daughter who is graduating from college, and grandchildren, this is my livelihood, okay. All I can see is a really high probability that if this should go through, that there will be many of us local people here, who do plan on being here for the rest of our lives, being pushed out to the side so that others can come in and take over our culture and make it their own. I would like to think that people are open minded in here and understand what I'm trying to say; that they can understand that there are two sides to every coin, but you also need to understand the burden that it's going to put, not just on the business owners, but on Castle & Cooke themselves. We are definitely in a very difficult economic time. Something like this, at this point in time, is not a good thing especially when we're looking at close to a 54 percent unemployment rate on this island. Where are those dollars going to come from? I had heard that there was money out there. That there's a loan out there that I can get to preserve my building. It would be financially irresponsible for me to do anything like that. This is what got our nation in its problem in the first place by overextending credit; by us accepting the credit that we cannot pay back. My concern is this, yes, Castle & Cooke may be the largest landowners here, but I have been able to work with them successfully in the 12 years that I have been in business. They have helped me to survive 9-11, they're helping me to survive this economic time, and my fear is is that if that extra burden is put on them and on us, it will change the dynamics of what we love here and what we consider our home.

And I wanna thank you folks all. Mahalo and ...(inaudible)...

Mr. Fredericksen: Thank you for your testimony. Okay, next person is Phoenix Dupree. Yeah, before we continue on, let's try to keep the testimonies closer to the three-minute rule just so we're not here forever but, you know, we certainly wanna hear what everyone's gotta say, let's try to ...(inaudible)...

Mr. Phoenix Dupree: Okay, I'll try to time myself.

Mr. Fredericksen: Oh, please don't. Please don't do that. We're volunteers too.

Mr. Dupree: Actually, I'm here -- I didn't actually expect to attend the meeting because I'm involved in doing barge right now and I did not get to hear the presentation so I apologize. I'm not really up to speed on everything that's going on here.

Mr. Fredericksen: Are you Phoenix Dupree?

Mr. Dupree: Yes, sir. I am. Yeah. And didn't actually plan to make any comments because I didn't plan to be here but I'll just say off the cuff what I am thinking about and that is I, myself, love history, and I love this island, and the community, the character of the community and the island. I know from working in the visitor industry for 20 years now, that the style of our community is something that definitely is a magnet for visitors. People love the island because of the way it looks because it doesn't look like Wailea and other communities on the other islands, and so I have actually worked in the past to try to preserve the buildings and the character of the buildings on the island. And with that said, you know, as I said, I missed the presentation so I'm not real aware of all the advantages that there are economically to doing this, and I'm sure that there are, but I have to also reiterate many of things that Kimberly just spoke about and that is I have worked for three different small businesses here on the island and know how difficult it is to run a business here on the island and that most businesses, right now, if not all businesses, are operating in the red. They're losing money. Many of them have been losing money for years, not just the small businesses, but Castle & Cooke has been losing money on this island and, you know, I would hate to see it -- this because if this were to go forward, if it would be something that would cause them to go out of business, because if they go out of business, we're screwed as an island. You know, we don't -- we don't have an engine that's going to drive this island. And the same is true for many local businesses. In our building, we -- it's a beautiful building and I love it. I wouldn't, you know, want to build a brand new building, to be honest with you, because, like I said, that's what -- the buildings are part of what draw people to us, you know, as well as the people. It's the people that are in the buildings, yeah? If we -- if we make costly improvements or are required to make costly improvements to these buildings and businesses closed, what we're left with could be buildings that look beautiful and are historic but are ghost buildings. They have no businesses in them. And, really, how is that going to benefit our community economically?

You know, another issue, and I really don't know how this process works, but all I can say is, you know, I think it's important, now more than ever, that communities all across the country have autonomy and have more control over, you know, how they -- how action takes place within their communities as oppose to the way our country, which is top down. And we know that everything that's done, you know, from the Federal Government is not necessarily something that's going to work. There's an incredible bureaucracy and waste. Our country's in incredible debt. It's better if things are run from local communities. And I see that this kind of a change takes away the control from the community. It removes a lot of control from the community, from the individuals of the community, the business owners, as well as Castle & Cooke, and I don't think that's to the advantage of this community, and I think that it's something that if you're an outsider, you want to be able to control and influence, but from operating within here, I would say that half the businesses are not going to be able to survive if they're required to make an investment on the island and I guess we just have to ask ourselves: Is that what we really want? I know when I came here 20 years ago, in conclusion, there were really only a handful of businesses here on the island prior to the advent of the visitor industry on the island and now, we have -- we have dozens of businesses here and Castle & Cooke has really done -- I mean, you know, nobody agrees with everything that they do, I don't either, but they provided an opportunity here for many different small businesses and we have a unique community. You know, we're all small business owners here. There's nobody that's a big player over here. This is a very unique business community. It's not something that you're going to find in other places across our country. This plan, I think, will change the makeup of this community forever and prevent small business owners from being able to make improvements and to stay with it. So I apologize if you don't agree with what I'm saying and I respect all the positions here that the members of our community are taking, and I appreciate the opportunity to speak with you. Thank you very much.

Mr. Fredericksen: Yeah, thank you. And I like the sentiment about everybody respecting everybody's opinion and that's what we're here trying to sort out, folks. Let's see, next is Ron McOmber.

Mr. Rom McOmber: Don't mind me. I'm going to sit down. Aloha. Welcome to Lana'i again. Some of you returners and some new people. Congratulations. You know, this is really amazing to me. We're -- we're sitting over here talking about the country town designs and saving this island. Here I am, a haole, that's been here for 38 years. I love this place, and it needs to be preserved cause, like it has been said, this is the last planned, remaining, untouched, planned community, plantation community in the State. And I've hunted throughout the whole State and this is really unique here. But what this is boiling down to is the history of Castle & Cooke. When David Murdock first bought Castle & Cooke, we got letters from an outfit, from a town called Kannapolis, North Carolina, where Cannon Mills was. In that town, it was a lot like this town right here, about the same size. A little country town. It had country people working in a -- in factory making towels. When

he took over Cannon towels or Cannon Mills, he took also -- the town went with it, just like it went here. David Murdock is a control person. This is why 99 percent of the buildings are -- on this town, on this island is owned by Castle & Cooke. There's only three lots in this area that is owned separately. Only three. So, basically, they control all the commercial. If you have commercial people coming up here and say: Please, you know, we need this. And Castle & Cook's been so wonderful to me. Fine. The fear is -- and he has already -- David Murdock, at one of our Planning Commission meetings, has already said that if this town or Planning Commission votes to restrict the size of a building in the commercial building, and they did, they restricted it to 15,000 square feet, he said he was going to plan to do 18,000 square feet, but now that you won't let me have 18,000 square feet, I can't put a pharmacy, which they know this town desperately needs. This is the type of intimidation that we're going to get. What we're getting right now is we're getting letters not about this as much as if we can't do this, you're not going to get your new senior center. We're not going to sign off to have it destroyed and torn down and rebuilt. And they know desperately we need a senior center. Our senior citizens are increasing every month. We're getting older people getting into that. We need that. But, what's happening right now is there's an intimidation. There's a man in this town that was brought in here to cut this place apart and he's done it. He's taken our swimming pool away from us. They've taken the theater away from us. And if somebody didn't set up -- step up and take the exercise stuff, we wouldn't have that because this is what they do. One man operation at the swimming pool, to run the swimming pool for this community, they trashed it. This has been going on now for the last two or three months. There's division in this community. There's a man going around here talking to people separately and some of us won't talk to him unless it's recorded. If you say you want it recorded, you don't meet with him. This is awful. This is dissension in this community, which we don't deserve for Lana'i people. This is not a political thing. This is our home. This is where people live. Some were born and raised here.

I have questions about what are going to be the restrictions on this, and I've talked to the planner about this, and we need to understand that better. But we also, at that same time, deserve to have this company work with this community in this time of need. That building that -- it's dangerous, where the senior citizens hold their meetings right now. The ceilings are falling down and everything else. We have a plan. I saw that thing and it says it's a two-story. You can't have two stories in the business town district; except right across the street here, in the same district, Castle & Cooke built a two-story apartment house.

So what we have coming up here pretty soon, folks, and I think you need to kinda ease off on this and let us discuss a lot of this in the community plan. We still don't have our community plan and we need to address some of these things in the community plan. I'm serious. I mean if we've got problems with two-stories or we've got problems with something, we need to have Castle & Cooke come before the Planning Commission or the community plan and discuss this stuff with us. So I beg you to move this forward but I

would really caution to let the community plan do its work. You know, we've been fighting this GPAC stuff for -- you know, look what happened in Maui. They almost killed this. And instead of a six-month process, what was it? Two years I think it took to do that - the 25 members on the GPAC. We were done with ours six months after we started, just like Moloka'i was the same thing. So there's many things that we need to address but I think we need to address it as a community and we asked Castle & Cooke to come and tell us what their problems are, not total control. This is what we're having right now. This is a control thing. And I am really concern that it's going to blow this community right in half and it shouldn't have to do that. This is our home. So thank you very much for being here. I appreciate your work, but there's a lot of questions yet that we need to have answered, and maybe other people will ask those questions, but my part of the three minutes that I get is we really need to look at this more and we need to have the community plan done, just like we've said on other things in front of the Planning Commission. So move with this and we'll move forward. I know the planner has done a lot of work on this. I appreciate his work and I appreciate you folks and your body doing your work. Thank you very much. Any questions for me? I hope not.

Mr. Fredericksen: Yeah, I've gone one - just a comment. I remember the last time we were over here that this was kind of -- I don't know if "please" is quite the right word, but certainly the request to try to have some cooperation with Castle & Cooke and the community so there could be that sort of interchange and I taken that hasn't happened.

Mr. McOmer: Well, we have meetings, just like the wind farm. The wind farm's about to come here. We've had meetings. We don't get to ask them at the meeting: Tell us about this, you know. How many is there going to be? What style they're going to be? How many acres are you going to take? They just give us a powerpoint presentation, then they put up boards, and say come around and write your comments and we'll get back to you. That's not Q&A. That's not asking the questions on the spot. If you, eh, what about hunting? What about water? What about this? They will ask you to write it on a piece of paper and then they get back to you. Six months later, we get a letter in the mail: Thank you for being at this meeting and here were the concerns. Still no answers to what was going to go on. We still got problems with that. You're right, Castle & Cooke has gone around to this community and they are picking people off. This guy, Mr. Bumbard back here, is going around and picking people off and having private little meetings with them. And the ones of us that won't go to the meetings unless it'll be taped, he won't meet with us. I had the same invitation, but I said to Pua I will not do it unless it is taped and everybody understands what was said. I don't trust what they're doing. It is backdoor politics and it's not proper for this community, folks. It really ...(inaudible)... here. Thank you for your question. But it hasn't happened.

Mr. Fredericksen: Thank you. Katie Kastner is the next testifier.

Ms. Katie Kastner: Good morning. Thank you for the opportunity to testify this morning. My name is Katie Kastner. I'm the Director of Field Services with Historic Hawaii Foundation. Historic Hawaii Foundation submitted written testimony and I'm going to read just some highlights from that for you this morning.

Historic Hawaii Foundation supports the nomination of the Lana`i City BCT to the Hawaii Register of Historic Places.

Historic Hawaii Foundation is a statewide, membership-based nonprofit organization providing leadership and advocacy for the preservation of Hawaii's historic places. Historic Hawaii Foundation enjoys the support of members on all islands, including some 350 in Maui County, and 10 members and supporters on Lana`i. Others of our members are also former residents and visitors to Lana`i.

In 2006, Historic Hawaii Foundation designated Lana`i City as one of the nine most endangered sites in Hawaii due to the overwhelming number of pending demolition proposals and a long-range plan that showed the decimation of much of the historic core of the city. According to the National Park Service Bulletin, how to apply the national register criteria for evaluation to qualify for the National Register, a property must be significant, meaning that it must represent a significant part of history, architecture, archaeology, engineering, or culture of an area, and must have characteristics that make it a good representative property associated with that aspect of the past. Lana`i City meets these standards for listing on the register.

The nomination makes a strong argument for its historic significance. The district largely retains its historic integrity as the structures are able to convey the significance of the district and any significant alterations to the structures were completed primarily during the period of significance and gained significance in their own right.

Lana`i City is a prominent central -- the Lana`i City BCT rather is a prominent central feature of Lana`i City and is the last intact plantation town in Maui County. It creates a strong historic context in which it tells the story of the multi-cultural plantation workers and families who have made and continue to make Lana`i their home. It also garners additional significance as the first planned community in the Territory of Hawaii in its unique architectural features, such as the double-houses and the residential design aesthetic of the commercial structures.

Historic Hawaii Foundation strongly supports the nomination of Lana`i City BCT as a Hawaii Register of Historic Places as it will raise awareness to the important resources that exist within this community. Thank you for the opportunity to comment.

Mr. Fredericksen: Katie, before you take off, could I just -- something that I -- that some folks have come up and said or, you know, there seems to be a concern, or not seems to, there's an apparent concern about if something like this does happen was, you know, what type of impact would this additional layer, if you will, of regulation have -- have on say people who are trying to do something with the building, business -- like a business that may wanna try to renovate?

Ms. Kastner: Right, I mean even if the --

Mr. Fredericksen: Or the landowner for that -- for that matter.

Ms. Kastner: Even at this point, you know, the permits are reviewed by the Cultural Resources Commission. It goes to the Planning Department and they're forwarded to the State Historic Preservation Division who reviews them so -- and that's under Section 6E-42 of Hawaii Revised Statutes. Under 6E-10, privately owned properties listed on the register, they would have to consult with the State Historic Preservation Division as well. I'm not a hundred percent sure, I believe it's slightly longer, I believe it's 90 days review period for properties listed on the register and I believe it's less than that - 30? 30 days for -- under 6E-42, so they would have to allow a longer period of time to review. You know, these are questions that I think the State Historic Preservation Division, who reviews the projects, would be able to answer more thoroughly. But that would be kind of one of the ...(inaudible)...

Mr. Fredericksen: Yeah, and I see, in the audience, maybe Pua can come later and discuss about that more.

Ms. Kastner: I think Pua could address the State Historic Preservation Division.

Mr. Fredericksen: Thank you.

Ms. Kastner: Okay, thank you.

Mr. Maly: Katie, thank you. Homes that are, let's say, on the opposite side of the street from the BCT and what might be the Hawaii Register site, are there - cause this is a question I've heard from people in the community - do you know are sort of restrictions going to filter over to those who are across the street from the boundary, or is that a question that's more appropriate for Pua?

Ms. Kastner: I think that's a question more appropriate for Pua and she can answer how they would address that when -- when her staff reviews those applications.

Mr. Fredericksen: Okay, any other questions from the Commissioners? Thank you. Let's see --

Mr. Solamillo: I just wanna offer a point of clarification. In a historic district, essentially all the buildings that you have now are made of wood. They have wood windows; wood doors; they have corrugated metal roofs. Basically, what the Secretary of the Interior Standards is asking you is to duplicate those materials in-kind, so that means that you put in -- you repair your wood window instead of pulling it out and putting in a vinyl one; you repair your wood door; you repair and match the roofing material, if it's got asphalt shingle, you can put asphalt shingle on. It doesn't demand that you do anything and it does not demand that you even repair these buildings. I think another thing is that no historic district can prevent you from tearing them down. That's another thing. A historic district is created to at least provide a safeguard so that we don't have the erosion that we're having in the most prosperous destination point of this part of the island, which is downtown Lana`i City. This is not impacting the 201G project around the town. It is just looking at the buildings that front Dole Park and extend one block in each direction, okay. And so, please, if anyone is saying, you know, this is going to cause all sorts of things for you and this prevents you from doing this - no, that's really not the case. I mean if you go -- come in, we have people that come in and they wanna tear down buildings in the Lahaina NHL, that is a National Historic Landmark. That is the highest tier, you know, recognized by the United States of important places, okay. I cannot, personally, tell them that they can't. I can and this Commission can require that they document that building before they tear it down, but that's all we can do.

Mr. Fredericksen: Thank you, Stan. Alright, are you on the list? Are you on the list to testify? Yeah, you're about -- you're real soon.

Mr. John Mumford: ...(inaudible)...

Mr. Fredericksen: You'd have to enter it on the record. You can save it and then ask or you wanna --

Mr. Mumford: No, no, I'll ...(inaudible)...

Mr. Fredericksen: Okay. Okay, thank you. Butch Gima is next.

Ms. Sally Kaye: Good morning. I'm obviously not Butch -- ooh, I brought the wrong piece of paper. He's much more handsome. But he sent me this last night. It's testimony. He's not on island and he asked me to just read it into the record. I'll be very quick.

To whom it may concern:

My name is Butch Gima. I was born and raised on Lana`i and returned home in 1990 after being away from 18 years. I would have preferred to testify in person but I am unable to as I will be taking my son and mother to Oahu for several medical appointments. Written testimony, unfortunately, does not do justice to the points being made. I would much rather convey my passion and/or conviction in person.

I am thankful that the County of Maui is nominating the Lana`i City BCT to the Hawaii Register of Historic Places. Not only will this preserve the character of this historic part of our community, but it will also educate many residents, such as myself, on the historic significance of this type of community planning. I was unaware until recently of its significance and uniqueness.

I am specifically offering testimony to request the designation include the shop and labor yard area. This area is bordered by Lana`i Avenue on the north; 9th Street on the west; 11th Street on east; and Ilima Avenue on the south. This area also includes the storeroom area. I am asking you to consider including this area in the designation for the following reasons:

The labor yard is the only city specific indicator of the plantation with the exception of the old Dole Administration Building. It is at the labor yard where much of our community's culture was evident. This is where we learned what was happening in our community. This was a symbolic gathering place for the strong work ethic that permeated the community for decades. This was where relationships were forged and strengthened whether by blood or marriage. This was the seat of the beginning of everyday on the plantation. As in many plantation settings, the strong work ethic of the multi-cultural workforce developed because not only were there opportunities provided, but in the case of pineapple production, both individual and "gang" merit pay was provided. Again, it all started with workers congregating at the labor yard.

The city proper was systematically laid out as were the pineapple fields. Unfortunately, there are no more pineapple fields to designate so the labor yard is an excellent representation of this systematic design. The city's development was inextricably linked with the development of the plantation - they go hand-in-hand. It would be ashamed if one is recognized without the other.

Likewise, the development of the ILWU played an enormous role in the growth of the city and plantation. As many unions have done, the ILWU helped to ensure the large immigrant workforce was afforded fair and safe employment. The labor yard housed many of the union leaders and stewards and meeting places where improved rights, wages, and benefits were discussed. Specifically, as noted by Colbert Matsumoto at a recent meeting, the Lana`i ILWU's struck in 1951 for approximately six months - a strike that benefitted ILWU members across the Territory, not just on Lana`i. The labor yard is a fitting moniker.

The labor yard is a fitting tribute to the many families on Lana`i who helped build this community and plantation. The plantation gave many families opportunities to improve their quality of life and increase financial opportunities, such as purchasing their own homes or providing post-secondary education to their children. The labor yard symbolize that opportunity - an opportunity that did not require education or status, just a strong work ethic.

For many of us of my generation, picking pine was a right of passage into young adulthood. This usually was our first job. Our first opportunity to open a savings account, and first opportunity to save money to buy new school clothes in town at the end of the summer.

The labor yard, again, was a meeting place where you belong to a gang, a gang named after your luna.

By designating the labor yard as part of the BCT area for historic designation, there are several benefits to be garnered. The labor yard could be utilized as an interpretive museum experience over and beyond what the Lana`i Cultural and Heritage Center already provides. The current footprint of the LCHC limits what could be displayed or showcased, such as picking machines, Ross carriers, paper sleighs, etcetera. The labor yard area can serve as a different, non-traditional experience for visitors should it be transformed into a museum. Designating the labor yard area with the BCT would insure this area is not replaced with a sterile, non-Lana`i type of endeavor, such as housing or a strip mall.

Lastly, preserving this area would be an excellent recognition and appreciation for the many Dole employees and their families that helped build Dole Company and this community, and a remembrance of a culture and lifestyle that is slowly being forgotten.

In conclusion, thank you for the opportunity to offer this testimony, and more importantly, thank you for having the foresight, understanding, and awareness of how important it might be to preserve this part of our community.

Mr. Fredericksen: Thank you. Do we have a copy of that? Okay, thank you. Okay, now next testifier is John Mumford. I hope you remember your question. Sorry.

Mr. John Mumford: Thank you for an excellent presentation. One quick question. It was inferred that there was a layer of cost upon existing shopkeepers and people that occupy this area. There's no tax or increased costs associated?

Mr. Solamillo: No, not that I'm aware of.

Mr. Mumford: I didn't plan to testify. I was signing what I thought was an attendance sheet but let me at least comment. Well, I wanted my wife to testify but I just signed for both of us. I'm a homeowner down at Manele and just quickly cause I don't know a lot of you and I wanna know all of you as neighbors. You know, I grew up as a boy with an FBI dad. He ran the FBI in Hawaii for several years out of Oahu but we spent a lot of time on other islands as a kid, and then went back to the Mainland and came back Vietnam years. I was lucky enough at 17 to serve in the Navy for two-and-a-half years out here and loved Hawaii. Then I went to school, had kids, and just liked Hawaii cause we could come to -- back to Oahu, back to the Big Island, back to Maui where the kids wanted to come, and it wasn't until '96 that we came here, stayed at Manele with my company and all the kids and everything, and fell in love. In 2000 we built a home and I think what, you know, what we love most is the community and the people. We're not golf course people. And if you've ever seen me play, you would know I'm not a golf course person. We're out in the quad; we're enjoying the community; we're enjoying the hills; we're enjoying all of the nature this year. And I love people. Where I come from in Northern California: Well, there's nothing to do on that island. I look at them and I go, "Maybe for you." "And it's hard to get there." And I say, "Maybe for you." And, you know, but we love it. And this week is typical. We -- and all the homeowners I know love what we have here and to think that anything changes, would be, I think, very hard to take. We love the quaintness. We love the history. Kupa and his wife have been gracious enough to start to make sure we really understand the history and we value that and wanna continue to participate in that. But just to share: We have three couples that come every year with us. The first year, all they could do is wanna get to Maui. They wouldn't go to Maui or any other island. I can't even get them to go to Moloka'i this time for a day trip. They love it here. They -- I can't get them out of the town. So, anyway, thank you for your foresight in trying to preserve this.

Mr. Fredericksen: Thank you. Let's see, next person, Chris Mumford. She thought it was a sign-in too? Okay. Okay.

Ms. Chris Mumford: Could I -- I'll just reiterate ...(inaudible)...

Mr. Fredericksen: Okay, if you are, could you please speak in the microphone. Thank you.

Ms. Mumford: I don't do this so forgive my shaky voice. I just wanna reiterate what my husband said. When we came to Lana'i in 1996, before we started making plans with John's partners and their families, everybody said, "Let's go to Hawaii." And I said, "I'm sick of Hawaii. Everybody goes to Hawaii. It's totally commercial. It's wild. Why would we do that?" And a friend of ours who's a travel agent said, "We have an island that you might be interested in." So, you know, I surrendered and said, "Okay, we'll come here." We arrived and it was unlike anything I had experienced. When we decided, four years later, which we didn't anticipate, it wasn't a planned thing, we came here in 2000 for the millennium because we wanted to get away from the madness, and we were given the gift of aloha here. We bought our property because of what was here and the people who made here so unique and special. And if this changed, it would become Maui. It would become Oahu. There is nothing like this anywhere in the world that we've been. And if it changed, you know, I don't think the people that have a heart like we do would be interested at all to not only come here, but to share with others that they need to experience this. So thank you.

Mr. Fredericksen: Okay, let's see, Amelia Stalker.

Ms. Amelia Stalker: That's my married name. Aloha. My name is Amelia Maunalei Kahoohalahala Stalker. I was born and raised on this island in 1949 and never thought I would move back home, you know, at all, but I'm here, you know, and I thank God that he directed us and my husband, who comes from Des Moines, Iowa, who I never thought would live in a small town like this, but he loves it here, so do I, and I'm glad we came. I'm trying to talk my children to moving back home because Lana'i, like Mr. McOmber had said, you know, has -- and I thank you for that because we have a lot of history on this island. I was born and raised. I know a lot of the buildings that we used to go to, a lot of the -- the park, when they had a ballpark over here, tennis court where we used to build our own skateboard, our own skates and skate in that tennis court, but my -- my dad, my mom and my dad was originally from Maui, my father, but he loved this island when he was a little boy, and he came here because my grandfather was a cowboy at the time and they used to commute from Keomuku Town to here. So growing up, you know, our whole life my father was a cowboy, my grandfather was a cowboy, and my great-grandfather was the judge of Lana'i, so we have a long history. My grandmother was a teacher that taught down in Keomuku Town so -- and my grandfather, who was a Korean that came here as a worker for the pineapple, you know, for the field, but everybody -- mostly everybody had said what I wanted to say that this community is really unique in its own way; that's why I do not think that Maui and Honolulu is like -- like Moloka'i is Moloka'i, Lana'i is Lana'i, you know, and this preservation, to me, is wonderful because this is something that it needs to

be done. You know why? Because they already took the post office away, which really was a sad thing because when Butch Gima said that we used to go to the truck station to gather, the post office and the administration building was where the gathering was also, you know, everybody go to pay their bills at the administration base, and then they go to the post office, so that was also an important building which was already demolished, you know, and that's really sad for me. You know, and there's a lot of memories, same with the school. You know this cafeteria, I grew up in it, you know. So, you know, we have a lot of history on this island that I am so thankful that you folks are going to try and help us to preserve it. And the same thing Butch Gima said about the union hall, we have so much history on the union hall there that, you know, and I have been trying so hard, as a union representative for our members here, we have over 500 members that live on this island, you know, and we have been trying to preserve the union hall so I was kinda glad that it's, you know, on the map, yeah, so, you know, because it's been really hard for us to try and get them to work on it because it is termite built and, you know, and so, hopefully, that we can have all of these things - same with the truck station. That was a very unique place. The service stations here. The social hall. We have a lot of, like you guys said, we call them "haole camp," you know. You know, it was "snob hill," we used to say that but -- you know, but I really thank you folks for doing this because it needs to be preserved, and I don't wanna consider Lana`i like Maui or -- but the businesses over here, that's fine because I look at everybody in here and I don't see a lot of the people that was born and raised on this island, you know. And so it's our generation that needs to help fight for this because if not for us guys to turn it over to our children or grandchildren, we won't have anything here, you know, so -- and that's why this is really important for us to, you know, remember cause there's no much memories in these buildings. And if we take care of Lana`i, and I've had families that come here, or friends, that they look, when they come on the boat, they don't see Lana`i until they get to the town and go: Wow. This is beautiful. It's quiet, you know. And we don't have the hustle, the bustle. I don't want traffic lights here, you know. I do not want that here, you know. I want it saved just the way it is, you know. And this is why I showed up today since I have to go to work so I thank God for -- but then thank you. And if we take care of the community, they going take care of us, you know, and that's the way it's supposed to be, you know. Thank you very much.

Mr. Solamillo: Mahalo.

Mr. Hutaff: I have a question for you --

Mr. Fredericksen: Excuse me?

Mr. Hutaff: My dear.

Mr. Fredericksen: One question.

Mr. Hutaff: Yeah. Yeah. It's a hard one actually. Okay. Few of you have come up so far have mentioned that they've come back, like you.

Ms. Stalker: Yeah.

Mr. Hutaff: Is that correct?

Ms. Stalker: Yes.

Mr. Hutaff: The malihini, that's fine, they can go and come back bumbye and understand. My question to you is: In coming back, was it because of what was here, or what you plan for a future?

Ms. Stalker: Well, this is home for me. And the reason why we came back to Hawaii in 1982, and Honolulu was getting too hectic, and my husband and I said, well, you know, we'll -- you wanna move home? And I said, "Well, you know, Lana`i is a small place, you know, and there's nothing to do." Because being in the military, I've gone as far as Nova Scotia, Canada, you know, so I've been gone away from home for almost 22 years and when I came -- when I come home every so often, I don't wanna leave but my job was somewhere else, you know. So I -- you know, then we decided that we was going to come home. You know, he said, "You sure you wanna go?" And I said, "Well, you know, Lana`i small, people talk, you know, and it's a small community, you know." And he said, "Okay." So we did. And, you know, I thought I was going to regret it but, you know, but that was one thing I never did. I've watched my friends go from picking pineapple - the reason why I left was because I didn't wanna pick pineapple for the rest of my life, see. I had -- my dream was to go to see New York City, cause you only see'em on TV and I finally got to do that. I finally got to do that when I was 19 years old. So I got to do what I wanted to do. So coming back to settle, you know, this is what I wanted to do. So we have to be careful cause even Maui is starting to become like Oahu and I don't like that changes also. So but this is the reason why we came home, you know, and I -- I'm glad because I've seen friends go from pineapple and then they're hotel, you know, and they -- and it was more or less my sister said, "Why don't you give it a try?" So I did, you know, and I'm glad I did, you know, so --

Mr. Fredericksen: Thank you. Okay, let's see, next -- next person on the list is Alberta deJetley.

Ms. Alberta deJetley: Good morning. Thank you very much for coming to Lana`i to visit with us. My name is Alberta deJetley and I am speaking to you today as an individual. I have a newspaper called *Lana`i Today* and in the March issue, I wrote a commentary after taking few people from the Historical Hawaii Foundation around our community. I did an article about them in the paper coming to Lana`i to visit, and then I wrote this commentary

called "Honoring the Past but Moving Forward Into the Future." What is it that makes Lana`i so special? How do we preserve a sense of our past and yet allow residences and businesses to be modernized to fit our needs today? When is a building historical? And when is it just worn out and old? These are some of the questions I had when the Historical Hawaii Foundation's visitors came to visit Lana`i for the day. What I thought would be a short stroll turned into a three-hour walk through history. Old timer, Naburo "Squeaky" Oyama, was our tour guide and shared the history of each building around the town square. In many of the buildings, we saw original flooring made with planks 12 inches wide and almost 2 inches thick. In its storage building at Richard's Market, we saw an old ice room, a room lined with metal walls. It was used to keep things chilled with blocks of ice. Many of the stores still had their original tongue-and-groove ceilings and board-and-batten walls. Many of the buildings had signs of termite damage and dryrot. In one building, the proprietor showed the sections that had been repaired with caulk, tape, and paint. The repairs were cosmetic. It will suffice for a few more years. But, eventually, major repair work must be done to keep the building structurally sound.

As we walked around the town square, one thing became most evident - every business owner we visited had enormous pride in the history of their buildings. A sense of place was a buzz word developed -- developers liked to use several years ago. On Lana`i, we definitely have a sense of place and deep respect for the opportunities that the pineapple plantation provided our families. Maintaining design guidelines to retain the plantation style of our buildings will be good for all of us, but we must also leave room to replace buildings that are beyond their functional lives. Honor the past, but we must also step firmly into planning for our community's future.

Just a bout a week ago, while Wallace Tamashiro, who was one of the owners of the Tamashiro family who owned Richard's, sent me an email and said that actually the tin room that I referred to was actually a rodent proof store room and that the ice room that I had thought it was was actually burnt down about 1945 or 1946.

I -- you know, with this newspaper, I get to see a lot of people and we get to do a lot of things. Also, in this paper, I have a photograph of a painting that was done of the old Richardson house at Koele. John Richardson was one of the last two Lana`i Ranch cowboys. And I grew up at Koele and we were sort of hanai by the Richardson family. This building was removed. It was moved about 1988. As you go down to the bottom of 9th Street, as we took the planner this morning, Stan, we took Stan down to see it, this building has been sitting on oil barrels since 1988. We talk about preservation but where are the people who are going to be willing to step forward to come forward to form a nonprofit to take charge of this building, to get all the funds together, to negotiate with Castle & Cooke for a place to put this building? You know, it's been there 21 years - more. I don't think that will ever be restored. This is what we're facing today. I see buildings that need to be removed that will sit there unclaimed, unwanted, unloved. Our town is really, really

beautiful. We are a working, living work in progress. If you go through our town square area today, you'll see it's very, very beautiful. The shop owners, all of the businesses do their very best to keep it as attractive as possible but you must allow us the opportunities to move forward into the future so that we can plan for the next generation. Thank you very much for having me.

Mr. Fredericksen: Thank you. Let's see, next testifier, oh, this one's kinda -- it's -- I think the first name is Sally but I -- the last one I don't know. Can you state your last name please?

Ms. Sally Kaye: K-A-Y-E

Mr. Fredericksen: Oh, okay. Really? Okay.

Ms. Kaye: I wrote it that fast, huh? I'm just going to take a few minutes to kinda make some points about what the last couple of speakers have said. I came here in 1974 to do this book with my husband. It's a photographic documentary. I'm looking at two people sitting on your Commission that I grew up with, essentially, in our 20's back then. And we came here because there had been a lot of press about Lana'i about to undergo massive development and we thought this would be a really good project - we'll come over and document the island before it gets massively developed. Well, luckily, it didn't get massively developed and we stayed here. We were supposed to be here six months, and that was June-July of 1974, and here we are. We did have to leave for jobs. I would disagree strongly that there are more opportunities for young people now than there were in the '70's. I would think there's far less. But anyways, we went, moved around, and we saved all that time to come back. And every year we came back to the house that we bought in 1978. We were the third owner. And it was built at the same time, I can look at the slide and show you where my house is, I'm living in it today, and because we tented it every decade, and we painted occasionally, it is an intact -- we changed the inside of course. But what's happening is demolition by neglect, and it's been going on for years. And it's -- I'm sorry, but the landowner, any landowner, has a choice of what to do with their buildings and to allow these buildings to get to the point where there is no choice but demolition, is criminal, and to allow it to continue, is even worse. I understand, from reading the statute and reading the provisions of the result of being registered that there's significant advantages, not only for landowners, but lessees if they have a long enough lease to take advantage of it. So I think the important thing to remember is that Lana'i stay the same and also that, like Amelia, we always wanted to come back, and now we are back and we have no other home to go to. And I think the part that most people that I know love about it is that it has not changed, and this is what people who come over on Trilogy come back year after year because it has not changed. So thank you. Any questions?

Mr. Fredericksen: Thank you. Okay, that -- we're at the end of the folks that signed up on the list. Does anyone else who didn't sign up would they like to testify? If so, come forward and state your name please.

Ms. Kay Okamoto: My name is Kay Okamoto and I did come in a little bit late. I was very interested that Alberta's newspaper, if you look at the very front section, the very front page, has to do with Lana'i Union Church, and I kind of speak on -- on their behalf today. We undertook a major renovation. We were not on any kind of register. And it had been talked about putting us on a register. But we didn't understand whether that was good or bad, so we didn't do anything. Now I'm thinking we might have been able to get more funds had we been on one, but we didn't. We were able to modernize the building and still keep it and I think very much, it was one of the ones that you showed, it definitely keeps the -- the sentiment of the island. It did cost us a lot of money to do. My biggest concern, and I think with some of the business ones, is if there's any requirement that's going to be against the business that they're going to have to do something, then -- then I think that is too bad. But if it's simply is the idea that we're going to maintain pretty much the town, I will tell you, and for most people, if they've ever tried to tear down any building on this island, doesn't matter if it's on any register, it takes forever. At our church, we still don't have the permit after a year to tear down the old garage and the little building in the back, and we're not on any register. But because we're all -- most of our buildings are old, you already have County requirements so that, you know, that isn't going to change. As long as it's not going to put so many restrictions that people can't make repairs as needed, and there are buildings in your section -- I mean in the town section that are probably beyond repair. That's -- that's just a fact of life.

But I've lived here for 40 years. I have a son who wants to come back desperately and he's one that, you know, keeps talking about change. He has really gotten a career that he can come back and so that I know what it's like for -- for children who've got their roots here. My husband was born and raised here. His grandfather was one of the ones that was instrumental in the Buddhist Church at the time that it -- during the internment and took the implements from the Buddhist Church to hide them and so we, you know, our family has a very rich history here. And, to me, the town is so important. So I -- that's my --

Mr. Fredericksen: Thank you. Any questions?

Mr. Maly: Yes. I do have a question. I believe, Kay, that you were a part of a planning committee that in 1992 developed -- I don't know if "community plan" is quite the right word, but did you have some thoughts, generally, about, you know, use of the buildings and care -- would you share some of the recommendations of that plan? I'm sorry. So is it the 1992 community plan? Oh, I'm sorry. I thought you were a part of -- I'm sorry. So we'll scratch that. I thought you were a part of it from some meetings that we'd had previously. Thank you. Any other questions?

Mr. Fredericksen: Okay, anybody else wants to testify? Please state your name. Thank you.

Ms. Cathy Carroll: Hi. I'm Cathy Carroll. We own a small business here, an art gallery on the square. I really, really appreciate the historical perspective that you've provided. And we've only been here eight years, so newcomers, and confess my ignorance with -- we try to learn but I thank God Kepa is here to help educate us as well. But I do think that, as a small business owner, I think it is going to continue to be lingering concerns that we either can't make improvements that need to be made to make our businesses functional or that there will be an onerous requirement to bring things up to some sort of historical par if the building that we go into is not up to par historically to begin with. Just as an example, in our -- as Kimberly said, our leases require that the tenant make the improvements so, we're not owners of course, so it puts us in a bit of a bind there. In our building, we -- the building was a beautiful -- it is a beautiful building hand built by Mister, yeah, Oyama. I was going to say -- Oyama. But the state of the flooring, for example, at that point was an old tile that, linoleum tile that was cracked and destroyed. The -- over a concrete floor. We put in some beautiful wide plank old style flooring. Because it's a gallery, we had to put in track lighting to light the paintings. And so we added a banister because the front porch did not -- we looked at the country town zoning recommendations and tried to make it more plantation, if you will, than it was at that point. So the concern I think that small businesses are going to have - we've heard -- you hear rumors when these -- when you're coming into town, you can't do any improvements on your building. You're going to be constrained and cannot do anything to make it more functional from a business standpoint. So we tried to honor the tradition but make it functional from a -- from a business standpoint.

Mr. Solamillo: Okay, I'll attempt to belay the fears. So the first one, A, there is no surcharge or tax which will be applied to every building occupant within a proposed historic district, so you're not going to have a monthly fee or an annual fee for membership. The other thing is that what people in preservation are mostly concerned about right now is the outside; how does it look from the public right-of-way. So that means -- I mean the reason why we were emphasizing -- when you go to each side of the square, you have a different rhythm of buildings say on your side of the square than on the side of the square that Richard's Market is on. There's a -- I mean the distance between the buildings, I think you have more buildings on that side than on the other side, but that's why every side of the square or the quadrangle, because it's not a square, that's why each side is unique. So what we're concern about is how does it look from the outside. I've told people, and maybe for good, bad, or ugly, I don't really care what you do inside as long as, you know, you're not poking a hole through the outside wall and putting a circle window in. What we're trying to do is -- is preserve the exteriors essentially of these buildings and keep the character of the town, you know, the way it is because it is really unique. I mean you go and visit all these other places, you go to Lahaina, you go to Paia, you go to all these other towns and this is the only place where all the stores look like little houses, there's a front lawn, I mean

that isn't urban, and that sure is not commercial, you know, and you got a front porch, you know, that -- and these are businesses. And that -- all these things go together to make this place as unique as it is. I cannot comment on how long it takes permits to get processed through Maui County. I'm as -- well, I'm as guilty as everyone because I've got multiple jobs that I have to do. But as far as making it more onerous, it's not going to be anymore. If you have a building over 50 years of age right now, it's going to be the same kind of process. The only thing that we're asking is, is as I said, it's recognize the importance of this place and get the opportunity to acquire funding from another source besides private business owners or the company to do things for this community. And that's -- this is the whole thing. If your building is registered, you can access funds from other sources. Right now, we cannot so the onus is, yes, on lessees and on the company.

Mr. Fredericksen: Oh, excuse me.

Mr. Hutaff: No, it was actually to kinda comment in general because of your wonderful question about this historic district thing. I've been hearing some questions and some concerns that, in my opinion, after reading what the historical area could do, are unfounded. For instance, it's going to become another Front Street. Sorry. Front Street is a mess, okay? Because there is no one there to say: Here's your permit. Do it correctly. Or to say: You stop this because you're doing it incorrectly. The Commission is in the process, at this point, hopefully in the next year, within the next year to -- to bring enforcement within Lahaina to get some of these things squared away which will set the foundation for Lana`i so you don't have to go through that. For the business owners who are concerned that their rent's going to go up because now it's a historical district, I'm sorry, your landlord is in charge of your rent, not the historical district, okay. The monies that you're going to have to put in are not there. Like you said -- the one said, I don't want to go out and borrow. It's irresponsible, okay. The historic area would allow you to borrow money if you need it and if you want it. It's not a requirement that you do it. For you to go and maintain your building, it's probably in your tenant leases anyway. You have to do that by your tenant lease. It's not by this historical thing that's going to take place, okay. Changing the face of Lana`i is your choice. Keeping it the same is your choice. Make your choice. You wanna be like Maui? Okay. I moved to Maui to get away from Oahu. Can I come live with you guys? Okay. Do you see what I'm trying to say? So I think for those of you who have the misconception, that's my opinion of what it's going to cost you, what you're going to lose. Go back and look at what the laws really state, okay, because you're going to -- at least from what I've read, it's -- it's got some things, yeah, you can't paint your house purple and green and pink. Sorry. It ain't going to happen, okay. But that's a compromise based upon the fact that you keep your community the way it is. Most of the people I've talked to out here that have come home - "home" is the word that you used, okay. My definition of what Lana`i is and what all this historical thing is an emotional attachment to the past and cultural of Lana`i. Do you really wanna lose that?

Mr. Fredericksen: Thanks, Ray. Yeah, Veronica? Okay.

Mr. Hutaff: And this goes to Castle & Cooke, okay? Now we have -- we have the letter here and I'm not sure what the protocols are but to address one thing that if it does become a historical district that it'll have more layers of things and permit process to go through. That is correct. That is absolutely correct. But with this Lahaina Historic Foundation trying to get somebody in there to monitor these things and have somebody here on Lana`i, we would hope that what it would be is there would already be an office here. If you're compliant with the permit process, here it is, okay. So it actually makes -- it make -- that's our goal. We gotta deal with the County and the government and all that kinda stuff, but it's with our goal. The other thing too is that maybe as a Commission, we ask the Lana`i residents that if we start to bring up this thing where we wanna have enforcement and we could have this quick permit process, that you'd lobby the Council then to say yes because it's their final decision. We can only present it to them. Okay, so I've set the stage for, you know, getting rid of some of these problems and, hopefully, it'll speed up the process of going through SHPD and CRC. So that's to address Castle & Cooke. You're right today, hopefully, we're better at it tomorrow.

Mr. Fredericksen: Veronica?

Ms. Marquez: Aloha kakou. I'm sorry I knocked you down. It is wonderful to listen to the mana`o about keeping Lana`i Lana`i. I represent Moloka`i and I'm sure you know Moloka`i. The others saying keep Moloka`i Moloka`i and we also have this bumper sticker, I don't know where we got this from, I think from the Mainland, "Keep the country country." What I'm saying is I went riding around this morning with a very good friend, and I looked at the buildings, and some old buildings were redone beautiful. It still looks like country. Really nice. Really nice. And so what I'm saying is be it preserved, and be it with the policies and rules, though there is way. There is a way I guess to have a happy medium and have both. It's just like Moloka`i. They're saying: Oh, if you're going to development, you know, we -- we do not have traffic lights. For real. We don't have an elevator. Well, Moloka`i Ranch shutdown so no more elevator. You don't have high-rises and that's really maika`i. And Lana`i, I'm a retired teacher. I used to work back here, and I think Kay knows, as a Hawaiian studies resources - oh, nui kau - long time ago, we used to come here, and I look around Lana`i, I mean I see changes, however, the changes I see is -- I don't know how to say it, but it's pretty. And then I see the dilapidated buildings that you wonder, whoa, it's a wonder it hasn't fallen down and taken people with them. And then we took a ride down to see these two buildings today. Your Lana`i is beautiful as well as Moloka`i and I'm sure other islands. You're here for Lana`i. And when you say "home," I hope it's coming from your heart, from the pu`uwai. So you want to keep Lana`i Lana`i and, in the same breath, if we can do this with the help of other mana`o, then why not? If we can be preserved, and with the funding and with the mana`o that adds to Lana`i, why not? And then this is for Stan. So, Stan, I -- help me understand this - poor Stan here - when -- let's say this district

is deemed national historical, you know, district, I hope I got this right, let's take a home and let's the home needs fixing up, is it my understanding that the homeowners need to repair versus replace? Can you help me understand that?

Mr. Solamillo: First of all, for a homeowner, not the large property owner, for a homeowner, you get a tax reduction as soon as your building is placed on the Hawaii Register of Historic Places. So your property tax decreases. Does it give you a pool of money right away? No. We would have to actually look at how do we get, you know, rehabilitation funds or a pool set aside for a program like that, and that obviously involves the largest landowner here on this island. Because I -- and I'm not -- you know, I can't give you a statement, per se, that I can go and get HUD funds and home funds, and those are applicable funding by the way to do single-family residence, but you have to actually look and see and that -- I haven't had time to go that far. I had time only to put out this nomination. But that's really what it needs to take place right now is that there probably needs to be an investigation of -- and I mean that lightheartedly - let me rephrase - there needs to be somebody assigned to do a per forma on typically what these houses, you know, are going to involve or what the commercial buildings would involve if we're talking cosmetic, 10,000 for facade, that's a facade improvement grant. Those get setup usually with CDBG funds for business owners or business lessees. And again, we've got the issue of the leases. What are their lengths? What are the -- what's the -- how many you got? You got ten? Five? Is it twenty? Because those have a bearing on how you can access these other funding sources. So there's a lot of little question marks right now and nobody is -- because we're loggerheads as opposed to whether this is a good thing or not, we haven't really been able to look at the details and say, okay, what would it actually provide for business owners and for private citizens who happen to be homeowners here on Lana'i, and that still has to be done and I -- so I'm not going to get up here and say: Yeah. You got it. We got funding for you and it's all coming down from Washington. I can't do that. So I beg you to accept my stupidity at this moment.

Mr. Fredericksen: Thanks, Stan. Let's see, who else would like to come up and testify?

Mr. Thomas McIntyre: ...(inaudible)...

Mr. Fredericksen: Okay, could you come and state your name please just for the public record. Thanks. And then -- and your question or questions.

Mr. McIntyre: My name is Thomas McIntyre. I live here on the island and I have a question I'd like to know: Can we link to the powerpoint that you put on initially? Is that on your website? And also, will these proceedings be published and can we link to those?

Mr. Solamillo: If you want a copy of the powerpoint --

Mr. McIntyre: I'd like to. I'd like to have access to it. I don't necessarily need a copy.

Mr. Solamillo: Okay. I'm probably going to give a copy to Kepa.

Mr. McIntyre: Okay.

Mr. Solamillo: If you would like one, leave your address and we'll send you a copy on a CD Rom.

Mr. McIntyre: Okay.

Mr. Solamillo: And the -- the minutes here will be -- they're actually verbatim minutes and they will be put into transcripts within 60 days probably and so those will be available from the County.

Mr. McIntyre: On your website?

Mr. Solamillo: I don't know. I'd have to ask. Suzie, are they on the website? Yes.

Mr. McIntyre: Okay. Okay, thanks very much.

Mr. Solamillo: Thank you.

Mr. McIntyre: Appreciate it.

Mr. Fredericksen: Yeah, thank you. Does anyone else wanna testify? Oh, let's see, let's go way in the back first. Oh, okay, and then there. Raise your hands up high.

Ms. Joanna Varawa: Hello folks. Hello. Thank you for coming.

Mr. Fredericksen: Could -- you need to give us your name too, please.

Ms. Varawa: My name is Joanna Varawa. I have been the editor of *The Lana`i Times* for 18 years and no longer. I came to Lana`i in the first month of 1977, during the time of the plantation, so I was privileged to live here during the plantation "era," and I have seen the changes that have come about since the plantation left - some good; some not so good. But the precious thing we have here is our pace. Our pace and our scale. With this pace and with this scale, we retain the lifestyle, the ambiance, the feeling of living in a country town where people still move quietly and are pretty respectful of one another. And I would ask you that whatever you deliberate on and whatever you decide, that you keep in mind the preciousness of our pace and our scale. I have one suggestion to the Commission. Are you a Commission? And that would be that it would have been very, very helpful had

you given us the regulations and had the community -- maybe I'm wrong, maybe we had the regulations. Did we, Kepa? Given us the regulations and given the community a chance to absorb those regulations so that when people came here to talk, they basically knew what they were talking about. And the other suggestion, which I believe was mentioned before, was that this is barge day, which for us is very important, which meant that people who might have had a real interest in this were not able to come cause they're getting their stuff down at the barge. But whatever your decisions, I just want you to keep in mind that we believe Lana`i is a very precious community, we cherish it, we cherish the look of it, and we cherish its ambiance, and I hope that you consider helping us preserve it. Thank you.

Mr. Fredericksen: Thank you. Let's see, second table down, looking right at her. Okay.

Ms. Renee Plunkett: Aloha. Aloha, my name is Renee Plunkett. I am the younger sister of Amelia Stalker. I just wanted to thank you all for being here today. And I also was born and raised here on Lana`i. And I just wanted to say that, you know, that I'm really happy you're here today and I support your efforts. And I'm here because of my kupuna and my children. And whatever you can do to help us on Lana`i I believe would be greatly appreciated. That's it.

Mr. Fredericksen: Does anyone else wanna testify?

Ms. Christine Costales: Aloha. Thank you for being here. My name is Christine Costales. I was raised here on Lana`i and I just wanted to share a story with -- also with Maunalei. I'm the only one that calls her Maunalei. Anyway, I was raised here on Lana`i, and I moved away and raised my family on Maui, and was away for 18 years. I came back because I needed to take care of my grandparents - or my grandmother and my mother. I would have never returned to Lana`i if it wasn't for the hotels. I mean I moved away because I didn't want to pick pineapples, like, you know, all of us who left. And I went away and I was a secretary for over 20 years on Maui. When I returned, I brought a group of my secretaries, they didn't know I was -- I was different being in high heels 20 years on Maui, but they enjoyed Lana`i and it's just so wonderful to share it with them and my children and my grandchildren now to remember all of the buildings that I went to: Pini Boy's, and Nancy's store, and the tofu shop, but everything I remember, you know. But 10 years, someone who's like Maunalei or 15 years older than I am, we share different stories because each building had a different business. So now, here I am, how many years I've been back - 15 years. My daughter moved here with me. Her home is actually on Maui. She's moving back. And I got -- now I got my two kids on Maui, and all my grandchildren, and they said, "Mom, are you going to move?" And I said, "Oh no. I think I'm too old." "Yeah, mom. You need to say because you need to save Lana`i." And that's -- I think I'm going to be here for a while. But I just wanted to say thank you and there's so many stories that we can share about Lana`i - all of us, and thank you so much and keeping Lana`i historical.

Mr. Fredericksen: Thank you. Anybody else have -- wanna testify? Okay. Please come --

Ms. Winifred Basques: Good morning everybody. How's everybody doing today? Okay? Well, I'm fine. Okay, being as a city girl who came from Honolulu, Kalihi, okay, you come to a small island is a big change already. There is no Zippy's. There is no Taco Bell. There's no shopping malls. What you going to do? You gotta make an effort to find out what you're going to do when you come from a big place to a small island, like you say, it's a culture. A culture where you learn how to live on this island. How you live and how you bring up your family. Your family is very important. Well, last week, I tell you something. I went hunting. I got one doe and my son came from Honolulu special to come and go hunting with us. We hunt every year, twice a year. But we make go when you have people who is so much involved with culture as well as a heritage, it makes a big difference. Okay, that's a different story. Coming back to this small island, the stores, I can tell you everything. I can tell you who was the one, the store managers, and everybody. Senior center was the Lana'i Public Library and we know it today as Senior Center. The next building, the MCC, that was Pini Boy's Restaurant. After that was that art building, that was the thrifty shop. Then you went go over to Wong's Laundromat. Okay, after that was Emura Jewelry. From there, went over to the Blue Ginger, that was Tailor Dry Cleaner by John Gabriel. Then came Tanigawa. After that came Rabbon's store. From there on went up to Mr. Oyama, Hirao Oyama. He was a policeman before. That was his store. Then come around the corner, across here, the theater, administrative building, First Hawaiian Bank, but the First Hawaiian Bank, when it came here it was Bank of Hawaii way back, and this was in the '60's. I've been here over 46 years already and I see a lot of changes. Bank of Hawaii was First Federal Bank, Richard's Shopping Center, then you had a tofu lady in the back. In the front was Dis-n-Dat Shop by Elaine Kaopuiki. Next to that shop was Lui's Saimin Restaurant. On the other side was Mr. Wong. There was another restaurant. Then you have Pine Isle Store. You had the barbershop and across you had Maui Electric and the police station. So you can see how many years has been changed with different people on the different areas. But you're talking about Castle & Cooke, all these building belong to Castle & Cooke. So now when you talk about repairing, who foots the bill? Castle & Cooke, right? That's their building; their land. Now when these people come inside and do their business, they still is the owner of the building. But the thing is that if they change something, they gotta go through them. They have to see them. Yes, it's okay. Or, not, it's not okay. But maybe sometime we need curb appeal. Have you folks need curb appeal? Style on a Dime? ...(inaudible)... Candace Olson. Look at those. What they do? They renovate. But they need the money to do this. But it comes back to Castle & Cooke since they own the building - hello? It's not coming out from these people who using the building. They're paying their fee. So the maintenance is the one who owns the building, not the one who using the building to do their thing but yet they having a share out of that. So now you think, why is that they do all this kind stuff and they wanna change everything, but here the people in the stores, they trying to make a go out of it. Try to support the people on this island. Three thousand people. And if you cannot do it, you

know where they going - Costco, Maui, Wal-Mart, K-Mart. They going all over there. But the thing is that when you change people, there is a different side, same like auntie said from Moloka`i, Moloka`i and Lana`i is very, very unique. They are different in their own island. You cannot do something from one side to the other side. It's a no-no. But other than that, I thank you very much. I like to leave this place like this. It is so homey. When I go off-island to come back, I just cannot wait to get off that plane to smell the fresh air coming. You go Honolulu and Maui - forget it. Thank you very much.

Mr. Fredericksen: Thank you. Anybody else wanna testify?

Mr. Dave Green: My name's Dave Green. I'm a resident of Lana`i. A recent resident - two-and-a-half years or so, and I own a home down in Manele. I'm very frustrated in that I think everybody here wants the same thing. When we first came here, my wife loves Starbucks, and the first time we visited, Caron went absolutely nuts because she couldn't find a Starbucks, but it turns out there's a Coffee Works here. So I guess my point is that I think Castle & Cooke did a lot of good things by not allowing Wendy's, not allowing McDonalds, etcetera, etcetera, and they have done a reasonable job of keeping this city - I think a good job - of keeping this city the way it was when we first saw it in 2000 when we first came here on vacation. I think what this boils down to is none of us, and I don't know how much public testimony sways your decision-making process, but you're basically taking testimony from the majority of us and we're not informed, and I don't know how relevant uninformed testimony is. What it seems to me the issue is is we all want Lana`i to stay the same. We wouldn't have come here, those of us who had a choice to come here, those of us that left and came back, wouldn't have done that if we didn't want it to be the way it is. And I think the choice is how do we keep it the same but allow it to move into the future in the right way because we can't live in the past. We need to maintain some of the past, and the past is very important to the culture and what Lana`i is, but there also needs to be a way to move into the future in a way that isn't bureaucratic.

Now, my biggest frustration is getting a building permit for my house. I had to hire someone to walk the building permit through the Maui County Planning Department. It took an extremely long time. And I cannot believe that if you add another review on top of that, it's not going to make the process even more difficult and more time consuming. So I don't know what the answer is. I think it's unfortunate that in too many of these meetings half the people sit on one side and they're against Castle & Cooke, and then the other people sit on the other side and they're for Castle & Cooke and, basically, the community doesn't really have a dialogue to really sort through what's best, and I don't know what to do about it. It just seems to me that it's frustrating that everybody wants the same thing but, yet, we don't know enough to know is it is a good thing; will it help businesses; will it not help businesses. It was interesting to me to hear the business owners in the audience express their concerns about what this means to the future. How will they be able to modify the interiors of their buildings, etcetera, etcetera.

And so I guess part of what I'm saying is in this process. I guess I could have taken the time to do more research on my own about what this really means but if you're asking the community for their viewpoint here, it would seem to me there's a responsibility to educate the community on what it really means so that we can give you an informed opinion as opposed to just what we think, which is, in my case, an uninformed opinion. Thank you.

Mr. Hutaff: Don't go away. No, you -- you have some really really good points and to put a term to what you had said, it's called bring the past forward. In other words, you're right. We can't go backwards, okay. We can't necessarily go and live in the past. But the past is absolutely important because it's a past that we've followed. It's the one thing that cannot be taken away from us is our past. That's one thing that can't be changed - is our past - like it or not. So the term for you, when you talk again, would probably be bring the past forward. And I think that that's what this Commission's trying to do and I think that even if Castle & Cooke, in its own way, just from a different perspective and the community wants to do is to bring the past forward. In other words, we wanna take those buildings and say: Let's put them in 2008 as they stood 50 years ago, okay. Nothing less. Nothing different. Just taking those and moving them to here. Castle & Cooke has had an opportunity to be here and to speak on their behalf and, personally, being a business owner, okay, I would have jumped at the opportunity to plead my case, my side, or to say this is where we wanna go so that the community is not left in the dark. Darkness is a method of bad dreams, okay. In other words, you don't know what's going on. Communication, I think, is the absolute key. Communicating with the Cultural Resources Commission is a beginning but communicating Castle & Cooke with the community is really, I think, what it needs to be done, and I think that that's where you commented about educating, being educated first before you come here, knowing what the rules are for the historical society, what does it really mean. We hoped, from the last meeting that we had here, that we said you need to look into it. You need to do your due diligence because it offers you some very good things, but there are a couple things that's a little bit of a hassle.

As far as your comments about going through and getting permits and stuff like that, and different layers, you're not the only one, okay. I sit on this board and I've been waiting two years to get my permit, okay. The thing is is that, hopefully, with the historic district and what we're trying to do was getting somebody within the historical district to monitor things and things will go faster and easier, and you may be the only ones that get it faster and easier because we're going to have somebody, we hope, be out here on a regular basis going: Oh, you wanna do that? That's within the guidelines. Here's your permit. Okay. So there is hope for that.

But I really really honestly suggest that those of you who are on Castle & Cooke's side, if we have to chose sides, is say: Communicate. I haven't heard anything from them. They deferred last time. We got a letter. I don't know where they stand. I'm a business owner. I wanna see everybody have a job. And I wanna see everybody over here have a

community that they consider theirs. So, you're right, we're all on the same side but we're not communicating. So thank letting me talk.

Mr. Fredericksen: Thank you, Ray.

Mr. Hutaff: Sorry.

Mr. Fredericksen: No. No problem. Anybody else wanna say anything? Testify? Come forward. Please state your name.

Mr. Willard Stalker: Thank you. Aloha. My name is Willard Stalker and, yes, it's a last name, not a profession. Yes, I'm the one that dragged her over here. She introduced me to this island back in 1974 and been coming in and out of here ever since. I love this island. I love the way it looks; the way it is. I also drive buses for Castle & Cooke so I've learned a lot of history of this island and the Hawaiian's ways and I love pointing that out - the old pineapple fields, everything. Just the uniqueness of this island and its people. I've also had a great opportunity of having my mother and my brother come visit me all the way from Des Moines, Iowa, and they could not, you know, fathom, even with photos, I showed them that how special this island is and why I love living here. I gave up the big city for this. That was a hard choice to do. Now, they came here to visit me and now they understand. My brother would love to move here. He would love to live here in this community the way it is, and I hope it stays that way. We also had the opportunity of raising a grandson here and the difference between how he is being raised and he sees and the freedom he has compared to his brothers, his sisters, and his cousins have on Oahu - big difference. So just I hope to keep this island the way it is. Okay, mahalo.

Mr. Fredericksen: Anyone else? Okay, Nani has a comment? Yeah, go.

Ms. Watanabe: Aloha. Sorry, I'm losing my voice. It is wonderful to be back to Lana`i and I'm really, for those of you that don't know me, I'm a native of Lana`i, and born and raised here, and I just actually moved back to Maui last year. I too was able to come back to Lana`i to work and I do live on Maui, and Maui is okay. It's okay. It's not like Honolulu yet. But -- and I really appreciate a lot of the testimonies. And, you know, when I was here, I was actually working as a cultural resources manager and I -- I had to come back to Lana`i to re-educate myself about my island cause many of us had left because we didn't wanna be pineapple pickers for the rest of our lives. And I too grew up at Koele, and Koele was where I lived till I moved off-island. When I was asked to come back in 1997, I said, "I don't wanna come back here." You know, my -- my girls are very city girls and my husband wasn't going to relocate.

But all of you that know Auntie Elaine Kaopuiki, she was very much an advocate on this island as the last kumu here, and because of her, she continued to support Lana`i for many

years and we really have to, you know, commend her for stepping out and speaking out for a lot of things that happened, that a lot of Lana`i people have today - Hawaiian homestead programs and services here.

When I first came back, I had to really kinda like get some information about Lana`i and relearn my history and I was onboard with the company for 10 days and my first oral history was with Ruth Ginsberg, the Supreme Court Judge, and I was like: Oh, gosh. Who is this person, you know? And I actually had to look for old photos and I said I didn't know how I was going to present to this woman, and we had a private oral history at The Lodge at Koele, in the music room, and I said: Okay, I'm going to actually talk to her about how I was raised. I was raised here and my history would be about my life growing up on the island. I was so nervous, because knowing that she had these marshals around and -- but you know what? You know they said: Oh, you know, you're only going to be talking to her for about 20 minutes. But we sat there and we talked for an hour and she was such a sweet woman. She was like -- I didn't know how to tell her like up on the hill was called "snob hill" or "haole camp" cause that's the way we grew up. It was known. And she cracked up laughing and she said, "Oh, so what do the haole do?" You know, I mean it was -- I mean she really enjoyed it because it was -- it was history, live history, because I talked about -- it wasn't anything -- I showed her books. Sally Kaye was here with the book that they had on Lana`i folks. Wonderful history about Lana`i. We had to pull out all of these books, you know, and give information.

But I also had the opportunity to travel with Lana`i Visitors Bureau and that gave me a chance to go to the different states to promote Lana`i, and Waynette is my sister-in-law and when she couldn't go, she asked me to go, and I thought it was -- it was so wonderful to go to -- I went as far as New York and to New Orleans and, you know, to Philadelphia, and I was so touched to be able to go to these historical places, and even in North Carolina, and I said: Why don't we have it here? Why don't we have, you know, our island on a historical, you know, registry because -- and when we would talk about Lana`i, we talk about people -- we asked people in some of the states: How many of you been to Lana`i? And maybe they'll be three hands, you know, four hands, and a lot of people would tell us they love coming to this island, and what they loved about this island was the uniqueness of this island and it was because, when they came to this town, it was the people and what they saw here, and they said that they enjoyed seeing Lana`i and they said: Please don't change it. You know keep it as Lana`i. And I remember Dwayne Black wanted a walking tour and he wanted to -- he wanted to create this walking tour within the town square.

And I grew up in that era where we still went to the movies there at the theater. It was 15 cents. And a Wong's, you know, you guys remember Wong's Shop saimin; that was a highlight. And then also the police station. I always felt that this is one of the kind jailhouse. There's no other jailhouse -- and, by the way, when we grew up, there wasn't that chainlink fence. I think they put it there to help hold the building up so -- but there

wasn't the chainlink fence there but it was really the highlight of Lana`i. And when I would talk to the visitors, they really, really liked the uniqueness of this island. They didn't care if we didn't have the -- the little, you know, Pizza Hut. And I remember the students, when they would come, they go: Oh, where's McDonalds? I said, "There isn't any McDonalds."

And then I got involved in community events and, you know, all of the community events we did on Lana`i was held in Dole Park. Dole Park is the site where we have all of our community events and they would ask us like: What's that little building in the town square? And I said, "Oh, that's the bowling alley. We had a bowling alley." And I said, "I was really happy cause I worked in the bowling alley." And I was able to -- and I knew how to do the pool hall, I don't know what age you had to be, but, you know, Lana`i was small, but I had to rack the pool table and collect the money and I loved it because I didn't have to go work in the pineapple field, you know, and -- and we had bowling. We could go bowling. So a lot of people didn't know and when we start telling them about the story of the building, they really appreciated it, you know. Of course, the public library doesn't look the same. It wasn't like that.

But there are so much history here and I, you know, I really commend all of us and all of you that are from Lana`i and your roots are here. And, you know, I think this is part of how do we balance this. Being a Commissioner is not easy, but I wanna say that until I became -- I came on the -- as a Commissioner, I didn't know there was such a Commission, and I didn't know what the Commissioners did, and I always wondered like: How come we never knew about Cultural Resources Commission? And it really -- and I guess when it came to our time, and this is when the Commissioner -- Cultural Resources Commission was exposed.

But I was here when they tore down the old post office. I was actually standing there watching them, you know, demolish the old post office. And if you took Hawaiian Airlines, and if you saw the -- you know how they show all the islands when you're coming back from the states? They had one of the showing of Lana`i, and it was Lanai, and he did this commercial of Lana`i City and -- of Lana`i, cause they go through Moloka`i, Maui, and what they showed on that video, cause I sat there and I said, "Oh my gosh, this video is very old," because the landmark was the post office, and so that's exactly where he showed in the beginning was the post office. And then the other thing that I felt so sad about was we don't have our little fire house where the fire truck was -- was housed.

And so, you know, I really -- my heart is Lana`i. I like to see our history. History is so important and I think it's education, and with Kepa here, I think by him sharing the history, it's so important that people need to know how are they connected to this island and how do they live here. If you're living on this island, what about this island, you know? What is it can we learn about this island? One of my cousin is a genealogist for -- the Kaopuiki is my ohana and we were one of the other largest Hawaiian family, but if it wasn't for her

photos about family and the photos about the places that we're born, we wouldn't have had history. And so, the photos of the places that she took and -- and actually helped the Cultural & Heritage Center. So I thank you for sharing and when you come back to this island, all you can pray is for a positive outcome; that we can work together in peace and harmony and make it what is right for Lana`i. Mahalo.

Mr. Fredericksen: Thanks, Nani. You want -- yeah. Any other comments from the Commission? Okay, if no one else wants to, you know, give any public testimony at this point, I'd like to invite the SHPD -- SHPD's -- that stands -- SHPD is State Historic Preservation Division Administrator, Dr. Pua Aiu, to please come up.

Mr. Maly: Thank you so much for your patience.

Ms. Pua Aiu: Hi. I'm Pua Aiu. I'm the SHPD Administrator. Do you want me to just answer the questions that were asked, or do you want to ask them of me?

Mr. Fredericksen: And then, Pua, maybe, you know, Commissioners might have some questions as well.

Ms. Aiu: Yeah, that's fine.

Mr. Fredericksen: But whatever you're most comfortable with.

Ms. Aiu: Well, why do I -- I wrote down the questions so I'll start.

Mr. Fredericksen: Okay.

Ms. Aiu: Okay, so there were questions about the benefits and costs and, basically, one way to look at it is all the sticks are already in place so regulation wise, we have lots of sticks and we can already use them either without you even getting the BCT. What the BCT offers you, as Stanley has pointed out several times, is it allows you access to the carrots, so it's not all just sticks, and that's partly why we like to have it cause we don't really like to use the sticks all the time. So it allows you access to funding, to Federal funding, to tax breaks on your property. So, basically, you already have all the regulation you're going to have and there's nothing that stops us from implementing the regulations that are already there. There's a question about the cost of repairs, and Stanley has brought this up already. Basically, if you're in a district, you're asked to repair like-to-like. However, you don't have to repair. The question is if you're going to do something to your building, it would trigger a permit with Maui County; that permit would come to us. We have 90 days to review. We try and review it faster but we're not always successful. So, you know, it might be cheaper to put in a vinyl window but we would ask that you repair like-to-like. You would put in back your woods windows, you would keep your floors, and, again,

as Stanley pointed out, we don't care so much about the inside, especially on a nomination like this. The nomination is mostly for the integrity of what the whole property looks like, not so much the inside. You can do alterations. You can demolish. If you're going to do an alteration, say you wanted to make your building bigger, a lot of these buildings are rather small, you can put on an addition; usually it has to look different so you can tell the difference between the old part and the new part. So it doesn't preclude you being able to do an addition, you just have to look at the Secretary standards and try to maintain them and mostly that says make the two parts different. As we pointed out, you can demolish. You're asked to do mitigation if you demolish, so we would ask you to do documentation.

Mr. Fredericksen: But that, excuse me, Pua, but that's asked anyway as things are right now.

Ms. Aiu: That is asked anyway so it is -- if we're going to ask it of you now, we're going to ask it of you then. It's not going to change. And it is an added cost. That's true. It does cost a little bit to do that. The other question that came up was: If you are outside of the BCT, what happens? You get reviewed on the building's merit itself. If your building is over 50 years old, Maui County would choose to send it to us or not. And if we get it, we review it under what's called "6E-42," we have 30 days to review it, and we review it based on the -- whether it's significant in its own right. And so it may or may not require mitigation depending on what the status of the building is. There was a question on -- I've gone over the cost already. And then there was another on the time and, as I pointed out already, we already review so the time is not going to change so it's not going to add more time to a review. Okay, now you can ask me questions, or anybody can. Yes?

Ms. Marquez: Easy one. What are "sticks?"

Ms. Aiu: Oh, basically, sticks versus carrots.

Ms. Marquez: Huh?

Ms. Aiu: Sticks versus carrots. So sticks versus carrots. So there's regulation which we get to like force you to do something, and then carrots, which makes -- entices you to do something.

Ms. Marquez: Thank you.

Mr. Alika Romanchak: My question is, it was mentioned in the case of a private homeowner that they might have a tax incentive to be on the register, being that this is a unique case where, you know, it's largely one landowner, is there -- are there any incentives that they should be aware of ...(inaudible)...

Ms. Aiu: There are tax incentives for business owners. Katie, you know those off the top of your head? Yeah, I don't know them off the top of my head, but there's -- there are tax incentives for business owners; mostly, I think, those are for the maintenance of your building. I'm not sure what the property taxes are. And since this is a business district, unfortunately, I'm not sure that the lessees would benefit from the tax breaks except for the -- if they're going to renovate, right? But there might be land taxes as well. I'm not -- but I'm not sure off the top of my head.

Mr. Moikeha: Question. So are we saying then that the benefits and incentives of falling into a historic district is better or greater than just staying status quo? Is that what we are saying? That's what they're asking.

Ms. Aiu: Yeah, I would -- I mean at least it gives you access to -- to the benefits. You have to have some incentive to go after them; they don't just drop into your lap once you -- you do it. But the fear that people had is that there's going to be more regulation and the reality is, the regulation is already there. So for example, Castle & Cooke wants to tear down I think two stores and put up a bigger store, they've already gotta come through us. They're already going to have to do mitigation to do that. So it doesn't -- that particular aspect doesn't change.

Mr. Maly: So it's not an overlaying of -- sorry, so it's not -- while its been implied in some instances that while if this happens, there's going to be all this new stuff that we have to go through and it's going to make it more difficult; in reality, the process is already set in place. There is a requirement in fact, as I understand, for Lana`i City that they were supposed to -- whoever the landowner, the property owner is, individual or business, supposed to go through a process and document, you know, the history. So it's already there, in other words.

Ms. Aiu: It's already there. The only -- I have to admit, the one thing is we will get 90 days instead of 30 days to do the review.

Mr. Moikeha: Well, this is what I've been taught, as far as sitting on the Commission, no one speaks for the buildings, but we do. And so, in essence, I guess regulations are already intact and I guess what we're trying to say is that somehow, some form, or another, this would be a greater benefit to Lana`i to be recognized as such, and that's what we're trying to get people to see and understand, and that --

Ms. Aiu: Well, I'm not going to tell you your job.

Mr. Moikeha: No, I mean I'm not saying that's -- I'm saying I got here because to preserve. And if I was to take a look back, if you resurrect a Hawaiian hundred years ago, he would say: Why is all this here? Get rid of it. This is less than 90 years old that we're grumbling

or, I'm sorry, talking about. But a Hawaiian might come and say: Why is all these trees here? This is all foreign. This is not native. We don't want this here. But this is important because this is the beginning for those that are here. I mean this is a start. From 1922 to 1923, there was nothing here. And I understand, you know, the memories and the importance of preserving this, but that's why I sit on this Commission, to preserve, and I don't think we're trying to destroy anything, and that's what I'm trying to say too. Maui is a good island.

Ms. Aiu: Anything else?

Mr. Fredericksen: Let's see, we have a question for -- okay, come and use this -- just state your name again.

Ms. Kay Okamoto: As I was -- oh, Kay Okamoto. As I'm looking around in the buildings that you have highlighted, some of those are currently residential buildings and I would assume are zoned R-1, could be interim, knowing Maui County zoning, so if those buildings were preserved but became commercial, because we're really talking about it as a commercial district, how does that work?

Mr. Solamillo: I don't know the -- the BCT zoning well enough to answer that. But my suggestion probably in whatever channel discussions we've had with the company was that we consider putting all the buildings that aren't residential or that ceased to be residential into a commercial use just to keep the exteriors so that you preserve the district as it appears and to view these as assets. If they're too small for a large business, then they can business incubation, right, for -- for startups. But it's just that to look at all of the buildings here as assets instead of things to be gotten rid of and to see it as something which enforces what everyone seems to say: This is a destination. This is important to us. And reenforces the uniqueness of the place. So if -- if it's a house now and it ceases to be a residential unit, then it should be going through an adaptive reuse - if it would be a permit world - and have the funding and assistance to do so.

Ms. Okamoto: So with this designation, it wouldn't necessarily say the use had to stay the same; it's the look of the physical structure?

Mr. Solamillo: It's really the look of the exterior from the public right-of-way.

Mr. Maly: Sorry, may I just ask a -- I've seen the letter, and I don't have a copy in front of me, it's addressed, I think, March 24, to Linda Kay Okamoto, real property something with Maui County. Is that you?

Ms. Okamoto: That is.

Mr. Maly: Okay. Thank you. I was wondering if there were two of you. It's just I didn't know you had a Maui, Wailuku address.

Ms. Okamoto: No, that is and that's because of a commission that I'm on, which I tried to be sure I didn't ask any questions that would have to do with that.

Mr. Solamillo: Thank you.

Ms. Aiu: Okay, I have an announcement to make. This being a CLG, the State Historic Preservation Division is supposed to notify the owners of any property affected 60 days before we have our meeting, our Hawaii Historic Review Board meeting. We were not aware that there were other owners than Castle & Cooke. We just found that out yesterday. That means that this item probably will not be on the April 25th meeting. So that's important for Castle & Cooke. We -- we will be announcing the new date. Whether we will hold a special meeting for this or it'll just be at the next meeting, we'll announce it as soon as we get this all straightened out. But it won't be on the April 25th.

Mr. Fredericksen: Okay, thanks, Pua. Anybody? Any other --

Mr. Solamillo: There was one more question and this was to be addressed to SHPD. There has been at least three people who have come up and said, well, could SHPD have a meeting here for the Hawaii Historic Places Review Board, in Lana`i City?

Ms. Aiu: The short answer is no because we have Statewide a 228 million dollar budget deficit and we are not allowed to travel, basically. I happened to have a ticket that we had from another meeting. And to bring our whole review board would be very expensive. I will look into whether or not we can look at other funding sources but because of the budget situation, the short answer is: No.

Mr. Solamillo: Could we maybe do an audio-visual link between Lana`i City to the hearing room?

Ms. Aiu: We could. I don't wanna be a downer cause I know how important it is to have the meeting here. We have tried to use -- the State has some facilities with video links; to get into them is like you have to be best friends with the Governor or something. I don't know. Because we have not, so far, have been unsuccessful trying to get into them. But I will look into it.

Mr. Maly: The opportunity exist here on ...(inaudible)...

Ms. Aiu: Okay. And it's our end, we cannot get the room, but I'll look into that, and I think there may be other rooms that maybe we can get for less cost but, you know, so we can look into it. Definitely.

Mr. Fredericksen: Any -- any other questions from the Commission?

Ms. Marquez: Okay, so for today's mana`o, it's review, commenting on the nomination? Now, what would be the next step? Would that be the hearing?

Ms. Aiu: You need to -- this is Stanley's agenda.

Ms. Marquez: Oh. Okay, Stan.

Mr. Solamillo: Right now, it's review and comment, and the comments will be forwarded to SHPD, actually also transcripts of the minutes so that the Hawaii Historic Places Review Board has been informed of what was said today - how many pro; how many against; that type of thing. You may review and comment only. If wanna do anything else, you would have to -- we would have to put it on the agenda for the next meeting and that would be up to the members of this Commission.

Mr. Fredericksen: Any -- oh, James has a comment.

Mr. Giroux: Stan, I just wanna add to that. In your rule -- well, in the County Code 2.88, we have to follow those procedures also so there's a report that goes to the Mayor, the Mayor's going to be able to make her own comments, and your recommendation will go to the Mayor with that report. And part of your report also has to have your decision of whether or not this -- this application meets the requirements of significance in order to be placed on the State Register because then that report will be forwarded to the State; the State will have their hearing; that report will be part of that hearing, and the landowner has a chance to object to the placement of the property on the State Register.

Mr. Fredericksen: So, James, so the Commission or Stan - who are you speaking --

Mr. Giroux: It should be the -- well, Stan's the hand --

Mr. Fredericksen: Yeah.

Mr. Giroux: But it's your -- it's your report and your findings that need to be -- so what I'm saying is that's the discussion we need to go into now is what is your findings; what is your decision; what's your recommendation that you want to go to the Mayor and to the State.

Mr. Fredericksen: Okay, thank you, Pua. So let's -- okay, let's go take a --

Ms. Amelia Stalker: Amelia Stalker. So my understanding is that she needs to sit down with Castle & Cooke?

Mr Fredericksen: You know what? Let's back -- let's do one more testimony over here. Could you come up and -- cause we gotta keep it on the record, please. State your name again, please.

Ms. Stalker: Amelia Stalker. So my understanding is that she needs to meet with Castle & Cooke before you folks decide anything, and are you folks going to come back here with the results after you talk to Castle & Cooke?

Ms. Aiu: I'm not sure I understand the question.

Ms. Stalker: Cause, you know, cause, right now, I don't know who she is and what your --

Ms. Aiu: I'm the Administrator of the State Historic Preservation Division.

Ms. Stalker: Okay. So then -- so all of -- it's just my question because I wanna know if you folks are going to meet again; is it going to be on Lana'i; or are we going to have another meeting here on Lana'i?

Ms. Aiu: I have a separate review board.

Ms. Stalker: Yeah. And then that review board that you have it comes back to them?

Ms. Aiu: The answer is probably not. No, it doesn't go back to them.

Ms. Stalker: Okay.

Ms. Aiu: They forward this nomination to us, to the review board that I have; the review board, the Hawaii Historic Places Review Board reviews it and either nominates it to the register, the Hawaii State Register, or doesn't, and then it kinda stops there. If the landowner was not opposing this, they would then forward the nomination to the Nation Register.

Ms. Stalker: Okay, that's what I wanted to know.

Ms. Aiu: Okay.

Ms. Stalker: Thank you very much.

Ms. Aiu: You're welcome.

Ms. Stalker: Thank you.

Mr. Fredericksen: Okay, let's go ahead and we'll close public testimony and let's take a -- let's take a recess, about five -- five-minute -- ten-minute recess.

(A recess was called at 1:07 p.m., and the meeting reconvened at 1:29 p.m.)

Mr. Fredericksen: Okay, let's go ahead and reconvene. Okay, let's see, okay, so we've -- we're still under Item E. Now, let's have discussion amongst our Commission here about this -- about the nomination, etcetera. Anybody's thoughts?

Mr. Hutaff: Yeah, you know -- you know I have thoughts.

Mr. Fredericksen: Really, Ray? Okay.

Mr. Hutaff: Sorry, the Portagee. In listening to the last -- this meeting and the previous meeting, I honestly believe that "the residents" would like to see this become a historical district in order to preserve it's -- it's face. I understand the concerns of the business owners. Unfortunately, I think that -- that, one, they don't have all the facts and probably because we kinda pushed this thing rather fast and didn't hand out printed materials to explain to them what can happen in that. But I think when you look at -- things from a Cultural Resources Commission, they're looking at people, not businesses. And I tell you, I'm a business owner and every time I get a piece of paper from the government, I cringe. What's it going to cost me? How long is it going to take? But I also believe that the community needs to have the first say, okay, because that's what makes the businesses, that's what makes the community are the people within the community, and we haven't heard much from Castle & Cooke, which is kind of disappointing, other than the -- the letter that they put out that they're not in favor of it, but also, you know, what do they wanna do with the community? What's their future plans with the community? And because we don't have input from Castle & Cooke, it kinda tells me that we only have to listen to the community because no one else is speaking. And I think that we should, as a Commission, move this thing forward to make it a historical district. That's my personal feeling.

Mr. Fredericksen: Any -- I agree. Any other comments from the Commission? Veronica?

Ms. Marquez: Echoing Ray's mana`o. His Portagee mana`o. Yeah, I mean understanding this more with this area deemed historical preservation and with the perks that come along with it, I mean, to me, that's where we find the happy medium is keeping Lana`i Lana`i with the help from this preservation I think is a maika`i thing to do. So as far as this Commissioner, I approve.

Mr. Fredericksen: Any other comments from the Commission members? Kalei.

Mr. Moikeha: I have a comment. Just after taking a look at everything and just weighing benefits once again, I mean if, as was stated correctly what Pua had said, that if all the regulations and the incentives are intact already, nothing changes. The only thing that's changing here, I think once again we're talking about preservation, I mean who knows what Castle & Cooke will do. If they put it up for sale, there's a new owner that comes in, and then what? You know, I mean there's all those other things that will occur also. But I think the benefits really outweigh anything else. I mean it allows for more funding, you know. And so I would be in favor of it, having listened to all the things that were stated. That's my thoughts.

Mr. Fredericksen: Thanks. Kepa?

Mr. Maly: If I may. I will say this carefully and respectfully to all the parties that are involved. But I do believe, in my gut, and know from speaking with many, many people in this community that care for the look of Lana`i, care for its integrity, is actually very good business. It is the only thing that Lana`i has that no one else in Hawaii or on earth has to offer. And as Kim Dupree mentioned in her first comment, the people critically, the people are the flavor, they're miko, they're what seasoning give life to it, but if it was people seasoned amongst big box stores and McDonalds and, you know, I'm not discing them, but there's a place for them and Lana`i is not that place in this time and age. I believe that if the parties could evaluate this and realize the asset that they have that care for Lana`i City rather than demolition by neglect, allowing just the continued, you know, decay - thank you - of the buildings that caring for them, adaptively reusing them, and I appreciate Pua Aiu's comments that, you know, there are the opportunities for adaptive use, for new -- it doesn't need to -- I mean if we go back to 1924 and to Arita's Pool Hall, you know, I mean it's not pool hall now, it's a real estate sales office, but it's tastefully renovated and restored; it's a great facility, and it's something that's actually going to last a long time because it was cared for. The money was put into it. The old Rabbon's ...(inaudible)... became Rabbon's Store to care for it. So it is a wise use and I believe the best business decision that could be made for all of -- all parties let's care for Lana`i City.

If I may, Commissioners, you need to know that I am the executive director of community nonprofit. Among the people that we have received funding from is Castle & Cooke. They originally founded the program with the community in 1987. We became a nonprofit in -- opened formally in October of 2007, and so I want you to know that if you think that there's a conflict in my participation in any decision or vote that you may be making, let me know and I will recuse myself.

And I appreciate the opportunity and I do believe that care for Lana`i, as someone said, yeah, I think it was -- was it Auntie Amelia, you know, you take care of Lana`i, it will take care of you. I believe that Castle & Cooke will be enriched and our community will be enriched by care for this amazing and unique community. Thank you.

Mr. Fredericksen: Yeah, thank you, Kepa. Rhiannon?

Ms. Rhiannon Chandler: I wanted to say that I appreciate Kepa being on this Commission and I have no problem with what he just said and I believe that you are a very pono person and very appropriate to be here. I appreciate Pua's comments in helping us to understand that the sticks are in place and the carrots are now there for community if this process goes through. And so I think that it was a very good forum. I also do understand that the community still probably has questions and a lot of them didn't hear what Pua said, so if there's any way we could get some of that information that she shared with us at the end of this meeting to them so that they could understand the process, if it does happen, then it does benefit them because I truly believe that it would. Thank you.

Mr. Fredericksen: Any -- any other comments? Okay.

Mr. Moikeha: One more.

Mr. Fredericksen: Okay, Kalei.

Mr. Moikeha: You know, a lot was said about Maui and also of Honolulu. That really bothers me, not that I don't disagree, I agree, and what I do I always go south to get away, I go to my own Lana`i way down south, you know, and I totally agree. And if that's true, then we need to, when I say "we," we all need to keep Lana`i Lana`i. We need to keep Moloka`i Moloka`i, you know. And those people there on Moloka`i, to me, they got it right. I should have kept my -- wore my tank top, but anyway, you know, I mean because what has happened to Maui is, to me, it's sad. I grew up there and, you know, I grew up in Kihei and in Wailuku, majority of my time was in Kihei and to just see it; I just live in my section; I just stay in the house; that's all that I do, and I -- I don't necessarily close my eyes but there's certain things that cannot be done, and what I mean by that is that I've been next to a person for -- who sat on the commission, the Planning Commission for years, and we've talk about what was occurring and would occur, what can occur, and she'd explain as to what was happening. But I just wanted to comment that if that's true what everybody is saying about Maui, then keep Lana`i Lana`i. I mean open your eyes and do whatever it takes, and that's all, I think, that what we're trying to do and support the people. Hopefully, that's what they're looking for.

Mr. Fredericksen: Okay, any other comments? I'll just add a little -- that I really appreciate all the Commissioners' comments. I just really appreciate it. I -- as far as the landowner is concerned, I would hope that they could view, if this does go forward, that this becomes an asset. There's actually an historic district but then Lana`i, it's Lana`i City, or a portion of it, and that would be -- that is an asset. A lot of people are really interested in that sort of destination. Sure it's a responsibility, but you have a defacto responsibility as it is anyway because of the age of the buildings. But, anyway, I would encourage the

landowner to try to view it from a -- from a positive standpoint because it is a -- it is a resource, a very valuable resource. Well, I guess -- so we would, James, make a motion to -- okay, would someone -- were you going to say something, Stan?

Mr. Solamillo: Sure.

Mr. Fredericksen: Okay.

Mr. Solamillo: The motion probably before you is whether or not you recommend the nomination go forward to the Hawaii Historic Places Review Board and that you recommend -- or that you support the nomination as been made. So any other comments about the nomination itself would be forthcoming, and then that would be the action that you'd make.

Mr. Maly: If I may, I do just need to echo that, in reviewing the nomination documents, the history that Stanley has compiled, working from a wide range of primary source and secondary document resources, is a true gift to the people of Lana`i. The nomination form itself, the work that went into preparing it, I think that there are many communities in Hawaii that would be envious of such a resources because this is -- this is a piece for us that will continue and keep it fresh and vibrant, I believe, in the minds of Lana`i's people. So I -- and I know that Commissioner Noelani Watanabe, you know, would say the same thing. This is a gift to the people of Lana`i, wherever it goes today, you know that it's going to be on many people's shelves and minds and referenced in many, many ways. So I just wanted to say thank you very much to Stanley for his work and we appreciate Mayor Tavares's willingness to allow this process to occur. Mahalo.

Mr. Fredericksen: Yeah, Stan, thank you for the effort.

Mr. Giroux: Chair?

Mr. Fredericksen: Yes?

Mr. Giroux: Just to help with the motion making, just so it's really clear, I wanna point to Maui County Code 2.88.070, Section C, and it says, "That the commission shall forward its report to the Mayor within 45 days after receiving notice from the State Historic Preservation Officer. The report shall include findings on whether the property meets the criteria for nomination and a recommendation that the State Historic Preservation Officer either nominate or reject the proposed nomination." So that has to be addressed in the motion.

Mr. Fredericksen: Thank you, James.

Mr. Hutaff: Shall we go for a motion? Okay, I move that we take the testimony and the presentation from Stan as proof that there is a need and a reason for Lana`i City to become part of the historical -- the registry and that we recommend to the Mayor and all those involved that they too adopt it.

Mr. Fredericksen: How's that, James?

Mr. Hutaff: That it meets the criteria.

Mr. Fredericksen: Okay, there's a motion on the floor. Is there a second?

Mr. Marquez: Second.

Mr. Fredericksen: Okay, seconded. Okay, let's go ahead and vote.

There being no more discussions, the motion was put to a vote.

It has been moved by Mr. Hutaff, seconded by Ms. Marquez, then

VOTED: to take the testimony and the presentation from Stan as proof that there is a need and a reason for Lana`i City to become part of the historical registry and that it meets the criteria, and to recommend to the Mayor and all those involved that they too adopt it.

(Assenting: R. Chandler; R. Hutaff; K. Maly; V. Marquez; K. Moikeha; A. Romanchak; N. Watanabe)

Mr. Fredericksen: Okay, unanimous. Okay, thanks. So now what do we -- oh, we go to Director's Report, Stan?

F. DIRECTOR'S REPORT

1. May 7 CRC Meeting Agenda

Mr. Solamillo: We're not discussing the May 7 CRC meeting agenda. Any Commission inspired topics that you wish to have heard, we can instruct me to do so at this pint.

Mr. Hutaff: Yes.

Mr. Fredericksen: Okay, Ray. I was going to go but you go, Ray.

Mr. Hutaff: Okay, I'd like to put on the agenda a discussion about asking Paradise Television Network to remove the saying from Lahaina as a - what do you call that? For the Halloween thing? The Mardi Gras. They still have that in there. Respectfully ask them to remove it. I'm pretty sure that they will. And also open for discussions about this having a officer within Lahaina. I did manage to get some of the reports from the Lahaina Historical Restoration Society and what they did and why it stopped, and I'd like to make sure we continue on that so we have the enforcement that's needed so that -- because there's definitely a lot of issues out there. So I'd like to see that on the agenda. I thought it was going to be on this one, this meeting's agenda with the small town business planner, but, obviously, the funding didn't come through for her to come and put it on the agenda, so I'd like to see it on the next agenda to move forward with it.

Mr. Solamillo: I will.

Mr. Fredericksen: And any -- any other -- Kalei?

Mr. Moikeha: Mr. Chair, are we going to review the Halloween last -- what occurred -- I mean do we even know what happened? I have no idea. People are telling me there were editorials. I don't get the paper. I didn't read nothing. So I mean is that -- is that something we should look at that perhaps we should review now or later or just thought?

Mr. Solamillo: That would be triggered by an actual application so that's the only time we would really entertain that one again.

Mr. Fredericksen: Okay, any other -- any other thoughts?

Mr. Solamillo: We still have the issue of traditional burial grounds and whether or not we wish to form a committee to look into that further.

Mr. Fredericksen: Is this in the --

Mr. Solamillo: Because it relates to Maui Lani --

Mr. Fredericksen: Okay.

Mr. Solamillo: But also as it relates to other sites that might exist in Maui County. If we want to investigate a policy statement being issued from the CRC and ...(inaudible)... the Planning Commission, which addresses what seems to be an unmet need.

Mr. Fredericksen: No, that's a good -- very -- I think that's a very appropriate item. Kepa?

Mr. Maly: Thank you, Chair. This, I think, was in part related to the discussion of known places in tradition --

Mr. Fredericksen: Right.

Mr. Maly: That the history exist so how could we say that they're inadvertent or, you know, when -- you know, so I think that it would be worth following-up and seeing if there is the possibility of establishing a policy and so that landowners also would know what -- what they're getting into.

Mr. Fredericksen: Let's see, if we could have Pua come up?

Ms. Pua Aiu: Can I address the issue of inadvertent and known burials? Okay, there's a bright line in the law right now. This is a continuing problem because most people don't like this bright line but the law would need to be changed. So policy statement, it's just that. It's a policy statement. It's not going to change what the law is. Under the law, a known burial is either already registered or the burial is found during an archaeological inventory survey. Granted, an archaeological inventory survey only covers a percentage of the property, we don't cover everything, we don't find everything, but right now it's the best thing we have going. You know, if you have ideas for better, we're willing to hear them cause this is a continuing problem for us. But there is a bright line and that's that bright line, so it's clearly defined what's on one side or what's on the other. The AG has advised us that we cannot cross that line no matter how much we may want to.

Mr. Fredericksen: So, Pua, just really briefly to summarize, at this point, it's -- the terminology, if you will, is it's legal and a law has to be modified?

Ms. Aiu: Yes.

Mr. Fredericksen: Thanks.

Mr. Maly: Chair, may I just ask a quick question about it? Let us take the example, and it's not a good one, but of Honokahua, which had, in the 1980's, people actually just gone and looked through the boundary commission testimonies that were recorded from the 1840's to 1860's, some of the boundary commission for Honokahua began prior to the establishment of the commissioner on boundaries at that time, but had they gone and looked through the native language accounts, they would have gotten their first indicator to expect that there burials there, many burials as it was described, the boundary commission. In instances where we have knowledge of let's say Kalepolepo or here, on Lana`i, at a place called Pu`u Makani, which was also in boundary commission proceedings here on Lana`i in the 1870's, identified as one of the traditional burial grounds of Lana`i.

Does that fit into know or not, you know, if you have a specific location so that, you know, people -- you know, so that there's some sort of additional afforded protection?

Ms. Aiu: If we know -- under the rules, an archaeological -- whoever is doing the archaeological inventory survey is supposed to look at the boundary commission maps as well as look at kuleana and look at land commission awards, so that is supposed to be there. Sometimes, because they don't -- people don't tell them or, you know, they don't do a good job or whatever, they don't get it, I think we do all we can to try and figure out where they are because we really don't like inadvertent, but I think things fall through the -- people don't wanna come forward and talk about their burial grounds, right? So unless we happen to know about them, you know, if I know about them, Coochie knows about them, other members of our staff know about them or somebody tells us, if it's not -- if it doesn't come out of the archaeological -- in the research that's done for the archaeological inventory survey, it will get missed.

Mr. Solamillo: I'm gonna ask. I guess the reason why we were trying to wrap around -- wrap our arms around the policy, per se, was to at least -- at least indicated by some members of the Commission that we didn't want to repeat certain developments that are currently are happening where they're kind of locked in, and they're approved, and we wanted to actually just whether it's a cautionary policy to tell people that -- that we advise you stay away from such areas or just to word it in such a way that if certain areas are known traditionally to have been, and they are substantiated, that you would steer development away from those areas instead of planting them right on top cause that's what ...(inaudible)... have happened.

Ms. Aiu: I think it would depend what was in your policy, right? If you said, okay, these areas are known to be significant and we would like higher scrutiny of them, if you sent something like that to us, we could definitely use it and provide it to whoever is doing the archaeological inventory survey. Under the law, that doesn't -- that you still would have that bright line over what's an inadvertent and what's not an inadvertent.

Mr. Solamillo: Right.

Ms. Aiu: And we don't -- we don't give the permits so for Maui County, the Planning Commission or your Planning Department that gives the permit, but we would -- we would be able to put that in the survey and that would be just additional information that we could use.

Mr. Solamillo: Okay.

Ms. Aiu: We would find that helpful, I think.

Mr. Solamillo: We wanna help.

Mr. Hutaff: I kinda think that, originally, the reason we wanna come up with a policy was because we were getting things way after-the-fact. I think the policy that maybe you're talking about that we should address is where we can make sure that we're not after-the-fact because we had to make a decision that was too late. We made the best decision we could on Maui Lani but it was really too late because it had already taken place and we weren't offered the opportunity to share our mana`o or find the history of that particular area just to point out that maybe this should be looked into further before even taking a shovel to it. So I think the policy that you're talking about, based upon the conversations we've had at the Resources Commission, is that we get in the front of the line, not at the end of the wind; that's, I think, important because, you're right, we're not going to change the law quickly, but we can certainly make it so that we get it sooner so we can make our recommendations a lot quicker rather than after-the-fact.

Ms. Aiu: And I think that's a County issue. Yeah.

Mr. Maly: Mahalo. I'm sorry. And, I'm sorry, one last thing. Suzie, I referenced a wrong place name. I said "Kalepolepo" cause I drove through it yesterday. I meant Kamaomao. The Kama`oma`o Dunes. So just that when we get to the minutes, I gave a wrong place name. Thank you.

Mr. Fredericksen: Any other comments from the Commissioners? I'd just to say something. I don't know if it would be agendized. I guess we could do it. I just would like to have a section where we, as a Commission, talk about some goals, Ray started on that, that we'd like to try to accomplish in the coming year, and so if everybody could give that a little bit of thought and, you know, when we meet next month, maybe, you know, bring a couple and, you know, we'll put them all together, there's going to be overlap, but there'll be some -- you know, everybody's going to have something we can -- and then we could try to, you know, prioritize and see what -- see what we can, you know, take care of as best as we can.

G. COMMISSIONER'S ANNOUNCEMENTS

Mr. Solamillo: Alright, are there any Commissioner's announcements?

Ms. Marquez: I don't know if it's an announcement or statement, but for the Moloka`i commission -- for the Commission to go to Moloka`i, I would like to suggest the month of June. I'm saying this now because I guess it doesn't happen right away so if you kinda plan ahead --

Mr. Fredericksen: Yeah.

Ms. Marquez: Make sense, yeah? So can we kinda shoot for June?

Mr. Solamillo: Okay.

Ms. Marquez: Thank you.

H. NEXT MEETING DATE: May 7, 2009

Mr. Solamillo: Alright, next meeting date is May 7, 2009 in Wailuku.

I. ADJOURNMENT

Mr. Fredericksen: Okay, is there a motion to adjourn?

Mr. Hutaff: I move we adjourn.

Mr. Moikeha: I second.

Mr. Fredericksen: Okay, seconded, and we're adjourned. Thank you all.

There being no further business brought before the Commission, the meeting was adjourned at 1:56 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions

RECORD OF ATTENDANCE

Present

Erik Fredericksen, Chairperson
Raymond Hutaff, Vice-Chairperson
Rhiannon Chandler
Kepa Maly
Veronica Marquez
Kalei Moikeha
Alika Romanchak
Nani Watanabe

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Others

Stanley Solamillo, Cultural Resources Planner
James Giroux, Deputy Corporation Counsel