

(APPROVED: 10/01/09)

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
JUNE 4, 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 Chairperson Erik Fredericksen, at approximately 10:03 a.m., Thursday, June 4, 2009, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Mr. Erik Fredericksen: Good morning all. I'd like to call the - let's see, where are we? The 4th of June, 2009 meeting of the Maui County Cultural Resources Commission to order.

B. APPROVAL OF MINUTES OF THE APRIL 2, 2009 MEETING

And let's see, first thing we'll look at is Item B, Approval of Minutes of the April 2, 2009 Meeting. Before I -- before we proceed, Kepa can't be here today but he -- he did send Suzie a list of some corrections that he had made, and so Suzie has that. Does anyone else have any -- any additions or whatever to the minutes of April 2nd that they'd like to put forth? And if not, then let's go ahead if somebody would make a motion to accept.

Ms. Veronica Marquez: I make a motion to accept/approve minutes of April 2, 2009.

Mr. Fredericksen: Okay, there's a motion. Any second?

Mr. James Giroux: Second with amendments.

Mr. Fredericksen: Okay. Oh, with -- yeah --

Mr. Giroux: With changes.

Ms. Nani Watanabe: With changes.

Mr. Fredericksen: Excuse me, yeah, with changes. Okay, thank you, James, and, Nani, second? Okay.

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

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

VOTED: to accept/approve minutes of April 2, 2009 with changes.

Mr. Fredericksen: Okay, we got it. Thank you. Let's move on to Item C. We're going to have a quorum problem today, everybody, so we need, I believe, Stan, you said by 1:00 we need to be out of here? And I don't think that'll be a problem but just so everybody is aware of that. Okay, let's -- Item C, Advisory Review. Stan?

Mr. Stanley Solamillo: Good morning, Commissioners. The next five items, I believe, excuse me, four items are going to be reduced to three, and this is under Advisory Review. I'm going to read them all. Kepa Maly sent comments and those will be distributed to you. So what I'm going to do is I'm going to read everything off at once.

Mr. Fredericksen: Excuse me, Stan, these are comments on the four items?

Mr. Solamillo: Right.

Mr. Fredericksen: Kinda, so it's sort of grouped together?

Mr. Solamillo: Right.

Mr. Fredericksen: Okay.

Mr. Solamillo: And I'll explain in a minute.

Mr. Solamillo read the following item description into the record:

C. 1. ADVISORY REVIEW

- a. **MS. COLLEEN DAGAN, on behalf of CULTURAL SURVEYS HAWAI'I, INC., requesting comments for a CULTURAL IMPACT ASSESSMENT (CIA) for proposed LĀNA'I AFFORDABLE HOUSING PROJECT, located at TMK (2) 4-9-002:058 (por.), Lāna'i City, Lāna'i (S. Solamillo)**

Mr. Solamillo: The second one is, again, Ms. Colleen Dagan, but on this particular case, which is Item b., Lana`i High and Elementary School Expansion, the client has asked that it be withdrawn from today's agenda. So we'll skip Item b. and go to Item c.

- b. **MS. COLLEEN DAGAN, on behalf of CULTURAL SURVEYS HAWAI'I, INC., requesting comments for a CULTURAL IMPACT ASSESSMENT (CIA) for proposed LĀNA'I HIGH AND ELEMENTARY SCHOOL EXPANSION, located at 555 Fraser Avenue, TMK (2) 4-9-002: 058 (por.) and (2) 4-9-014:002, Lāna'i City, Lāna'i (S. Solamillo)**

Mr. Solamillo continued to read the following item descriptions into the record:

- c. **MS. COLLEEN DAGAN, on behalf of CULTURAL SURVEYS HAWAI'I, INC., requesting comments for a CULTURAL IMPACT ASSESSMENT (CIA) for proposed demolition of LĀNA'I SENIOR CENTER, located at 309 Seventh Street, TMK (2) 4-9-006:006, Lāna'i City, Lāna'i (S. Solamillo)**
- d. **MS. COLLEEN DAGAN, on behalf of CULTURAL SURVEYS HAWAI'I, INC., requesting comments for a CULTURAL IMPACT ASSESSMENT (CIA) for proposed LĀNA'I AIRPORT IMPROVEMENTS, located at 1036 Lāna'i Avenue, TMK (2) 4-9-002:041, Lāna'i City, Lāna'i (S. Solamillo)**

Mr. Solamillo: The cases that are before you are not action items and the request for comments is to provide the following information for Kamoku Ahupua`a. Those comments should be pertaining to general history, and present and past land uses, and knowledge of cultural resources within the project area, which may be impacted, including traditional plant gathering sites, historic sites, archaeological sites, and burials; knowledge of traditional gathering practices in the area, both past and ongoing; cultural associations of the project area, such as legends and traditional uses; referrals of kupuna or elders who might be willing to share their cultural knowledge of the project area and the surrounding ahupua`a lands, and any other cultural concerns the community might have related to Hawaiian cultural practices within or in the vicinity of Lana`i City or the greater Kamoku Ahupua`a. All of the projects that are listed on your agenda come from the same ahupua`a.

So what I will do is read the initial paragraph from Commissioner Maly's comments this morning.

Kamoku Ahupua`a, literally, the district, contains 8.291 acres and is situated on the kona or leeward side of Lana`i.

Mr. Fredericksen: Stanley?

Mr. Solamillo: Yep?

Mr. Fredericksen: 8,291.

Mr. Solamillo: Oh, I'm sorry. See, I need new glasses. Thank you.

It is bounded on the north by Ka`a Ahupua`a, and on the south by Kalulu Ahupua`a. Kamoku was noted for its upland forest and springs, with areas which the Hawaiians developed into an extensive forested dry land agricultural system in the Ko`ele, Kaiholena, and Nininiwai region. Temporary and long-term residences, from which the rich fisheries fronting the ahupu`a were accessed, spotted with sheltered coves along the shore. Pali was the Konohiki of Kamoku under the Kamehamehas, and at the time of the Mahele, Kamehameha III retained the ahupua`a as Crown Land. Uhu, parrot fish, was the kapu fish, and koko was the kapu wood. Oleloa, a woman of chiefly lineage, claimed the important spring-watered bay of Kaumalapa`u - I'm sorry the the mis-pronunciation - an `ili of Kamoku, but relinquished it to the government during the Mahele.

Commissioner Maly is always -- has also provided you with native tenants of the ahupua`a, who filed claims for kuleana, or fee-simple property rights, in 1847 through 1855. He has also included a survey of the Crown Land of Kamoku, Lana`i. Are there any additional comments?

Mr. Ray Hutaff: We don't have a map that shows these areas?

Mr. Solamillo: I don't believe I do.

Mr. Kalei Moikeha: Pretty extensive, huh?

Mr. Hutaff: Yeah, he's good.

Ms. Watanabe: Very good.

Ms. Marquez: Good job.

Mr. Solamillo: This is the only map that I have of Lana`i.

Mr. Hutaff: So it doesn't have any of the latitudes and longitudes?

Mr. Solamillo: No, I'm sorry ...(inaudible)... today.

Mr. Hutaff: You know --

Mr. Giroux: GPS.

Ms. Watanabe: GPS.

Mr. Hutaff: Yeah.

Mr. Moikeha: Do you want me to point it out to you?

Mr. Hutaff: Yeah, would you? Well this is obviously very good but, unfortunately, it is not something I can visualize as to areas and how expansive an 8.9 -- 291 acres. Where exactly -- oh, that's the current project area?

Mr. Solamillo: That's the project area for the airport.

Mr. Hutaff: Okay. Cool.

Mr. Solamillo: The other projects are located in the vicinity of Lana`i City proper. But since they're contained in one ahupua`a, then the comments, which are being asked for, are for the ahupua`a.

Mr. Fredericksen: For the -- yeah, with the ahupua`a.

Ms. Colleen Dagan: Good morning. I'm Colleen Dagan, with Cultural Surveys Hawaii. I did wanna make one correction. The airport is not in Kamoku, it touches a little bit in Kamoku and a little bit in Kaunolu, but it's mainly in Kalulu. Our job code, just a personal in-house job code, we called it that for other reasons.

Mr. Hutaff: This is helpful. Thank you. Very helpful.

Ms. Dagan: You can ...(inaudible)...

Mr. Hutaff: Good. It saves me from looking it up on my iPod.

Mr. Moikeha: Question. So is Lana`i considered one ahupua`a?

Ms. Watanabe: No.

Mr. Fredericksen: No.

Ms. Dagan: No, no.

Mr. Moikeha: It's not?

Ms. Watanabe: There's 13 ahupua`a.

Mr. Moikeha: On it?

Ms. Watanabe: On Lana`i, yeah.

Mr. Moikeha: But it goes from -- clear across? Am I -- I mean it doesn't go from mountain -- it goes this way, doesn't it?

Ms. Dagan: Some do.

Ms. Watanabe: Yeah.

Ms. Dagan: Not all.

Mr. Moikeha: It's different than any other island?

Mr. Fredericksen: Yeah, it's unique.

Mr. Hutaff: Really?

Mr. Fredericksen: Yeah.

Ms. Watanabe: Very.

Mr. Fredericksen: Okay, so the purpose of this is just trying to see if we have anything to input in terms of this cultural impact assessment for these, for three of these four, and Kepa's not here, and I'm assuming you folks will talk to him at some point if you haven't already.

Ms. Dagan: Yes. We have worked with Kepa quite a bit. The information that I guess he wrote up for this meeting would be extremely helpful to us.

Mr. Hutaff: Yeah.

Ms. Dagan: But, yeah, I mean we've done quite a bit of consultation already also and, you know, we just wanted to come here, you know, just to see if there's anyone --

Mr. Fredericksen: Yeah, as part of the process.

Ms. Dagan: We might have left out. Right.

Mr. Hutaff: Well, I have a question then. This is for the Lana`i affordable housing project and, according to Kepa's notes here, there are significant sites within part of that airport area or maybe ...(inaudible)...

Ms. Dagan: The affordable housing or the airport?

Mr. Hutaff: Yeah, I'm sorry, the affordable housing.

Ms. Dagan: Where does he say that?

Mr. Hutaff: He doesn't say that. That's actually the airport. Let me backtrack. Basically, what the question is is that you've gone out there, you've seen where this place is; in your opinion, based upon information that you've received from people within that area, are there any significant cultural sites that would be impacted by this project?

Ms. Dagan: The airport project?

Mr. Hutaff: Whichever one we're talking about.

Ms. Watanabe: Affordable housing.

Mr. Hutaff: Affordable housing. That's the one we're doing right now, right, the first one, a.?

Ms. Dagan: Well, three of the projects are in and around Lana`i City. The upland of Kamoku Ahupua`a. And the --

Mr. Hutaff: Let's go ahead and make it a broad question. With all of the things that you're doing, are there any sites that would be impacted by this, whether it be --

Mr. Fredericksen: By the action of the projects.

Mr. Hutaff: Yeah, by the action of the project, even the construction, movement of vehicles to the area. How big is this project? How many affordable homes?

Ms. Dagan: Oh gosh, a few hundred.

Mr. Hutaff: In your research with Kepa and people out there, are there any sites that have been noted or listed or commented within this area that could be adversely affected? That's, I guess, my question.

Ms. Dagan: There are no known sites around the Lana`i City -- the senior center, the affordable housing project, and the school. For the airport, there -- during the expansion, the airport expansion, several sites were found, mainly stone tools is what they came up with, stone artifacts. What -- what I've found in the consultation I've done so far for the Lana`i City projects, there are no known sites, but everyone talks about the amount of stone tools that have come out of the pineapple fields.

Mr. Fredericksen: Yeah. That's it.

Ms. Dagan: Just a high number of stone artifacts that have come out of the pineapple fields, you know, during cultivation, and no one knows exactly, you know, exactly what they're there for, how -- you know, how the area was used before ranching, no one that I spoke with, you know, no one's old enough. So, you know, they mentioned the stone tools and say they have no idea, you know, why, how, what -- how they came to be there. I mean clearly they're there because of Hawaiian habitation. Exactly --

Mr. Fredericksen: Yeah, I've got -- I've got a quick question, then we'll go into Ray, and then Kalei. Here's my question. I mean, you know, you folks are doing a cultural impact assessment. I'm assuming this is for an environmental assessment/environmental impact statement.

Ms. Dagan: Yes.

Mr. Fredericksen: Or statements because they're different projects.

Ms. Dagan: Yes.

Mr. Fredericksen: Well, presumably, there would be -- there would be a need to do an inventory survey, at least in one or two of the cases, maybe like the senior center's been so impacted that -- is monitoring just being called for that or do you know?

Ms. Dagan: We are doing inventory surveys for --

Ms. Tanya Lee-Greig: Currently --

Mr. Fredericksen: You gotta come up, Tanya. Just say who you are and all that kine stuff.

Ms. Lee-Greig: Tanya Lee-Greig, Cultural Surveys Hawaii. We are in the middle of doing the archaeological investigation, and it's still being written up, and is currently -- the Lana`i High School expansion is currently with the client, so that has not been submitted for review yet, and we are nearly done with the write up for the affordable housing.

Mr. Fredericksen: And, okay, so going back to Ray's question, if, you know, what's -- has anything been found at least, you know, during the field work for these projects?

Ms. Lee-Greig: You know, it's all pineapple field so there's no extant surface finds.

Mr. Fredericksen: So the area, say at the airport, that had been -- was previously impacted but there were un -- just like unassociated --

Ms. Lee-Greig: On a previous -- I'm sorry. Go ahead.

Mr. Fredericksen: There were -- artifacts were found, but in no context, they've been previously disturbed.

Ms. Lee-Greig: Yeah, exactly. And there had been previous inventory surveys done for the airport master plan and, again, you know, it's all in a disturbed context. Nothing was in situ that was identified. So, no, it's hard to tell archaeologically, yeah?

Mr. Fredericksen: Okay. Well, and that's -- that's the purpose of it and --

Ms. Lee-Greig: Right.

Mr. Fredericksen: What's been disturbed has been disturbed. Okay, thanks.

Ms. Lee-Greig: Sure, no --

Mr. Fredericksen: Kalei? Sorry.

Mr. Moikeha: Actually, you kinda answered some of the stuff - just questions on artifacts found, if it had association with bones or the type of work people are doing.

Ms. Dagan: Well, from my consultation so far, people talk about a lot of ulu maika and sling stones. That's mainly what I've been hearing.

Mr. Moikeha: And that was by the airport, that one, or --

Ms. Lee-Greig: All over.

Ms. Dagan: All over, yeah.

Mr. Moikeha: Well, I'm more curious, since we're talking about the airport, as you were talking about things that were found, that's -- well, I was just kinda curious about that.

Mr. Fredericksen: Nani?

Ms. Watanabe: I know that -- I know that on Lana`i, you know, majority was pineapple fields but, definitely, there's a lot of ulu maika and sling stones that were actually found in the pineapple field area, and there was a whole lot found around there, but it's not just in one area, it's pretty much all over the island.

Ms. Dagan: Yeah, I mean everyone's saying the same thing about, you know, the pineapple field around Lana`i City.

Mr. Fredericksen: Yeah, unfortunately, the pineapple cultivation pretty much eradicated surface evidence where it was tilled -- where there was tilling that occurred, but there's sites all over in the little gullies and stuff that it's just a question of encouraging the landowner to have that worked on, but that's another story. Any other questions?

Mr. Hutaff: Yeah, it's probably off point a little bit, 387 estimated housing units be provided. That's really, really good - two hundred and forty-three units for single-family use; 144 units for multi-family. I have a question. Who is, on Lana`i, going to buy these homes?

Ms. Dagan: Yeah, I -- I can't really answer that.

Mr. Hutaff: I mean that would be something worthwhile here on Maui but 387, that's a lot of people ...(inaudible)...

Mr. Fredericksen: Please state your name.

Ms. Joanne Ridao: My name is Joanne Ridao. I'm the Deputy Director of Housing and Human Concerns.

Mr. Fredericksen: Good morning.

Ms. Ridao: Good morning. This is -- we're going to go through the third meeting with the Lana`i community on June 16. In our first two meetings, the first meeting was pretty much just presenting it to the Lana`i Planning Commission. The second meeting was with a smaller group of task force members that gave us very good feedback. One of the questions the very question that you are asking and so what we are doing currently is, on June 16, we will be presenting the Lana`i community a phased project. And so it'll be -- the first phase will be much smaller. We are hoping to include, in that first phase, both single-family and multi-family units but not 200 or 300 units at one time.

Mr. Hutaff: Okay.

Mr. Fredericksen: I have a question and it's -- I'm pretty sure I know the answer, but I'm assuming the parcel that's been chosen for this, for the location of the affordable housing project, is not in the developed portion of Lana`i City?

Ms. Ridao: It is right below the Hawaiian Homes subdivision --

Mr. Fredericksen: So it's all pineapple fields, basically?

Ms. Ridao: Adjacent to. Yes.

Mr. Fredericksen: Yeah. Okay. Thank you.

Ms. Ridao: You're welcome.

Mr. Fredericksen: Any other questions for -- okay, thank you. Comments?

Ms. Watanabe: I remember -- I just have a comment. I remember this project was on the side burner for quite a long time and I'm happy to hear that it's actually going to happen. I just hope there's a lot of people on Lana`i that would be able to -- be able to live in these homes and afford these homes.

Mr. Fredericksen: Oh, you know, I have a question, and it's just -- just a -- it's just nuts and bolts. What are the target -- target range prices for these affordable homes?

Mr. Ridao: I wouldn't be able to answer that question at the moment, however, the income of Lana`i is being considered as far as what -- yeah, what can sell on Lana`i to Lana`i people. So the project is going to have to be planned around that and we are going to have to work on how we're going to be able to develop to the market there, yeah.

Mr. Fredericksen: Okay. Thank you. Anybody have other questions? Kalei.

Mr. Moikeha: What happens to all the artifacts? Does it go over to Kepa?

Ms. Watanabe: Yeah.

Mr. Moikeha: Everything? Guaranteed?

Ms. Watanabe: Usually it goes to the Heritage Center.

Mr. Moikeha: Signed; sealed; delivered? You wanna answer that? Somebody wants to answer that?

Ms. Lee-Greig: Yes, we are -- they're -- SHPD, the State Historic Preservation Division has made it clear that anyone conducting any archaeological investigation on the Island of Lana`i is not to take artifacts off island.

Mr. Fredericksen: Anything off ...(inaudible)...

Ms. Lee-Greig: So they have written a letter to that, and anything that is taken off-island is -- the Lana`i Archaeological Committee as well as Kepa Maly is notified as to the reasons why because sometimes we have to do a little bit of extra work and -- and it's not possible on-island and while we -- while, you know, the firms can make arrangements to have a space set up to do the analysis and things like that, some things are just -- needs to be take off-island, and when we get those samples back, if we get any remainder of the samples back, or we can complete our analysis of artifacts, they all get transferred back to Kepa Maly or to the Lana`i Cultural and Heritage Center with a catalogue as well as all the accession numbers.

Mr. Fredericksen: And there was a notice that was sent out by the State Historic Preservation Division, you know, memo regarding that, what Tanya was just talking about so --

Mr. Moikeha: Believable.

Mr. Fredericksen: Veronica.

Ms. Marquez: Okay, mine is regarding the Lana`i High and Elementary School expansion project. So why has it been withdrawn?

Ms. Dagan: Because we're almost done with it and he's just going to wait till -- the client just wants to wait until it's done and as part of the ES to bring it.

Ms. Marquez: Okay. Thank you.

Mr. Fredericksen: Okay, any other comments?

Mr. Hutaff: I think they're doing a good job as far as trying to get with the kupuna, and the elders, and coming to us and looking for general history to make sure that what they're going to be doing is going to be appropriate or not stopped in the middle. If you stop in the middle, unfortunately, the pineapple's already kinda overrun some things and if there's a need for affordable housing cause most -- my understanding is that most developments establish a need first - why spend the money if you're not going to make money? So I'm assuming that that's also been done too to say that we're going to be able to make these homes profitable and, at the same time, within the affordability of the people who are going

to buy into that, and I'm assuming Lana`i residents have priority or is it just open to anybody?

Ms. Dagan: That would be -- would Lana`i residents have priority ...(inaudible)...

Ms. Ribao: For legal purposes, we cannot state that, however, we will make every effort to do that.

Mr. Hutaff: Okay, so it's a kind gesture, basically --

Ms Ribao: Yeah.

Mr. Hutaff: Is what you're trying to say. Okay, that's all the questions I have.

Mr. Fredericksen: Okay, Nani.

Ms. Watanabe: I just have a comment. And I really agree with Ray because, you know, we don't have very much elderly kupuna living there right now, you know. We just have a handful of them that really knows the -- the history of the island and I really hope that the history that they share, you know, people will take, you know, seriously because they are the historians of the island and they are very valuable right now.

Mr. Fredericksen: Yeah, and this is an opportunity to -- to put the -- you know, their knowledge down on paper so it's available.

Mr. Hutaff: Very good.

Ms. Dagan: I had a question.

Mr. Fredericksen: Just a second. Are you with -- excuse me. Are you directly with this project? Okay. Yeah, okay. Come up and state your name, please.

Mr. Steve Bumbar: Steve Bumbar. Senior Vice-President --

Mr. Fredericksen: Oh, okay.

Mr. Bumbar: General Manager for Castle & Cooke.

Mr. Fredericksen: Good morning.

Mr. Bumbar: Just to add onto the comments. The company has already been videotaping interviews with a lot of the kupuna. We did it back in 2005. Unfortunately, some of them

have already passed. We're going to do another pass through. So we're trying to get the videotape interviews of the individuals to add to the history - categorizing it, identifying it, and the experiences and the knowledge that they have, so this way it can't be lost forever.

Mr. Fredericksen: Right.

Mr. Bumbar: It's very important for us, as a community, as the owner, as the entire culture of that island that we preserve some of this information while we can. So I just wanted to add to that that's what we are doing.

Ms. Watanabe: Thank you.

Mr. Fredericksen: Good. Thank you for sharing that.

Mr. Hutaff: Very good.

Ms. Dagan: Can I ask a question? Nani, you know, I have met with Aunty Irene, and there's one thing I just was a little fuzzy about, and that's the -- the pond at Koele, at The Lodge at Koele. It having been originally dug as a reservoir and Aunty Irene had mentioned that that was their drinking water.

Ms. Watanabe: It was a reservoir cause I -- when I lived up there, actually, I used to play in that reservoir cause it was empty by then. But it was definitely a reservoir that they did use for drinking purposes.

Ms. Dagan: And was there any spring at Koele?

Ms. Watanabe: Not that I know of.

Ms. Dagan: It was just the catching of that water that came down?

Ms. Watanabe: Yeah.

Ms. Dagan: Okay.

Mr. Fredericksen: You know, it's interesting that you bring that up. I've heard that but I've never had anybody verify that there was a spring there, but I have heard some --

Ms. Dagan: Yeah, because I heard about a spring but in the research I've done, no spring shows up - just this reservoir that was dug to catch.

Ms. Watanabe: Yeah.

Mr. Bumbar: Steve Bumbar. What we know, through our information that we've been gathering through -- from the Water Department, where the golf course sits, the 17th hole, which is the signature hole, there's that main gulch that comes down through there; back in the day, that used to be -- there was a portion of it that was dammed off and that's where that water came from that gulch was the main feed to that area by the hotel, so it kinda came through and went down and around. So I just -- but we're not aware of any springs on that side. It was just that main gulch sits on the back side of hole number 17 at the Koele Golf Course.

Mr. Fredericksen: Okay. Thanks. Any other questions, comments?

Ms. Watanabe: I have another comment. You know, there's a really good video called *Reflections of Lanai* and that is a very good, actually, video to watch because it really interviews a lot of the people during the plantations days, and they have a lot of kupuna that actually has all passed away but they talked about these different ahupua`a and then about the island. But that's one of the videos, actually, that really shared a lot about Lana`i, and it was Juniroa Productions, I think. But that's a good video to have. I mean that is one that actually interviewed from those that lived at Keomuku, which is on the ocean side, you know, the Hawaiians that live on that side, and then coming up to the plantation days, but that is a very good -- that's actually one of the ones that actually have a lot of information about Lana`i.

Mr. Bumbar: Steve Bumbar again. That video is what prompted us to do the one in 2004, so we -- we made one *Aka`aina*, and it's all tape. There's about 14 individuals that were -- but the *Reflections of Lana`i* is at the library on the island so anybody can take a look at it, and I think what I can do is see if we can make that available, that next one, the *Aka`aina* one, if people are interested to see what some of that history is because it is rich.

Mr. Fredericksen: Could you send a copy -- would it be possible to get a copy? Is it in CD format?

Mr. Bumbar: Yes, it is.

Mr. Fredericksen: Or whatever it would be - DVD?

Mr. Bumbar: Yeah, DVD.

Mr. Fredericksen: Could -- would it be possible to get a copy of each of those to the Planning Department?

Ms. Watanabe: I can get the *Reflections* for us.

Mr. Fredericksen: Okay.

Ms. Watanabe: I know the producer so -- and I have a copy at home that you can watch.

Mr. Fredericksen: Okay.

Mr. Bumbar: Great. Okay. So but we can -- we can definitely -- I'm dealing with Stan on a lot of issues right now so maybe I can just give him a copy --

Mr. Fredericksen: Okay, great.

Mr. Bumbar: And he can distribute it.

Mr. Fredericksen: Veronica?

Ms. Marquez: Question for you, sir. It's so nice seeing people from the company. So when you -- when you folks, and we all use this term "kupuna" I think sometimes very loosely, when you interview these people, are you talking only the Hawaiian kupuna or you folks also including other --

Mr. Bumbar: Other cultures.

Ms. Marquez: Cultures? So on Lana`i, when you folks use that term "kupuna," you mean -- what do you mean?

Mr. Bumbar: A wide range of cultures, ethnicities, so we're trying to capture the different experiences of the different cultures because as you go back, there was a lot of segregation with the camps.

Ms. Marquez: Right.

Mr. Bumbar: And as it evolved and it came to fruition, where it's at today, there's been a lot of what we call "cross-fertilization" so there's many experiences out there between the different families and the different individuals over a period of time, and that's important for us, again, to capture that so we don't lose it because our philosophy is is once they're gone, and we don't have it, it's gone for a long time, forever.

Ms. Watanabe: Very good.

Ms. Marquez: Thank you.

Ms. Watanabe: And, Veronica, just to answer your question. That video, *Reflections of Lana`i*, they actually interview all the cultures --

Ms. Marquez: Good.

Ms. Watanabe: Because, as Steve said, you know, it was different groups that lived there. They had the Japanese Camp, the Filipino Camp. So they talk about the immigrants that first came to Lana`i because of the -- the pineapple.

Ms. Marquez: Maika`i. Thank you.

Mr. Fredericksen: Kalei.

Mr. Moikeha: So then the housing project is a County project? And so the County hired Munekiyo & Hiraga, and then they in-turn --

Mr. Fredericksen: I guess for the planning process for the permitting and the environmental impact assessment or statement. Stanley?

Mr. Solamillo: Okay, any other comments?

Mr. Hutaff: Just one for the record. A ahupua`a is historically significant all by itself regardless of what is, what was, and that needs to be taken into consideration whether we do -- not to lose the name and not to lose the area. It's significant.

Mr. Fredericksen: Okay, Stanley?

Mr. Solamillo: Okay, from that we will segue into the next topic.

Mr. Fredericksen: Now, Stanley, we don't need to do --

Mr. Solamillo: There's no action on this.

Mr. Fredericksen: Okay. Okay. Stanley, I mean maybe we should do -- can we -- I think we should have -- see if anybody wants to say something from the public on this.

Mr. Solamillo: You'd like to do public comments?

Mr. Fredericksen: Yeah. Does anyone have any, from the audience, any public comment that they'd like to input at this point or -- yay? Nay? Okay. Okay, you're on, Stanley. Oh, yes?

Ms. Dagan: I just wanted to thank you guys. I know it's not typical to bring a cultural impact assessment just for informational purposes to you folks but it's extremely helpful for our study and, you know, a lot of what just was said here in the last, you know, half-hour was very helpful, so thank you, everybody, for adding to our study.

Mr. Fredericksen: Yeah, cool. Okay. Good luck. Okay, Stanley.

Mr. Solamillo read the following item description into the record:

D. INVESTIGATIVE COMMITTEES

- a. **Discussion regarding the designation of an Investigative Committee to develop a general policy for new development on lands identified as "Burial Grounds" and other "Traditional Cultural Properties," for the purposes of proposing amendments to the Maui County Code. The CRC may act in designating an investigative committee. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: At this point, I'm probably going to ask Corporate Counsel to tell us what an investigative committee is.

Mr. Giroux: Hi. Well, basically, Stan wanted me to address you because this is going to be kind of an exception to the open meeting rule that we've been following for all of our meetings. You have to follow Chapter 91 closely because you're -- if you decide that this is the route you wanna take, it's an exception to rule; that means it's gotta be followed very closely. You need to establish the members of the group, and it's gotta be less than quorum, and this would be - let me see - we got seven, so three - two --

Mr. Fredericksen: We have eight.

Mr. Giroux: No, eight?

Mr. Fredericksen: We have eight.

Mr. Giroux: Okay. So three people would be the maximum members of your group and you would have to establish the -- you'd have to have clear guidelines as to what you want investigated; meaning a subject matter, and it's on the agenda so it's pretty clear that that's what you're looking for. And, basically, once you establish your members and your scope of investigation, those members can meet at any time, as many times as you want, but you don't want this group to be standing for too long because then you're going to get into a

gray area of what's called a "subcommittee," which the Sunshine Law kinda looks down on having a standing subcommittee. Basically, Council is probably the only, you know, group under the Sunshine Law that actually gets away with that because, historically, that's how they met before the Sunshine Law.

Mr. Fredericksen: James, I've got a question. Define what is "too long."

Mr. Giroux: I would say if you guys had this committee for more than six months, you'd probably be running into protest or at least, you know, exposing yourself to question, but what you may want -- because of the procedure, what's going to happen is that the committee can meet as many as it wants in order to complete its body of work and its body of work is going to be a report, a report and recommendations of what -- what comes out of your investigation. Then what you do is, at a meeting, you present that report to the body of the whole and the public gets a chance to comment on that. Well, what happens is you just report. There's no discussion amongst the members at that time because that report is supposed to be the chance for the public to actually get a hold of it, and they're going to take that, review it, and at a subsequent meeting, they're going to come back and they're going to give their comment and the body can discuss and take action at that time. So it's a -- there's a protocol and what it does is it preserves the ability for the public to look at what's going on prior to decision making, but it also allows the flexibility of that group to do something unique in -- in getting some type of draft done in order to produce it, to let people review it, and then you can then work at -- work out the details in public from there.

Mr. Fredericksen: Okay, I've got one more question. Let's say this committee takes five months to come up with a report, that's presented to the overall Commission, and then there's substantial public comment and there's a need to modify it, etcetera, etcetera, and let's say that takes four months, that's nine months. Is that going into the problem of the subcommittee or is that because the draft has been put out there, it's -- that issue's kind of not as much in place?

Mr. Giroux: Yeah, what I would suggest to avoid any problems is that you -- you give the committee a time frame to produce that report and then once that report is given the public, then it's pretty much public property.

Mr. Fredericksen: And then it's the Commission ...(inaudible)...

Mr. Giroux: Then you can have it on the agenda, you know, for as long as it takes for you to hammer out a recommendation or a action plan. But, also, what you wanna do is you wanna make sure that it is an agenda item that you are taking up. You don't wanna just have a standing agenda item called, you know, looking at possible rules or, you know, it needs to -- because what you wanna avoid -- the Sunshine Law wants you to have anything on your agenda that's on your agenda should actually be discussed at that

meeting, so you don't want to just have a standing item either. You wanna show some progress and make decision-making in a timely fashion.

Ms. Marquez: So in relationship to the Maui County Code, what exists today that we're going to amend as a result of this report?

Mr. Giroux: I believe you have Chapter 16 has, in their building code, an area that does deal with indigenous architecture.

Mr. Fredericksen: Okay, but that's Item b.

Mr. Giroux: Oh, that's Item b.

Mr. Fredericksen: Yeah.

Mr. Giroux: What are we looking at now?

Mr. Fredericksen: We're talking about Item a.

Ms. Marquez: No, because I'm looking at Item a. that has --

Mr. Giroux: Oh, Item a. I'm sorry. Item a., right now, I don't believe there's anything. It would be --

Ms. Marquez: Oh, nothing?

Mr. Giroux: Yeah.

Mr. Fredericksen: So it'd be amending or it's adding or something.

Ms. Marquez: You're not amending them because your verbiage here is "proposing amendments to the Maui County Code."

Mr. Giroux: Yeah, you would probably be adding in areas that either deal with grading or zoning and that's where --

Mr. Fredericksen: So then it would be an amendment?

Mr. Giroux: Yeah.

Ms. Marquez: Yeah.

Mr. Giroux: And that would be part of the investigative's group investigation is where would -- where would the most impact be --

Ms. Marquez: Right. Right.

Mr. Giroux: In where this type of legislation would have most effective.

Ms. Marquez: Okay. Thank you.

Mr. Hutaff: Question. The --

Mr. Fredericksen: Ray, just a second. Kalei was --

Mr. Hutaff: Oh, go ahead.

Mr. Fredericksen: First in the que. Thanks, Ray.

Mr. Moikeha: Well, the question I got. Then I'm not sure if it's just open for discussion at our point at this but as we talk about it, are we saying that things are not being done? Are we saying that there's no rules set? Are we saying that our Burial Council doesn't do anything? Are we saying that SHPD doesn't have anything intact that we gotta setup another investigative group to go and look into this? Is that what we're saying?

Mr. Solamillo: If I can interject.

Mr. Fredericksen: Stanley.

Mr. Solamillo: There's actually a whole backup presentation that's going to follow before we get into any serious debate at this point. You will recall, this Commission was occupied for probably two, three hours in one hearing last year by several citizens who had serious concerns about a development called "Maui Lani." That project has been approved. We're very late in the game of addressing any issues that might pertain to its oral tradition as well as, you know, excavations, which have exhumed human burials. Based upon that hearing as well as other instances where we haven't seen rapid development of what we would call "traditional cultural sites and places," or "traditional cultural properties" in the technical term, we, at the behalf of several of your Commissioners, decided let's bring it to the Commission and see if it merits forming an investigative committee to actually try and deal with this. So if I can, I'm just going to go into a slide show at this point and then proceed.

Mr. Fredericksen: Just one second, Stanley. James, did you have anything else, at this point?

Mr. Giroux: I think what, at this meeting, what you may -- well, Stan, you said you were going to do a presentation?

Mr. Solamillo: We're going to do a presentation and then we're going to have a discussion afterwards and then comment from the audience as well. And the question is: Do we need to establish an investigative committee first to deal with these issues, and then for how long?

Mr. Giroux: Is that happening at this meeting right now?

Mr. Solamillo: It can.

Mr. Giroux: No, I mean do you --

Mr. Solamillo: That was the intent.

Mr. Giroux: Oh, okay. Alright. Cause I'm just trying to figure out how you --

Mr. Solamillo: And that's why the language is very broad. It's not giving you a chapter, per se, of which to amend; it's to decide whether you feel there should be an investigative committee, in the first place, to deal with this issue, and I think that's the most important thing at hand. This is kind of a gray area and it comes because we've had rampant development since Statehood and a lot of it is affecting areas that, at the time, you know, TMK's were established. For places like Molokai fishponds, this was not even on the horizon. This is new development which has come out of essentially some work that was done by U.H. as well as other practitioners during the 1990's so it's recent policy, which is not yet reflected. It's coming probably in our General Plan but, in discussions with my boss, John Summers as well as staff on the General Plan, this was offered as an opportunity as well so --

Mr. Giroux: So, Stanley, just to clarify then. Part of your presentation will help the Commission, basically, discuss possibly the scope of the investigation?

Mr. Solamillo: It would be the scope because it's not just burial grounds, per se. It deals with other traditional cultural properties.

Mr. Fredericksen: Yeah, and I think the --

Mr. Solamillo: It's kind of this gray area that -- that Planning hasn't been able to wrap its arms around it and we've haven't been able to wrap the code around it either.

Mr. Fredericksen: Yeah, and it is a tough problem because there are lots of pukas in the system and I think -- I know for -- cause I've spoken with quite a few people about this just in general because -- and some of the concerns I've heard is, well, it's just going to replica the Burial Council and it wouldn't. Something like this would be complimentary and it would be from a County level but it wouldn't -- I mean cause that would not be -- well it's not a -- it wouldn't be -- it couldn't be a legal function of the Cultural Resources Commission anyway so it would be something that was complimentary and it just would be another effort to try to make sure, in some cases if the permit was -- should have been put forward to the appropriate State agency and try to make that that does happen instead of having it get missed.

Mr. Solamillo: Okay. Okay, under the heading "Traditional Cultural Properties" because that includes burial grounds as well as other cultural resources, Federal guidelines for the identification of cultural -- traditional cultural properties, or TCP's, are outlines in the National Park Service publication guidelines for evaluating and documenting traditional cultural properties - that's the *National Register Bulletin No. 38*. A traditional cultural property is defined as a property that is eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that are: A) rooted in that community's history and B) are important in maintaining the continuing cultural identity of the community. Identification of TCP's requires the same systematic study that is required for other kinds of historic properties with the ultimate goal of evaluating the TCP using the National Register criteria for eligibility.

State of Hawaii Guidelines for cultural impact assessments, or CIA's, part of which you were involved with this morning, are contained in Chapter 343, Hawaii Revised Statutes, and, specifically, Articles 9 and 12 of the Hawaii State Constitution. The language there requires that government agencies promote and preserve cultural beliefs, practices, and resources of native Hawaiians and other ethnic groups. Proposed actions should be evaluated according to their potential impact on cultural practices and TCP's located in a study area. The guidelines for assessing cultural impacts were adopted by the Environmental Council of the State of Hawaii in 1997 and it describes the protocol for conducting cultural assessments. Also, there's Chapter 343, which requires environmental assessment of cultural resources in determining the significance of a proposed project.

This refers to the back-end of Paragraph 2 under State of Hawaii, preparers of assessments analyzing cultural impacts must adopt the following protocol: 1) Identify and consult with individuals and organizations with expertise concerning the types of cultural resources, practices, and beliefs found within the broad geographical area, i.e. district or ahupua`a; 2) Identify and consult with individuals and organizations with knowledge of the area potentially affected by the proposed action; 3) Receive information from or conduct ethnographic interviews and oral histories with persons having knowledge of the potentially affected area; 4) Conduct ethnographic, historical, anthropological, sociological, and other

culturally related documentary research by identifying and describe the cultural resources, practices, and beliefs located within the potentially affected area, and 6) Assess the impact of the proposed action, alternatives to the proposed action, and mitigation measures on the cultural resources, practices, and beliefs identified.

Cultural impacts on native Hawaiians. There has been a methodology for defining and quantifying cultural impacts on native Hawaiian populations, which was articulated by Minerbi, McGregor, and Matsuoka in Native Hawaiian and Local Cultural Assessment Project, Phase One, Problems and Assets Identification. That was produced in 1993. There was also another study by the Energy Research Group called the *Hawaii Externalities Workbook*, which was produced in 1997. Both documents included the following aspects of indicators for cultural impacts on native Hawaiians: 1) Community life refers to the cohesion and integrity of cultural kipuka - the continuity of life cycle events, community services, and any displacement of people; 2) Family, or ohana, refers to the extended family, conjugal support systems, sharing, exchange, and child rearing networks; 3) Human well-being and spirituality refers to physical health in relation to cultural loss or stress syndrom. The impact of changes on mental and cultural health and identity and pride; 4) Natural environment. Cultural and ecological resources refers to areas for gathering; a sense of place or wahi pana; legendary and sacred places with spiritual ties to ancestors, deities, life forces are experienced; healing places and hunting areas, fishing zones and access. The differential impacts upon resources within the district; 5) Customs and practices refers to subsistence activities. The exercise of spiritual beliefs, customs, and practices. Inter-generational linkages to ancestral lands and to cultural and historic sites; 6) Rights. Impacts on the exercise of rights as defined in the Hawaii State Constitution, the Hawaii Revised Statutes, the American Indian Religious Freedom Act, and Common Law, which was incorporated into the Hawaiian legal system in 1892; 7) Economics refers to employment, wages, purchasing power, socio-economic status, and cost of living, value of subsistence activities, and benefit to community base and culturally appropriate economic development initiatives. Part of these items were brought up when we had to deal with the issue of -- yes. Well, not really. I'm going to go right in -- when we were dealing with Halloween in Lahaina because, at that point, that was the first case where we had to deal with the impacts of an event on the local Hawaiian or kanaka community.

Okay, the other items that I'm going to go to are the generic traditional cultural properties are fairly broad-based in how we're looking at them.

Traditional cultural property example of burial grounds. There's a burial site in West Maui that is pictured in the right-hand corner that has wooden crosses. In 20 years, those wooden crosses will no longer be there. No one will know except for the kupuna and for people who have grown up here that that place is a burial ground and since we have thousands of Hawaiians who are buried in sand dunes and on beaches in Hawaii, they

have no markers and we are caught with the situation that we do not know or for the person who comes to buy property in the islands, they do not know that those places are historically known as burial grounds. The reason why I'm juxtaposing these two slides is because it's not just historic kanaka burials, it is now every burial, from every culture because we can see it if you look at Chinese cemeteries in Paia, which are no longer maintained, they begin to decay and the grave markers are lost somehow and, all of a sudden, you have land that, from the surface, does not appear to contain anything, and I've got a similar situation with a Filipino graveyard up at Pu`ukoli`i where all the headstones are gone from 12 family graves and we're left with: Are they there? And where are they? And this is a constant danger.

Mr. Fredericksen: And, Stanley, just something to just -- I'll just share. We've had instances, particularly in areas that were formerly under sugar cane cultivation and, of course, most of those areas, especially West Maui - that's all pau, and there have been fires, and there were burial, you know, cemeteries that contained an ethnic mix of plantation folks and, you know, some were Hawaiian, etcetera, and all of the wooden crosses, etcetera, gone, and that's happened I mean a lot of different places and I -- you know, your comment about Paia, that's a very good -- in Kuau area too.

Mr. Solamillo: Okay, because we're very popular and because, after Statehood, there was mad rush to develop the islands, much of the TMK's that we've seen for proposed developments have occurred earlier in the 20th Century and now they're coming, you know, to new life with people coming from the Mainland just speculating and to build new housing. This is a beach home on Moloka`i. And I forgot the name.

Ms. Marquez: Papohaku.

Mr. Solamillo: Thank you. It's a wonderful place for the sites here and for someone who wants their idea of paradise but -- and to this end, it's been subdivided into lots. And right now, currently, we don't know how to really treat this because it's treated under SMA and it's treated under shoreline rules but we still have cultural issues that sometimes are not addressed.

This is a little more easy to deal with. It's the traditional cultural property example of a cultural landscape, and I'm using Keanae as an example because it's the most pristine cultural landscapes that we have on the Island of Maui. It was first surveyed by the USGS in 1924 and mapped, along with Keanae Homesteads, which were created by legislation in 1920, and the map you see there is from an unpublished quadrangle of the same year. Keanae is also one of those places which is widely photographed. These are photographs taken by a USGS photographer in 1933 and they're unpublished. And you can see an image that was shot then that is pretty close to where it is now. But notice on the top of the hill, it's been pretty much clear cut. You can see there's just a few straggly trees there.

That's a view in 2008 with a view in 1933 showing that today this area is still relatively intact. The danger here is that we get the beginning of houses, which are built on the tops of pu'u on this part of Maui. If you go from Kaupo to Hana, you will see these houses being built and that is something that is not addressed by our code. The other important thing for Keanae is the intact lo'i and kuleana lot systems, which go back for centuries. And for those of us who are interested in architecture, we can see there's a shot 1900 on the right-hand side of the screen with houses that are located in the middle of lo'i. I remember when we were talking about the significance of Lana'i double-houses, if you look from some of the -- on the left-hand of the screen, if you look at some of the hale, which have been built, you can see that the post-contact hale include additions, which are like shed additions, we have porch extensions; the second picture from the bottom shows actually the beginnings of an enclosing of the porch addition and the houses that we see in 1900 in Keanae are that double-house that Lana'i City still has. So Lana'i City is virtually the only place now that has that double-house.

I recently got a scrapbook of -- from a photographer and I'll share these photographs with you as I catalogue them, but they're from 1900 and throughout the entire Island of Maui. This is the dominant house type. You don't have hip roofs. You have gable roofs with shed additions - that's it.

Traditional cultural property example of the fishpond. This is probably one that I'm most interested in. This is from a map here taken in 18 -- or produced in 1897 by Alexander and Montserrat. Moloka'i has the largest number of fishponds in Hawaii but also in the Pacific, and Hawaii has the largest number of fishponds in the Pacific. Unfortunately, after World War II, they went into serious decline and have not been placed into production. Given the economy the way it is right now as well as ten years of study and attempts to bring fishponds on line on Moloka'i, it still remains a real potent item that is necessary probably to link our past, through production practices, with our present populations, and I don't know what to suggest. I've had multiple conversations with a lot of people in trying to deal with: Why can't we get'em on line now? But we have to think, because we are the Cultural Resources Commission, is that these are places which are in danger because of sea or beach development and that's where we probably have to look at the code. This was another map produced in 1897, which specifically identified fishponds.

Mr. Fredericksen: Stanley?

Mr. Solamillo: Yeah?

Mr. Fredericksen: Another -- I think another threat to the fishponds on Moloka'i are -- is the fact that, you know, I can't remember what -- which mangrove species it is that colonizes the areas and then it just accelerates and, you know, in-fill, in-siltation cause there's several fishponds that are just about full.

Mr. Solamillo: Correct.

Mr. Fredericksen: And I think a danger that's going to occur in the future is people are going to go: Oh, well look. We can't use it anyway. Develop this.

Mr. Solamillo: I don't remember the exact name of this particular fishpond but this was a recent case, this year I believe, of grubbing and grading without permits and you can see that, if we had a TMK map, that everything's parcelized. Fishponds, specific types, have to use brackish water and there's often springs involved and there's been multiple occasions where springs have been covered up and right now we have nothing in our code which addresses the cultural as well as the environmental impacts of covering up springs, which are, you know, ordinary which fishponds have been constructed and somehow, whether it's issues such as access, setbacks, fresh water supply to supply minimum brackish water, those are issues that are not currently addressed. This is a traditional cultural property. It is linked with everything that we had talked about. In fact, all of these are linked with those introductory items that I listed for you. But, again, it's a puka in the code and it cannot be addressed currently with what we have.

This is probably my hot button. Under traditional cultural property example, it is the substituting of neo-Hawaiian names, and that's just a name I gave it out of the blue, I'm sure someone else has a name for it, for kanaka place names which are real, and this has happened at least since the 19th century and continues to this day. The two items that -- or the two names or monikers that come up right now are Puamana and Kauapaupili being substituted for a place name called Makila. Both Puamana and Kauapaupili are monikers which were created in the 20th century by Anglo Hawaiian or kama`aina families in the fashion of the day when houses for the elite were assigned Hawaiian names. This activity was and still is comprised by the construction of imagined often lyrical names, which have been used to supplant the original Hawaiian or kanaka place names and substantiated by the creation of imagined histories, which have been told or written and repeated until they have acquired legitimacy and popular culture. Now if you went and Googled Puamana and Kauapaupili on the web, you will find this -- this history and it sounds very legitimate, and it's not, unfortunately. So that's another issue that we could address or that might be addressed as far as place names and development names because there seems to be still a proliferation of names as well as the willingness to take a name from one ahupua`a to another. And we know, specifically, when we study genealogy that place names are very important to genealogy to burial places, to deed and title, to the mahele tracing your ancestors and land records.

Okay, this is just shown as a traditional cultural property example where we have different cultures, which are overlaid on top of each other. This is Jodo Mission site just outside the Lahaina NHL. The beach there is called "Pu`unoa Beach." It also has, I think, another name called "Baby Beach," and it's these other names that possibly we need to look at.

It includes pre-Christian kanaka burials, Christian kanaka burials, Tao burials and Buddhist burials, and according to Mary Kawena Pukui, this area has long been held sacred. The Hawaiians called it "Pu`unoa," which means hill freed of taboo. Another meaning is filled hill for Pu`upiha Cemetery, which is located near the grounds or near the beach. It's a Chinese cemetery located nearby. Originally, all the Chinese grave markers were in wood and there was one man at Woo Hing who began, I believe in the late '50's, to do all -- to redo all the Chinese markers in concrete. There's also Japanese cemetery. This one's kind of interesting because it's the only occasion on Maui where I've come across a Japanese grave on the lower right-hand side that has Latin . . . underneath said the name. That's a child grave - 1910 to 1911. The mission is described in common day language, and this is the connection to present day culture, as one of the most beautiful and serene places in Hawaii. The temple grounds have been dedicated to all our ancestors. Visiting the mission helps to create and develop a greater understanding and appreciation of Buddhism. The original wood temple that was at this site was burned down in 1968. This one was built in 1970 from donations from Maui as well as other parts of Hawaii and Japan. There's a pagoda there as well as a shodo and bell tower, a smaller pagoda, and the largest Buddha outside of Japan. This was the original temple that built probably by 1930. There was a congregation there that was organized in 1912 by Reverend Gendo Saito. This is a picture of the congregation in 1937. Congregation members, and this gives you, again, ties to other community members within this property, so first you have Hawaiian, then you have Chinese, then we have Japanese. When we pull into the camp histories, then we're dealing with Filipinos, and Portuguese, Puerto Ricans in the case of Pioneer Mill. Congregation members came from Pu`ukoli`i or Pu`ukoli`i Camp, Mariyama Camp, Mill Camp. We'll remember that Milton Moriyama wrote *All I Asking for is Body*. The first of the genre of plantation literature, 1959, and he's from Pu`ukoli`i Camp. That's my paternal grandfather and grandmother, taken in 1934 by a Japanese photographer, Kutsunai in Lahaina. They were from Pu`ukoli`i Camp. Another camp was established at this very site during strikes. It was established at ...(inaudible)... at the wireless station grounds in 1924. So, consequently, this side is just camp connections, we also have labor connections, and there was oral history that said this was a refuge for Japanese laborers. The informant said, "I went to Jodo Mission Temple with my parents after eviction until the strike and Mitsutadi had worked at the mill at Pioneer Mill Plantation." 1905 is a watershed year. It's when laborers with number 2,000 were shot at by camp police and one died and two were injured. Congregation members also came from Baldwin Packers Camp and Honolua Ranch Camp, which stretches the connections further up the west side of Maui and brings us also into pineapple culture. This was also the site, in Hawaiian times, of another fishpond, which I don't have the name of. Alamihi. Thank you. And it was a wireless station for the wharf and wharf agent from 1920 to 1941. So again, you're seeing this constant overlay of different cultures on the same piece of land.

This would be aerials or maps and aerials. The first map is a field map from 1918 showing the location at the bottom. Second map from 1930 showing its relationship with Pu`unoa,

which was another camp as well as the pineapple cannery, which had been open at that time. Pump Camp at Kapunakea. And Mill Camp, which renamed Pu`uoa. A shot in 1949. And remember this shot, and the reason why I'm going to ask you to remember this shot is that when we get to discussing Lahaina and the NHL, and all the growth that has taken place there, see how much is actually built and see how much is covered in cane. Another shot in 1960. Mala Wharf. Built, I believe, in 1921, by Pioneer Mill, the favorite visiting spot for the US Fleet outside of Pearl Harbor and the alternative anchorage. Another shot in 1930. This was on the west side of the island. On the east side of the island, it was the Imperial Japanese Navy who docked at Kahului Harbor. This is a shot of the IJN Asahi in Kahului Harbor in 1918. Imperial Japanese Naval vessels visited Hawaii 41 times, from, 1897 through 1939, and patrolled the Pacific for the US Navy during World War I. The Imperial Japanese Navy routinely docked at Kahului. And the US Navy routinely docked on the west side of the island in a place called "Lahaina Roads," which is just opposite Mala.

The other thing that makes this important, as we pass through into World War II, is the internment. Both of the priests, Reverend Ryudo Kubota and Reverent Saichiro Kubota and their families, I believe, were sent to detention on the Mainland. Soga, who produced -- who was the editor for the Nippu Jiji recorded that they both left -- both priests left on March 19, 1942 from Sand Island along with 25 other internees from Maui. The other internees from the Jodo are unknown at this time.

Recently, I was speaking with Reverend Hada, who's been at this temple site since 1968, and he told me that all the records were destroyed and that there was also National Guard stationed at that site, so we really do not have a written history for this -- this whole piece of land and it's really important because most of the congregation are getting up there in age. This site is also important for the O Bon Festival or Bon Odori. The Lantern Festival, Toro-Nagashi. In Hawaii, Honolulu has a really big festival and it's quite incredible. Forty-thousand people go there. We have not capitalized this event on Maui at all because I believe that there's been an emphasis of Lahaina merchants on Halloween in Lahaina and events like that, which are more oriented towards the secular, the sacred events, such as this, which could possibly be economic generators are not utilized to any extent of what they could be.

That probably gives you the breath, at this point, dealing with each individual traditional cultural property as well as dealing with multi-layered sites, such as what we were just looking at. So I'm asking, essentially, the Commission, do you feel we need to look at these areas in more depth and in doing so, forming an investigative committee?

Mr. Fredericksen: Thanks, Stanley, that was --

Mr. Solamillo: Or it's too generic but --

Mr. Fredericksen: A very awful lot there. James?

Mr. Giroux: Stan, can I just address -- you know, in going into scope, the issue of scope, one of the issues that I think might need to be, after looking at your slide, it was actually establishing areas, areas that -- that you're looking at.

Mr. Solamillo: We could.

Mr. Giroux: I was looking at your Cultural Resource Management Plan for Maui and it seems like an update of that would -- would probably be a first step into generating areas that need to be identified firstly. Then once those areas are identified, looking into how you want them treated by using the code, your code would refer to this general policy document. And when you're looking at the General Plan, community plans, Cultural Resource Management Plans, these are all documents where you would actually identify specific areas, and then you would use your codes in referring back to them. I think if you look at the structure of how the County's dealt with small towns design guidelines, BC-T, it's a similar process where you identify an area as a zone, and then you have specific guidelines as how you're to treat those areas. And I think that's what the County is needing to grapple with is how -- what would be the most, I guess --

Mr. Solamillo: Effective.

Mr. Giroux: Effective structure in order to actually get to where you need to go, so I guess there's two steps, as simple as I can put it, two steps is identifying areas, and then identifying what is your end goal for those areas. Being that you've got burial grounds and historic places, I mean that is pretty broad when you get into overlay cultural areas. That's really complicated. And I don't know if the Department has any, I don't know, guidance or direction as far as what does it want to do with these areas, and I think that's where the Commission may be helpful in giving input but it also it would be helpful if the Department had some type of guidance in that area because identifying these -- these places and then what do you want to happen. Because you have, in the County Code, you have your building code, your grading code, your zoning, you've got --

Mr. Solamillo: Historic districts.

Mr. Giroux: Historic districts, it goes on and on and on, and how do you want that referenced, and there was a good question by Veronica about what are we amending, you know, are we creating something new or are we amending something? So I think that should be part of, possibly, part of the scope of the discussion.

Mr. Solamillo: That would be fine.

Mr. Fredericksen: There was something that was attempted, the Commission attempted to do before, and the term, a lot of similarities, the term that was used was "cultural overlays," and I don't think I was on the Commission at that point, I think -- I can't remember. It might have come up just before I went onto the Commission. But it had a lot of similarities but it was really hard to peg it down. And now that's just a comment I have. I'm not saying that it's -- I mean I think it's a very worthwhile idea. Yeah, Veronica. Oh, sorry, Ray.

Mr. Hutaff: No, no, no. Go.

Ms. Marquez: You know, maybe you can help me understand this. Investigative committee, three people, and then I'm going to echo what counsel's -- Corporate Counsel said, we need to identify the areas and goals, etcetera. You know, I'm looking at this and yet there's so much to look at, it does not equate to less than six months unless this committee is planning on meeting every other night, 24 hours. I am not being facetious.

Mr. Hutaff: No, you're right.

Ms. Marquez: I'm just saying. How can we balance the time frame, because we don't want to be a long-standing whatever he said cause that's going to be a no-no, and yet we need to accomplish these expectations and goals in due time unless you Maui people have other strategies? We Moloka'i people go: Whoa. Help me understand how we're going to do that within the time frame. I --

Mr. Fredericksen: That's a good question.

Ms. Marquez: Don't understand.

Mr. Fredericksen: Ray.

Mr. Hutaff: Can we go to that 343? The reason we're having the discussion is because of the Maui Lani where we got involved too late to do anything and where information wasn't gathered. Go one more screen to the chapter where it has all the little things we're supposed to do. There you go. Identify and consult with individuals and organizations with expertise concerning the types of cultural resources, practices, and beliefs found within the broad geographical area, e.g., district or ahupua'a. That wasn't followed. It's already there. I mean in my opinion with this investigation committee.

Mr. Solamillo: But this isn't -- this isn't codify.

Mr. Hutaff: I beg your pardon?

Mr. Solamillo: This isn't codify as part of Chapter 343.

Mr. Hutaff: It isn't? It is not? So what is -- where did that come from?

Mr. Solamillo: That was -- I'm sorry, it was --

Mr. Fredericksen: That's for cultural impact assessment work. The one that I think Ray was talking about.

Mr. Solamillo: Right ...(inaudible)...

Mr. Hutaff: Yeah. Well, then maybe we've already got like a lot of the answers already there. It's just putting them into the County Code because --

Mr. Solamillo: Yeah, it hasn't been codified. That's the issue.

Mr. Hutaff: You know, the SHPD has their, you know, protocols and their rules, and they're very good. And the Burial Council also has their opportunities. But what we saw, which raised this concern, okay, is that the development had already gone through so many phases and then it comes to us after the fact where we couldn't protect the iwi other than within the framework of what already had been done. All we could do was mimic what SHPD had done and the Burial Council had done and say "protect it." We just went and said the same thing. The idea, I think, of this investigative committee is: What went wrong? Why do we get to that point? And to be honest with you, I think that if this investigative committee goes forward, we're also going to have to go to seek the public and say that you need to identify your own sites and to put in paperwork or whatever it is that identifies these sites. Graveyards don't go away by themselves. They go away from neglect, okay, and the communities that are responsible for those, you know, grave sites need to take responsibility also. We need to work in concern with them. We can't help them if they -- if it's all of a sudden become rubbish land because, you know, what I've told some of the people out there is drive around this whole island and look for neglected lands, okay. When the developer drives around this island, and he looks for neglected lands, he's looking for opportunities. Makena. It's rubbish land in the eyes of a developer, okay. Rubbish land to him is, slash, an opportunity and so he's going to go out there and start the process of developing it. How do we prevent those things from being invasive in our culture unless the people who are responsible for those areas also take claim? And then we, as a Commission, maybe this investigation, can point out that when it comes to the Planning Commission as a developer, before they spent a dime, okay, that they do their research. We've got some of the rules right there or at least, it's not maybe a rule, but it's definitely there in writing and I look at that and said: Golly gee, that's what we wanna do with this investigative committee is to send something like this into law so that we're not left so far behind that we go home. I went to Maui Lani and did my prayers after the meeting

because I didn't feel good about it. I felt good that that was only thing we could do, but I didn't feel good that it came to us so late in the game and so I think the investigation is what went wrong and how do we fill in the gaps and how do we get the community involved. That would be my idea of what this investigative committee would actually do without circumventing what the Burial Council and SHPD has already done but enhancing it --

Mr. Fredericksen: Yeah, it would have to be a complimentary --

Mr. Hutaff: And giving guidance -- giving guidance, not necessarily to the Maui County Code, but we obviously have to start there, but also giving guidance to the Planning Commission. Am I making any sense?

Ms. Marquez: Maybe. Okay, now, so then you look at the -- let's look at the positive side. Let's look at the developers who did come ahead and did their homework; did come to the direct agencies prior to all these things happening. What did they do that the others are not doing that we can learn from them?

Mr. Hutaff: Today we had a very prime example.

Ms. Marquez: Right.

Mr. Hutaff: Cultural Surveys Hawaii. Thank you so much.

Ms. Marquez: Exactly. Good.

Mr. Hutaff: Okay?

Ms. Marquez: So what I'm saying is we can take the good, existing good, and try to fill in the pukas and the gaps from what the people who are supposed to be doing are doing.

Mr. Hutaff: Well that's what I think the investigative committee would do is, first of all, identify the holes, and then identify the solutions.

Mr. Fredericksen: Hey, Ray, I've got a question for Stanley. I think maybe it'll kinda help out our -- everything's kinda swirling around. Stanley, nuts and bolts, from a planning perspective, okay, on this item, you know, a., or number -- yeah, a., for this investigative committee, what, on the nuts and bolts side, would be the best sort of thing to come out with? I mean like establishing areas? Like this -- I'm just thinking, from the planning side, I mean what -- cause no matter what, this is a very large complex undertaking and, you know, the more detail that its gone into, I'm afraid it's just going to make it so it's completely unattainable.

Mr. Solamillo: Then maybe I structured it wrong that way. I deliberately did not wanna go and focus on what happened at a specific project. I didn't want to represent that.

Mr. Fredericksen: Right, it's gotta be, I think anyway, kinda ...(inaudible)...

Mr. Solamillo: Cause we have to move from here - where are we at this point in Maui's history. We have a lot of development. A lot of development coming down the pike. What do we need to preserve for future generations, you know, and your connection, and the whole business of traditional cultural properties and it goes from the span of economics basic - can I feed myself to, you know, my ancestors or sacred places, and right now, there is nothing really wrapping or addressing these issues. So, yeah, on the case of the fishpond issues, yeah, x-number are preserved on the National Register or the Hawaii Register, the rest aren't, then they're going. And so it's a really large problem. The burial issues, I think, are -- now I'm seeing burials which are being vandalized now, the grave markers being destroyed, you know, Waiehu, you know, on down, and it's like there's too much for a single planner to do. So I think the best process that was outlined probably was by Corp. Counsel, which is to identify how you wanna deal with these areas, identify the areas in the CRM, Cultural Resource Management Plan, and then recommend what changes you would like to see in the code --

Mr. Fredericksen: Okay so --

Mr. Solamillo: As general policy and then it goes into the minutia of actually dealing with, you know, doing amendments to the code. But the end result has to be in something more than just a policy statement or objective because the damage is real. And my concern, I think, comes from if we go on the basis of preserving for future generations, my mo`opuna, if I'm ever blessed with them, must be able to have what we have today, right, not in a decreasing and a diminishing, but they must have the ability to connect with their ancestors and their ancestral way cause that's what this is really all about.

Mr. Fredericksen: Right.

Mr. Solamillo: That's what the whole idea living culture today is an amalgamation but a living culture today that's definite antecedents and descendants, and the concern now is more what is left for descendants because modern development is permanent, in a lot of cases.

Mr. Fredericksen: Oh yeah. Okay --

Mr. Solamillo: It's not like doing a ranch.

Mr. Fredericksen: So going back to the question that I posed, from a nuts and bolts side, because it's gotta be something that's workable, otherwise, it's just like --

Ms. Watanabe: That's right.

Mr. Solamillo: Let's do CRM policies and objectives. Cultural Resource Management Plan, identify these areas, identify your objectives and your recommendation. One of them should be related to code.

Mr. Giroux: Stan, I just want to point you to 2.88.060, that's our powers and duties, and if you got to Section L, I think it kind of clarifies what Stan's trying to get at here and it says, "The Commission may undertake any other action or activity necessary or appropriate towards the implementation of its powers or duties towards the implementation of the purpose of this chapter. More specifically," that's where we're trying to get to, "More specifically, these may include, but not be limited to, the following: Recommend new ordinances establishing special treatment districts," that's the term they use, "special treatment districts and archaeological districts." So maybe if we start speaking in terms of what we have already, our code, we may focus that conversation because this cultural overlay district, to me, starts to sound like a special treatment district or an archaeological district, and that gets back to, you know, do we already have it? Is it in the cultural plan? Or have we established it already? Have we gone and inventoried that already?

Mr. Fredericksen: Well, and if it is -- if it is established, I mean I'm just looking at that, and that, to me, looks like there's some level of establishment; unfortunately, it doesn't seem to be working too well.

Mr. Giroux: Then that goes to the next section.

Mr. Fredericksen: So, yeah, it would be --

Mr. Giroux: Number two.

Mr. Fredericksen: But that might be a good -- I'm just trying to figure out a way so we could have something --

Mr. Solamillo: To come out with.

Mr. Fredericksen: To work with to begin with, you know. Some -- instead of just like oh here and it's like oh --

Mr. Giroux: And, Stan, has -- my copy says, "1984." Have we updated the Cultural --

Mr. Solamillo: No, we're in a wrap-up of cultural resource surveys right now and everything is oriented toward the update of the Cultural Resource Management Plan.

Mr. Fredericksen: I'm sorry, Stanley. I missed what you were saying. Could you say that again? I was looking at this.

Mr. Hutaff: Yeah ...(inaudible)...

Mr. Solamillo: The cultural resource surveys are being completed now --

Mr. Fredericksen: Okay.

Mr. Solamillo: And the whole process is oriented toward an update of the Cultural Resource Management Plan.

Mr. Fredericksen: When is that scheduled - that study?

Mr. Solamillo: The writing of it will be next year - 2011.

Mr. Fredericksen: Oh, the writing.

Mr. Solamillo: Yeah.

Mr. Fredericksen: 2010 or 2011?

Mr. Solamillo: 2010. I'm sorry.

Mr. Fredericksen: Okay.

Mr. Solamillo: 2010.

Mr. Fredericksen: Veronica and then Kalei.

Ms. Marquez: For Stanley. I need clarification. Your phrasing was amendments to the code and you added but it may be -- needs to be more than a policy statement. Can you define what is more than a policy statement?

Mr. Solamillo: A policy statement was in reference to the Cultural Resource Management Plan.

Ms. Marquez: Okay.

Mr. Solamillo: It's policy, objectives, recommendations. Okay, it's very general. Then you get to the code. And I said, "including the recommendation probably."

Ms. Marquez: Okay.

Mr. Solamillo: If necessary, that certain things might be proposed for the Maui County Code.

Ms. Marquez: So including recommends.

Mr. Solamillo: If the investigative committee feels that it's necessary.

Ms. Marquez: Okay. Thank you.

Mr. Fredericksen: Kalei.

Mr. Moikeha: So it, basically, comes back to me what I questioned in the first place, once again, because to me the discussion's going in the same area: What is not being done? You know, I mean that's -- that's all that we're saying. We're saying: What do we have? We don't know what we have. I mean and so it comes back to my same question: Are they not doing what they're supposed to be doing that we need to have an investigative committee? And so I would question that and go off our recommendations. I mean Hinano's here and then, you know, it would be good to hear from him as far as --

Mr. Solamillo: Absolutely.

Mr. Fredericksen: Yeah.

Mr. Moikeha: You know, if there's a possibility and then, Stan, even yours. Maybe I'm missing what you're recommending also. You know, I don't know.

Mr. Solamillo: I have to --

Mr. Moikeha: But I would wanna hear from you too because, you know, as far as what your recommendation is because, basically, we need to see what we have. I mean if that investigative committee's going to meet, you gotta see what you got and then you can go from there - what we don't have. And that's what I kinda think.

Mr. Fredericksen: Yeah, I think the code -- the code that James was reading off of would be a good starting point because that's something that's on the books, and granted it's 1984 --

Ms. Watanabe: 1984.

Mr. Fredericksen: That's quite a ways back.

Ms. Watanabe: Yeah.

Mr. Moikeha: But if it's on the books and the Burial Council's doing it already or someone else is doing it, what you don't wanna do is just spin your wheels. I mean you know --

Mr. Fredericksen: No, and that's what --

Mr. Moikeha: What you don't want is to have just another committee to have another committee --

Mr. Fredericksen: Right.

Mr. Moikeha: I mean if somebody else is doing it. And so it'd be great to hear what is being done and if it's not being done, then boom. Then we know where we can --

Mr. Fredericksen: I think part of the problem, Kalei, is the --

Ms. Watanabe: The 1984.

Mr. Fredericksen: Yeah. Yeah, that. Thank you, Nani. This, one, this document, the code it's based is 25 years old, plus, by the time it's updated; two, there's some problems that occur in communication between County and State agencies at this point, I'm not saying it's done out of malice or anything, it just happens. But I think where Stanley -- why this is on here and everything is it's an effort to try to ensure, and you know it's not going to be a hundred percent, but improve the rate by which projects are, you know, scrutinized. Some projects just go through and don't -- you know, there's not enough done on them and they end-up happening and there are, as Stanley was, you know, pointing out, they're, you know, whether it'd be traditional cultural properties, archaeological resources, burial areas, etcetera, etcetera, etcetera that get impacted by developments, that maybe, you know, if there were a way to catch it a little earlier, there could at least be some more input and it'd be an effort to just ensure that less damage gets done. It's a very large topic though.

Ms. Watanabe: It is.

Mr. Moikeha: Well, you know, and things go through too. I mean a lot of times -- I mean look who's around me, yeah. I mean it's County Planners.

Ms. Watanabe: That's right.

Mr. Moikeha: Basically, County Planners, and if it's signed and nobody checks it, it's signed. It's gone.

Mr. Fredericksen: Yeah.

Ms. Watanabe: That's right.

Mr. Fredericksen: And that's -- and that's --

Mr. Moikeha: I mean and there's nothing I can do but it's that's person that signed it.

Mr. Fredericksen: Yeah. And it may not -- it may not be the person's fault either because it's just -- they don't have --

Mr. Moikeha: But it could be.

Mr. Fredericksen: That's correct. It could be. Sometimes it is.

Mr. Moikeha: Of course it is. We all know it is.

Mr. Fredericksen: Yeah. But having an additional like, you know, maybe these areas that are like, look, these are hot spot areas, and if they're -- if a planner's looking at a project that's proposed for this hot spot area and goes, oh well, we don't need to do anything to the developer then they're going to be held accountable for that.

Mr. Solamillo: So, okay, at this point I'll probably defer to Hinano and I'm going to ask everybody to be mindful --

Mr. Fredericksen: Yeah. Thank you, Stan.

Mr. Solamillo: Of our time because we got one more item.

Mr. Fredericksen: Okay.

Mr. Solamillo: It's a little bit more clearly defined.

Mr. Fredericksen: Yeah.

Mr. Moikeha: You awake?

Mr. Fredericksen: Good morning.

Mr. Hinano Rodrigues: And my last name is Rodrigues, right, three minutes. Hinano Rodrigues, State Historic Preservation. I'm going to go out on a limb here and I'm going to presume to express what I think Stan is trying to say, what all of you are saying, and what Kalei is questioning, and that is it seems to me the reason why this issue is here is because somehow those agencies that we depend on to protect these sites, such as the Burial Council as well as State Historic Preservation, might not be able to do it, and it's sort of like you have an upena, you have a net but the maka of that net, the eye of the net is too big, and the agencies that currently exist to take care of the size of that maka might be limited in law to protect all these sites, and the perfect example is that we can do anything until a burial is found. We cannot simply go out there and say, well, we have 300 burials here, therefore, this is a burial ground. The law doesn't permit us to do that. So I think somehow what -- what some people are trying to seek is a change in the law at the County level that might be able to make that maka of the net little bit smaller.

Mr. Hutaff: Good. Well put.

Mr. Fredericksen: Hinano, yeah, and thank you for sharing that and distilling what I was attempting in my coming off of my flu state of mind, attempt -- trying to verbalize and state -- flu. But thank you. And that's it exactly. And that's why before I was talking about and everybody also on the Commission in one way or the other said it anyway as well is, you know, it would have to be something that's complimentary and it's an effort to try to make it, the process, more efficient; making sure that things are caught so there can be proper review.

Mr. Rodrigues: And so that being said, my understanding is that is the purpose of the investigative committee to first define whether or not there is a problem, and then how do we solve that problem.

Mr. Fredericksen: Yeah.

Ms. Marquez: Maui County people, when somebody comes and they want to start their mana`o in developing, don't you folks like have a checklist of okie-dokey, we need to do this, this, this, and this cause if this is not done, you cannot proceed to this? I know I'm sounding like the teacher that I am --

Mr. Fredericksen: And that's case. It is the case.

Ms. Marquez: Don't they don't have this thingy where, come on, it's almost like common sense like, okay, you folks better get all these things in order, otherwise, it stops here. You don't collect the 200 and go.

Mr. Rodrigues: Yes, they do.

Ms. Marquez: Make sense?

Mr. Rodrigues: The only problem is how do we get to that first step. The County of Maui makes the decision whether or not to send us a permit request.

Mr. Fredericksen: Yeah.

Mr. Rodrigues: That's their decision to make, not ours. We cannot unilaterally decide to review a permit. There has to be a trigger that involves SHPD. Therefore, if the County of Maui decides not to send us a permit, we cannot --

Mr. Fredericksen: ...(inaudible)...

Mr. Rodrigues: And another thing too is that what we -- our response is purely recommendation. We can say don't do this, don't do this, and don't do this, and they can say, yeah, thank you very much for your mana`o but we're going to do it anyway. See, and I think those are where we might have flaws in the law.

Ms. Watanabe: That's right.

Ms. Marquez: So even if we come up with this IC, and then when we come with all this mana`o, they can just say, doodles, it's just to recommend?

Mr. Rodrigues: Well, no because you would have a different kind of ordinance.

Ms. Marquez: Oh, that's going to be done.

Mr. Rodrigues: Yeah, your jurisdiction, and more importantly, your authority would be a different kind of jurisdiction and authority from ours and, hopefully, your authority will fill in the pukas.

Ms. Marquez: Really ...(inaudible)... I'm trying to digest this ...(inaudible)...

Mr. Fredericksen: Yeah, cause, Veronica, there's the County bureaucracy, Planning, whatever, and then there's the State, and then there's Federal --

Ms. Marquez: That's the part.

Mr. Fredericksen: And the problem, I think, just from what I've seen from different projects I've been involved with and then heard about as well, is -- and it's not even us, it's, you know, the County, everybody does the best they can, but sometimes it just doesn't happen,

and there's -- that's the first -- the first layer and if that layer's flawed, the flaws are transmitted up the bureaucratic line and stuff doesn't get caught.

Ms. Marquez: So your mana`o, his mana`o, you say we need to define if there's a problem? And if the IC comes up with there is a problem, which we already know there's a problem, and if we say the problem is the County, what happens then?

Mr. Rodrigues: Well, we don't wanna say who the problem is, and it's clear that -- the problem is all of ours but, you know, if you listen to what -- and that's what Kalei is saying - let's define it first, you know.

Mr. Fredericksen: Yeah.

Mr. Rodrigues: There is a problem. There definitely is. And you've heard of many different cases that have come before you guys that are illustrations of the problem.

Ms. Marquez: So we need an IC to define the problem? That's my question.

Mr. Rodrigues: Yes.

Mr. Hutaff: Yeah.

Mr. Rodrigues: Yes.

Mr. Hutaff: I would also like to say that it's not about passing blame but finding solutions, you know.

Ms. Marquez: I understand that. However --

Mr. Hutaff: Cause everybody does the best they can.

Ms. Marquez: I understand that.

Mr. Hutaff: Yeah.

Ms. Marquez: So we are saying, as very intelligent people, all of us sitting here and beyond, that there is a problem but it's not written down in black and white that there is a problem? That's what we're alluding to?

Mr. Rodrigues: Those of us who are involved in this on a daily basis know there is a problem.

Mr. Fredericksen: Yeah.

Mr. Rodrigues: What needs to happen, my personal point of view, what needs to happen is all of the rest of you need to be convinced or persuaded there is a problem, and that's where I'm hoping the investigative committee -- I'm hoping that the route that they will take.

Ms. Marquez: So one of our goals will be to state that there is a problem?

Mr. Fredericksen: Yeah, as a part of the function of the committee would be, you know, this is being, you know, undertaken in order to address, you know, problems, and blah, blah, blah.

Ms. Marquez: Yeah.

Mr. Giroux: And I think if the investigative committee can articulate that because what -- what's going to happen is your work, I mean if you identify the problem, you come up with a solution, that work goes to the next level, which would be the Council, and the Council would have to be convinced that it's worth --

Mr. Fredericksen: That there is a problem.

Mr. Giroux: Making the ordinances to solve a problem. They're not going to pass an ordinance if they don't think it's broke. And even when it's broke, it's hard to get something through Council just as far as calendaring, just the logistics of it, so you have to understand that the processing of ordinances comes with a sort of salesmanship that is backed up by facts and that's where we would probably wanna start is identifying where are the gaps, what are the gaps, and what are these gaps causing, and then suggested solutions.

Mr. Fredericksen: James, I've got a question for you. Thank you, Hinano. We'll probably ask you to come back up and then after I'm done talking, Erin Wade wants to come up and say something. How many -- I mean I'm just trying to kind of wrap my brain around this, how many -- like would there need to be a certain number of examples of just saying, oh, in this instance, blah and blah didn't happen? Is that what you're talking about? I mean have examples to backup the problem area that's defined or articulated?

Mr. Giroux: Yeah, I think as part of a report coming out of the committee what you would wanna see is, you know, Example A, Example B, Example C, and, you know, I mean usually three examples --

Mr. Fredericksen: That's what -- okay.

Mr. Giroux: Are enough to shine some light, you know, and, you know, there could be other smaller projects or smaller examples of things, you know, either not happening or, you know, getting after-the-fact recognition of a problem, and then possible solutions on how to -- how to have corrective action through an ordinance.

Mr. Fredericksen: Thank you. Any Commissioners have any questions for James? Erin, if you'd like to come up. Thanks.

Ms. Erin Wade: Thank you. I'm going to just --

Mr. Fredericksen: I guess you should say your name, please.

Ms. Wade: My name is Erin Wade. I'm the Small Town Planner. I've facilitated several planning processes before and I've worked with Stan in the Long Range Planning Division. I worked on the Countywide Policy Plan and the recent update and the initial draft of the Maui Island Plan, and in all of those processes, cultural resources was at the forefront and almost never separated from the larger discussion. So I think, as part of this effort, and this is just a humble suggestion would be possibly because the Cultural Resource Management Plan, I think that's maybe your number one problem, that it's 25 years old, and that many of the actions identified in that have not been codified; that's probably the problem. So perhaps the process that I would maybe suggest is, given that there are funds now for the update of the Cultural Resource Management Plan, that this investigative committee be formed as a resource, as a focus group in the support of the update of the Cultural Resource Management Plan, and that within that discussion, you define what the problems are because usually they're all interrelated and that can end-up being a really comprehensive thing. If you decide I'm going to define just archaeological districts or special treatment districts, you're going to end-up getting into a whole bunch more discussion likely and it's going to be difficult to just stick to that one thing. So I would suggest you do it in the context of the Cultural Resource Management Plan update, define what the preferred solutions would be, and then we work on getting those recommended into law, and some of them I think will be law; some of them will be developing partnerships; you know, you're going to have a whole collection of solutions, I think, and only maybe a handful of those are going to be actually ordinance amendments.

Mr. Fredericksen: Erin, I've got a question for you while you're up there. Okay, now Stanley said the updated CRM is going to be -- plans are going to be out sometime in --

Mr. Solamillo: ...(inaudible)...

Mr. Fredericksen: Oh, the writing part will be done in 2010. Well, when it's completed, what's the process? Then it's updated in the code? Oh, so we -- so the CRC will see it and then it will go into code?

Mr. Moikeha: Who's writing it?

Mr. Hutaff: Do we -- yeah, do we really wanna wait till the end?

Mr. Moikeha: Yeah. I mean same thing.

Mr. Hutaff: Can we be involved, like she said?

Ms. Watanabe: That's true.

Mr. Fredericksen: Oh yeah. No that's --

Ms. Wade: If I can at least offer my experience with the update of the Countywide Policy Plan and the Maui Island Plan. The problem with the process was that the people tasked with reviewing and the public was not participating until the end so --

Mr. Fredericksen: Right ...(inaudible)...

Ms. Wade: If this focus group or investigative committee could be part of the drafting, that would be my recommendation.

Mr. Fredericksen: Thank you. Any questions for Erin? Thanks, Erin. That was very helpful. Okay, well that was good food for thought. Very good. Yeah, Kalei?

Mr. Kalei: I just have a comment. To me, the beauty of the committee also is that you can meet as often as you want. Our problem is we meet, what, once a month? After this, now I gotta worry about lunch and go to work and, you know, I mean you just don't think about it. But that's the beauty of it. You can meet as often as you want and you're on it, like Hinano said, if you dealing with it daily, you can see certain things and some things you don't. But for us, once a month, you know.

Ms. Marquez: And let's be real too. I mean I follow what you're saying. But even with this three-member committee, you watch schedules ...(inaudible)...

Mr. Fredericksen: Yeah, and it still -- it'll --

Ms. Marquez: It'll still be a challenge.

Mr. Fredericksen: It'll still be difficult, yeah.

Ms. Marquez: And that's why I keep saying, the time frame of less than six months, otherwise, it'd be deemed like no-no, as opposed to the task at hand. Wholly-shmolly. It's going to be a challenge.

Mr. Moikeha: Well, the GPAC was supposed to take, what, six months? How long did it go? Three years? Three years. I mean come on.

Mr. Hutaff: Oh, I think if you set the investigative committee up correctly, each person can do a little bit of research and then when you have your meetings together, you finalize things so you actually get more done that way within a shorter time frame without having to adjust everyone's schedules because it is difficult, you know, on that but I think that would be something that the committee would come up with is, okay, why don't you into this, can you look into that, can you followup on this, you know, and then we can do it at our own time and then when we try to get all three get together cause, yeah, it's going to be tough but, you know, I think we need to begin.

Mr. Fredericksen: No, yeah ...(inaudible)... I think we all agree.

Mr. Hutaff: Even if we don't accomplish anything because of time constraints or whatever, it's going to value our judgements, make our judgements more valuable by sharing that with the rest of the Commission and also how we approach the public and for the public's help to the Commission too because, as a Commission, you know from what I've seen over just the last year, is that the public really needs to be more involved, and they have their scheduling and time and issues and work issues and stuff like that, and, hopefully, that whatever we do with this investigative committee, something good comes out of it whether we accomplish anything, it's difficult to say. But I really like what she said is let's get involved in the middle of that, not at the end of that.

Mr. Fredericksen: Yeah. Stanley, I've got a question for you. On the -- let's say it takes the investigative -- our investigative committee four or five months to come up with, you know, a statement or statements, etcetera, etcetera, that could -- well, I guess they'd have to have public -- we'd have to have public input on them first, but I'm just trying to think how this could be, what the investigative committee comes up with, how that could be incorporated into the updated CRM plan so it's part of that process instead of, just like I think it was Veronica or maybe it was Kalei that said, well, not right at the end, I wanna get involved right at the -- or Ray, well somebody here said okay --

Mr. Hutaff: All of us. All of us, I think, said it.

Mr. Fredericksen: But you see where my question is going? It's kind of a nuts and bolts ...(inaudible)...

Mr. Solamillo: Yeah, but I think Erin just suggested how to -- how to do that.

Mr. Hutaff: Yeah.

Mr. Solamillo: So it's not an issue. It's just an issue of scheduling.

Mr. Fredericksen: Well, but here's my question though, I mean if the committee -- I mean once the committee's results, and I'm assuming that there would have to be something to do --

Mr. Solamillo: You bring it back to -- they have to come back to the Cultural Resources Commission.

Mr. Fredericksen: Right.

Mr. Solamillo: And then for anything to happen, it'd have to be voted on by the members of the Commission probably.

Mr. Fredericksen: But if that process is later -- I mean I'm just trying to get a handle on when all of this would be occurring because we -- well, I don't know. I don't think the committee could just kinda go, okay, this is what needs to happen if it hasn't been voted on and, you know, there hasn't been public input because the process is going to, I'm assuming, it'll take a while so it could be incorporated while the CRM Plan is still is ...(inaudible)...

Mr. Solamillo: I mean right now we're dealing with data, we're dealing with survey data, so we can't begin to draft anything until we've got our arms wrapped around the survey data and tabulations, so once that --

Mr. Fredericksen: So, qualitatively, six to eight months before any kind of writing even is starting to take place?

Mr. Solamillo: Yeah, it was -- we had to respond in some way to the fact that a citizen had come here with this issue, and the issue remained with all of us when we left it --

Mr. Fredericksen: Right.

Mr. Solamillo: And we haven't dealt with it --

Mr. Fredericksen: Right.

Mr. Solamillo: Until today and I, unfortunately, from my standpoint, I tended to wanna make it a little more generic than just one project because it's representing --

Mr. Fredericksen: Sure.

Mr. Solamillo: A trend that we have here --

Mr. Fredericksen: But that could be one example.

Mr. Solamillo: That affects -- that affects a whole series of types of traditional cultural properties, and they all, as you saw in that last site where you have the overlay of cultures, they're all related and can be.

Mr. Giroux: Stan, can I --

Mr. Solamillo: Yeah.

Mr. Giroux: Just a suggestion because I was involved in the original GPAC, advising that committee, and, you know, they got into an interesting issue of getting what they called the "IRC's," the investigative review committee process, which just about did me in as an attorney, but I want to encourage early on is that what I saw as an issue was that the Department has to come up with a really strong draft, and then give it to an investigative committee to hammer on it, and then report back your hammering - report back to this committee what you saw that needed to be amped up, and get -- get the public, you know, a chance to see it, and that would be your report; and then discuss that with this committee; and then vote on, yes, we agree with the investigative committee, these things need to be inserted or beefed up in your report; and then it goes back to the drafter, and the drafter incorporates those things. Because, ultimately, this committee, I believe, would have to vote on the final adoption of that document anyway.

Mr. Solamillo: That's correct.

Mr. Giroux: And if you use that process up front, and I think that was the biggest weakness I saw was that, the drafts going to the committee weren't strong enough to really handle strong debate, I guess, and, you know, in all fairness you're working with 25 people, that's a hard group to deal with, you only got 8, so in drafting a document and using parliamentary procedure and this Chapter 92 we have to deal with, I think that's the -- that's where we're at and the thing is is that the Department has to be ahead of the 8-ball. You have to be ahead of schedule to allow for this process. You have to draft something. You gotta get your hands around it. You gotta get something that you think, hey, this group of people will probably like it, but when they start hammering on it, they're probably going to give us maybe five or six really good suggestions, and we're going to have to go back to

the drawing board to incorporate these really, really good suggestions - meaning looking at archaeological reports more thoroughly, or looking at already processed historic surveys, you know, that kind of thing, which what I saw was only -- the Department was looking at it like we just got thrown a monkeywrench instead of, wow, we just got some really good feedback, and I think that's where planning ahead and saying we are going to deal with this process, we are going to incorporate this process, instead of react to it because that's where we were getting into trouble is when somebody says, wow, you've got a big hole in your document; instead of that being a problem, that's a really happy time because now you got a chance to plug the hole. And that really changes the synergy in drafting of these documents. But I don't know. I mean we have to work with what the Planning Department has as far as financing, timing --

Mr. Solamillo: Limited staff.

Mr. Giroux: And limited staff.

Mr. Solamillo: That's probably the biggest challenge is staffing and you're looking at it.

Mr. Fredericksen: Okay, Stanley, Erin wants to come back up for a minute.

Mr. Solamillo: Alright.

Ms. Wade: Alright, I'll be brief, and I'm going to disagree with James and that's because you guys don't have to deal with Bill 84 because it's not the General Plan. So the way that the Planning Department was required to write the General Plan was to provide a draft first. You don't have to do that with the Cultural Resource Management Plan because you're not subject to Bill 84. So I think the benefit to you is you can collectively draft the first draft because it's much harder for me, as a single planner, to envision what all of you have in your minds in terms of the Cultural Resource Management Plan and then you give you something that you just have to react to, which puts us at odds right at the beginning and I think that that's where the negative dynamic was created with the General Plan process. Where if everyone comes together to draft the initial Cultural Resource Management Plan, you're already working together right from the beginning and I think that that could be a much more positive relationship, and a lot faster because it's not doing rewrite after rewrite, you know, and you don't have to produce the Steller document, which takes a long time, you know. That was the problem with the Maui Island Plan why it never came out for two-and-a-half years was, exactly what James was saying, is we felt like it had to be this perfect glowing shining document that was impossible to do without the mind of the community involved. So that's my comment about that.

Mr. Fredericksen: Thanks.

Mr. Solamillo: Due to time constraints, we should probably take public comment now and then --

Mr. Fredericksen: Yeah. Okay, does anybody from the public wanna give testimony on this item? Going once, twice, nobody? Thank you. Okay, Stanley.

Mr. Moikeha: One quick question or comment. So I think it was answered. So the final CRM has to -- that's going to be an action item that we approve, this Commission, or no?

Mr. Solamillo: The Cultural Resource Management Plan is actually a plan for the entire County with respect to cultural resources.

Mr. Moikeha: But final --

Mr. Fredericksen: But we will look at it.

Mr. Moikeha: But final approval has to come to this Commission? I mean I guess what I'm asking: We will have our --

Mr. Solamillo: I mean it has to be adopted by Council, so I mean Council's the final --

Mr. Moikeha: Okay.

Mr. Solamillo: Final say.

Mr. Fredericksen: But it will come to the CRC.

Mr. Solamillo: It comes to CRC --

Mr. Fredericksen: Yeah.

Mr. Solamillo: Before it goes anywhere.

Mr. Moikeha: Okay. We will have our day in court on that?

Mr. Fredericksen: Yeah.

Mr. Moikeha: We can say, we wanna say, and we can defer? I mean all I'm saying is --

Mr. Fredericksen: Okay, Kalei, so what -- so I think what you're -- and this is what I was going to say or, you know, or suggest, that we defer action on this, I mean this discussion until next time at this point. I mean think it's been really good but I don't -- I don't think it

would be fair to try to go, well let's see, let's the committee going right now cause there's only five of us here.

Mr. Solamillo: Correct.

Mr. Fredericksen: There might be three of the other folks, one or two of them might wanna be on the committee and there's gotta be way of selecting them.

Mr. Hutaff: Mr. Chair, I actually agree that we can't choose the committee today.

Mr. Fredericksen: Yeah.

Mr. Hutaff: But I think we can approve that we're going to designate an investigative committee cause I think our problem is if we wait till next time when we have more people here, we'll have the same discussion all over again. I think we need to approve that we're going to have the investigative committee and then, at the next meeting, either elect or ask for volunteers or do so by email. Right? Just chance'em already.

Mr. Moikeha: You wanna do it? You wanna sit on it?

Mr. Hutaff: I would love to.

Ms. Marquez: Well, Ray, remember the last meeting, we had this discussion and then we're additionally having a discussion, and I agree with you.

Mr. Fredericksen: Okay, well let's look at it then. Okay, there's two options: One is I certainly agree that there should be this committee, okay? We can vote as a Commission on let's get the committee, the idea of the committee, let's vote on that. Membership in it, or whatever you wanna call it, you know, would be next time. And if there's going to be any Commission member who's not going to be here, I know one, if the Commission member, before leaving, could express an interest either way if they'd like to be considered or not for whatever, to be on the committee, include that. Or to defer and deal with it next time. So somebody make a motion. Either one.

Mr. Hutaff: I move that --

Mr. Fredericksen: First one. Let's do the first one, yeah.

Mr. Hutaff: I move that we adopt an investigative committee period.

Mr. Fredericksen: Adopt or create? Maybe create might be better.

Mr. Hutaff: Create.

Mr. Fredericksen: Yeah.

Mr. Hutaff: An investigative committee. That's, I think, the first step, right?

Ms. Marquez: I think we need to add the purpose --

Mr. Fredericksen: Yeah, thanks.

Ms. Marquez: So adopt, amend, whatever for what? That's the hard part.

Mr. Hutaff: For research -- how do you put that in words?

Ms. Marquez: Well, this young lady alluded to being somewhat like a focus group to the bigger picture. So if we can kinda like use some verbiage there.

Mr. Hutaff: I'm not sure how to put it, to be honest with you.

Mr. Fredericksen: Alright, Stanley? Here let's see if Stanley can help out on this.

Mr. Solamillo: Stanley just went brain-dead.

Mr. Hutaff: Yeah.

Mr. Fredericksen: Oh, thank you for that. That reminds me of my kid ...(inaudible)... sorry, Stanley.

Mr. Solamillo: So the purpose of this -- remember, there's two investigative committees on discussion today.

Mr. Fredericksen: Okay, we're the first one.

Mr. Solamillo: One is for --

Mr. Fredericksen: The first Item a.

Mr. Solamillo: To develop a general policy --

Mr. Hutaff: I got it.

Mr. Solamillo: For new developments -- if you wanna -- the reason why I was kind of skirting burial grounds and traditional cultural properties is that oftentimes they're related and -- but they're -- they are separate and that's why they're worded that way so -- Ray?

Mr. Hutaff: Okay. I move that we create an investigative committee to research the Maui County Code and the Planning Commission's actions to see if we can facilitate efforts to bring forward cultural practices, cultural burials grounds, cultural areas prior to development.

Mr. Fredericksen: Okay, that one I'm afraid is going to --

Mr. Hutaff: That one went way over my head too.

Mr. Fredericksen: Yeah, I don't think we can put -- get the Planning Commission involved cause that's a separate entity and it's not what -- that's not what --

Mr. Hutaff: Not what we're going to do.

Mr. Fredericksen: James, can you help us out just on language tying it into the code? Or any suggestions, please?

Mr. Giroux: I think we should take Erin's suggestion. I mean that seem to bring more clarity in maybe the investigative group should be involved in the drafting of the

Mr. Solamillo: Cultural Resource --

Mr. Giroux: Update of the Cultural Resource Management Plan. I think that's --

Mr. Hutaff: I adopt that motion.

Ms. Watanabe: Exactly what she said.

Mr. Hutaff: Yeah.

Ms. Watanabe: Simple.

Mr. Hutaff: I think it's perfect.

Mr. Giroux: Erin, does that help you guys out? I mean --

Mr. Solamillo: She's not -- she's not on it.

Mr. Fredericksen: Yeah, Stanley, what -- help out, Stanley, do we --

Mr. Solamillo: I think probably it's broad enough. I don't wanna tie down --

Mr. Fredericksen: Yeah.

Mr. Solamillo: Ourselves into investigating the code and the Planning Commission.

Mr. Hutaff: Why?

Mr. Solamillo: So --

Mr. Hutaff: I mean it in a kind way.

Mr. Solamillo: Oh, I know. I think that probably --

Mr. Giroux: Not an inquisition.

Mr. Hutaff: Yeah.

Mr. Fredericksen: Okay, I'm getting low blood sugar. I'm getting hungry so we have to try to keep on track, otherwise --

Mr. Solamillo: So that will be fine.

Mr. Fredericksen: My eyes are going to glaze over.

Mr. Hutaff: I like the Planning Commission, actually. I do.

Ms. Marquez: You need a second?

Mr. Fredericksen: Okay, so we have a motion. Could you state that one more time please, Ray?

Mr. Hutaff: I move that we create an investigative committee to work with the Planning Department on the their Cultural Management Plan.

Mr. Fredericksen: The updated Cultural Resource Management Plan.

Mr. Hutaff: Updated -- updated Cultural Resource Management Plan.

Mr. Fredericksen: Okay. Okay, we have a motion on the floor.

Ms. Marquez: I second.

Mr. Fredericksen: Okay, we have a second.

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

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

VOTED: to create an investigative committee to work with the Planning Department on he updated Cultural Resource Management Plan.

Mr. Fredericksen: Okay, so that motion passes. The other motion is tossed out into the bin. And then -- and then -- I'm sorry?

Mr. Giroux: For lack of a second.

Mr. Fredericksen: Oh right.

Mr. Giroux: You've taken action. So what you can do on a future agenda is you can choose your members and possibly look at your scope of that.

Mr. Fredericksen: And I would suggest let's have this agendized for the next one so we can -- is that okay, teacher?

Ms. Marquez: Agendized? Making up your own word?

Mr. Fredericksen: Okay.

Ms. Marquez: Now, alluding to that, I know of a particular Commissioner who will not be here so, on behalf of this Commissioner, I would like to be considered part of the committee.

Mr. Fredericksen: Okay.

Ms. Marquez: Don't even go there.

Mr. Fredericksen: Okay so, for the record, Veronica will -- would like to be on this committee. Okay. Okay, next item. Kalei?

Mr. Moikeha: I did ask Ray. He said he wouldn't mind.

Mr. Hutaff: I wouldn't mind.

Ms. Watanabe: Yeah, me too.

Mr. Hutaff: But -- I fly Molokai.

Mr. Fredericksen; Okay, let's move to the next agenda item so somebody's gotta -- we're going to lose quorum.

Mr. Solamillo: Okay, Item b, this is a lot simpler.

Mr. Fredericksen: Yes. Thanks, Kalei.

Mr. Solamillo read the following item description in to the record:

- b. Discussion regarding the designation of an Investigative Committee to develop amendments to the Maui County Code, Chapter 36, "INDIGENOUS HAWAIIAN ARCHITECTURE," as necessary to allow for the construction of "Kauhale," or indigenous Hawaiian dwellings for residential purposes. The CRC may act designating an investigative committee. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: Alright, this was actually done a year and several months ago.

Mr. Fredericksen: I was on the Commission the first time this was on it. So this is something that looks very familiar again.

Mr. Solamillo: Okay. The current housing crisis requires government to explore alternative means of providing shelter to Hawaii's residence. Large numbers of native Hawaiians are currently without shelter. Indigenous forms of shelter may be an option for many native Hawaiians, as provided under Section 46-1.55, Hawaii Revised Statutes. However, only Maui County has amended its building code to allow the construction of indigenous Hawaiian structures and no other counties have amended their codes to allow for the construction indigenous Hawaiian dwellings for residential purposes.

Under 46-1.55, Indigenous Hawaiian Architecture. Each county, this was adopted under House Bill 111 in 2007, each county shall adopt ordinances allowing the exercise of indigenous native Hawaiian architectural practices, style, customs, techniques, and materials historically implored by native Hawaiians in the county's building codes including, but not limited to, residential and other structures comprised of either rock wall or wood frame walls covered by thatches of different native grasses or other natural material for roofs.

The application of indigenous Hawaiian architecture shall be permitted in all zoning districts provided it is consistent with the intent and purpose of the uniquely designated, special, or historic district, and all counties shall adopt rules to implement this section no later than March 31, 2008. The rules adopted by Maui County shall serve as a model.

Alright, this was approved and is now law, and we received request from Hawaii County, we received a request from Honolulu, City and County, and I believe we received a request from Kauai. But if you look carefully of our code, you can put a canoe in it, you could store stuff in it, but you cannot live in it.

Mr. Hutaff: Right.

Mr. Solamillo: So after going through the code, well how do we bring the current code to match what the intent of the State law is? So I went back and did some research and I'm going to run through some research for you really fast. We've got historical precedence and a hale typology by use: Kauhale; hale moa; hale noa; hale pe`a; hale aina; hale ka humu; hale papa`a; hale wa`a; and how it was used as part of heiau. We have typologies by form. We have pre-contact reconstructions, which have been built in the islands since especially the 1990. These are examples of post-contact hale. You're going to see a lot of variations. The addition of the front porch. The addition of wood doors. You can see the influences from the west. Wood doors. Windows. This is a hale form which is unique to Lahaina. And one that I showed you earlier where we begin to see this kind of vernacular adaptation of western kind of building, expansions being adopted by Hawaiians in the construction of the hale. That was a rear addition we looked at. This is the porch. In Lahaina, what I characterize initially as post-contact Hawaiian hybrid houses. They're hybrid houses because they still use -- it's a co-mingling of indigenous as well as western building technology so you get coral and rock, which is actually coarse instead of built in the traditional Hawaiian way with Hawaiian actually roof materials being used and, basically, Hawaiian forms being used either almost a long house or a two-story type of building. This is an example of a hale, which was photographed in 1940 where everything is kind of being used, so we have a rock foundation, we have board and batten walls, and we have traditional Hawaiian thatch roof. The most interesting one, I think, that Maui has produced was the rock hale that we find in -- that is indigenous to Kaupo. These are really -- they can be really large buildings and they have rock walls all the way to the eaves, and then thatched roofs. The Hawaiian rock wall tradition is extraordinary and varies from region to region on our islands. You can see variation between ahupua`a as well as island to island. This is a hybrid house. I think this is one Kauai, which was a mission meeting house, and you can see renderings of it done in the 19th century or other locations of this kind of meeting or long house. And then we look at the western coarsen style where coral blocks or lava rocks actually are coarse, sometimes they're cut and sawn but essentially begins with a Hawaiian form. This is a house built by Lahaina High School students from Lana`i for Charles Gay.

Mr. Hutaff: Good for them.

Mr. Solamillo: Yeah. I mean it's pretty incredible. So you have kind of that expansion of that meeting house with a porch on all four sides, dormers, and a cupola provide interior light to this - I classified it initially as a hybrid house with wood walls now, there's no coral or lava rock employed in the wall construction. Then we've got later things. There's thematic houses. This was a Girls Scout pavilion that's actually constructed I think in the 1930's. This is over at Kanaha. But, essentially, the same form is being used. So looking at buildings like this kind of makes me wonder, well, what's missing?

Mr. Hutaff: Hawaiian.

Mr. Solamillo: Yeah. In the new Hawaiian hale, and this was done by Hui O Wa`a over in Lahaina, we have essentially the technology, the training, and the hui to do it. In the current code, the hale structural system is broken down and it's codified by types of wood and wood members and sizes and things like that. And then all around the Pacific, actually, all around the world we have a new hybrid house, which is being built for the wealthy. So on Big Island, we've got a new resort like this one which utilizes traditional Hawaiian building materials and systems, and they've been approved for resort developments. So our question is: Okay, this is being used and what are we missing? The crucial thing you're going to find, as you look on the roof, and that's fire prevention, those are sprinklers; that's a big cost item. New hybrid houses are also around the Pacific Rim are these examples using indigenous materials instead of water -- water lilies, we could have taro. I mean there's a lot of opportunities, I think, that have yet to be explored because everybody's kind of locked into this -- this -- it's a western idea still that still denigrates to the native or the indigenous house, and these are attempts to actually bring it out of that. I think these were -- one is in Manila on the left. The other one is in Miami. So there's a proliferation of high-end housing that's being produced around the Pacific Rim which use these traditional indigenous materials and systems. There's one in Mexico. The high-end housing almost always includes uses and utilities which are currently prohibited by the Maui County Code, such as kitchens, bathrooms, electricity, and plumbing. Maui County should address these code deficiencies as soon as possible because if left unresolved, our concern is that State law might be used to sanction the development of housing and communities without sufficient standards or control and that's what naturally happens.

The other big issue is the West Maui issue. We an excess of 65 rock piles, pu`u pohaku, that are located throughout West Maui. They were created by Pioneer Mill back in 1946 and are all over 50 years of age. They're being mined without permits to provide landscaping material for new high-end housing throughout West Maui. They constitute a source of almost one million cubic yards of stone, which could be used to build over 330 hale pohaku, that's the Kaupo style house on Maui. And I think it's something that should probably be addressed.

I'm just going to go through this is how we've codified all the materials within the current code. So we've got everything from posts, rafters, door frames, lashing, thatch lashing, living alternatives. We have craft persons on Maui, East Maui, Moloka'i. And this is our current code. 16.26-3600. This came up, actually, during the General Plan and it's being fought and actually being verbalized, you know, everything old is new again, but on Maui we haven't made this jump, and these are currently the ones that we allow to be built by code; that's hale noa, ku'ai, hale wai and wa'a. And once you begin dealing with hale, you begin dealing with traditional land use patterns, which we also seem to be challenged by. And we've got ample opportunities that have been done at Waipio Valley, Hawaii, where they actually went back and looked at lo'i. Okay. Kula. And house lots. And what I'm actually asking is imagine this because we have all the basics for an economy, designed and built for kanaka. I'm going to use an architect from the 1930's, he's Egyptian actually, Hassan Satti, and he said, "Believe in the primacy for human values and architecture and the importance of a universal rather than a limited approach. Use appropriate technology. Employ socially oriented and cooperative construction techniques in the essential role of tradition. Reestablish national cultural pride through the act of building." So what he did in Egypt was go back to traditional farmers, they were called the felahim, and built using additional materials instead of doing government housing, government housing projects which were failing.

Unfortunately, what we're seeing is this, and this is Corbu or Corbusier, and it comes -- if we paraphrase him from his -- towards the new architecture written the same year as Satti, which is 1931, he speaks from a totally different vantage point, he says, "We must create the mass production spirit, the spirit of mass production houses, the spirit of living in mass production houses, the spirit of conceiving mass production houses." And now this is what we build, this Waiehu Kou, Hawaiian Home Lands. So there's kind of this disparity between traditional planning values, traditional architecture, traditional land uses, and traditional life ways and what we still continue to provide for Hawaiian people.

So the question today is, and this is an easier one, it doesn't involve a lot of stuff, but it does involve specialization, and our one architect is not here today, the recommendation is to establish an investigative committee to develop amendments to the Maui County Code and a general policy for indigenous Hawaiian architecture, which allows for the construction kauhale or indigenous Hawaiian buildings. That's it.

Mr. Hutaff: Add just to that before we go into discussion.

Mr. Fredericksen: Sure.

Mr. Hutaff: First of all, Hawaiian hale, each one had a very specific use. In other words, you didn't cook in the house you slept in, okay. The two problems with a hale, okay, is fire and wind. Now to the Hawaiians, wind was an opportunity because the thatching would

have to be replaced every so many years as it shrank it to death. If the wind came along, strong ka makani, hurricanes, and blew it down, that was one land step that they had to do themselves, the ka makani did it for them, okay. It also brought down a lot of the trees and bushes, not the pili grass, but some of the palms that were uses and blew them down nearby so they didn't have to climb the trees. So having their hale get changed, whether it be by themselves or through the environment, was always an opportunity. When you're going to put together a residential area for someone to live in, you know, this committee's going to have to think outside the box and think like old Hawaiians. You're not going to have a kitchen in your house where you sleep. You don't have ventilation. You have fire problems. And then you're going to have to go and harvest these things that are not relatively available here in Hawaii, they are in the Philippines, they are in other parts of the world, but I don't even put compost on my taro because it's haole compost with Hawaiian taro. So there's a lot of issues that are going to come up with this investigative committee on how to properly instruct people who wanna build residential areas that you're going to have to have multi rooms, and they're going to have to be spread out. The cooking, with the hale with the cooking, was always just a three-quarter shelter. In other words, one side, like a lean-to and then the bottom was open, and you faced it towards the wind so the wind came from the bottom and blew the smoke outside, and if it burned down, you stepped outside and said --

Mr. Fredericksen: Got out of the way.

Mr. Hutaff: Where are we going to get the new palms from cause the wood would survive. It was not a big deal. We don't live in a time where we can really do that without going back to the culture. These things here imply that we can build a whole home; indigenously, it's not proper. They understood fire, you know. They understood wind. They understood these things. And so to put together a residential "home," traditionally in the Hawaiian style, each one was built differently, not all the sleeping quarters were never built with rocks around them. A lot of times they were -- they were not even built with a bottom to them because they slept above-ground. You know, let the animals run through. Let the pigs come through, or the dogs come through. We'll eat them tomorrow. So it's important that we do have an investigative committee to bring these things to the forefront to make sure that these hale can be accomplished because that would be a great dream, but also so that they're not taken away in the future because they put a kitchen in the sleeping house. That's my comment

Mr. Fredericksen: Okay.

Mr. Hutaff: To add to that.

Mr. Fredericksen: Thank you. Any other questions, comments? I've got one for Stanley. What -- okay so, at this point, there are no dwellings, per se, that are allowed under this code?

Mr. Solamillo: Correct. Correct.

Mr. Fredericksen: What -- I mean Ray brought up some real interesting points, is the -- it a possible goal to try to see if it's going to -- if that would be workable to actually have kitchens, bathrooms?

Mr. Solamillo: If we use cultural protocol, no. You'd have to have a separate cook house but remember back in the plantation days, which weren't so long ago anyway, we do have a separation of uses, so you have a separate ...(inaudible)...

Mr. Fredericksen: Now does the code allow that at this point?

Mr. Solamillo: Well, I don't know because I haven't looked into it.

Mr. Fredericksen: Okay.

Mr. Solamillo: I haven't had time to look into it.

Mr. Fredericksen: Yeah, James, could --

Mr. Giroux: I advise the BVA and, you know, we have to deal with these pod housing all the time so the code, presently, doesn't allow for you to sleep and cook in a different -- under a different roof. It's gotta be connected with internal walls. But we've been told, at the BVA level, that they're working on something in the building code to allow for the separation for this type of pod.

Mr. Fredericksen: What is BVA?

Mr. Giroux: Oh, Board of Variances and Appeals.

Mr. Fredericksen: Oh, okay. Thank you.

Mr. Giroux: So people come in for variances from the building code in order to have a living structure and then a cooking structure separate, and we usually just refer it as to pod housing, and a lot of the architects are looking at it because it's similar to your Indonesian concept.

Mr. Solamillo: I think my concern was engendered by the State law, okay, and that somehow the intent of the State law couldn't be carried out because the code stopped it.

Mr. Fredericksen: The existing code?

Mr. Solamillo: Right.

Mr. Fredericksen: Yeah.

Mr. Solamillo: So it was -- even though we did, and we were cited, you know, by, you know, by the ledges being the example for everyone to follow and then when you looked at it, you went, well, you can't live in it, so that proves to be problematic so the deal was how can we get so that the hale actually function. If we're doing sleeping hale, I don't care. It was the point can we use it to house people.

Mr. Fredericksen: Yeah, people.

Mr. Solamillo: Because, regardless, on the way to my house, I've got, you know, a camp and they're going to pop up but we're not, you know, allowing people to exercise their right, the right to shelter themselves using traditional methods.

Mr. Fredericksen: Yeah, well I certainly agree with the intent. When I was on the CRC the first time, who was the architect? Hans Riecke.

Mr. Solamillo: Hans Riecke.

Mr. Fredericksen: The -- there was a lot of work put into this and, you know, I believe that the intent, at the time, was to allow, you know, ultimately these structures to be able to, you know, if need be, be used as -- to live in. But, again, you know with -- because of different code restrictions and everything you can't -- you know, you have to have some separate, you know, structures I think. But anyway, so do we have anymore discussion? No? Okay, anybody from the public want to comment on this? Okay. Now, we got another -- we have another committee that could be formed. I mean does -- what do you folks feel? I think it's something that, you know, that's worthwhile to look at.

Mr. Hutaff: I think so too.

Mr. Fredericksen: Because it does address, ultimately, it could address a need.

Ms. Marquez: So this is another committee of three?

Mr. Fredericksen: Yeah, three.

Ms. Marquez: Yeah, same with the a., huh?

Mr. Fredericksen: Yeah.

Mr. Hutaff: Yeah, I'm all -- I'm all for it. I, you know, there are definitely problems that we -- that we look at things today rather than look at things in the past, and I think that the idea of finding a way to do it, okay, would be the goal of the committee, okay. This is a great idea.

Mr. Fredericksen: This is more focused than the first one.

Mr. Hutaff: Yeah. Yeah. Simply. Simpler. And we can probably get a lot of input from Francis and some of the other people who have built the hale and done that to give some guidance to where we could make recommendations that would fit within the County Code, to a point, that would allow this to happen and I think it would be great. I don't see a lot of people taking advantage of it other than what you see as far as the beauty of the architecture and the smaller homes but that's not really a traditional or an indigenous Hawaiian architecture. That's today's architecture using materials that look like they came from the past. So I think this is really good and I would certainly like to see this kind of thing happen and we figure out a way to make it happen.

Mr. Fredericksen: Does anyone wanna make a motion for this committee? Again, if we form -- if we vote to form a committee, I think because -- well, the architect is not here so --

Mr. Hutaff: Yeah, it would be nice to have him here.

Mr. Fredericksen: Yeah, there certainly should be an architect on it or the architect from the CRC should be on it, you know, if he can. Any -- I mean do you folks wanna talk about it anymore? I think it's --

Mr. Hutaff: I move that we form this investigative committee to develop methods of indigenous Hawaiian architecture with the end result being for people to live in.

Mr. Fredericksen: Yeah, the construction of kauhale.

Mr. Hutaff: Kauhale, yeah. I never can get these motions down right.

Ms. Marquez: Second.

Mr. Fredericksen: James, is there any ...(inaudible)...

Mr. Giroux: Yeah, again, I guess this would be a preliminary step and then at the next meeting, you would form the members and, again, clarify the scope of the investigation.

Mr. Fredericksen: Okay, so we have a motion and a second. Let's go ahead and vote.

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 form this investigative committee to develop methods of indigenous Hawaiian architecture, the construction of kauhale, with the end result being for people to live in.

Mr. Fredericksen: Okay, so that passed.

E. DIRECTOR'S REPORT

- 1. Annual Halloween Keiki Parade in Lahaina**
- 2. I'ao Stream Channelization Project**
- 3. July 2 CRC Meeting Agenda**

Mr. Solamillo: Just to let you know, the next item is Director's Report, and just to let you know, the annual Halloween Keiki Parade will be resurfacing at some later date, we don't have a date yet, but I do know that the Planning Department put a notice in last month's newspaper, I don't remember what week it was to bring in takers, so they will be arriving sometime.

Item No. 2, which involves the Iao Stream Channelization Project. This is a US Army Corps of Engineers project, Fort Shafter, and you've been given a draft of -- of a letter, which was sent to our Department, and I provided comments for that. Because of timing, we were unable to get this Commission officially to comment on it but another opportunity will be provided when the project comes back.

Mr. Fredericksen: Stanley?

Mr. Solamillo: Yeah?

Mr. Fredericksen: This came -- this came to the CRC when I was on my first stint too and at that point, I remember, specifically, requesting that the -- who -- is this -- this is -- it's Federal. Who's the agency?

Mr. Solamillo: US Army Corps of Engineers.

Mr. Fredericksen: Oh yeah. Corps of Engineers. Yeah. And I specifically remember at the time requesting, okay, you know, get some more information and -- so I'm assuming and I'm guessing that was about 2003 --

Mr. Solamillo: Right.

Mr. Fredericksen: So nothing's happened from 2003 till --

Mr. Solamillo: Until this year.

Mr. Fredericksen: Till this year.

Mr. Solamillo: Right. So it was March to April and if any fault needs to be thrown out, it would be my fault --

Mr. Fredericksen: Well --

Mr. Solamillo: That we didn't get it scheduled for Commission for actual comments.

Mr. Fredericksen: Okay, but -- but this is the first time in six year, more or less, so what -- do you what the Corps has been doing in the interim?

Mr. Solamillo: I have no idea but the project proposal that they brought forward was to channelized between Spreckels Ditch, which is at the bottom side of Happy Valley, all the way to the sea.

Mr. Fredericksen: Right. Yeah. That's what was --

Mr. Solamillo: And the real question -- and I think it's in conflict with our General Plan recommendations because they want really reforestation and environmental restoration to happen in that section of Lao Stream. When I brought that up to the Corps, they got a little defensive, you know, and they have this --

Mr. Fredericksen: Yeah, there was nobody from the Army Corps to hear it the first time. Okay well --

Mr. Solamillo: Yeah so --

Mr. Fredericksen: We have someone from the audience that we can bring up.

Mr. Solamillo: Okay.

Mr. Fredericksen: Go ahead and finish what you were saying.

Mr. Solamillo: Let me finish. So given that, I've submitted comments on behalf of the CRC to the Planning Department, and they submitted the official response on behalf of Maui County to the US Army Corps of Engineers. It's going to come back in another phase. I don't know when that's going to happen. I had tried to get them to come but they had a comment cutoff period and weren't able to attend the meeting for the CRC so --

Mr. Fredericksen; So they're comment period, they're saying, has been -- is cutoff?

Mr. Solamillo: Is passed. Yeah.

Mr. Fredericksen: So what we -- I'm assuming we have options as the, you know, the Cultural Resources Commission for Maui County to -- cause we didn't get, whatever happened, you know, human error or whatever it may be, so there needs to be some way that they can be -- we can gain additional information. Is that -- James, what options --

Mr. Solamillo: According to them, they've cutoff for receipt of comments and anything that we say or do really doesn't need to get any response, according to the way it was verbalized to me.

Mr. Hutaff: We can't make them come before us based upon the fact that there's sites out there?

Mr. Fredericksen: Yeah, see the problem with this -- the challenge with the project is, as far as I'm aware, there never has been a comprehensive inventory survey done of this proposed channelization area, and this is almost verbatim what I said the last time.

Mr. Solamillo: So if you would like, then I will just have to communicate to them that somebody needs to show up --

Mr. Hutaff: Yeah.

Mr. Solamillo: If that's what you want.

Mr. Fredericksen: Yeah.

Mr. Solamillo: So I'll do that.

Mr. Fredericksen: Yeah, you know, I'm not saying it's necessarily a good or bad idea.

Mr. Solamillo: Right.

Mr. Fredericksen: I mean there -- I mean where this is going to go by is by -- there are two --

Mr. Solamillo: Exactly.

Mr. Fredericksen: Heiau and there's -- there's who knows what's down --

Mr. Solamillo: Correct.

Mr. Fredericksen: What's down close to bank. The challenge I had the first time is there was no -- no one or the person that was here, but there was nobody from Corps, but the person that was here didn't know how wide the corridor -- impact corridor was going to be or anything. This was -- they did a cultural survey or it wasn't -- it wasn't an inventory survey, it wasn't cultural impact assessment, I'm not even sure what it was, but it was just a very general look at the area which -- but anyway, so that's a big concern for me. I mean that area I'm sure, you know, contain burials and we don't know how wide this impact area is that the Corps is proposing.

Mr. Hutaff: Yeah, this is one of those that we wanna come before rather than after or in the middle.

Mr. Fredericksen: Okay, we got some --

Mr. Solamillo: Comments.

Mr. Fredericksen: Somebody from the County and we're not going to bite your head off, Joe, I promise. Good afternoon.

Mr. Joe Kruger: I'm Joe Kruger from Department of Public Works and we are co-sponsoring the project to improve the Iao Stream, between the Spreckels Ditch and actually above Waiehu Beach Road. The portion from Waiehu Beach Road to the ocean is already lined. A portion between Waiehu Beach Road and Spreckels Ditch --

Mr. Fredericksen: Is not.

Mr. Kruger: Is not and that's the problem is the water comes down that stream so fast it just --

Mr. Fredericksen: Sure.

Mr. Kruger: Picks up all those boulders and it takes it down by Waiehu Beach Road where we -- where our bulldozer has to go and pick them back up again. So the first time we, in 2003, we just wanted to improve that part of the stream to stop the massive erosion and, at that time, there was a lot of concerns; one was they wanted to put the stream back into its natural state, which would be cost prohibitive because to put it back in its natural state we'd have to take out all those homes and industrial areas. But we went back to the books and we added that alternative, so there's like five alternatives. And in the meantime, we also had a huge -- like a design seminar. We invited specialists from all over the country from the Corps to come together on Maui and come up with a solution for the Iao Stream, for this portion that eroding, so we had different alternatives and the alternative we did pick was like a semi-lined corridor with a little stream in the middle to -- to help the -- the o'opu and the hihiwai to go upstream. So we did a draft -- another draft environmental assessment and that's what we wanted comments on.

Mr. Fredericksen: I'm sorry, Joe. Yeah, we just lost quorum. I'm sorry, Joe.

Mr. Kruger: This is just for information. There's no --

Mr. Fredericksen: Can we take -- can we get more information since he's been waiting? Yeah, go ahead, Joe, and finish. But on route to finishing, here's my primary question: Has the Corps carried out a comprehensive inventory survey of this area between Spreckels Ditch and Waiehu Beach Road Bridge?

Mr. Kruger: Well --

Mr. Fredericksen: That you of.

Mr. Kruger: Well, I have the Draft EA. I don't know if they did it or not. But the work is going to be within the stream, where it was before. We're not making it wider or anything.

Mr. Fredericksen: Okay, here's -- here's something that Corp. Counsel just suggested because we just lost quorum. I'm sorry. I thought it was going to be one. But, okay, James, could you help me out with the request.

Mr. Giroux: Well, whatever the questions are maybe you can just ask them and then he can respond in writing later.

Mr. Fredericksen: He can respond in writing. Okay. Okay, so the first question, and if you could respond in writing, then we can look at it the next time, the first question would be: Has there been a comprehensive inventory survey carried out from Spreckels Ditch makai to the Waiehu Beach Road? And I'm not just going to hog-cheese this folks. I'm just going to say what's on my mind and then please jump in. The second question would be: What

are the limits of impact in the -- in the proposed, whatever option it is, how much impact is going to occur on each bank of the stream? Because this was a question I had last time and it was because things have eroded down and etcetera, but just to get clarity on that. I've got another one that's forming. Does anybody else have a question on this that, you know, for additional information? Veronica? Okay.

Mr. Giroux: I've got a question, Joe.

Mr. Fredericksen: James?

Mr. Giroux: Does this project trigger that 106? That 106 that's Federal?

Mr. Fredericksen: It's Federal funds so there's probably --

Mr. Kruger: Yeah. I'm pretty sure.

Mr. Fredericksen: An EA.

Mr. Kruger: But see this, the draft, the purpose of the Draft EA is to get comments like this.

Mr. Giroux: To --

Mr. Kruger: Yeah.

Mr. Giroux: Get the 106 process going, right?

Mr. Kruger: Yeah, for everything. For everything that's in the Draft EA, we want -- we want comments so that we can address it --

Mr. Fredericksen: Okay.

Mr. Kruger: Before we finish the Final EA. So just -- that's all we're wanting is comments.

Mr. Solamillo: ...(inaudible)...

Mr. Kruger: Yeah, well, the problem was we went past the deadline date but she's willing to give you an extension. Well, you know, she's just, you know --

Mr. Solamillo: ...(inaudible)...

Mr. Kruger: Yeah, so --

Mr. Fredericksen: Okay, good.

Mr. Kruger: But that's what we want are comments from you guys so we can respond to it.

Mr. Fredericksen: Yeah, and I know, Joe, it's a -- it is a big problem. It's a challenge because the upper part of the stream, unfortunately, is channelized and so it's just like when it comes down - it comes down into the kind of hardened area.

Mr. Kruger: Exactly.

Mr. Fredericksen: And I know it's a -- it's a problem.

Mr. Kruger: And the way they look at it, they're saying, well, we're only working in the stream. We're not going up to the heiau. But you're wanting to know if they did an inventory.

Mr. Fredericksen: Yeah.

Mr. Kruger: So that's -- yeah, that's good.

Mr. Fredericksen: There are sites, that I'm aware of, that aren't documented, and I, you know, I don't know if they've been documented or not, but anyway, I guess we have to stop at this point, but those would be the questions that if we could get a --

Mr. Kruger: Okay.

Mr. Giroux: Take it as our comments.

(Commissioner Moikeha left the meeting at 12:48 p.m.)

Mr. Fredericksen: Yeah, comments, yeah, back. Oh, and one last comment would be to be able to look at the feedback that you folks have gotten from the State Historic Preservation Division, if any, okay? Okay, thanks, Joe. Sorry.

Mr. Kruger: Okay.

Mr. Fredericksen: Sorry, that we lost quorum. So I don't need to adjourn because we're pau.

****** Due to the lack of quorum, the meeting ended at 12:50 p.m ******

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Erik Fredericksen, Chairperson
Raymond Hutaff, Vice-Chairperson
Verna Marquez
Kalei Moikeha
Nani Watanabe

Excused

Rhiannon Chandler
Kepa Maly
Alika Romanchak

Others

Stanley Solamillo, Cultural Resources Planner
Erin Wade, Staff Planner
James Giroux, Deputy Corporation Counsel