

(APPROVED: 01/07/10)

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
NOVEMBER 5, 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 10:17 a.m., Thursday, November 5, 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. Sorry about the delay. We needed to get some papers, etcetera, the report completely copies. Welcome to the 5th of November Cultural Resources Commission meeting. Let's see, call to order, and let's go ahead and -- aren't we doing any --

Ms. Nani Watanabe: Minutes?

Mr. Fredericksen: No minutes to approve? I guess not. No minutes, Stan? Stanley?

Mr. Stanley Solamillo: No, Mr. Chair. No minutes.

Mr. Fredericksen: Okay, well let's move into Item B then, the Permit Review. Oh, I guess before we go -- we even get to that, if anyone wants to testify about any of these items that are on the agenda if you have to leave, go ahead and come forward now; otherwise, then we'll just continue. Anybody need to? Okay, come forward, state your name, and please indicate what you're testifying on.

Ms. Theo Morrison: Good morning. My name is Theo Morrison. I'm the Executive Director of Lahaina Restoration Foundation, and I'm here to support Hui O Wa`a and their Gathering of the Voyagers event. We -- this is the type of events that Lahaina really needs cause it's an authentic cultural event. I used to run the International Festival of Canoes and we held a big part of that event at that park. In the very beginning days of the International Festival of Canoes, we actually did luaus in that park and we did the same thing that the Hui is suggesting of -- with the paid luau so we had a barricade around the exterior and people paid to get in. So it's a very doable location for that. There's no complaints from the neighbors. The parking, Friends of Moku`ula is going to allow them to do -- use the parking. So that works. There's electricity in the park, and there's -- there's water and

there's -- they're going to bring in porta-potties. So all the logistics of it is a very feasible thing, and it has been done before and the CRC did approve the use. But just, also, it's a fabulous event. I hope they continue it - bringing in the Makali'i and the -- what's the other one? Hokulea is great for Lahaina. It's really, really great. So we're a hundred percent in support.

Mr. Fredericksen: Thank you. Anybody else?

Ms. Makalapua Kanuha: Mr. Chair?

Mr. Fredericksen: Yeah?

Ms. Kanuha: Before we continue on I, for the record, I'd like to recuse myself. I am one of the executive directors for Hui O Wa`a Kaulua -- the treasurer, sorry. Thanks.

Mr. Fredericksen: Understood, Makalapua. Thank you. Foster, state your name please.

Mr. Foster Ampong: Aloha. Good morning. My name is Foster Ampong. I'm currently residing in the Kahului. I am from Lahaina. I'd like to testify regarding Sheraton Maui. I understand there will be a presentation. What I would like the council to consider and keep in mind, as we go through this process, our civil factors that I feel are not only very important to the community, but I think makes good common sense. And in addition to the cultural aspect, as many of you already know, Pu`u Keka`a, otherwise known today as Black Rock, is very important and sacred to the Hawaiian people. Whenever you're discussing relating to iwi kupuna, the bones of our ancestors, please keep in mind that you are referring to a pre-contact context and -- and often I find, through my experience, that many times in the various venues, whenever there's the discussion of iwi kupuna, often it's mistaken or the context that it's being discussed in is being done in a mistaken manner; in other words, you know, the tendency is to think in modern terms, in post-contact era terms, and when you're doing that with iwi kupuna, what you're really doing is you're speaking outside of the appropriate context. That's one issue.

Another concern I have is that in light of today's economy, as we all know, I don't think it's very wise to be focusing, and I'm speaking, you know, in reference to the Sheraton Hotel, the corporation, you know, I know it's their money, they're going to do with their money as they please, but what I think a lot of people miss is they don't connect how this impacts everyone in the community. All the people of Maui no matter what ethnicity you're from. Because undertaking such an endeavor, you know, from a business perspective, is really shortsighted and short-term. And as we know -- and I will cite a most recent example and that is sugar and pineapple has died. Today we have only one more plantation left in the islands - HC&S. Just the other day, as we all have been informed by the media, Maui Land and Pine is shutting down, okay. Keep in mind, and here again I'm constructing the

appropriate context, sugar and pineapple has only existed for about a hundred years in these islands. Not to beat it to death, but the Hawaiian people in Kawahiko in the ancient times achieved a sustainable living for everyone for thousands of years. And so it would be wise to look at that direction or guidance, you know, especially in these times of economic and financial hardships, and it is the responsibility of not only the Cultural Resources Commission, but all the commissions, all the agencies of the so-called State of Hawaii to put your foot down and tell these people: Look, we do support growth. We do support the pursuit of happiness in our society. But let's do it wisely. In other words, if you feel in your na`au that any of their proposed ventures is not going to benefit the people, and I'm talking all the people again, not referring to any one particular ethnicity, but if it's going to benefit the entire community, then support it. But in the long-term, if it doesn't, and it only supports a very specific group and society, then I will go as far as to say it's not what we've been hearing or being marketed as sustainable. Okay, sustainability is all inclusive. It is not only for a few today and the rest gotta eat lepo the next day. So please -- and that's all I wanna say and I just hold the committee to be very mindful of these concerns. Thank you.

Mr. Fredericksen: Thanks, Foster.

Mr. Kepa Maly: Is it possible to ask a question?

Mr. Fredericksen: Yeah.

Mr. Maly: Sorry. Mr. Ampong, in your first point, you were speaking of iwi kupuna and you were talking about two different perspectives insight, could you describe briefly or give an example of what you were speaking of in a traditional way of addressing the iwi kupuna in a modern context?

Mr. Ampong: Sure. When I speak of the pre-contact context, as we all know, the Hawaiian community that prior to 1778, as it's been recorded by numerous travelers to these islands, beginning with Captain Cook, there were an estimated one million or so Hawaiians that were living in these islands. So at least one million human remains are buried on every island today; probably a lot more than that if you consider the fact that the Hawaiians have been inhabiting these islands for approximately 3,000 years or maybe even more. So when you're speaking about iwi kupuna that have been dug up to make way for a hotel or a business, the iwi, and it's determined and there are criteria setup in State law that can and do determine whether these remains are of pre-contact era or are post-contact era, before 1778 or after 1778. And so whenever we're discussing or talking about iwi kupuna that has been dug up and determined to be pre-contact, the context must be in the pre-contact context; in other words, we existed, a million of us at least. We achieved a sustainable society. The history has, unfortunately in the past 200 years, been rewritten to fit a particular segment of today's society. So, you know, for me, I look at the whole of society.

The whole of our community. And when I -- you know, we all know that we need information but more importantly, we need the facts of what's being discussed. I've oftentimes discovered that the discussion really is being controlled by a very small percentage that have personal interest at stake. Some of you on the committee are aware that there's a very controversial event taking place at Kula Ridge Mauka where iwi was discovered in a place that was deemed that, oh, it wasn't archaeologically culturally important, okay, but not to get bogged down with the details, this is one of the areas that, you know, context is very important. Are we talking about the missionaries and whalers and the paniolos that came into the island because when we talk about that, the construct that takes place is that, oh, that's the only people that lived on this island. And so the Hawaiians are excluded in the discussion. And what happens is the perception is that we never existed so there's nothing there. It's the same with Pu`u Keka`a. Pu`u Keka`a is very sacred to many of us. To me it is. It's part of my religion. So what has happened in the past and what is happening today really is not different for me. I go there to worship. I go there to pray. And if you must really know, I'm going there this Saturday for a very specific reason. But this is me and there's -- you know, all I'm asking is that, please, consider, you know, because I am part of this community and I hope -- I hope I answered your question in that.

Mr. Maly: Thank you.

Mr. Fredericksen: Thanks, Foster. Okay, let's go ahead and move to Item B., Permit Review, Stanley?

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

B. PERMIT REVIEW

- 1. MS. MYRNA AH HEE, on behalf of HUI O WA`A KAULUA, requesting review and approval for a new annual event (Gathering of the Voyagers) at Kamehameha Iki Park, located at 525 Front Street, TMK: (2) 4-6-002:002 and 010, Lahaina, Maui, Hawai'i (HDX 2009/0023). The CRC may approve the request, provide comment and recommendations. Public testimony will be accepted. (Erin Wade)**

Mr. Solamillo: The presenter for this is Ms. Myrna Ah Hee, and I will apologize to the Commission, she had worked on a powerpoint but brought it in this morning and we have a dated version and could not load it. So my apologies.

Mr. Fredericksen: Thanks, Stanley.

Ms. Myrna Ah Hee: Good morning, Commissioners. I'm Myrna Ah Hee. I'm the Executive Director for Hui O Wa`a Kaulua. We are requesting a permit for our annual fundraiser, basically, we're located in Lahaina Town. I had all our pictures set and poor thing. We are a cultural organization which engages and promotes and encourages participation and provides educational instruction in the Hawaiian culture through our canoes, double and single-hull canoes. What else do we have? We have our board there on the bottom. Our President, Willie K. This is our first annual event. It'll be a cultural sharing to bring awareness of the organization - let's see - to bring awareness of our organization and to introduce to the world our precious treasurers - our voyaging canoes. Tickets will be available for \$25.00. We'll begin with canoe tours at the park, demonstrations, basically knot tying and anything with our voyagers that are participating, and music will begin at 5:30 with food and drink, which will be available for purchase. Our final performer will be Lahaina's own Willie K and -- who is our president and he's a very important part of the direction that we're heading. In addition, our participants and supporters will be our modern day voyager. We will be hosting the ohana wa'a. It's our cruise from the Hokulea, the Makali`i, Hawaii Loa, and Na Mahoe, which is another canoe that's being built on the island of Kauai. So they'll all be here to show a unity and the support for our organization because we are one and we are preparing for a crew training for a worldwide voyage, so this is not just Hawaii, this is the world that's going to be accepting our canoes. Well, I had a picture of the entry to our park but, sorry, I should have -- I came early. Anyway, we'll be entering in to the park. Basically, that circle there is where we're located. We're right on Front Street so we have -- we have a parking lot, there's parking areas around the park itself, and you would enter there. We'd have crafters in our front lawn and the back lawn, and then we also have food booths and merchandise booths there. And then everything will be, like the banyan tree, I think everything is by script. No money exchange will occur outside. They'll have to come inside for scripts or I think they do a invoicing thing with the event -- the crafters where they get the item and go inside and pay for it and then they go back and get the -- okay, the front lawn, back lawn --

Mr. Fredericksen: Excuse me, Myrna?

Ms. Ah Hee: Yeah?

Mr. Fredericksen: I got a question.

Ms. Ah Hee: Yeah.

Mr. Fredericksen: How many canoes are going to ...(inaudible)...

Ms. Ah Hee: Well, actually, we, weather pending, we are bringing up Hokulea --

Mr. Fredericksen: Right.

Ms. Ah Hee: And Makali'i.

Mr. Fredericksen: And the one from Kauai?

Ms. Ah Hee: That's not done yet.

Mr. Fredericksen: Not --

Ms. Ah Hee: We're racing to finish.

Mr. Fredericksen: Okay.

Ms. Ah Hee: We're trying to finish ours before they finish theirs so -- but our Mo'olele, which is actually as old as Hokulea, she was launched in 1975, she -- we will have her fronting the ocean with the other paddling canoes and our other small sailing canoe, which actually was built at the Celebration of Canoes in 2006, so that's the waipa. So we'll have the whole staging, we'll have, you know -- I wish you guys could see, but it's -- we're on the ocean so our staging will be by the ocean, by the beach, Willie's going to be up there, and our performers, and this whole setting is just -- hopefully, if the weather's good, we'll have Hokulea and Makali'i outside of the park where you're sitting there and you're looking at this, like I hope they don't jump over the reef, but -- well, you can't see that, Mo'olele -- okay, and I think -- let's see. I think that's it. If you have any questions. Thank you for the consideration of this application.

Mr. Fredericksen: I've got one more question and then I'll shush and let other Commission Members join in. Sorry. How many crafters are you folks anticipating?

Ms. Ah Hee: Not much. We're looking maybe five to ten. We're going to make 10-by-30 booths and, you know, whatever can -- two to three vendors under each booth, and there's four, I think, sections like that, and then we have a food booth and a merchandise booth next to the hale.

Mr. Fredericksen: Questions?

Ms. Ah Hee: Yes?

Ms. Veronica Marquez: Aloha.

Ms. Ah Hee: Aloha.

Ms. Marquez: So I'm looking at the -- the purpose of the event is to raise awareness about the Maui canoe (...*Hawaiian language*...).

Ms. Ah Hee: Yes.

Ms. Marquez: So, in essence, is this also a fundraiser?

Ms. Ah Hee: It's a fundraiser, yes.

Ms. Marquez: It is a fundraiser?

Ms. Ah Hee: Yes. It's, basically, I think a lot what -- what's happened over the year is, I've been down there because -- I've, you know, been at the park and a lot of people don't know that we exist, so it's inviting these people to the park to actually -- they come by and they're like, oh, what's this? You know, and the community knows. It's just been out of sight and out of mind and just showing them that, you know, Mo'olele is beautiful, you know. Mo'okia will be -- I mean more majestic than -- I mean she's the same like Hokulea and we hope she brings the same awareness throughout the community about our culture.

Mr. Fredericksen: You've got a question, Nani?

Ms. Watanabe: Aloha.

Ms. Ah Hee: Aloha.

Ms. Watanabe: Are you guys going to have lighting too?

Ms. Ah Hee: Yes. We have lighting.

Ms. Watanabe: Okay.

Ms. Ah Hee: Actually, the park itself has lighting. It's lighted. They have along the -- our main hale wa`a, we have lighting inside and we have lighting that goes out into the park, but we will have additional lighting.

Ms. Watanabe: Very well put together.

Ms. Ah Hee: Thank you.

Mr. Fredericksen: Any other questions, Commission Members? I just have one -- one other, you know, question. Just given where the, you know, where this event's going to be held, just be cautious about attaching things too far underground.

Ms. Ah Hee: Yes, we don't plan on staking anything.

Mr. Fredericksen: Okay. Okay, great.

Ms. Ah Hee: Held down with maybe cement, you know, the tents especially, yeah.

Mr. Fredericksen: Okay, great. Any other questions, Commissioners? Okay, thank you.

Ms. Ah Hee: Okay.

Mr. Fredericksen: Does anyone from the public, who hasn't testified already, have any comments that they'd like to make? Please come up. State your name please.

Mr. Wilmont Kahaialii: (...*Hawaiian language*...) My name is Wilmont Kaumana Kahaialii. I'm the son of Manu Kahaialii. I'm actually related to the president of Hui O Wa`a Kaulua, and I'm here really to speak or to ho`ike about this part of our culture. And, you know, recent -- recently, I've been doing a lot of research and I've learned that a lot of this begins with a man named Hawai`iloa more than a thousand years ago - many, many, many years ago. And it is Hawai`iloa who built a large canoe and takes his family and friends and they leave this place called Ka`aina kai melemele a Kane. Hawai`iloa's wife is Hualalai. His sons are Maui`ali`i, Kaua`i`ali`i, and a daughter named Oahu. They set out to the open ocean unbeknownst of what life beyond the horizon but somehow they end up propagating or colonizing the islands throughout Polynesia. That is why Samoa, Aotearoa, Tonga, they're all related. And I'm really building this -- sharing this because I wanna -- I wanna kinda tie all of this together and how important this is to us and the kuleana that is placed upon you, as the Cultural Resources Commission. Having come to the islands of Hawaii, they settled here and they begin to propagate and grow, and you hear Mr. Among mention earlier that it got to the point where our population was almost a million, almost a million native Hawaiians. Now this is where it gets really cool. During that time, as Hawaii's population continues to grow, there is a story, it's an old story, but there is a story that is told by one of Captain Cook's officers. He discovers that there are several canoes that are made out of large pine, and they know that pine is not indigenous to the islands of Hawaii, so they had to come from somewhere. And so he asks one of the kahunas to tell the story, where did this wood come from, and the kahuna says, "Well, a point came in our -- in the growth or history of our people where we needed to -- we want to go back and go visit our family down south - Aotearoa, Samoa, and Tonga. So the kahuna pule. And after he pule, the next day, several logs washed ashore. They're a tribute to a gift for the gods. They build their canoes and that's how the pine wood hull ended up in Hawaii. Then Nainoa Thompson and the Polynesian Voyaging Society get this idea to build a canoe called "Hawai`iloa." And in that process, they found that they needed, in order to really build this canoe in honor of their great navigator, they needed to find some logs that were rather large, really large hulls, to pay homage to this navigator. They couldn't find any in Hawaii. So ended up going to this village, and in that village in Alaska -- was it Alaska? I think it's in Alaska, there's a large totem pole with a white eagle up on top of the totem pole, and so

Nainoa asked, you know, "What's the story behind this -- this totem pole?" And so they said, "Oh, you need to go talk to our elders, and it's the elder that tells the story of the white eagle." And he says, "Well, there came a time when this white eagle came to our ancestors, you know, our fathers and our fathers' fathers way before them, and said, "Your bothers and sisters out there need wood." So they go to the sacred forest, they do their pule, and they launched the wood. Nainoa remembered the story of Captain Cook's officers and so he told them that story. So, you see, really, the preservation of our culture, yeah, goes back thousands of years - way, way back. I see Hui O Wa`a Kaulua's mission as preserving that culture. And it's not a fundraising. It's not about generating revenue. It's about preserving an idea. You, all of you, all of us. You know we didn't just come out of the sand. Our ancestors came from somewhere starting a new way of life. They were looking for freedom. And much like other pioneers throughout the world, they set their sights beyond the horizon and went out unafraid and unabashed about what was before them and came here. I see that as a core value of what we are trying to do here, not just on Maui, but in Hawaii. And it behooves this Commission to do everything in your power to preserve that idea because it will be beneficial, not just during this next fundraiser, but for many years to come. And when Willie K, Myrna Ah Hee, and I, when we all hiamoe, and we pau and gone, we will have this to leave the legacy for many future generations to come. So ho`omau ika pono everybody. Do your work and help us preserve this core value. Mahalo.

Mr. Fredericksen: Thank you. Yeah, thanks for sharing that. Okay, anybody else needs -- would like to testify on this? Okay, I'd just like to, before we have discussion, just say, you know, I certainly support this event. I mean this is what the type of event that should be in Lahaina Town. So let's go ahead and discuss, Commissioners.

Mr. Ray Hutaff: Actually, the only comment I have is how come only day?

Ms. Watanabe: Yeah.

Mr. Fredericksen: Any other comments? Does anyone want to make a motion?

Mr. Hutaff: I move that we approve this strongly.

Mr. Fredericksen: Is there a second?

Ms. Watanabe: Okay.

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

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

VOTED: to approve this strongly.

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

(Recused: M. Kanuha)

(Excused: K. Moikeha)

Mr. Fredericksen: Okay, passed. Good luck folks. That's the kind of event we need in Lahaina.

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

C. ADVISORY REVIEW

- 1. MS. BARBARA LONG on behalf of FRIENDS OF OLD MAUI HIGH SCHOOL requesting review and comment on a new roof for the Old Maui High School Administrative Building, located at 100 Holomua Road, TMK (2) 2-5-004: 014, Hamakuapoko, Maui, Hawai'i (B T 2009-1022). The CRC may comment and provide recommendations. Public testimony will be accepted. (S. Solamillo)**

Ms. Barbara Long: Good morning, Commissioners. Nice to see all your smiling faces. I'm Barbara Long, and I've been President of Friends of Old Maui High School since its inception back 2004. Most of you know about the work that we've done out there at the campus at Hamakuapoko. If you don't, I've given you all the history book, and I expect you to read it, the test will be at your next meeting. One of the missions of Friends of Old Maui High School is to revitalize the campus and to rehabilitate the historic 1921 Administration Building that was designed by Charles Dickey and became a part of what I think is probably the best high school in the State while it was out there. It was founded in 1913. The Administration Building dates to 1921 and when the school closed in 1972 and was moved to Kahului, as you know, the campus was pretty much ignored and when we came in and cleaned it up, the Administration Building was a challenge. You can see, I hope --

Mr. Fredericksen: You see okay, Barbara, for your reading?

Ms. Long: Yeah, I'm find. I'm good. I'll wing it. On the upper right, you can see what the facade or the very front of the Administration Building looked like in about 2006, after the arson in that we had in 2004, and the aerial view on the lower left shows you what is left of a building that's some 16,000 square feet used to contain 7 classrooms, principal's office, all sorts of things, and then the extension in the back that was a library.

This is what it looked like in the early 1930's. We can date it to that because the creeping fig had not yet covered most of the building, which it did within about, oh, 10 or 15 years. When it was removed, you can see the details that Dickey incorporated in the stucco facade around the arcade in the front. Unfortunately, because it was overgrown by shrubs and trees, and then burned in 2004, the roof was complete gone but not before we had a large group of professionals up there to produce an as-built drawings. We never did find Dickey's original plans. Hans Riecke, whom you probably all know, did as-built drawings and also climbed up on a cherry picker and hand measured the cupola on the roof so that we have original dimensions for that. And then when we received a grant from the Environmental Protection Agency through Senator Inouye, we were able to hire one of probably the best preservation architects in the State, Glen Mason Architects, and he in turn hired Wally Vorfeld, who's a structural engineer, and between the two of them, they produced this stabilization plan and assessment report here, which I would be happy to answer questions about if you have any.

What I did to prepare for today was to send Stanley some of the elevation drawings and some other documentation of the site. These are drawings that show the current interior of the Administration Building, and it's a spectacular building. We placed it on the State Register of Historic Places a couple of years ago. When it was submitted to the National Register, they refused it, rejected it because of its condition as what they termed "a ruin." And our hope is that we go and reapply once we've completed the roof reconstruction and some of the other stabilization work there because that would -- that listing would then allow us to access some Federal preservation funds that would help us to complete the rehabilitation of the building.

Mr. Fredericksen: Excuse me, Barbara? Just a quick question on -- on that ...(inaudible)... have you folks been in contact with the Feds since the application on the -- for the National -- on the National Register was declined to let them know what you folks are doing?

Ms. Long: No, we haven't, and that's probably a good idea. We did, when Representative Mazie Hirono came out with her staff several months ago, we raised this issue and we are working through her office to see, first of all, whether we, with the new Administration in Washington, can have the National Register folks take a look again at our original nomination and maybe say: Okay, this has the integrity of being there. One of their comments was that the windows and doors and all were gone. Well, yeah, they're gone but they're in the wood shop. We saved a ton of things so that we'd have the profiles, dimensions, paint samples, and everything from the muntens, the emollients, the windows, and all that. So we have doors. We have the original metal grates that covered - and I don't see them there - but there were pukas around the base of the building for ventilation. So, yes, we have responses to several of the issues that they raised and we would like to readdress those because funding to put this roof back on dried up in the pipeline last year and probably won't be turned loose now until this whole economic thing is over.

Mr. Fredericksen: Well, there's probably a more - let's see, how can one put it? - farsighted administration in the, you know, at the national level that's going to be looking at this.

Ms. Long: That is definitely our hope. Another issue that they raised was that it should be compared with other buildings that Patsy Mink was -- had --

Mr. Fredericksen: Associated with.

Ms. Long: Associated with on Maui. There are none.

Mr. Fredericksen: Yeah.

Ms. Long: There are absolutely no other buildings on Maui. So I think that we're going for that and if that fails, then we will hope to re-approach them once we have the roof. The reason why we need a roof is that because of the conditions in Hamakuapoko, the rebar in the original building, though the building is structurally stable and sound enough to take a new roof, some of the rebar began to rust; when it did that, it expanded causing spalling in those skinny mullions between the large windows. To remedy that, we also used part of the EPA funds, a little over a year ago, we worked with a specialist and used a coating substance that was supplied by Endo Painting, they did brush blasting, which was a very delicate sand blasting with a different substance, and cleaned off the rebar that was exposed, coated it, and, hopefully, that will prevent that condition from continuing for another couple of years until there is some funding available.

Next. Okay, that's the floor plan that shows what the building contained, and also you can see how the gable roof, and the cupola right in the center of the building, and then the next ones show you the elevations, which basically replicate what you saw in that 1930's photograph. The roofing, the original roofing material was wood shingle. As you know, we can't do that anymore, not that we'd want to, and we'll most likely use similar asbestos shingles that you folks approved for the Mantokuji Temple re-roofing, which would give it the same look.

Foundation plan, thank you. I don't have my long-range glasses on. First floor framing plan. We do have full-size construction drawings here and I did bring the specifications that Glen Mason proposed if any of you would like to examine those. And that is roof framing. And I would welcome your suggestions and your support.

Mr. Alika Romanchak: Barbara, the last type that you mentioned about the roofing materials, how -- have you looked into how that is going to affect your re-application or -- to the National Historic Register in not -- in the fact that you're not using the same material?

Ms. Long: Not replicating the same material. That's why I'm hoping that we can get on the register as we are now. It may be an issue. But from what I understand, the County of Maui does not allow wood shingles in historic buildings. I think that was what I heard when the Mantokuji Temple application was here. This particular application is for stabilization, re-roofing, and what they're calling "mothballing," and that would be sufficient to protect the walls, the rebar, the situation the way it is for many years; until the master plan that we have is implemented to create the Patsy Mink Center for Environmental Education and the rehabilitation of this building then can meet the needs that it will have as the Patsy Mink Center. But what we're doing now is to try to preserve this historic building, which is either the first or the second building of this kind of Mediterranean design in the State of Hawaii, the only one, the first one on Maui, and a very, very special building, not only historically, but to 4500 or so alumni who still cherish that place.

Mr. Romanchak: I guess I was just, and I'm sure the architect has done their homework, I imagine that the fact that they can't use wood shingles has to do with the type of construction and the proposed use, but I would -- I would be concerned that by not putting wood shingles on that, you would, you know, somehow --

Ms. Long: I appreciate that and I will try to determine that before we get to a final decision.

Mr. Romanchak: Yeah.

Ms. Long: One of the things that we're going to do, obviously, is sprinkler the building, and I believe that in Glen Mason's correspondence with our permitting department here, they were concerned about that and he said that, yes, we will, when we do this, we will build in the sprinkler then.

Mr. Romanchak: Yeah, I think it'd be good to be clear about why you're not allowed to put wood shingles on so that when you're in your application, if that becomes an issue, you know --

Mr. Fredericksen: It's already known.

Mr. Romanchak: It can be -- it'll be clear as to why you guys are making that decision because I think everything else looks great, you know, that obviously you guys have done your homework as to what the original details and -- and --

Ms. Long: Oh yeah.

Mr. Romanchak: And roof ...(inaudible)... is like and so I think that's all fine, but I'd be concerned -- you know, they have all those guidelines about how to restore a building --

Ms. Long: Oh, I know the Secretary of the Interior wants, yeah, wants what it was. However -- well, we'll see. Stanley, do you happen to know?

Mr. Fredericksen: Barbara, if that is indeed the case, if it would be a, you know, a block if you will from the County's side in using a certain material type, if that could be documented, then that certainly would -- you know, I can't imagine that that would be used against you folks if it's something that you can't, you know, you're not allowed to use that because for safety reasons or whatever.

Mr. Romanchak: And they -- I mean I think the architect could also pursue, you know, they allow thatched roofing on structures where they otherwise wouldn't if you sprinker it, you know, you're sprinkling the roofing and the thing, so I mean there may or may not be ways around -- around it as well.

Ms. Long: We do feel a little vulnerable right now surrounded as we are by sugar cane but that's not going to be there forever. So, yeah, good point. It'll be interesting to follow this through.

Mr. Fredericksen: Any other questions or comments, Commissioner Members?

Mr. Maly: Mr. Chair?

Mr. Fredericksen: Yeah, go ahead.

Mr. Maly: Is there -- I was -- thank you for explaining a little bit more about what the proposed use would be and it's sort of you said a "mothballing" cause, you know, that's critical. It's a beautiful building. I was last up there, you know, maybe four years ago. But I think it's, personally, I think it's a great opportunity to keep a part of Maui's history and adaptively reuse --

Mr. Fredericksen: Reuse --

Mr. Maly: Yeah, adaptively reuse. You know, we tend to live in a throw-away culture in these modern times and it's nice when we can -- I think it adds value to our own lives and if we have the opportunity to, as we said, adaptively reuse these kinds of facilities, they keep us in touch with place and the lives of those who have built the community that we live in, so thank you for the work.

Ms. Long: Thank you for the comment.

Mr. Fredericksen: At this point, Barbara, okay, you folks are -- you're proposing to put on this new roof and then you're going to put on the plywood sides as part of the mothballing process?

Ms. Long: We -- we did use a grant, a small grant, that we had to cover the readily accessible openings. All the doorways, the pukas around the bottom are closed in with painted plywood according to Glen's plans, and he included the schematics for that in his construction plans. The larger window spaces, wherever they are, well the transoms and the other ones, will have to wait until the roof goes on and the idea being to keep that water infiltration, to keep out vandals and keep out birds and other critters, and basically preserve what's there.

Mr. Fredericksen: What do you folks think about this? I mean I think it's a great idea. As Alika pointed out, you know, the roofing, that may ultimately be some sort of any issue but on a National level, I mean it's already on the State Register right? And I understand why you folks would like to have the National listing. I mean it would just be -- that -- you know, just another notch up and it also provides some -- some more --

Ms. Long: Funding.

Mr. Fredericksen: Some more help. Yeah.

Ms. Long: Yeah.

Mr. Fredericksen: At this point, when do you anticipate trying to do the roof itself, like one, two, three, four, five years? Just real broad brush stroke.

Ms. Long: Two or three.

Mr. Fredericksen: Uh-huh.

Ms. Long: Two or three. We haven't given up on some of the -- I mean we had a State grant in aid that would have provided maybe a third or a little more of the funding. The Governor has not released that money and won't. We thought that we had some Federal funding but when Congress finally passed that onto this budget last January, our funding was not in there. We are currently working through the offices of Senator Inouye, Representative Abercrombie, Mazie Hirono, and Dan Akaka to at least say: Let's at least try to preserve the building so that when money is available, it'll be there to preserve.

Mr. Fredericksen: Yeah.

Ms. Long: Cause, as you know, the weather down there is not the best for preserving stuff; though we don't have to worry about termites.

Mr. Fredericksen: Yeah.

Mr. Hutaff: Yet.

Ms. Long: Yet.

Mr. Hutaff: Maybe not in too much detail, but can you kind of explain or bring me up to speed as to what the end use of the building will be?

Ms. Long: Yeah, why don't I give you this - lend you this.

Mr. Hutaff: The master plan.

Ms. Long: Yeah.

Mr. Hutaff: Well, I kinda wanted the real small version.

Ms. Long: I'm going to be brief. The idea is to reuse, recycle, rehabilitate the entire campus, which is about 23 acres, about half of which contains 12 or 13 historic buildings, which may extend more than 50 years - some are ugly; some are not - they're mostly pretty usable, and to create a facility that would emphasize, not just for the Maui community, but for the State, for professionals, adults, children, homeowners, whatever, sustainable concepts from personal sustainability, which means how you behave as a parent and how you manage your checkbook, to how you live in a plantation house, and not tear it down, but rehabilitate it so that it's comfortable to live in with energy efficiency, sustainable methods; how communities work together to sustain themselves, and how we spread this knowledge around throughout the world, from school children on up; to encourage the world to be a better place; to improve quality of living; to emphasize recycling, sustainable living, greenness, etcetera; to bring together organizations that are already doing that into one place, and to foster it as widely as we can. And the Administration Building that would house offices, classrooms, restrooms, pretty much the same as it was.

Mr. Hutaff: So, basically, it's still going to become an education facility based upon today's needs in the world using the old concept of school and the restoration of this particular school to point out that it's being done - it has been done?

Ms. Long: Yeah, it would be an actual -- an entire demonstration work in progress.

Mr. Hutaff: Perfect. Thank you. You can have the book back now.

Mr. Maly: Ms. Long, also being -- being a school to public use, historically as built, who holds the title to the land?

Ms. Long: Oh you would bring that up. The land, technically, was set aside by the State of Hawaii in 1974 by an executive order to the County of Maui for specific uses, which were then being used by the University of Hawaii, which utilized part of the campus for its College of Tropical Agriculture. When they moved out, and when Friends was formed, there was a task force under Mayor Alan Arakawa that adjusted the use under that executive order to include social services. Pretty much it's under County control and Friends has been authorized, by Mayor Tavares, to proceed with implementation of the master plan and we've been authorized to apply for the various land use changes that are necessary so that we can obtain building permits, etcetera. It's -- you don't want to know.

Mr. Maly: So it is actually an interesting issue. So is the property actually originally then a part of the ceded land assets that then the State expunged from its books to provide to the County and --

Ms. Long: I don't think so but I do not know for sure.

Mr. Maly: You know, I'm just thinking that it may also lend itself to other sources of support, you know, in a funding base but, you know, it would interesting to see. So this wasn't a part of the A&B complex that they converted to or donated to school use say in the 1913's or something or do we know was it part of a ceded land?

Ms. Long: It was, I believe, originally part of A&B.

Mr. Maly: Okay. So it would be interesting to see, you know.

Mr. Fredericksen: Yeah, it's interesting.

Mr. Maly: Yeah.

Ms. Long: Interesting point. I should come here more often.

Mr. Fredericksen: If you have --

Ms. Rhiannon Chandler: Yeah, Barbara, you mentioned that it's a 23-acre campus and it has 12 or 13 buildings that are over 50 years. I was just wondering what is listed on the State Historic Preservation is it the Administration Building or --

Ms. Long: Only the Administration Building at this time; though I did have a volunteer who said that he would want to put the -- attempt to nominate the entire campus.

Mr. Fredericksen: Yeah, if you had the complex listed on the register, that might give you a broader net as it were to try to, you know, capture additional funds. I don't know if you folks have -- have thought about it or actually are proceeding down this -- a possible avenue but it might be worthwhile to look at the Department of Energy, what kind of funding they may have for -- for this sort of a project because it does have -- you know, one of the focal points will be, I'm assuming, is, you know, the energy conservation sustainability, etcetera. They might -- my oldest son had an internship this summer, he's in college, but he had internship on the -- in Northern California and it was one of these grants that came out, I believe, it was out of DOE to the utilities for, you know, sustainability in everything. So there might be some funds floating around out there if you can find out what esoteric, you know, avenue you're going to have to take to get to it, but the DOE may have some funding available for something like this cause it's very unique. It's certainly unique in Hawaii --

Ms. Long: Oh yeah.

Mr. Fredericksen: And probably elsewhere in, you know, elsewhere on the Mainland too.

Ms. Long: Yeah, there are similar models that we looked at in the focus groups when we did the master plan on the Mainland but nothing quite like this and nothing quite like what we have planned. And I will say that Victor Reyes, who is the County's energy guy, has been working with us --

Mr. Fredericksen: Good.

Ms. Long: On this and keep saying, "Yes, there's money. Yes, there's money." We're talking wind energy; we're talking photovoltaic; we're talking recycling gray water; we're talking all kinds of stuff.

Mr. Fredericksen: Yeah, I mean it could be -- I mean the possibilities are really very intriguing. It's just a really neat resource.

Ms. Long: It's a very, very exciting project and the information is coming at us almost too fast so -- but, first of all, we've got a roof on and save this building.

Mr. Fredericksen: You've gotta get a roof on, yeah. Any other comments from the Commission?

Mr. Hutaff: One question. Where can I get that book besides you giving it to me? Don't give it to me.

Ms. Long: The master plan book?

Mr. Hutaff: Yeah.

Ms. Long: I'd be happy to lend it to you but we don't have a lot of spare ones. We do have it on CD. Okay. Would that be -- would that do?

Mr. Hutaff: Oh, that would be excellent.

Ms. Long: Anybody else want one?

Mr. Fredericksen: It'd be nice if the Commission could have a copy, or maybe the Planning Department, and we could maybe get -- the ones on the Commission that would like to have it or at least have access to it.

Ms. Long: Okay.

Mr. Fredericksen: If that works.

Ms. Long: We would certainly --

Mr. Fredericksen: Talk with Stanley and --

Ms. Long: Certainly take care of that. Be delighted.

Mr. Fredericksen: I'd like to -- this is advisory and everything, I'd like to just explore the possibility of writing a letter of support, I mean assuming the Commission feels that way, supporting this, you know, the overall endeavor. You folks -- is that --

Mr. Maly: So is that a motion? So moved.

Mr. Fredericksen: Maybe we could --

Mr. Romanchak: When you say writing a letter in support, who are you writing that letter to?

Mr. Fredericksen: Yes, Barbara?

Ms. Long: This is budget season and I would not mind at all asking the County, in their next fiscal year 2011 budget, to put \$500,000 in there for re-roofing Old Maui High School and a nice letter from you folks would go far to support that.

Mr. Fredericksen: Letter to?

Ms. Long: I don't think we'll get it. To the County Council and the Mayor.

Mr. Fredericksen: Okay.

Ms. Long: I don't think we'll get it given the situation, and I totally understand that, but it would be good for them to get one of them this year and then another one next year.

Mr. Fredericksen: How about something generic that could be -- maybe you folks could present funding --

Ms. Long: To our Federal delegation and -- sure.

Mr. Maly: ...(inaudible)... part of a packet.

Ms. Long: Please.

Mr. Fredericksen: Okay, we've got a motion. Alike, are you -- does that feel more -- we've got some direction.

Mr. Romanchak: No, I just wasn't sure what ...(inaudible)...

Mr. Fredericksen: Yeah, thanks.

Mr. Maly: To whom.

Mr. Fredericksen: Stanley, how's -- does that --

Mr. Solamillo: That's fine.

Mr. Fredericksen: Okay.

Mr. Solamillo: If you wanna do one letter in a --

Mr. Fredericksen: I think to -- one to the County -- go ahead, sorry.

Mr. Solamillo: If you want one letter that's specifically the Mayor and to Council, as well as a second letter that can be used for fundraising purposes, we can generate that. That'll be generated for your signature.

Mr. Fredericksen: Here's a question for Barbara. Would it be for the -- the one to go wherever, would it be, in your opinion, for effective to have it addressed directly to you folks, the generic, if you will, letter of support - that one? For the Friends?

Ms. Long: I think if you addressed one to us and one to the Mayor and Council, it would then work very well for us.

Mr. Fredericksen: Okay.

Mr. Maly: See cause what will happen is the generic letter can become a part of a packet where --

Mr. Fredericksen: To wherever.

Mr. Maly: And these are the kinds of support that have been gendered or something --

Mr. Hutaff: We should also put it to where not only we are standing behind and supporting it, but we're encouraging the support of others, you know, whichever the Council, Mayor, the generic one that goes to them where we're encouraging them to support, not just saying, "Hey, we support it." But we also encourage your support.

Mr. Fredericksen: Yeah, encourages broader support. Okay, we've got a motion on the table or whatever. Any second?

Mr. Hutaff: I'll second it.

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

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

VOTED: that the Commission write letters in support of the overall endeavor of the Friends of Old Maui High School.

Mr. Fredericksen: Okay, motion carried. Stanley, that'll be great if you could do those two letters: One to the Mayor and the Council, and then one to the Friends of Old Maui High School. Any other comments from the Commission? Thanks, Barbara.

Ms. Long: Thank you all very much.

Mr. Fredericksen: Does anyone from the public have any comment they'd like to present?

Mr. Kamanu Kahaialii: Aloha. Once again, my name Kamanu Kahaialii. I just wanted to followup on the question that was asked about the title, and I just wanna kind of preface this by letting the Commission know that that is really a very good question and it wasn't answered. So I understand you never got the answer to that question and so you need to

either investigate it or hold this group responsible and have them investigate it before that letter goes out approving this until that gets answered because what may happen later on down the road is you might have a lineal descendent who's born 20 years from now and according to law, those rights, those lineal rights to that land is never extinguished. That's still in -- that's still in 7-1, 172-11, 172-12, that's all supported by statutory provisions. So you guys really need to take a look at that. Now the other part of law is let's say you approve this, the project gets developed, 20 years down the road this person comes forward and says, hey, I have a claim on the land, but there's already a development. Guess what happens? They lose. And this Commission failed to do their judiciary responsibility to protect that right, yeah. Cultural Resources Commission. I think we, as kanaka maoli, are part of that. You have a duty to ensure that our rights are protected. It's our culture. And if you don't protect it now, and what's to say that we can trust you to protect our rights 10, 20 years down the road? So I just -- I just want to put you guys on notice because I heard that question and, all of a sudden, I was like, whoa. So I just -- I just want to put you guys on notice because I heard that question and, all of a sudden, I was like, whoa, that's right. What about title? One of the problems we do a lot of, and I say "we" because I think native Hawaiians are just as guilty as non-native Hawaiians, is whenever the issue of title comes up, we leave it to the lawyers. Half the time the lawyers don't really know the answer, but they know how to protect development, they know how to protect the government, but what about the people who are the host culture whose blood flows through this land? What about our rights? I am all for development. Now I think we need to progress and move forward. We're in the 21st century. However, I do not want to do it at the expense of those who have been born here, lived here, loved here, died here, and was still waiting for the right to be protected and preserved - all be it perpetuating. So until you get that question answered, I wouldn't approve it just that you can do this, you can move forward with a clear conscience. I think it's great. But again, get the question answered. You don't want to be known as the Commission who went ahead and flew -- you know, passed everything and never got any of your questions answered, especially when it comes to title or the rights of the people. Mahalo.

Mr. Fredericksen: Thanks. Any questions? Well that's certainly food for thought.

Ms. Watanabe: That is.

Mr. Maly: Yeah, so I'm just -- I can't answer it with authority but having done extensive archival work into A&B and the Maui Land and Pine collections as parts of cultural assessments for them, I know that they were anal in their recording of land and I believe in the genealogy and history and how things were handed down, there's an incredible asset sitting there that most people know nothing about because it's not public record right now, but the important part is I believe, from memory, that it was land that was donated to that purpose that had already had clear title on it but, you know, you're absolutely right. It would be a very important thing, and it's not that difficult for the Friends to do a quick -- quick

review of Bureau of Conveyances, you know, just look at title sheets that the history sheets are available down here at the RPTO office and you can take the TMK and go look at the history sheet. It'll begin to give you the record of library book and pages numbers. You know, you'll be able to take a fairly quick look at it and start that research right on Maui and finish it up in Honolulu.

Mr. Fredericksen: Go ahead, Alika.

Mr. Romanchak: My understanding is that we're not approving anything today.

Mr. Fredericksen: Yeah.

Mr. Romanchak: We're providing comments and we've authorized a letter of support of their mission but that we're not actually approving --

Mr. Maly: Yeah.

Mr. Romanchak: This.

Mr. Fredericksen: The permit, per se --

Mr. Romanchak: Permit today, huh?

Mr. Fredericksen: Cause there's not anything that --

Mr. Romanchak: Yeah.

Mr. Fredericksen: And then now we'll pass this over to our resident -- okay, James. This is what those benefits --

Mr. James Giroux: Yeah, that is definitely an issue that's going to come to loggerhead, you know, since a Supreme Court case have come down and, yeah, the County is going to have to -- to really, you know, start to look at, you know, what assets we're holding that may be tied to that. So it's going to be an interesting times, you know, so it really is going to be incumbent, you know, on us to understand that that issue is out there. You know, as far as solutions, that's going to be up to the commissions and the, you know, and the decision-makers as far as how -- how to preserve that. And, yeah, we've kind of run into it in the zoning arena; we've run into it in, you know, community planning issues; we've run into it as far as how to, you know, how to deal with that. How to deal with, you know, the idea of entitlement versus ownership and a lot of times it comes down to are your general plan and your general planning concepts of what -- what is the applicable use or proper use. But, again, you're going to have western and pre-diametrically opposed ideas and that

really is something that has to come to the forefront as far as the sensitivity and decision making.

Mr. Fredericksen: Okay. Oh, go ahead, Ray.

Mr. Hutaff: Yeah, I really liked what he said. It was half -- it was a vote behind. But I think that maybe the Commission, from now on, really needs to take his words and the consideration because, you're right, we're are in support of the project because of what it represents, and I think that's what we voted on is to issue a letter of support. But at the same time, as a Commission, we also supposed to be the protectors and we didn't think of that, and he brought it up, so maybe from now on, we need to kinda really think about what we're agreeing to or supporting, I don't know really how to do it as far as a vote goes or how a discussion goes, because everything that we do here could fall under what he was saying, and everything we've done in the past, and probably a few things we'll do in the future, but that is really a good thing and we need to really consider, like he said, the blood that runs through the land. That I think is important for us to keep it at the top of our head. So I really liked what he said and I hope he comes back more often. I mean we should ask him before we take a vote to kinda comment because it certainly would be good guidance for all of us.

Mr. Fredericksen: Now, going back to James again, any other comments? Okay, as a Commission, if we're supporting a -- an organization that is trying to, in this case, you know, restore -- restore this, you know, this whole building that's got a lot of, you know, merit, and then there's this there apparently could be a title issue, probably not, but could be, I mean, you know, without, you know, without proof, you know, it's not an absolute, I mean what does that do to us trying to support something that what appears to us seems to be all, you know, good and what the goals are, etcetera, the sustainable -- environmental sustainability center, whatever label one wants to put on it, the Patsy Mink Environmental Center or whatever?

Mr. Giroux: I'm going to be a good lawyer and rephrase your question. No. I really think that what was stated on the record it's really important because, in cultural preservation, a lot of times what we're dealing with is information deficit. And the title issue is really -- it is an amazing history, you know, I think Kepa's, you know, experienced this where you go into the archives and you actually find out the names of the people who lived there, and you find out what was done historically on the property, and you really are exposed to the historic context of a part what in western land we call "parcel," as in ancient times you would say, you know, ahupua`a or your moku or -- you know, and you see this loggerhead of thought and I think for this Commission to actually be sensitive to that idea that you wanna clear that deficit, you know, to ask for the information, to ask for the work to be done, to say, you know, we'd like to see the historic context of this land before we make that decision. You know, and -- and I think, you know, just getting to the clearing up is it --

is it part of the ceded land? Is it part of the Crown Lands? You know, how did -- what is the history of how -- how did it become a school? How did it get taken out of, you know, your A&B context? How did it, you know, be transferred? And that's part of doing a cultural survey is to find, you know, not only the legal title, but the cultural context of the land, and that's kind of how you preserve something is to -- you actually find out what the information is that you don't know and you spend the time and energy to go and find out, and that's part of the preservation because, obviously, there's a school there now, and it's dilapidating, and that's what we see, that's what we see with our eyes, but with history and archaeology and doing even legal research, you see layers upon layers of culture, and that's part of the preservation, you know. By actually looking at what's there, preserving what's there now, and digging back and using all of the resources that are at hand, you know, and that's why we have -- you know, from every different field - history, archaeology, you know, cultural practices - because in western training, we're all sent out there to learn our thing and we're missing so much, you know, we miss so much from other professions and other training, you know, and that's kind of the problem of being trained in a western education as opposed to cultural contact because that's not how the world looks. The world is not just one line. It's circular. So we have to be able to take in multiple -- multiple forms of information, and that's part of the preservation. So I think, you know, in that context, I hope I answered the question that I re-framed and then tried not to answer.

Mr. Fredericksen: I will say that this project has been a long -- it's been developing for some time and, Barbara, I've got a question for you. Can you come back up? You folks went -- you folks did studies. When was it? When -- didn't you have some work carried out? It's been some time ago. I think it was when I was on the Commission the first time.

Ms. Long: Yeah, I was going to raise that issue. We prepared a draft environmental assessment.

Mr. Fredericksen: Right.

Ms. Long: And in the context of that did the archaeological studies, research, whatever, and then also a cultural analysis. I believe that 14 trenches were dug out there. Didn't find a thing. And in the cultural report that Jill Engledow did was not able to find anyone who remembered any kind of Hawaiian use of the site or anything significant there.

Mr. Fredericksen: And when was that? That was like in ...(inaudible)...

Ms. Long: Oh, a year ago. No, just recently.

Mr. Fredericksen: Oh, it was more recent?

Ms. Long: Yeah. Yeah.

Mr. Fredericksen: I thought you folks did something earlier than that too, or maybe that's when you came, when I was on the Commission the first time, and you folks were advised to go do that -- do that, you know, that work. Okay, but so this EA has been --

Ms. Long: Oh, okay. Thanks. Yeah, I'm very lucky. One of our consultants is here. We did, at the request of I guess it was the County, the County requested the University of Hawaii to do an environmental investigation, which means, not an environmental assessment, but an investigation of possibly hazardous materials --

Mr. Fredericksen: When it was NifTAL and stuff?

Ms. Long: And things like that from when it was NifTAL and U.H. used it. And then, with our EPA grant, we also did a phase two environmental investigation that went out to the former high school ag fields, parts of which were used by U.H. to see if there was any kind of contamination there, and we got a clean bill of health - I mean the site got a clean bill of health on that, so that may be what you were thinking of. And then we did the draft environmental assessment as part of our application for the land use entitlements, and in the context of that, did the archaeological survey and the cultural survey.

Mr. Fredericksen: Okay.

Ms. Long: Neither of which discovered anything.

Mr. Fredericksen: Any questions, Commission Members? Okay, thanks, Barbara.

Ms. Long: Yep.

Ms. Kanuha: I just wanted to make a comment, not for Barbara, but thank you very much, Barbara. Mahalo nui no e kokokoa ina maiao Kaumanu Kahaialii to keep us in check and to --

Mr. Fredericksen: Yeah.

Ms. Kanuha: And to continue to remind us what is our kuleana as a Cultural Resources Commissioners to preserve and protect. So mahalo nui for that. And so my understanding is that this building is sitting where the University of Hawaii was situated or is that --

Mr. Fredericksen: They reused the facility.

Ms. Kanuha: Oh, okay.

Mr. Fredericksen: U.H. came in, I can't remember when it was, but I think they left - it was in the '70's is when they kind of -- or what '80's when they left? It must have been in the '80's or maybe '90's.

Ms. Long: Oh no. They came in 1974 with a lease, Elmer Cravalho was Mayor then, they did not lease the Administration Building. That was not part of their kuleana so that's why it disintegrated the way it did nor did they take care of the teachers cottages or the ag buildings of most of which were either torched or demolished, unfortunately, and they were out of there in about 2002. They kind of walked away from their lease and I've not been able to find any formal documentation of it.

Ms. Kanuha: Thank you, Barbara. Well, my question was because the University of Hawaii Manoa sits on ceded lands so that's where the question --

Mr. Fredericksen: Yeah, they were like a tenant.

Ms. Kanuha: Yeah so --

Mr. Fredericksen: Yeah, at that point. Yeah. And like Barbara said, they did have some toxic, potential toxic issues, which, you know --

Ms. Kanuha: So it would be very interesting to find out what the mo`oku`auhau is for that aina. It's just my comment.

Mr. Fredericksen: Yeah, and I think, Barbara, it would behoove you folks to, as Kepa, you know, suggested, make sure that there's -- you know, get the facts on what the title of land is.

Ms. Long: Oh, yeah.

Mr. Fredericksen: You know, we, of course, I believe as a Commission, would like to know that.

Ms. Long: We would too.

Mr. Maly: And just to -- a part of -- a part of that is just that if it is a part of a facet of the ceded lands assets, the State isn't absolved from its responsibility or, potentially, the County as well, and this is sort of a unique situation in that whenever you have lands that were to the public good - schools, roadways, you know --

Mr. Fredericksen: Like this would be ...(inaudible)...

Mr. Maly: That's correct, which is why it lends itself or the question really arise. Where it doesn't arise if you've got a land that was a royal patent grant or kuleana or something issued to someone and you can track the history easily. There's just a different level of significance though in the ceded lands assets, you know, and also then are people absolved of responsibility, you know, for -- for care of or supporting, you know, adaptive reuse of resources.

Mr. Fredericksen: Okay, thanks. Any other comments? Thanks, Barbara. Oh, sorry.

Ms. Marquez: This is for the Commission.

Mr. Fredericksen: Oh, okay.

Ms. Marquez: So with this additional mana`o, are we - help me understand, Commissioners, that we will not write these letters in support until that additional mana`o comes in? Or do we pursue it writting it to them?

Mr. Fredericksen: Well, why don't -- let's discuss. That's something that --

Ms. Marquez: That's the question?

Mr. Fredericksen: Yeah.

Ms. Marquez: Okay.

Mr. Fredericksen: Now --

Ms. Marquez: So, that's my question?

Mr. Fredericksen: Other comments, Commission Members?

Mr. Hutaff: We don't always do things in the right order, okay. My understanding of what we did is we've already supported the letter, okay. I think the issue is that he have brought up extremely good issues. But one of the things he said too is that, even 20 or 30 years from now, if somebody, you know, comes up and says this land was mind, it doesn't matter whether the TMK showed it or the contract showed it or, you know, whatever showed land use or ownership at that time, you can't take away a person's right just because they now have ownership of the land on palapala, okay. And I think that all those issues or that issue in itself goes across everything that there is here in -- in Hawaii and our goal was to look at what Maui High School, the old Maui High School was about and make a comment and suggestions on what to do about it, and we did that, okay. So I don't think that anything really can change. Do you, Mr. Attorney? We've already, you know, kind of voted on it.

Mr. Giroux: Okay, now you're going to make me go into *Robert's Rules of Order*. This is crazy.

Mr. Hutaff: Thank you.

Mr. Giroux: Okay, you guys, as a Commission, if you come to the determination with the new information that you received you want to relook at the matter, you can do a motion to reconsider. The person who voted in the prevailing motion can make that, get a second, and then you can put the -- put the item back on the table, and you can have full discussion with your new information and then another motion can be presented to be seconded and discussed and moved. So you can -- the motion to reconsider is something that is taken up as your germane motion. Do you want to raise revisit this with the new information that you received? And the parties who voted for the motion, the motion that passed, have a right to have their decision, because we're still in the -- we're still in session, so you can -- you can review it, you can, you know, if it's not a done deal written in stone, can't go back, you can use *Robert's Rules of Order* to bring it back on the table, discuss it, if the motion to reconsider passes, so, you know, you can if you want. You know, you're not stuck with your -- with your decision as long as the people who voted for the motion -- one person makes a motion to reconsider, and one person seconds it, and you get five votes to reconsider, then you can open it up for discussion again as if the motion hadn't passed, or if you wanna add amendments, or if you wanna do anything to cleanup your past act.

Mr. Hutaff: Cool.

Mr. Maly: May I just ask a question? Going through that process, is one way to do it. Is it possible for the Commission to request that prior to writing of the letter, so say within the next's month time, that that simple search of at least what is readily available through library, you know, Bureau of Conveyances, just to understand, you know, is this a land that A&B secured and well -- A&B, EMI, whoever, you know, documented what they were -- the chain of title, how they came to possess it, and then gifted it to the Board of Education in 1913 or whatever it was, or was it from the ceded land asset that the Territorial Governor at the time deeded to, you know -- anyway, we'd be able to find that out and is it possible to just take that -- that approach as well? Cause the idea of the concept, and it's just an ongoing use of the same thing that was always planned at that place - education, the betterment of public welfare, public good, okay. So the concept is the same. What we're trying to do is figure out a way to ensure that the asset isn't completely derelict or destroyed, right? So it may be another way rather than revisiting the entire thing, can we simple request that prior to the writing of the letter, that a review of that land history is provided, or is that possible for us to ask?

Mr. Giroux: Yeah, right now I guess the issue is is do you want that title search to be a condition precedent of the letter, and if it is, you probably want to at least get it back on the

table to add that condition, otherwise, you're going to have an act that's going forward, and then it's basically a subsequent request that will have no affect on that act. So if you -- it depends on how closely do you wanna tie -- tie that condition of a title search to the writing of the letter, and that's gotta be determined by the body, I mean and that's why even if you do a motion to reconsider, it doesn't mean it's a motion to -- to nullify the act. It's just to add a condition but you would need a motion to recommend -- I mean to reconsider.

Mr. Fredericksen: Okay. Let's let Stanley weigh in on this.

Mr. Solamillo: Not to open up a can of worms but --

Mr. Fredericksen: But we already opened a can of worms.

Mr. Solamillo: Well, I can address that in a subsequent comment. The Commission has made a decision, correct, so there are several ways to address the new information that just came in. Instead of trying to revisit the decision that you already made, you can instruct staff to tag this property that before they get a permit, they have to produce this chain of title that you're asking for because I mean that's what's being asked for --

Mr. Fredericksen: Okay.

Mr. Solamillo: Is a complete chain of title, and if that would satisfy Corporation Counsel.

Mr. Giroux: Stanley, what -- I mean what other review is going to --

Mr. Solamillo: They have to go get a building permit in order to build the roof and in order to do any stabilization work.

Mr. Giroux: And is that something that in your Department automatically triggers a review by the Commission, this Commission? Is that -- it standard? I mean --

Mr. Fredericksen: No, he said it would tag it. You could tag it.

Mr. Solamillo: No, I mean all I'm saying is that in this particular instance, I can flag this property in the computer system as well issue a memo intra-departmentally that says, you know, no building permit should be issued or can be issued on this without this piece of paper or this information. That way, the public concern as well the Commission's concern is addressed without having to revisit and, in some way, adopt, nullify, or, you know, your most previous action on which was to do the letters.

Mr. Fredericksen: Okay, how's the Commission feel about that? Everybody --

Mr. Romanchak: I would wonder that --

Mr. Fredericksen: Okay, Alika?

Mr. Romanchak: If we couldn't ask the Friends or somebody to go and do the research and if after they do it, it's unclear, then we -- we tag it. But I mean until we -- we have some information before us that we can say it's unclear, I'm not comfortable with it. Perhaps, you know, we try to get what information we can first and it may be very clear and we are comfortable with making our recommendations and approvals based on that information. And if they bring it forward and we're not comfortable, then, at that point, we can flag the property as Stanley's --

Mr. Fredericksen: Any comments on that?

Mr. Maly: Just real quickly. It could probably be resolved fairly quickly. History sheets from 1933 to 1987, basically. You can do down to ArcPTO today and pull those records and you would know the basic references in the Bureau of Conveyance Liber or page number, so it's not going to be a difficult process for -- for someone to go through, just a couple of hours, and then you're going to have to have someone in Honolulu or call and pay, you know, for Bureau of Conveyances to pull the Liber references for you or if you've got a Liber, you can go through a little side business that Title Guaranty has where they actually -- Docutrieve will go and pull the documents for you.

Mr. Fredericksen: Walk it through.

Mr. Maly: Yeah. And it's just something you can at least have hard copies of everything. And Docutrieve is a sub of Title Guaranty but they'll provide you with records at a rather nominal fee if you've got the Liber and page number references.

Mr. Fredericksen: And we're not trying to torpedo you folks, Barbara. We just wanna do we'd like to make sure that, you know, that issue was addressed so down the road, it don't end up getting jammed up.

Ms. Long: Why don't we propose then that the County and Friends seek out the information and come back and either -- do you want us to report to you or should we just report to Stanley what we found?

Mr. Fredericksen: Administratively should be fine. I mean what do you folks feel that it's administratively done? I mean that they get the information administratively or you want it to be back here?

Mr. Giroux: What you can do is have it go administratively. They can send a communication to you that it's been done and then at that point, you can make your decision. It's been done. Can we see it again, or can we see the results, or can we get the report or -- so it could come back from the administration as a report, a communication that, you know, requested title investigation has been completed or something like that.

Ms. Long: So then we communicate with --

Mr. Fredericksen: Stanley.

Ms. Long: Stanley and then he will transmit to you and --

Mr. Fredericksen: Yeah, it's coming in under the Director's Report I guess, according to James.

Mr. Giroux: ...(inaudible)... agenda at the next meeting.

Ms. Long: Yeah. I like that.

Mr. Fredericksen: Okay. Commission Members? Yes, Ray?

Mr. Hutaff: I don't mean to be argumentative --

Mr. Fredericksen: Ray.

Mr. Hutaff: But, first of all, we did not receive new information, okay. We received a concept of what our kuleana is and it's a little bit deeper. My understanding of what the gentleman was trying to point out is that it's not about who owns the land today, okay. It's about who could claim land from the past - the past, the time when the signatures were on the paper. We're comparing blood of the land, as he says, to ink on the palapala, okay. And I don't know how we can ever resolve that unless somebody were to come forward now and say this land was ours a thousand years ago, and that I believe is what he was trying to point out. It's not about that. I think as the laws state today, ownership of the land is recognized by a piece of paper and that we can't really go back further than that unless it was commented upon before the permits were issued or the land was changed in ownership. So I just wanted to clarify the two things: One, we did not receive new information; we received a new concept of how we should look at things, and, two, going back and saying who really owns the land only goes back to a point where we started to keep records and ownership was transferred by paper or ownership was actually claimed. Because, as we all know in the culture, God is the claimant. Akua is the claimant. No one else is, okay. And the use of the land prior to that in the sugar cane fields, from my understanding, was pretty much none. No land was used in that area. Am I correct, Kepa?

Mr. Fredericksen: Let's not go there.

Mr. Hutaff: Yeah, don't -- don't ask. Okay. But anyway I just wanted to kinda point that out. I think that we should bring it back on the table and should be sure that this land is looked at as far as what current law state the ownership is, okay, because the gentleman was right, the question was never answered whether it was based upon paper or it was based upon blood. It's never been answered. And as far as flagging it goes, with the County, without having this language, my assumption is is that's pretty much automatic, isn't it? Before -- I can't go down to your house and say I'm going to go build on it. Give me a permit unless you can prove ownership.

Mr. Fredericksen: Yeah, the permit -- yeah, yeah. Right.

Mr. Hutaff: So I think that's automatic.

Mr. Fredericksen: Yes, Barbara?

Ms. Long: We're on the agenda here today for review and recommendations, and I appreciate that you have done that. I appreciate that you wanted to go beyond that with letters of support. You're going to be encountering this issue with just about everything, every construction plan that comes before you. I don't wanna be the guinea pig. I don't think it's appropriate. If I were sitting on the Commission, I would say we will do what we are mandated to do and let the courts figure out whether these people should go ahead and put a roof on it or not. But I would hope that your recommendations and approval will be passed along to the - whatever that department is called - building permits with approvals and that, eventually, if and when we come back to Stanley with this information, you will maybe have more of an understanding of what your function is in approving construction permits or anything on land that you don't know the background of through the beginning of time. I understand what happened in the court and I know what you feel your responsibilities are, but I don't think that Friends of Old Maui High School should be a guinea pig for action that is not based on a little more thought, consideration, and study.

Mr. Maly: The big difference here is that it's ceded land. It's an entirely different class of land and that's the difference. This will not be an issue for every project or every proposal that comes before this Commission or really others. The idea of a blood lineage or a document, pen and ink lineage, is also something that's not -- it's not being addressed. And say if someone received a kuleana from the -- as a result of the Kuleana Act of 1850, and let's say the awardee decided to sell the land to Alexander or Baldwin, are we saying that, in future generations, their children could come back and say that the sale was illegal? When the recipients or the beneficiaries of that award -- so I think there's some differing opinions legally as to about, you know, what the real depth of I think some of what Mr. Kahaialii brought up really means to us today. But the bottom line is, the question for this

is simply to know because ceded lands is a different class of land than a kuleana, royal patent grant, or some chiefly awardee land that was then sold, you know, and that's really, the question here because then you actually have, I think, some greater entitlements. You folks are now the present day stewards of this asset. And as I've said earlier, this is an adaptive reuse and ongoing use of the same public benefit, you know, so it's different than -- cause you're not going to go out there, knock it down, and build or make a resort or, you know, or an esquire estate or something. It's a different parcel of land. So I don't think it's real complicated for us right now. It would be beneficial to understand that. It will be beneficial to you cause it's also going to become a -- an important facet of the history of the story that's told, you know, and Patsy Mink was a part of that history, right? And so, you know, as an advocate for people and people's rights so I just -- it'll be valuable for you to know this information.

Ms. Long: I certainly agree. I just question whether it is the Cultural Resources Commission's function to involve -- and that's a discussion you folks are just going to have to have amongst yourselves. That's -- have at it.

Mr. Fredericksen: Okay, so where we are right now is -- Stanley, can you come back up please? Okay, now could you state -- restate your proposal or solution to this little bit of a bind that we seem to be finding ourselves in?

Mr. Solamillo: It was a new concept, not new information, as Commissioner Hutaff corrected me. Commissioner Maly raised interesting points about the possibility that it might be ceded land but although it might be ceded land, and this remains to be seen, it's still carrying out a public good, which is in alignment with the original use of that land. Since the Commission has already made a decision that we ask the applicant to provide the information at a later date and that we flag the property until that information comes in. That information will then be sent or transmitted by staff to the members of this Commission. But in no way are we reversing, by doing this, we're not reversing the decision that the Commission has already made.

Mr. Fredericksen: Yes?

Ms. Marquez: So, okay, let me try to summarize this. So what someone is saying is a decision has been made, we can also do what you're saying, so really the outcome or the answer of that issue about the land that's not to deter or will be a barrier to our support. Is that what you're saying?

Mr. Solamillo: Not at this point. Not until we find out; however, it could possibly be because you won't know that until that report has been --

Ms. Marquez: But then that would be alluding to the building permit concept, yes?

Mr. Solamillo: Yes.

Ms. Marquez: Thank you.

Mr. Fredericksen: Yeah, and then we, as a Commission, we do the best we can but I mean, you know, you've gotta -- we've gotta, at some level, trust that, okay, if this is, you know, land that the State has executive order, turned over to the County in whatever it was, sometime back, to be used as a school, we just -- all we can do is do the best we can and -- I mean it is way beyond our ability as well.

Mr. Solamillo: Well, I think I was just going to respond in two issues. First, we are not the Maui County land title commission. We cannot adjudicate land titles and things of that nature. The challenge, I think, as a researcher, and I have no experience to the level of Commissioner Maly or many of the other people in this room, but I have found that -- and my challenge really to the broader community in Maui County is if you suspect something, then you have many people to -- to do this work. You know, it's -- Commission Staff is one planner, one clerk, you know, physically, you know, we can't do oftentimes the type of work or request that -- that the public wants, and there are many people who have incredible minds and incredible talents and skills and really, you know, they're not being used in our community, and it's tragic. You can read all of the stories, and they're in *The Maui News*, and you go back to 1900 and read forward and see whose names get posted on the front page of the newspapers whose lands will be taken, right? For back taxes unpaid, and you go through the whole oral traditions that we tell our children and our grandchildren, and I said, "My gosh," you know. But what we don't tell them is go find, right? You can find this and you make things right, possibly. And maybe the wider challenge is for everyone, every family, every community, you know, to begin this process because that's really through truth and reconciliation whether or not it is in fact, you know, ceded lands. How did the lands get acquired by so and so. These are really underneath everything that we talk about. It's really the heart of sovereignty.

Mr. Fredericksen: Okay, now in order to get the meeting continued on, so, as a Commission, we're clear where we're going from here. Yeah, I -- I, personally, don't want to jam up Friends of Old Maui High School. I mean I think what they're doing is a great project. I mean I wish it could have come about even earlier just because of all the, you know, the damage and impact to the building that the facility has endured over the years but what's being proposed, I believe, is something really beneficial, long term, but the use of the facility I, personally, fully, fully support. So we've issued -- we issued two letters, you know, of support for the mission and if Stanley can coordinate -- I mean they're not going to be able to get a building permit if there's no clear title to the property. I mean we can't -- I mean it's what Ray brought up earlier. I mean there's a limit to what we, as a Commission, can do.

Mr. Giroux: Yeah, if I can add. I think because this is not a subdivision, there's not going to be a mandatory title search. They're going to look at -- the paper ownership, and it's the County. What you're -- what I see this Commission trying to do is, under its powers and duties, is to encourage the County to, you know, to implement something, you know, something that says: Can you at least know how you got this land and is it part of the corpus because if it is, it's something that, as a cultural commission, it's information that's important to us. I think it's really disingenuous that, for the last hundred years, nobody has gone out and survey and made a finding of what's part of the corpus. When you go out hunting and you go out fishing and you go out and somebody gives you a ticket for it, that's a misdemeanor and they say: This is State land, and they can't have the integrity to say: And we know it is because it's part of the crown and ceded land. And that's all we're asking is we have possession, the County has possession of land and all we're asking is where does it -- where does it come from. We're not asking for an amazing title search. We're asking for a simple paper search. We're going back to the date certain and saying is there a royal patent. That's all we're asking. I mean that's all this Commission, I believe, is asking. Whether or not we can put something on a building permit to stop it, I -- you know, that's going to be how -- that's going to be up to the administration. What's coming -- from what I hear is, from the Commission, can you put a flag on it and could you let us know. I mean I think -- and that's the word "encourage" that's I'm getting out of 2.88.060 because it is going to be a beginning to managing County lands that have been executive ordered and the County doesn't know what it received, and this Commission, I believe, is on an impetus to say: We'd like to know. We'd like to know what we're in possession of because it really does matter historically, culturally, and all other -- other factors that go into decision-making because I think that it's not -- it's not comfortable for the decision-makers to make decisions on an information deficit, not that this is the, you know, title search company, we're not going to insure anything, we're just saying we'd like one more piece of information that's readily available. That's -- that's -- I think that's what we're doing is we're looking under our powers and duties to encourage, encourage that.

Mr. Fredericksen: Comments?

Ms. Chandler: Chair?

Mr. Fredericksen: Yeah.

Ms. Chandler: I agree with you, Stan. I think that that's probably the best way to go about it at this point to not have to retract anything that you put out on the table but just so we get the information that we -- what I think all like to see before the project moves forward.

Mr. Fredericksen: Any other comments? Okay, thanks, Stanley. Anybody else has something they'd like to add, come forward and state your name again, please. Thanks.

Mr. Kahaialii: First of all, e kala mai. I really didn't want this to be this drawn out. Everybody's getting edgy and hungry and tired and frustrated, and I admire what these people are trying to do with Maui High School. Beautiful history. I just simply wanted to make the point because the question was asked - title, and it was never answered, and for me, I cannot move on unless I get an answer to something, and so that bugged me. You heard a lot about kuleana lands, ceded lands, Crown Lands. You guys like know what -- where ceded land came from? I going tell you where it came from. The 1894 Constitution for the Provisional Government. It's right here. And if you know the history of these men, you will know they committed sedition and treason against the crown. And yet, this is where ceded land comes from. Watch this. Article 95, Crown Lands. That portion of the public domain heretofore and known as Crown Lands is hereby declared to have been heretofore, and now to be, the property of the Hawaiian Government and to be now free and clear from any trust of or concerning the same, and from all claim of any nature whatsoever, upon the rents, issues, and profits thereof. It shall be subject alienation and other uses that may be provided by law. All valid leases thereof now in existence are hereby confirmed. Ladies and gentlemen, let me put you on notice, it was already kinda hinted to, are we going to cross the line and really go there and finally come to the conclusion that a lot of the lands that are being talked about talks about with respect to projects, developments, etcetera, is somebody going to have the -- the alas to come forward and say you know what? This is stolen land. Corporation Counsel can help you. They can only do what is absolutely necessary within their kuleana, their scope of responsibilities, if you will, to address what the Commission can do. But if we're going to talk about law, you can tell me this is an old law all you like, the United States Constitution is older than that. I'm sorry but there is legal in the political issue here that I think is incumbent upon this Commission to make sure, before you do anything, I hear this a lot, this is what I've been hearing a lot: Oh, I believe this. I think that. You know, it's the assumption on my opinion. That's not. It doesn't answer the question. We cross, we walk a dangerous path when we start making assumptions and decisions based on evidence we do not have, and then ten years down the road, later on we find out - Aye. Wrong. I sat in a Burial Council meeting one time and Pua Aiu, straight from her mouth, they thought there was this rock mound that it was an agricultural mound. Well, you know what? They approved the work that was done on there and when those guys went break that mound, guess what they found? Iwi. And all she could say was, "Unfortunately, it was a mistake." That's a mistake we cannot afford to make. It sets the kind of example that our children are going to follow. They going keep making the same mistake again and again until, before you know it, ten years down the road, now we're all in this conflict together instead of united. I believe that this is a worthy goal. You know, Patsy Mink, she did plenty for the people of Hawaii - plenty. Oh, now I getting all -- and if this is the way they want to remember her - maika`i. So be it. But just make sure that everybody, for the sake of the Commission and for the sake of the Friends of Old Maui High School, just fulfill your kuleana, find out the title and say: Eh, you know what? Here. It's clear. Pau. Easy. I really did not want us to be debating this for almost an hour. I'm so sorry. But I'm very

passionate about the way we utilize our resources. Our people are part of that. Our land is part of that. I think one of the things that's missing the most in -- in our Maui community is we like to talk about a lot of things but we do very little research, or we only do enough to support our agenda so we can holomua, not realizing that we haven't considered all the research that needs to be done - all. It's in your hands, Commission. Whatever you decide. It's your decision, like she said. Have at it. But know that you're either going to be the darlings of Maui County, or you're going to become the subject and the target of criticism and ridicule. Whatever your decision, just be ready for the consequences. Mahalo.

Mr. Johanna Kamaunu: Hi. I'm Johanna Kamaunu of Waihe'e. Couple weeks ago or just last week was the Burial Council meeting and someone got up and said, "I was told that I am a descendent. This person that was a patentee of this land is my ancestor. But at this point, I don't know for sure cause I never did the work to find out about that." So she said, "I reserve my right as a cultural descendent to this particular property until such time as I identify my relationship to the patentee and can claim a lineal descendency." The phrase that I liked that she used was that she claimed the right for such a time as when she will be aware and have knowledge, full knowledge, of what she can become, what she has for her. I think everything is new today. We're looking at things from a different perspective. But I think the easiest avenue for the Friends might be to consider a reservation for the descendants, for any lineal descendants that may have rights to that property. I don't know if that will work out in the long run. I don't think politically that way. But we're talking about laws here and your County Council passed two major laws -- ordinances this year. The GMO kalo bill and the kuleana tax exemption bill, and the kuleana tax exemption bill, they quote 1850 law. But they don't quote it will full knowledge. They don't understand what that kuleana right means. And, thus, they applied a current waiver to taxation when that land was already tax free. This is just knowledge that's coming to people, even in the County Council. So what Kamaunu is saying here is something that is coming forward, the wave is rising, it's coming again, and you can be part of it, or be prepared for it, or you can be part of the obstacles that hold it back from coming to fruition. I really believe that. It's really unfortunate that this project has to come before you at a time when we're starting to become aware but you're aware now. There's no way to say, years later, that, oh, we didn't know. You're on notice. And if anything, that's what I would like to formally present to you - perhaps write a letter to you about that, I will. I'll submit a letter and say: "You were put on notice today. You were made aware of the laws that govern this land." And just to go a step further from what Kamaunu mentioned with the Constitution of 1864 is that -- or the 1894 with the Provisional Government, they ceded that land in an annexation treaty to the United States, but that treaty was never ratified by Congress, so annexation never happened. Instead, the Newlands Resolution created the ability for America to annex Hawaii. That's documented. It's documented in the Congressional debate. For easy reference, go HawaiianKingdom.org. Review Keanu Sai's dissertation. It's all documented there. So now, again, you are on notice. You have information, maybe not

everything on-hand today, but you have the resources to go and look at it. I would only ask that you consider this. And one more thing because I have issues with the Burial Council sometimes. I -- it's the way archaeology is done and in a comparison study that's ongoing right now, we're able to see patterns in the archaeological inventory surveys, and it's not for every study, and it's not for every archaeologist, but in a major project that's ongoing here, we were able to pull up, in the last seven years, at least 20, 30 instances where the pattern of trenching, not finding any significance finds will produce later inadvertent finds, in the same area with low grading actually. So how does that happen? One minute, the archeologist's survey says: No significant finds. Then the construction crew comes in, and starts grading the area, and, oops, we found something. And that's the question, the issues that's before the Burial Council is: At point does -- do these inadvertent finds become significant? They should have been significant from the very beginning and, yet, because of the methodology in their survey, the trenching of less than 10% of the property were able to see that they're not going to get all of that information. Sorry. That's all I have to say.

Mr. Fredericksen: Comments? Stanley?

Mr. Solamillo: I move for a ten-minute break, please.

Mr. Fredericksen: Okay. So ten minutes be back.

(A recess was called at 12:17 p.m., and the meeting reconvened at 12:29 p.m.)

Mr. Fredericksen: Before we -- let's see, we're reconvening. Was there another person who wanted to speak on this -- this? Now, recognizing, and it's my fault, I accept responsibility for it, regarding the Friends of Old Maui High School, I mean what we're doing is we are looking at this -- it's a roof issue and recognizing that there are many, many other issues but this is -- there was a roof there, and it burned down in 2003, whatever; this is to get another roof on the building. There's other issues and, as a Commissioner, we are requesting to have the issue of title dealt --

Mr. Solamillo: Investigated.

Mr. Fredericksen: Investigated. Okay. So, now is there anyone from the public that wanted to testify on that item about the roof for Old Maui High School? Please -- understanding that we did get way off the agenda subject.

Mr. Kaniloa Kamaunu: ...(inaudible)...

Mr. Fredericksen: Come -- come up, please. State your name, and we are, for everybody, we are going to have to do our -- we are going to have impose time limits to -- because we

have Commission Members that have to leave and everything. I apologize. I let things go on too much, but I was trying to allow everybody to speak, but we do need to look at a three-minute time limit, and our former -- our former -- our retired teacher that we have on the Commission will be riding -- riding on that so, please, just try to speak to the point. That's all. Thank you. State your name, please.

Mr. Kamaunu: My name is Kaniloa Kamaunu. I come from Waihe`e. I actually came for the Sheraton one but because I have to -- I have to go to work --

Mr. Fredericksen: And that's fine. Yeah. That's fine.

Mr. Kamaunu: If you don't mind, I can speak on that?

Mr. Fredericksen: You can and that's perfectly fine.

Mr. Kamaunu: I'm sorry. I should have come up earlier but I didn't think that part would take that long.

Mr. Fredericksen: Yeah.

Mr. Kamaunu: But -- and I heard the Sheraton presentation up at Kula Ridge and at the Burial Council so I kinda familiar about what they're doing. My only question I pose is to the -- to the Burial Council is there is a -- there is a law, and I think I related this several months ago to you, a Kingdom law taking us back to 1860, and in this section it says: "If any person not having an legal right to do so shall willfully dig up, disinter, remove, or convey over any human body from any burial place or shall knowingly aid in such disinterment, removal, or conveying away every such offender and every person accessory thereto either before or after-the-fact shall be punished by imprisonment and hard labor for not more than two years or by a fine not exceeding \$1,000." Now -- and what I conveyed to them was that now though you may have bought a property, do you have -- and my question is: Do you have legal rights to the body? This law, 1860, protects that -- that person because they are no longer physically here to speak for themselves but, yet, the kanawai from our -- from our people already conveyed that to them so when their body was buried to lay to rest, it's already saying you cannot touch, and this is becoming a big subject. We know this already. So many disinterment of bodies, you know, being stuck in buckets, being left under stored to see what going to happen. Now is that respectful? And if you look at the, you know, the ...(inaudible)... to protect and --

Mr. Fredericksen: Try to wrap up.

Mr. Kamaunu: Well, the spirits and -- I understand you gotta go -- but the thing is -- my thing is do you have the legal right? Do you have the legal right to say that they can do

that? And if you don't, then you shouldn't. You should tell them: Once you find the body, pau. Because that's what the law is telling you. So now -- and I know we talked about old laws, but in this law addressing rights to these people, which have to be considered and you have to consider it because by law, they're telling you to. So as Kamanu did earlier, I do the same thing. I give you legal notice that if you -- if these people do not have legal rights to the body, they have no legal rights to remove. Their bodies are already protected. Thank you.

Mr. Fredericksen: Thank you. Okay, anybody else? No? Okay, Stanley.

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

- 2. MS. COLLEEN MEDEIROS DAGAN on behalf of CULTURAL SURVEYS, HAWAI'I requesting information on general history and past land use; cultural resources including historic sites, archaeological sites, burials, and traditional gathering places; cultural associations, referrals of kūpuna willing to share traditional cultural knowledge of the area and surrounding ahupua'a lands (Honokowai, Hamakao'o, Mo'omoku, Kahua, Kapunakea) as well as cultural concerns in advance of a Cultural Impact Assessment (CIA) for the Sheraton Maui Revitalization Project, located at 2605 Ka'anapali Parkway, TMK (2) 4-4-008: 005, Lahaina, Maui. The CRC may provide information and comments. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: I will remind everyone that this is not an action item, and the information which has been requested is being solicited at this time.

Ms. Colleen Dagan: Good afternoon.

Mr. Fredericksen: Good afternoon.

Ms. Dagan: My name is Colleen Dagan and I have our letter. Here, let me hand these out first. I'm going to give you -- I'm going to give you my -- the community contact letter that we sent out as well as the architectural plans. So just to clarify, the letter -- the figures in the letter have been updated and that's the -- the packet here that Stanley is giving you. These are the updated plans. So I work for Cultural Surveys Hawaii and I'm just going to introduce everyone who's working on this project. Tanya Lee-Greig and Doctor Hal Hammett, also with Cultural Surveys Hawaii; Lani Lapalio is Kyo-Ya's cultural advisory; Mr. Rob Iopa is the head architect for WCIT; and also Colleen Suyama, with Munekiyo & Hiraga, is the planner, the planner for this project; and Mr. John Rapacz is Kyo-Ya's attorney. And before we discuss the cultural impact assessment, Lani is going to come up

and just introduce Kyo-Ya and that company, and Rob Iopa is going to do a short presentation on the conceptual design. So, Lani?

Ms. Lani Lapalio: Aloha auinala kakou. Good afternoon. I'm Lani Ma`a Lapalio, and I'd like to first say mahalo to all of you for your hard work and your patience and we ask for your indulgence and we'll try and make this brief but we're just so excited to be here. And thank you. Many of you have worked in this area, in Pu`u Keka`a, so we look forward to speaking with you, and this is the beginning of a dialogue as we try and learn as much as we can about this project area to do this project right. So the purpose of our meeting today is early consultation. We -- we have a conceptual design to present to you but we're still in the preliminary phases and we are seeking your input before anything is -- any decisions are made or set in stone. With regards to the Sheraton Maui Hotel, it was built in the '60's by Sheraton Corporation, purchased in 1974 by Kyo-Ya, and Kyo-Ya, the parent company is Kokosai Kyo-Ya out of Tokyo, and in April of '88, they purchased the land from Campbell Estate. So as you folks may know, recently in -- well, not that recently, but '94 to '96, they had a renovation of that project and we are looking through our archives to try and find out as much information as we can about previous construction with the hotel cause we understand there's many things that went on there so we want to find that all out and try and be as responsible as possible moving forward. So Kyo-Ya is blessed to have many special properties: Helumoa in Waikiki; the lands for the Sheraton Waikiki and Royal Hawaiian Hotel; currently, we are working on the Princess Kaiulani and Diamond Head Tower Moana sticking to redevelop those projects; and on this island, we're just starting to look at the Pu`u Keka`a area, the Sheraton Maui Hote. So we are reaching out early and we -- we just appreciate any input that you have today. So far, we have had early consultation with SHPD, and I see Mr. Hinano Rodrigues is here. We are grateful for his mana`o as well because he has a lot of personal connection to Pu`u Keka`a. We have also spoke with Ms. Coochie Cayan on Oahu from SHPD as well. We have also met with Mr. Foster Ampong. We'll continue to meet with Mr. Ampong and other key descendants, such as the Kapu ohana, and others that are -- will come forward in the process. We also learned recently, from Mr. Rodrigues, that there is a cultural descendant that filed a claim in the e-Bay, the po`o that was found in the area, so we will start to meet with him and talk story with him as well. We did present a initial presentation to the Maui/Lana`i Island Burial Council last week and I'd like to apologize, the owner representative, Mr. Greg Thickens was there at that meeting, but today he had a scheduling conflict so he could not be with us. However, if there's any questions that you folks may have that ownership can answer, we'd be happy to get back to you with that as soon as possible. And he will, hopefully, be here at the next meeting. At this time, I'd like to call upon Mr. Rob Iopa, he is the principal of WCIT, and we are very excited that he is the architect on this project. He worked on the Sheraton Waikiki and Royan Hawaiian Hotel and the Princess Kaiulani and Diamond Head Tower projects as well. So we're familiar with his good work and he is well known for incorporating cultural values and cultural motifs in his -- in his projects. So, anyways, looking forward to good input and I'd like to call upon Rob to walk us quickly through a

powerpoint presentation, I believe, and then we will present the rest of the team, so mahalo.

Mr. Fredericksen: Any questions?

Mr. Rob Iopa: Aloha kakou. Rob Iopa, WCIT Architecture. I've got only three slides to present that they'll show some existing conditions of a proposed plan as it sits in concept design and that an overlay of the proposed over the existing conditions with some understanding and knowledge of past investigations that had gone on on site. Actually, I have four slides. The first is just a contextual slide. I think everybody is familiar with the area. The Kaanapali Resort area in through here. The Sheraton Maui site actually starts from here on the southern boundary, and then extends to Pu`u Keka`a here. A view of Pu`u Keka`a from the ocean, and then another view from the ocean looking at the property back in the mauka direction. A little distorted, but I think you'll get the idea. The property is over 20 acres; boundary on the southern property line on the Lahaina side is here; immediate neighbor to the south is Kaanapali Beach Hotel; it's the last property along Kaanapali Parkway before the roundabout and then also has a road that lead up to Pu`u Keka`a. The existing hotel, as Lani had described, was remodeled in the early 1990's; reopened in the mid-1990's. At that time, there's was a significant renovation that occurred. The existing -- the previous lobby was a building on top of Pu`u Keka`a, and then one wing here, known as the Cliff Tower, was part of the original 1960's structure. The original lobby building was demolished and on its footprint, a new set of suite products built here. In -- as part of that project, there was also this wing here, three buildings not built on Pu`u Keka`a, they're known as the Moloka`i Wing, and currently operate as hotel. In the 1970's, a building was built here, known as the Garden Wing, and then the remainder of the site, this area through here, so mid-property moving Lahaina direction, was completely redone in the -- in the mid-1990's. This slide represents the proposed development as part of the redevelopment area. I think the easiest way to represent this is that everything that is existing on Pu`u Keka`a would remain. Our intention is that the existing 1960's building, the Cliff Tower, would be renovated as a hotel. The existing, what is known as the Ali`i Suites on Pu`u Keka`a, would be converted into residences. The existing three-building complex, known as the Moloka`i Wing, would be converted into residences. The remainder of the site here on the lower section or in the Lahaina direction of Pu`u Keka`a would be complete redeveloped. There would be four new -- four new structures, four new hotel related structures. The project includes a mix of hotel resort, hotel condominium, and residential condominium, so approximately 512 hotel rooms would be located in the center, we have the hotel condominium units located in this building we call "Wing G," and then the resort residential condominium units here. A few other components of the project that I wanted to highlight but won't go into great detail as to all the components but we do have a parking structure that would support the resort activities about where the existing parking structure exist now. We have another parking structure proposed as a podium for this new building, residential -- hotel residential building located here. In addition to that, there's

several public benefits that we are looking to include in the project. It does include an increased lateral shoreline access, increased beach access, increased beach parking. The one or two though that I'd like to highlight with specific reference to cultural activities are two that we're proposing on and near Pu`u Keka`a, so the first is a proposal for a new public structure. This new public structure will be solely for public use and, at this time, we're proposing it as a halau wa`a that would be located at and near the beach and drainage outlet here on the north side of Pu`u Keka`a. The second element for public benefit that was also a significant cultural influence is that, currently, there's a circular parking lot that sits on Pu`u Keka`a, our proposal is to remove the paving and return that to a public park on Pu`u Keka`a. The public -- well, Pu`u Keka`a, currently and in the past, has continued to allow public access to Pu`u Keka`a, the access isn't clearly defined, it's not noticeable on how one could get up there and access, our intention through this redevelopment is to provide clear and distinguishable access, clear and distinguishable gathering spots on Pu`u Keka`a, and to work with the community with various cultural resources that actual descendants to come up with the appropriate means for ...(inaudible)... public access and public parking.

Mr. Fredericksen: I've got a question.

Mr. Iopa: Yes?

Mr. Fredericksen: How do you, understanding that this is early on in the, you know, in this process, what is the vision for -- to enable access to this proposed public green space? Access -- I mean where do people park, you know, the nuts and bolts?

Mr. Iopa: So, I think everybody's familiar with Kaanapali Parkway, as you come to Kaanapali Parkway, it terminates in a large roundabout, at the roundabout there's an existing drive that has been there since the '60's that leads around the north side of the property and up onto Pu`u Keka`a. The intention would be that, as it is today, all of this would be public access, and then we'd look to park in the public -- in the parking structure beneath this building in the podium for -- to provide stalls for public parking at this point in the parking structure. From this point, one can either cross and access this public structure we're calling "halau wa`a" at this point; one can continue along the road and walk up to this Pu`u Keka`a Park. We're still in preliminary design of the park, but the intention would be, in concept, that you would be able to come up here to Pu`u Keka`a with vehicle and have a drop off so, you know, those that would be challenged to walk up Pu`u Keka`a would have the ability to be dropped off and then come back down to park. So we think that we've got a much improved public access. At this point also would allow for a continuous coastal lateral shoreline access that we're proposing to reinstate. As many familiar with this area when this project was done in 1990's, there was a significant storm that came through and washed out the lateral shoreline access, our intention through this project is to redo the public shoreline lateral access and bikeway in re-buildable materials so we won't have the

same trouble that was in the past, but from this point, one could access, in the Lahaina direction, or then go more, then access the continuous path that's been developed through some of the improvements in North Beach and some of the North Beach Park.

The last overlay, and I think if it's tough to read on screen, you probably have a better chance reading it on your handout, is one that looks to take the existing buildings as it sits on the land today and overlay those onto the proposed plans. So in your handout, the existing buildings are highlighted in the dark pink. There's some light pink elements that would be surfaced hardscape either path, tennis courts, or parking lot areas. What you see here on, you know, the -- what I call the lower part of the site, at least the Lahaina most area of the site, there's some -- with some deviation, the majority of this area of new proposed building is in areas that has existing buildings on the site. I think the one glaring element that you'll see outside of the present building footprint is this building structure that were proposed here, Building G, that we have identified. On Pu`u Keka`a, all the buildings you see are located over existing, meaning that those are existing and proposed to be existing with only interior work. There is a proposal to locate one structure here at three stories. This one small structure on Pu`u Keka`a is over an existing basement area and service area; the thought being that it is on previously disturbed and previously constructed areas. Albeit, we understand the sensitivities with that proposal. We also are proposing one small pool structure here on Pu`u Keka`a. That one small pool structure though is one that would be built in fill above native soil and not disturbing any native soil, again, understanding the sensitivities related subsurface issue on Pu`u Keka`a.

The last element that I think I'll highlight here, and really Colleen and Tanya from Cultural Surveys Hawaii can speak much more specifically to this and I know you have information here as well, we are aware of the various and several studies, archaeological studies, that have been done in the past. Obviously, part of Cultural Surveys Hawaii's work to investigate that. We have highlighted known archaeologically sensitive areas, at least as this illustration is showing. We realize that the boundaries are somewhat undefined and as proposed both my Tanya and by Lani, you know, the purpose or preliminary discussions here is to look for any advice you may have on how best to deal with these issues. Thank you.

Mr. Fredericksen: Any questions, Commission Members? Yeah, Rhiannon?

Ms. Chandler: I just have a question. You have a building that is existing currently and underneath it is going to be a very large pool area, is that another ...(inaudible)... you said you were going to raise it up and put some material over what is existing or you're going to dig down and put that in?

Mr. Iopa: This, we would have some fill material that would come back. I think this is the area you're speaking of?

Ms. Chandler: Yeah. It's right -- it's surrounded by Wing B, F, and G.

Mr. Iopa: Right. So this area and which was here, there's the existing Garden Wing that sits right above here, you can just, for the purpose of drainage and how a site would probably be developed, we would bring in fill but this would not be an area like on Pu`u Keka`a where we'd build totally in the fill. This would need some subsurface foundation work. What this does allow for though in this area is an inventory study opportunities prior to demolition.

Mr. Fredericksen: How long is the process, assuming that this goes forward, envisioned between when studies commence and when actual groundbreaking would occur - just broad brush strokes?

Mr. Iopa: It's, at minimum, I would guess three years with just starting the process. We recognize all the sensitivities in the area. The project is planning to do a full EIS for the project. As part of the EIS, then there's SMA permits that would need to be done. Not until those would be done could design and construction documents be concluded and building permitting. It's a long process.

Mr. Fredericksen: So -- so pretty safe to say about a three-year minimum, something like that?

Mr. Iopa: I would say so.

Mr. Fredericksen: Okay. Any other questions? Ray?

Mr. Hutaff: On the existing beach access, you said it was not well defined, can you explain that? Cause I've been there I know what -- I didn't know there was beach access ...(inaudible)...

Mr. Iopa: There's several points of beach access. I think there is one relatively well defined --

Mr. Hutaff: That one there. Yeah ...(inaudible)...

Mr. Iopa: Beach access that happens between the two properties.

Mr. Hutaff: By the end of the circle there?

Mr. Iopa: There -- you know, that I refer to as access to Pu`u Keka`a. I think those that know know how to get there, but there isn't much readily available signage. There is -- as you would come up, you're actually walking on the road. There's no sidewalk that lead you

up through that area. As you get through the entry point to Pu`u Keka`a on that road, there's a vehicular gate that only people that have card keys to the hotel rooms can get through. So, you know, no one is denied access. It's just not most readily known process.

Mr. Fredericksen: Not readily available.

Mr. Iopa: And through this process, we're looking to significantly improve that.

Mr. Hutaff: Okay, good. That's my comment because providing access actually means to be well defined. And when you don't define something, especially what's out there, I've never been down that road because the signs kinda tell me not to - kinda tell me not to, so I think it's important that -- that maybe that be changed today and also be looked at in the future because those who know know, but those of us who don't know, will never know, and it seems planned that way. Thanks.

Mr. Iopa: Thank you.

Ms. Kanuha: I just had another question, if I may, Chair. I know you have the halau wa`a, cause I work at Kaanapali Beach Hotel --

Mr. Iopa: Right.

Ms. Kanuha: So can you bring -- and I'm kinda thinking that on that side, facing Moloka`i, cause, you know, there's like a small pier, yeah? So is the halau wa`a going to be situated right by the pier area and how do you get a wa`a up to the halau is my question and if you are going to have halau pa`a, are you going to -- is the wa`a going to be in the halau? You know, anytime you do things culturally, it has a purpose. A wa`a has life. It starts off as a tree, we take it, we ask it for its life, and then we thank it for giving, you know, giving it new life, so is that going to be part of your cultural program, or I mean I don't know what you folks have at that's existing at the hotel right now? And, Chair, I need to say that I'm just wanting to ask questions but I need to recuse myself only because I'm an independent contractor for their neighboring property, which is Kaanapali Ocean Resort, as their cultural resource person. So but I didn't know about the halau wa`a so I'm just asking.

Mr. Iopa: No, I appreciate the question and I definitely understand the cultural significance of what you speak. You know when we were -- when we began the project, one of the things that we were obviously looking for is ways to balance development with community benefit. And in doing so, you know, we have identified things like providing better beach access, and better lateral shoreline access, and additional beach parking, and things of that nature, but we were really looking to provide ways of community benefit that seem to be a little more significant. This drainage, I'll call it a "drainage canal" because, in many cases, it is, it captures water that happens mauka on the West Maui Mountains, it brings it through

the golf course, and then actually discharges right here onsite where this pier element is. I think everybody in this area or has been in this area, and the large -- the rainstorms, actually sees, you know, the blooms that kind of come out of storm water wash off after storm conditions. Through this process, although we don't have specific definition, our intent is to try and improve that -- that runoff, number one. We're looking at means and methods upstream in this drainage that could allow for capturing of some of the silt that comes off in our runoff and, you know, it won't be able to totally disseminate all the stuff that's coming off the mountains and empties into the ocean, but if we're able to capture some of it, good. And we also know of this area, the pier area, to be mostly in standing water; that there's always water in that area. So to answer your question more specifically, it was a contemporary approach at the halau wa`a and our contemporary approach was to look at -- in the commissions of the land potentially to straddle this drainage channel and to look for some combination of a structure that the wa`a would sit in but, potentially, in the best analogy I have is a East Coast boathouse analogy where the wa`a could be lowered and raised into the ocean environment. Is that -- is that the culturally most appropriate method of storing and using a canoe? Probably not in its most traditional sense. At the same time, we're looking at ways, again, of providing a significant benefit for functions that have presence on this side of the island and looking at ways to provide those -- those activities. If not appropriate, you know, we can look for other things, but that was our initial thinking.

Ms. Kanuha: So this -- is it going to be like a part of a cultural program for your employees, or opening the access door to the public, or is it going to be used as an educational tool for the employees?

Mr. Iopa: I think, you know, the best person to represent this would be the owner and I'm sure they'll be back to speak to this, but my understanding, as we -- that proposed it for inclusion is that would be solely for public use, so it's an element that's outside of the hotel where obviously the hotel would -- would look to maintain it, to provide programs, and support its activities, but the intent, truly, is for a public and community-based need.

Ms. Kanuha: Thank you. Mahalo.

Mr. Fredericksen: So, staying on this track, is the developer proposing to supply canoes then for this -- this facility?

Mr. Iopa: I think we're still in the -- in the preliminary stages of this idea. You know, I wouldn't say that would be outside the realm of possibilities. Also, though would just have to state that we're kind of treading new territories --

Mr. Fredericksen: Yeah.

Mr. Iopa: With this proposal and we are straddling a -- what one could consider the ocean, depending on where the shoreline is defined, and we have been advised by our planner and by the Planning Department that this would probably need every permit known to man and that its success would be would be challenging. At the same time, if this were a proposal for a private beach club, I think it would be easily one that would go away. The fact that it is intended for public use or public benefit, we thought that, potentially, it has a chance. At the same time, while we are pursuing this route, we also are pursuing the support of canoeing activities and groups within West Maui as a potential other method of public benefit. We great testimony today on great programs that are going on and we know that there's others, so we're looking for ways and if the Commission has suggestions on community benefits, I think the owners would be receptive.

Mr. Maly: Mr. Chair, if I may. Mr. Iopa, as the kupuna have taught us, there are many halau and looking at the nature of this landscape, it may be appropriate to look at another version, perhaps not halau wa`a, but halau auola, halau aike, or something that sets the foundation. A platform for a wide range of programs that would enrich our own community, the kupo o kaina but also the malihini, you know, if we can bring them in. To me, it's real challenging to see, and since we're not in New England, we don't have the boat houses like that where you'd lift them up and drop them in, you know, like that, it may be an interesting twist to -- you can see many other areas where a beautiful halau wa`a along this would really be appropriate, not appropriate necessarily here, but the idea is take that and run with it and create this, you know, as I said, halau ola, halau ike, you know, I mean whatever you're working at because the story of Pu`u Keka`a and this history lends itself. I mean the whole thing from an ethnobotanical gardens to, you know, the star knowledge to, you know, whatever could occur but it gets challenging to -- to let's fluff it up and window dress it and create a little canoe here and, you know, and say we've done our job. It might be deeper to look at -- call it something else. And I'm always -- sorry, it's interesting, you know, we always see people talking hale wa`a, hale wa`a, and, you know, halau tends to be the more traditional, you know, term as I understand it from, you know, Manaleo and from old readings so, you know, but halau, that breath of life that is just expansive and multi-layered, you know, so there's more than a canoe shed out there, okay.

Mr. Iopa: Mahalo.

Mr. Fredericksen: Yeah, good point, yeah.

Ms. Chandler: Chair?

Mr. Fredericksen: Yeah, go ahead, Rhiannon.

Ms. Chandler: I have two comments and actually both of them I would like answers for. The first one is you mentioned the runoff, and this is significant construction, and I believe

the reason why this -- such a beach was initially identified as being a very good draw for tourism is because the coral reef adjacent to it is very healthy; runoff from construction definitely jeopardizes the coral reef system and, culturally, the coral reefs are just as important as the land, so my question to you is: What do you have planned to address the runoff that would be coming off of this construction?

Mr. Iopa: Well, we definitely have plans in effect as with any project to -- to eliminate any construction runoff into the ocean. So typically, as part of our grading permits, there's larger permits for larger grading activities, there's a series of elements called "best management practices" that would secure, essentially, the site from any construction related runoff. The second component to that, and probably more important, is what happens after construction's done and what happens to the water that hits your site and where does that water go. As part of Planning Commission approvals for projects of this significance, there's been a push for onsite retention, so I think the intent would be for any water that falls onsite to be retained onsite. The third component is any water that comes from offsite, through the site, to the ocean, and most particular here, because of all the improvements along Kaanapali Parkway, there's very little water that comes off the road onto the property and runs out into the ocean. The true offsite runoff is the stuff that comes, albeit, outside the property line as part of this major drainage canal. I think that, you know, because it's off property, because it's water that's coming from other sources not associated with the project, the easy thing to say is it's somebody else's thing. I think what we're, you know, understanding though it's everybody's issue and that we're looking at ways of mitigating some of that runoff that comes into the ocean.

Ms. Chandler: Thank you. I have one more question. You have some, three, I believe, areas that's been previously identified archaeologically sensitive areas. One of them is a very large area that is -- it looks like it might be underneath part of, you plan, Wing G Parking Garage, and so I wanted to find out, first of all, what was discovered in that previously identified sensitive area, and, two, is that not of concern at this time when you're planning on building a parking structure on top of part of it.

Mr. Iopa: I can speak to the second part, and then I'll turn it over to either Colleen or Tanya from Cultural Surveys Hawaii to speak to the first part of your question. I think the intention through this process of preliminary consultation is looking to figure out where these boundaries are of archaeological sensitive areas and if it is defined that -- or the preliminary design proposals are ones that encroach on those areas, then look for opportunities to shape our design to -- to be as sensitive to those areas as possible. And the second part.

Mr. Maly: Mr. Iopa, may I just jump in real quickly? Cause it is an interesting point. Are we talking archaeological or cultural resources, you see. Define something significant because it happens to be the largest pile of stones or bones isn't always the culturally appropriate way to go, whereas you have a traditional cultural landscape, Pu`u Keka`a, that

is already a significant -- you know, so when you talk about boundaries and defining them, you know, I have great faith and aloha for Hal and his people and I understand, but sometimes the rules and regs that we follow are also not rooted in your own -- He Hawai`i ia`oe? Yeah. Iopa, no Hilo pa`a?

Mr. Iopa: Yeah. Yeah.

Mr. Maly: Yeah, okay, so, you know, I mean they're not rooted in your own, you know, koko and in your own spirit too, some of these things that we follow, so cultural landscapes are more than just piles of stones and bones and if that Pu`u Keka`a is a cultural landscape, traditional cultural property, right, so the boundaries are going to be really important to discuss in this. Anyway, sorry.

Mr. Fredericksen: Just following up on Kepa's point, that's something that I think the cultural impact assessment should include is what you just brought up, the culturally significant -- the cultural significance of that -- the whole feature there, the landscape itself cause it's more than just the -- I mean we in the early, well, 1994-95, were involved in the Sheraton remodel, the first one, and carried out some archaeological monitoring and -- but that, of course, was -- it was focused. This, I believe, because it's an environmental impact statement that they have to do for this will be an actual inventory survey that covers every -- covers the property, however, the cultural side of the -- of the equation, if you will, is your point hit the nail on the head. Sorry, go ahead. Any other questions?

Mr. Iopa: ...(inaudible)... the second part of the ...(inaudible)...

Mr. Fredericksen: Okay, yeah, let's talk about the archaeology.

Ms. Dagan: Just to clarify, that big -- the biggest, I guess, space there is archaeologically sensitive, that's a preservation area. So this here is an existing preservation area that does have set boundaries and cannot be, you know, intruded upon without -- well, they cannot be intruded upon. This is an area where, you know, human remains that were discovered in the '90's were reinterred here, and then these areas are locations from which some of, you know, these things were found. And also, well --

Mr. Maly: So -- but based on this graphic here, which is the proposed --

Mr. Fredericksen: It shows the encroachment.

Mr. Maly: It does. It looks like so if it is preservation set aside in perpetuity, it looks like it's being encroached upon by what's proposed ...(inaudible)...

Ms. Dagan: Yeah, and I think that's just -- that's just because this map, you know, wasn't done with -- you wanna --

Ms. Tanya Lee-Greig: It's difficult to verify on this --

Mr. Fredericksen: Name?

Ms. Lee-Greig: Oh, sorry, Tanya Lee-Greig, Cultural Surveys Hawaii. It's difficult verify. This map is not to scale. We originally determined these areas by overlaying the monitoring burial location map onto the topographic map and underlaying the aerial. This large area here, the entire thing is not a preservation area. There is a preservation area within these boundaries that is quite taller now is set aside as the green area. The reason why this boundary is as large as it is is because it also encompasses specific find locations so that we know that, you know, in this area there were individual burial finds in situ, coffin burials were identified in these areas during the monitoring of the redevelopment, and there was a set aside within this area that was once a greenhouse and was put into preservation; that's where the iwi finds from this area here as well as there was one skeletal element found, from what we can tell from the monitoring map, was found at the base of the Cliff Tower, I think it was just a single skeletal element, that was reinterred within the former location of the greenhouse, the Sheraton greenhouse, and that -- that particular single area, the greenhouse area, was set aside for preservation. The reason why again it is so big is because it encompasses both the preservation area as well as the locations of the finds during the monitoring.

Mr. Fredericksen: And also recognizing that the amount of activity at that time was pretty focused so --

Ms. Lee-Greig: Yeah.

Mr. Fredericksen: Given the benefit of the doubt. I've got one other question, Tanya. Does this area also includes the cave that's under on the mauka side of Pu`u Keka`a at the base? Or I can't remember if it's a little farther over.

Ms. Lee-Greig: I believe it does. Yes, it does. And we also wanted to, you know, take a look at this area further as well because, you know, as we know from the past, there were two cemeteries in this area, two defined cemeteries. The Hawaiian cemetery, which also had European descendants at the top here, which is -- appears to, from what we can determine from the GIS overlays that we've been doing - and we're still trying to refine those, which is why we're not presenting them right now, you know - were found in the area of the former Hawaiian cemetery, and then the -- the numerous finds that were found in here were a part of the former Japanese cemetery that -- on that particular Pu`u Keka`a map that we -- that was discovered at Halepa`i.

Mr. Fredericksen: And both of those cemeteries, at the time when it was first -- construction had first occurred, were supposedly -- all of the, you know, the burials were disinterred, which of course didn't really happen because that's how those cemetery ...(inaudible)...

Ms. Lee-Greig: And so understanding that, you know, the -- what was thought to have happened and what we know from the results of the monitoring during this area, you know, we are working to develop, you know, an archaeological inventory survey plan to address those issues of what we -- what we believe we know about the parcel from the past and then, hopefully, also addressing maybe some things that might come up during consultation for the cultural impact assessment.

Mr. Fredericksen: Any other questions, Commission Members? Yeah, Nani?

Ms. Watanabe: Mr. Chair, was just thinking, it would be really nice if we, Commissioners, actually could go out there and do a site visit or field day.

Mr. Fredericksen: Maybe down the -- down the road, so to speak, as this project --

Ms. Watanabe: Yeah, so we have a better feel of the place and see the site.

Mr. Fredericksen: We can bring that up later.

Ms. Watanabe: Okay.

Ms. Dagan: And just a -- just a quick overview of our study area. This Sheraton property touches two ahupua`a: Hanakao`o and Honokowai, and then you have those little kinda like lele ahupua`a too that we're looking at. So we are looking at this greater area for our cultural impact assessment, and we have also extended it to Wahikuli because the Wahikuli and that Hahakea drainage end up in Hanakao`o and so we'll probably take a good look at those valleys as well. So, you know, we've doing our consultation in the community and a few kupuna interviews and, you know, again we're here today to ask you folks, you know, if there's anything you would like to share for our study or have included or any kinds of referrals that you could make to kupuna who might like to share about the area.

Mr. Fredericksen: Any comments on that? Rhiannon.

Ms. Chandler: I just wanted, again, the same area that I guess the explanation earlier is that it's not to scale but it definitely looks --

Mr. Fredericksen: Oh, the encroachment?

Ms. Chandler: Yeah, the previously identified archaeologically sensitive area that you said encompasses the greenhouse and a few other burials, I would definitely like to see this map again true scale so that we can see how either the existing structures, what their proximity is to the area, and then what the intended structures proximity is to the area because the area, as it stands now, is not really as significantly disturbed as it will be by this -- by this drawing to build this parking structure so you may find yourself with a much larger archaeologically sensitive area as you go into the project. So I definitely want to see, I guess, a true scale map and then just have that in the back of your mind cause I'm worried about it the way that it looks right now.

Ms. Dagan: Right, and as Tanya touched on, we are in the process of drafting the inventory survey plan, you know, right now so, you know, that's something that we can do with the plan.

Mr. Fredericksen: I have a question about, I guess, the plan itself. And I know it's early on, but how do you folks envision trying to test an active -- actively used hotel property while it's being used?

Ms. Dagan: Good question.

Mr. Fredericksen: Yeah, it's a nuts and bolts -- yeah.

Ms. Lee-Greig: Well, I can speak a little to our initial thoughts on approach for -- for this particular area given that, you know, we do know that there was a cemetery in this area and it was, you know, mostly consisted of coffin burials, so we can speak to at least that particular element, not, you know, the traditional non-coffin burials; that's a little bit more difficult to, you know - for lack of a better word ...(inaudible)... might be, we do have in-house remote sensing capabilities and so with that GPR technology, we're hoping to at least get an idea if, you know, we still have anomalies that may represent coffin burials in this area and this active area.

Mr. Fredericksen: I'm not a big fan of GPR.

Ms. Lee-Greig: Okay.

Mr. Fredericksen: I think you know. It doesn't necessarily mean --

Ms. Lee-Greig: Right.

Mr. Fredericksen: Much other than --

Ms. Lee-Greig: And -- and --

Mr. Fredericksen: Them just letting -- because it's not -- I mean if it's sand area, it's okay, but it's still -- how else are you folks planning on testing in the --

Ms. Lee-Greig: Well, the GPR data is only one element of that, you know. We use that data and then ground-troop it through backhoe trenching. But we do have examples of, you know, conducting archaeological inventory survey in urban areas, you know, from punching through existing asphalt and understanding what the GPR is telling us about depth and location just as a starting point to use that -- that particular type of technology to be as, you know, thorough as we can be in this particular area. GPR does have it limitations looking for, you know, subsurface cultural layers because, you know, that may not come up in the -- by the using that ground penetrating radar it might not reflect as well. But as far as, you know, determining or trying to get a handle at least on the cemetery boundaries, the historic cemetery boundaries as represented by coffin burials, I think it might be a useful tool. And of course, you know, not only relying on that technology, also ground-trooping that technology and, hopefully, we'll also be able to see a little bit about the utilities in that area as well ...(inaudible)...

Mr. Fredericksen: Yeah, there's going to be stuff ...(inaudible)...

Ms. Lee-Greig: It's necessary so --

Mr. Fredericksen: It's not labeled, yeah?

Ms. Lee-Greig: Right. Yeah. So also, you know, we are hoping that the GPR technology will also help us look at that aspect. You know, the difficulty of doing archaeology in urban environments is hitting waterlines and electrical lines and things like that. But there are examples on Oahu, I believe, that we've done cultural -- archaeological inventory survey for the Princess Kaiulani and if you have anymore questions about how we're going to go about doing urban archaeology, so to speak, Dr. Hammett is here as well.

Mr. Fredericksen: What are you looking at elsewhere on the hotel property because, you know, it's all built out? I'm just curious. I mean if you are doing an inventory survey, where -- and I know you folks are just in -- you don't have your plans set or anything but just kinda qualitatively, you know, where you're thinking about trying to test given the fact that it's an actively used resort property.

Ms. Lee-Greig: Well, right now, we're looking at --

Mr. Fredericksen: Besides the ...(inaudible)...

Ms. Lee-Greig: Because this area, you know, right now we're looking at open areas where this new pool water feature will be, open areas where, you know, these footings will be, and

possibly potentially going in and, you know, doing ground level testing within, you know, these areas as well - potentially.

Mr. Fredericksen: It'll be challenging, to say the least.

Ms. Lee-Greig: Very challenging.

Mr. Hutaff: Who have you consulted within the community that you would consider a cultural representative of those ahupua`a?

Ms. Dagan: Well, Edna Burkhart. She is a descendant of William Shaw, whose family cemetery was on top Pu`u Keka`a. Patty Nishiyama. We're working closely with her. She is, and Na Kupuna O Maui, they're the caretakers of this preservation area. We -- I have interviewed Sam Katotani, who is very familiar with the Japanese cemetery and helped, you know, removed what was removed, so he has, you know, quite a bit of knowledge about how they went -- did that process. Let's see - Orpha Kaina. I've requested -- well, we contacted Timothy Bailey, with the Aha Moku Council, and he gave me a list of potential Lahaina contacts.

Mr. Fredericksen: And this is still ongoing?

Ms. Dagan: Yeah.

Mr. Fredericksen: Still -- yeah.

Ms. Dagan: Yes.

Mr. Fredericksen: This is just -- you folks are starting it up and everything.

Ms. Dagan: Yeah. Yeah. So we're, you know, well underway, I would say. And Earl Kukahiko, you know, he's -- he's a Reverend in the area whose father had, you know, he has stories from his father and he, himself, has also been to the hotel for things, and that was another person we've consulted. I have several more people. Yeah, several more people on the list.

Mr. Hutaff: So you've actively seeked out people who would have knowledge or responsibility for the ahupua`a upwards, where this hotel is at, and the ocean too?

Ms. Dagan: Yeah, you know, I'm -- you know, we sent out these letters and through the referrals, mainly, I've, you know, kind of discovered the old families of the area. I've been referred to several of the old, older time families in the area and I'm, you know, in the process of meeting with them. There's one family that I can't seem to contact. Maybe you

folks -- is the Vasquez family. I -- I just can't find a contact number or anything for them. If anybody knows. They might have a different name now.

Mr. Hutaff: The other question. Do you know of any makaha in the area, any underwater, underground fresh water that enters into the ocean within a hundred feet of that beach or at the beach itself?

Ms. Dagan: Not through consultation we haven't learned of those.

Mr. Hutaff: Makalapua, anybody complained about certain cold water in the area?

Mr. Fredericksen: If there's anything large, Ray, you can probably -- it would show up on the coral --

Mr. Hutaff: I was looking --

Mr. Fredericksen: Coral growth and everything.

Mr. Hutaff: Yeah.

Mr. Fredericksen: Because it would tap it down.

Mr. Hutaff: It actually could show. It depend on what the picture ...(inaudible)...

Ms. Kanuha: I know get one down by Moku`ula side ...(inaudible)...

Mr. Hutaff: Yeah, I know. I know 505 has one, but you don't know anything in this Kaanapali, Sheraton side?

Ms. Kanuha: No. I cannot say that.

Mr. Hutaff: Okay.

Ms. Dagan: I am hoping to meet with the Naleieha family. They're a fishing family out north, north of Pu`u Keka`a, but I, you know, they might, very well might those kind -- where those are.

Mr. Hutaff: The only reason I ask is that maybe long ago there was a stream that flowed that got covered over and that's how the makaha at 505 is it's actually not a natural one, it's an unnatural one. That might be considered looking into to see where the water came from in the past to see if it needs to go again because we're going to have water issues too, yeah?

Ms. Dagan: Alright.

Mr. Hutaff: Go swimming.

Mr. Fredericksen: Any other questions? No more questions from the Commission? Okay, so at this point, you folks have come to just kind of let us know what's going on and see if, you know, we had anything to add. We've done our best. And I -- what I would like to see down the road, and maybe Stanley -- or, oh, is Hinano here? Okay, I'll -- Hinano, could you come up for a minute, please? I'm going to tie this into --

Ms. Dagan: And I am planning to meet your dad next week.

Mr. Hinano Rodrigues: Yes?

Mr. Fredericksen: I'd like to request that the Cultural Resources Commission get -- get any comments the Burial Council might generate on this project just so we can take a look and see what comments that they might -- if there are any written comments.

Mr. Rodrigues: Sure.

Mr. Fredericksen: As it -- you know, as the project goes along.

Mr. Rodrigues: These guys addressed the Burial Council at last week Thursday's meeting.

Mr. Fredericksen: Yeah.

Mr. Rodrigues: But I don't think it solicited -- well, I don't think there was any comments.

Mr. Fredericksen: Oh, okay. If there are -- if any -- if any comments do come up just so we know -- we'll know about them. That's all I'd like to ask.

Mr. Rodrigues: Sure.

Mr. Fredericksen: Okay. Thanks, Hinano. Did you have anything else that you wanted to say about this project?

Mr. Rodrigues: No, except that, and I -- my dad's 80 so they're going to interview him on Monday at 10, as my mom told me. The question is: Where are the boundaries to the TCP, the traditional cultural place, and all that kind of stuff? I -- there's one -- and I don't know if my dad's going to remember this because he is 80, but my dad's father, my grandfather, my Portuguese grandfather, was born in Kahuku but his family, he and his brothers, moved to Maui specifically to be train engineers for the sugar company --

Mr. Fredericksen: Which they had the pier right over there.

Mr. Rodrigues: Right, and they had the pier there. Well, he, being a malahini to Kaanapali, they didn't know really what was going on there that he was -- my grandma grew up in Kahana, which is further on down the road. Well, the first couple times when he -- he was a train engineer, his job was to take the sugar to that small pier, it was put on a small skip, and it was taken out the bigger boat. Well, couple times, he -- as he approached the pier, his train would stop. The gears would actually lock. And to a train engineer, this is an intrusion upon his masculinity, and he couldn't quite understand cause my grandfather said that, you know, that your job is to keep that train going, never to make it slide like it always happened at Wahikuli and all that kinda stuff, so he was really bothered, and by the second or third time, he went to talk to my grandma and my grandma said, this was her response: "Sure, honey, because they marching and your train is in the way. So the next time your train stop, you wait two minutes, let them cross the road, start your train, and go." And sure enough, you know, the next time it happened, he was (...*Hawaiian translation*...) just, okay, this is way it is, he wait two minutes, start the train, and the gears would start and he would go. Well, I was kinda young and because I was a little bit punahele for them, the favorite ones, you could ask questions. Technically, you don't niele. And I said: "Oh, so what time of the month was this?" You guys know where I was going with this question. And in the very esoteric Hawaiian response, her answer to me was: "Ah, 26, 27, 28, 29, right around there." And we all know what happens at that time of the month. So, really, the boundaries -- and I don't know where the train actually stopped, so we know that the significance -- the boundary significance is a lot wider than we might be thinking. That's all.

Mr. Fredericksen: Thank you, Hinano. Any questions for Hinano? Comments? Okay, Commission Members, have any other questions about this at this point?

Mr. Hutaff: I'm just gonna have one.

Mr. Fredericksen: Yes, Ray?

Mr. Hutaff: You're here to actually ask if we have any knowledge or to refer to. I don't have any right now. But if I were to run across somebody or something that I felt would be useful to them, do I run it past the Commission first or do I contact them directly?

Mr. Fredericksen: I think it'll be fine to just let them know unless -- what's -- that's fine, isn't it, Corp. Counsel?

Mr. Hutaff: Yeah? Okay.

Mr. Fredericksen: And any other comments? No? I'm assuming you folks will be back here as -- as things kind of march along, so to speak? Okay. Okay, any other questions? No? Okay, thanks folks. Have a good lunch. Anybody from the public want to say anything? Okay, Stanley. Take care. Thanks, Hinano.

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

D. DEMOLITIONS

- 1. MR. CHRIS HART of CHRIS HART & PARTNERS, on behalf of Moloka'i Catholic Community, requesting review and comment on the demolition of St. Sophia Catholic Church, Office and Hall for the construction of the Blessed Damien Center, located at 115 Ala Malama Avenue, TMK 5-3-002: 008, 012, Kaunakakai, Moloka'i, Hawai'i. The CRC may comment and provide recommendations. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: We may, at this point, need to change computers so -- to get the other powerpoint loaded, so let me see what we can do.

(A recess was taken at 1:40 p.m., and the meeting reconvened at 1:57 p.m.)

Mr. Fredericksen: So go ahead and -- just bear with us, we're going to be eating but we will be listening.

Mr. Solamillo repeated the item description into the record.

Mr. Chris Hart: Thank you, Stan. My name is Chris Hart, Chris Hart & Partners. We're a landscape, architecture, and land planning firm, and we were retained by the Diocese of Honolulu to prepare a special management area permit application for essentially the development or the building of the Blessed Damien Church in Kaunakakai. And with me today is Frank Skowronski, of Territorial Architects, who has worked over many months and years with the -- the Catholic community in Kaunakakai and the Diocese of Honolulu in developing the architectural design for the new Blessed Damien or St. Damien Church in Kaunakakai. Also I might add that we've had numerous -- there's been numerous meetings with the building committee that essentially Frank has been involved with, and also we did have a public meeting, a pretty sizable public meeting in Kaunakakai, at Mitchell Pauole Center, that involved the building committee members of St. Sophia Church, the congregation as well as many interested individuals in the community. So that has been undertaken. And the project planner in our office is Jason Medema, and Jason is going to begin the slide presentation for you, and then Frank, as the architect, will want to get into

some of the details, and what we're doing is -- it's important for us to present to the CRC, you know, basically some context, you know, of what has gone on and -- in terms of the development of the actual church building as basic justification for our request for comment from the CRC regarding the issue of demolition of the existing building, okay? Thank you very much.

Mr. Jason Medema: Good afternoon, Mr. Chairman, Members of the Cultural Resources Committee. Thank you for this opportunity to bring this project before you. I'm Jason Medema, of Chris Hart & Partners, and I'll be running -- trying to run, somewhat quickly but concisely, through this in the interest of time. As Chris mentioned, the proposed project we -- before you, or the proposed demolition before you of St. Sophia's Church in Kaunakakai is in support of the construction of a new Blessed Damien Church, a place of homage to Father Damien as well as a larger space to gather the Catholic community on Molokai.

The area in question is central Kaunakakai. Project location generally in the context of the south shore of the island is there. More directly, it's along Ala Malama Avenue. This is the ... (inaudible)... Stanley's Coffee Shop, Pacua's Store, there's the park, and the post office, and Kamehameha V Highway. Moving in closer, this is St. Sophia's Church site again, Pascua Store, Stanley's, and the credit union. Project objective, as I mentioned, to provide space to gather the islandwide Catholic community, replace an outdated, undersized existing structure, which is to be demolished, to provide a place of honor for Father Damien, and of course, to provide parking.

The new project, you have model in front of you, it's going to house a larger worship area, larger worship space, multi purpose rooms, classrooms, offices, essentially a center to gather church activities in one place. And the existing church was -- it's been a work in progress over the years. Actually, the land has been owned by the Catholic Church since 1913. In 1914, a chapel about -- I think it was about a 300 square-foot, 3 to 400 square-foot building, that was quickly outgrown in the course of about 20 years, and in 1936 and 37, the original building, an iteration of which exist on the site, was built originally about I guess 1400 square feet roughly, that church was named St. Sophia's in honor of St. Sophia but actually was named for St. Sophia in honor of Sophia Cooke, the wife of one of the Molokai Ranch managers, who donated a lot of money to the construction of that church. In 1957, the adjacent building that is -- housed a rectory and church offices was constructed. In 1963, a small catechetical center was constructed on the right side of the church. And then in 1965, there was an addition of roughly 300 square feet on the rear of the church that was done by Father Jonathan Gils in response to growth in the congregation. And then at various undetermined dates, pieces were added on. There was a -- actually, it's not on here - but there was a tower, apparently, that's shown in earlier photographs that was demolished on the site. Also, jalousie windows were added. There's cement stairs and commercial glass doors in the front; metal pipe railings. There's some astro-turf on the front stairs; cement planters.

The site actually -- there's a -- the second TMK is owned ...(inaudible)... the whole thing was owned by the Molokai Federal Credit Union. A portion was subdivided out. It's going to house part of the -- this is the existing church site, this is added on, since added on, and it's going to house some of the church construction, but mostly parking. Here's a site plan that basically corresponds to the model in front of you. And then showing the adjacent credit union. The church has an off-site parking license agreement with the credit union to use these spaces for their parking during weekends and off hours. Within the context of the special management area permit, all of the zoning and land use designations are appropriate for the proposed project.

Seen here, this is the project site as it currently exist. The church building and the adjacent rectory building. They're in somewhat of a sad state of repair. You can see the commercial glass doors, the astro-turf, the stairs, some boards that were nailed on, and this building, actually the second floor isn't really usable because of termite damage. This is the rear of the church building. This shows a shed area that was -- it connects the rear of the two buildings, the shed and storage and kind of all purpose space. And this is incidently from the -- what's going to parking. Right now, it's an unpaved vacant lot and it's going to become parking stalls. Here's another view of the rear of the church. This is the also the I guess the tabernacle that was just kinda tacked onto the back of the church. There's some seating space in the back of the church. There's some seating space in these buildings to the side here. This is a bit closer front view of the existing church. You can see the metal pipe railings, the glass doors, the termite damage, and the support here, and I'm not exactly sure what that is, could be an electrical box or something. Here's a little bit closer view. You can see the, again, the astro-turf here, the metal pipe railings, termite damage, the piers are crooked, and some of the improvised architectural elements that have been added on to the existing church. This is from the front. This is in that storage area that's connecting the two buildings, and there's an ADA ramp that was added to the entries on the side of the sanctuary. This is a closeup of that little shed hutch that you saw attached onto the rear of the building. Here's some more -- notice different types of roofing materials. This is at the corner where the storage shed was added on connecting the two buildings. Here's a street view of the project, Pascua Store, Stanley's Coffee Shop. From a country town business design standpoint, this is how the existing church fits in and, of course, the new church is going to be constructed with a great deal of sensitivity towards these design elements. Here's another view facing west down Ala Malama Avenue. And this is facing east through the central business district from the other end of Ala Malama Street - St. Sophia's would be down at the end. Here's a picture of the model that's in front of you.

At this time, I will turn it over to Frank Skowronski, the project architect. He can probably speed through some of the architectural elements and then move on to questions. Thanks very much.

Mr. Frank Skowronski: Good afternoon. My name is Frank Skowronski, and I'm with Territorial Architects, the architect for the proposed improvements, Kaunakakai. I wanna leave this slide up because it gives us an accurate orientation of the model that you're seeing in front of you - Pascua Store; on this side is this building model there; and Stanley's, what was once Stanley's, a two-story coffee shop commercial area is this building right there, and the rest of -- the rest of the commercial area of Kaunakakai and Ala Malama goes off in this direction. The post office is across the street, and the rest of the commercial area goes off to this side. The post office is across the street, and then Mitchell Pauole and the areas, the common areas for the fire station and local community offices are off to this side. This parking lot that is shown here ties in with a new parking lot that will be built by the credit union that will tie into Kukui Street and afford us off-site, enhanced off-site parking where most of the parishioners right now park in the town and come up into the project from Ala Malama side. The project is trying to rectify a new orientation, which approximately 50% of the parishioners, on the weekends, will be parking in this enlarged parking area and accessing the building from its north side, and the other half will be accessing the public parking off of Ala Malama and coming off the south side. So the building is purposely set back to the right with a large narthex gathering space set back from the street and slightly elevated so that both accesses can meet at this area here before they proceed into the larger worship space.

This square footage is approximately -- is approximately 56- to 5700 square feet, which is slightly -- slightly less than the footprint that's existing of the multiple buildings that are onsite but the gross square footage is significantly less once you take in the two-story aspect of the rectory office that we're proposing to demolish. We're trying to -- we trying to bring in some architectural elements from Father Damien's previous constructions all over the island. This is at Kamalo, St. Joseph's at Kamalo, with the arched wood windows and the arched doorway, which we're trying to mitigate with the arches at the tower narthex, which is an outside gathering space. So we're trying to actually measure and mitigate those exact proportions which are rendered in wood by Father Damien when we constructed this but are obviously inspired by his experiences with the gothic architecture from his native northern European roots. This is Our Lady of Seven Sorrows that Father Damien also built in the 1870's. It also has arched windows, basic basilica arrangement of the spaces and the tower. And again, trying to get that arch mitigated in the tilt up construction that we're doing here. This is St. Philomena at Kalawao on the peninsula and trying to get that tower openly stealing the architectural elements as best we could, and take that tower and take the arched windows and put them inside the tower so that there's some sort of architectural and historical continuum to show a progress of the Catholic community from before -- even before Father Damien's time up until the present. And that's the last one, but you can see how contextually we're stuck with -- we're given an 85-foot wide frontage and with the new purchase of the parcel in the rear that ties in with the credit union parking lot, we're looking at approximately 220 or some-odd square linear feet. So we're taking purposely this open space and setting the structure back so that its large

mass sits, not on the sidewalk or on the street, but sits back so it doesn't dominate the commercial area of the street. It's always raised up about 18 to 20 inches so that this narthex gathering spot, before and after services, is not spilling onto the sidewalk but is set back from the sidewalk. The single-story aspect of this multi-purpose room, also multi-purpose rooms here with a rectory and office space in the rear, is trying to mimic the scale of all the commercial developments along Ala Malama on both our side of the street and on the opposite side of the street, and as well as the once and future Stanley's, and then credit union's here, and then more commercial areas over here with the roadway going up into the hospital up in this area.

That's essentially the architectural agenda and how we approach the architecture. Because of the country town zoning and because of the SMA, we're offering these solutions for your review.

Mr. Fredericksen: Are there any questions?

Ms. Marquez: No, I'm just looking at this ...(inaudible)... so here's Ala Malama Street.

Mr. Skowronski: Correct.

Ms. Marquez: Is it -- well, I live there, by the way, but that's not the point. So when I'm looking from Ala Malama --

Mr. Skowronski: Yes.

Ms. Marquez: And I'm looking at -- this is the front?

Mr. Skowronski: That's correct.

Ms. Marquez: It looks like the whole front of the church is off that ...(inaudible)... is that right?

Mr. Skowronski: Yes, this -- this frontage of the multi-purpose is in line with the frontage of the buildings. What's happened is that I need -- I need a large worship space --

Ms. Marquez: Yeah.

Mr. Skowronski: That's about two-and-a-half times the existing size of the worship space, and the existing worship space at St. Sophia's basilica arrangement, which means it's a very ...(inaudible)... the new liturgy in the Catholic Church since the ...(inaudible)... council is leaning away from a linear basilica orientation into more of a open column or open arrangement, which the celebrant is in almost in the middle of the congregation. So the

design of the new worship has the altar here but instead of having the celebrants, the participants ...(inaudible)... and away from the parish, away from the celebrants, they actually curve around ...(inaudible)...

Mr. Fredericksen: Excuse me, you need to use the microphone. That walking around one work? Okay. Suzie will not be able to pick any of this up. Thanks.

Mr. Skowronski: Yeah, let's go to that one right there. So you can see where this is Stanley's, and this is Pascua Store, this is the building behind, credit union's here, Ala Malama is here, and the post office is here, and so this is the altar, and these are one of a variety of different arrangements for the pews, and you can see where the congregation is surrounding the celebrant as opposed to a direct line -- linear arrangement. So the answer to your question is that I don't have in 85 feet an opportunity set this up with the splay of participant -- of worshipers around in this fashion so I had to take that 45 degrees so that people parking here can now proceed on an open area to this narthex, and people coming off the sidewalk can proceed to this narthex and enter on the angle. That was the only way to get 250 seats, 240 to 250 seats wrapping around the celebrant. So the answer to your question is that that's not set at the same orientation as these buildings because we're trying to get the outside spaces to work with an overflow into the narthex, and also keep in mind that Ala Malama actually goes straight toward Mitchell Pauole, and then there's a triangular little memorial park in which even though this is considered Ala Malama, there's really a street -- this is Ala Malama and this is Ala Malama, the street actually bends back, so that's -- even though the once two-story Stanley's was on a street frontage, it's not at the same angle or at the same orientation as Pascua because it's following the angle of the street and we're trying to actually accent that so where I can get an open area off the sidewalk and the street.

Ms. Marquez: Thank you.

Ms. Watanabe: I have a question. And also you're able to make it ADA compliant?

Mr. Skowronski: Yes. Right. There's -- this ramp is -- has a greater slope than the ADA compliance, and there's an internal ramp that allows the congregation to actually have a ramp up two steps here, and also ADA accessibility to the office, public restrooms, and all the multi-purpose rooms that would be used during the course of the week cause there's an active outreach program that the parish has so we're just not talking about Sunday or weekend services, we're also talking about these spaces being used during the week.

Ms. Watanabe: Yeah, because I'm assuming that the older buildings are not as ADA compliant.

Mr. Skowronski: Well, the -- there was an improvised ramp put on the existing church.

Ms. Watanabe: I saw that.

Mr. Skowronski: I don't think it would technically -- technically pass ADA scrutiny. The upstairs spaces definitely don't pass ADA even though they're used for offices. As a point of clarification, keep in mind that religious organizations are not liable for ADA compliance. That's the legal aspect of it. The practical aspect of it is you'd be a fool not to, okay, because a large proportion of the celebrants will either now or sooner or later be impacted by that, so having an oversized ramp with a shallower slope than legally required both on this ramp and on the internal ramp not only encourages greater participation and as opposed to trying to put up some sort of barrier against participation.

Ms. Watanabe: Thank you.

Ms. Marquez: So now the so-called Stanley's Coffee Shop, which is defunct by the way, still belongs to the Catholic Church.

Mr. Skowronski: The short answer is: No.

Ms. Marquez: No?

Mr. Skowronski: No. What's happening is that this parcel, where the church is located, is presently owned by the Catholic Church of the Moloka'i community. This portion has been purchased by the Order of Priests, the Sacred Hearts Priests, that -- of which Father Damien was a participant or a member of, that will be staffing, not only this church, but all the other missionary churches on the island. I know it's a fine line of demarcation, but they're not the same owners, okay, so the Diocese has impact and influence on what is happening on this parcel, but they don't have any impact on what's happening on this parcel. They're related. They'll probably be used together sooner or later because -- as long as the Order of Priests that are servicing this facility are still servicing that. But at anytime in the future the Bishop can come in and say: I want another Order to come in or different, not ownership, but usage or management, as you were, so it's actually ownership of the facility is here but the "management" owns this one, but that management can actually can be changed. The Order can be changed.

Ms. Marquez: Because this whole thing will be called some Blessed Damien Center or what have you.

Mr. Skowronski: Well, there's a lot of plans for this building, okay. Those plans, right now, are just plans because this building has challenges since it doesn't have its own parking, okay; it has no ADA accessibility to its second level, okay; there's a rear building right there, which is right there, which, you know, again is a single-story, it has no ADA accessibility, and it has no parking, and so the plans that are being discussed for this right now are going

to be held for quite some time because they're still raising money for this. So any money or any influences or any initiative to improve this location is going to take a second seat until this one's actually done.

Ms. Marquez: Thank you.

Mr. Fredericksen: Any other questions, Commission Members? No? Okay, I've got a comment.

Mr. Solamillo: Excuse me, Mr. Chair?

Mr. Fredericksen: Oh, yes, Stanley?

Mr. Solamillo: For some reason this -- this got a little crosswise between Chris Hart's office and myself. You are here to consider a demolition.

Mr. Fredericksen: Right.

Mr. Solamillo: We are not here to consider a project nor do a project approval, and so I'm going to have to give you another slide presentation so that's where we're at. Sorry.

Mr. Fredericksen: Okay, so, Stanley, okay, we're going to see this now?

Mr. Solamillo: It's short.

Mr. Fredericksen: Okay, that's fine.

Mr. Solamillo: Okay, you've already gotten the scenario about where it's located, so I'm going to blow through that. Kaunakakai shows up on some early maps. The best one we got was from 1924. This is a great map. It's a field map. And it's backed by linen, and shows the location of Kaunakakai, and this is based from survey information in 1921, 1922. Unfortunately, historic photographs of Kaunakakai are -- there aren't many of them around and then is really problematic because we just have these very few views, and this one in particular, this is the one street view that I think Jason, in his last shot, before they went to the model, showed you this same view, but you can see at that time, and this probably circa 1940 or so, you've got quite a built out town. It's almost like Lahaina, right? But it doesn't look like that way now, unfortunately. But the architecture is clearly plantation style and that's the way it looked.

Today, this actually was taken back in the '80's when the theater was dropped, this is part of the HABS collection from the Library of Congress, you know, the cityscape had changed drastically and didn't look anything like it did today. So we've gone through a period of

attrition over time for Kaunakakai. That's the same building. I don't believe it stands today. Alright, these are some really bad shots from *Catholic Herald* taken in 1937. The building, St. Sophia Church, it's true, it was named after the wife of a Cooke, and it was 60 by 24, it was dedicated on July 4, 1937. The two upper shots on the left are what the church looked like as it was nearing completion and it was from the *Catholic Herald* of that month. It was similar in design to the Sacred Heart Church at Naalehu in Kau, which is below, which was dedicated in the same year. Is Kau correct? Oh, Ka`u. I'm sorry. But you can see there was a bell tower. The bell tower is located on the rear of the church, and it has a front entry. So the steeple that we have today is -- is not correct and wasn't there originally. The original church, which was located at this site, there were no Catholic Churches prior to 1872. I think the first one was built by Father Damien in 1873. In 1914, we get this -- this smaller St. Sophia Church, but this is actually moved to Maunaloa, according to the newspaper, the *Catholic Herald*, where it was reused, and I don't know what happened to it after that. That time it was probably demolished for the new church.

Off the Sanborn Map from 1924, I believe, which was revised after the new church was built in 1937, you can see clearly it says: "RC Church," I think I have an arrow, RC Church with the bell tower on the right-hand side and gable entry. This is a blowup. So if we took actually that last church from Ka`u, and flipped the photograph, that's the floor plan. That's the original outline of the building so you have a bell tower; you have probably six-over-six windows you have an entry which is different as well cause I believe the post on it were different; if you go back to this one, you can see that there seems to be some indication that the post that were holding up the gable entry were turned and we look, there seems to be some kind of detailing on the corner that I can't really make out as well as the circle vent. Okay, those, according to the Secretary of the Interior, are character defining elements, okay, and those are what we use to determine whether a building is eligible for listing on the National Register of Historic Places. So when we do any kind of negotiations with SHPD, which is the State Historic Preservation Division, or the National Park Service, all decisions about whether a building is eligible are made based upon the existence of character defining elements.

So we can go through the whole scenario. The bell tower is gone. The original windows are now been changed out to jalousie windows probably sometime in the 1950's or '60's. The circle vent in the middle of the gable end is gone. The entry porch has been changed. Entry doors have been changed. The original bell tower down, replaced by a new steeple. Plus all the other ancillary things that -- that Jason went through point to a building which is lost all its character defining elements and is not eligible for listing in the National Register of Historic Places. Occasionally what we do is if a building is eligible for listing to the NRHP, we do something called, we want to mitigate the adverse effect of demolition. In this case, although I might be emotionally attached to it, I might feel for this community because they're going to lose a building that, you know, was church for a very long time,

over 50 years, I don't have anything to hang it on, okay. So the recommendation that comes from the Planning Department is the building is not eligible for listing in the National Register of Historic Places, therefore, I cannot order a mitigation nor recommend a mitigation. This will be sent to, if you concur, this would be sent to SHPD for their concurrence as well, which would free up the demolition permit for this -- this property.

Mr. Fredericksen: Stanley?

Mr. Solamillo: Yes?

Mr. Fredericksen: I got a question for you. Okay, and I agree. The building is in poor state of repair and that needs to be replaced but it's not being replaced with the same because its been modified over the years, etcetera. Now I'll pose this question to Veronica: Was the facility itself, and understanding that the building, you know, has seen its time and needs to go, but the facility itself, gathering area, was that significant to the Moloka'i community?

Ms. Marquez: Yes.

Mr. Fredericksen: The church -- I mean the organization.

Ms. Marquez: Yes. And I have to add to my yes. Because it was so significant ... (inaudible) ... cause a lot of times the services had to be moved to Mitchell Pauole Center. I think this will allow - I don't know if it's a bigger space - yeah. Good. So the answer is yes in extension that it's all good now and it remains the same for me.

Mr. Fredericksen: Yeah. The comment I would have is or the comment I have is because this was a, you know, maybe not necessarily the building itself, but the location of an important, you know, is an important community - I don't know if "resource" is a right term - but focal point, that there -- it would behoove the church before, you know, progressing with everything to get a little bit more information on this historic resources inventory for St. Sophia Catholic Church really doesn't have a whole lot of information on -- cause once it's gone, of course, it's gone about what this earlier period, maybe the earlier part of the church's existence because that's going to, in 2010, or 11, or whenever it gets built, that part is effectively removed. And to have some additional information included. I don't know, in this packet that we got, there's a letter, I only see letter that was sent to SHPD June 16, we don't have the letter that was generated on March 12. And was there -- do you know if there was a response to the June 16 letter?

Mr. Solamillo: I don't know. I'd have to ask Chris Hart & Partners.

Mr. Medema: Thanks, Mr. Chairman. That packet may have been prepared in some haste as we were trying to jump on this agenda as soon as possible so I'll take responsibility for that. The answer, yes, there was a -- there was a letter in response to that. That letter --

Mr. Fredericksen: So one between June 16 and now?

Mr. Medema: Yeah, the June 16 letter, basically, was -- well, I mean our response and a lot of it was what we were showing here, basically, the building is in poor state of repair and, you know, is not architecturally consistent with the original structure. The response that we then -- we then did receive a response and I would be more than happy if you'd care to have it forwarded along to you, I'd be happy to do that, which is I mean I'll email it along. Well, it said that they -- they said that they still felt that it was significant and that if it was necessary for, you know, various reasons that we had cited to take the church down that we still somehow consider either some sort of adaptive reuse or some sort other mitigation and we have -- the church actually has in its budget for the new -- the new church, and this is where, you know, some of the suggestions that you're coming up with, that historic resources inventory I think -- I don't think the person who did that quite understood the significance of the sense of place and the sense of that place.

Mr. Fredericksen: Yeah, I mean it's just not --

Mr. Medema: It's sort of they'd go in and this is a building, that looks bad, tear it down.

Mr. Fredericksen: Yeah, it doesn't care to take the cultural -- you know, from the Catholic community, if you will, that part of it.

Mr. Medema: The church itself actually has in its budget to create an interpretive display in the narthex area that tells the story of St. Sophia's and the community that built that church, and so to provide some continuity between the new structure and the new place of homage to Hawaii's first saint and the, you know, historic Catholic community on the island of Moloka'i.

Mr. Fredericksen: Because it's effectively -- St. Sophia is effectively ending, if you will, and the it's going to be, you know, St. Damien.

Mr. Medema: Right, but yet the Moloka'i Catholic community continues, you know.

Mr. Fredericksen: Right.

Mr. Medema: Continues to evolve and so forth. In addition, we've also been in touch with the Historic Hawaii Foundation. We've met with them. They've been actively involved. Actually, a representative of HHF visited the site with Frank and with Father Clyde at the

church, and some of the other church sites on Moloka`i, and they're discussing additional potential mitigation, you know, to -- so that story isn't lost.

Mr. Fredericksen: Yeah, because that would be -- that would be the concern that I have is that -- I mean what this is, and I'm assuming SHPD didn't accept this historic resources inventory, is that correct? Has it been modified or -- cause there's no -- I don't see a review letter for that.

Mr. Medema: They --

Mr. Fredericksen: Or the assessment survey.

Mr. Medema: They did not -- you know, like I said, they -- I believe they concurred with the archaeological assessment and they did not -- I don't think they accepted or didn't accept. There was discussion about the historic resources inventory. There was no acceptance or non-acceptance of it other than this is -- yeah, we feel this building is historically significance where you're saying it's not and it sort of became part of that -- that longer conversation with the letters back and forth.

Mr. Fredericksen: Yeah, again, I just would -- you know, my concern as a Commission Member would be is that the history of the St. Sophia, you know, side of the, you know, progression, is not lost, and this document, this draft document, there's not -- you know, it's lost, basically, at that point if that's all there is. I mean there's some clippings from newspaper articles that aren't even -- those aren't very old or anything. But just so there's a more -- I think a concerted effort to get more records that maybe the Catholic Church may have on it. Yeah, Stanley?

Mr. Solamillo: If the Commission Members want additional information, and would essentially require that as mitigation for the loss of the building, loss of the office and hall, there are several options that you can do. You can ask for an official history. You can ask for an oral history. There's some questions that we don't have answers specifically about Moloka`i and that is we had a lot of Filipinos who lived there, we had a lot of Hawaiians who lived there, there's a transition in Lahaina where more Hawaiians begin joining the Roman Catholic Church, probably in reaction to how they view their treatment by HEA or Hawaiian Evangelical Association, that yet -- you know, that has not been born up because nobody's actually asked the question: Do we have a lot of Hawaiian Catholics on Moloka`i? And so, you know, possibly historical data like that. How did this church grow? I've got kind of a panoramic photograph of a First Holy Communion and there's a whole bunch of kids, and it's from 1937, and during that time, you know, public displays of faith, such as ...(inaudible)... sessions going through Kaunakakai carrying, you know, banners and showing that you are Catholic were a really big deal and, you know, this was before the

war, and we have no -- no mention of this. So if the Commission so chooses, it can, you know, require more things.

Mr. Fredericksen: So then you said that --

Mr. Solamillo: You can do an all history. You could do a -- a history, straight history, which is secondary research, or you would ask ...(inaudible)... do a minimum of five interviews to incorporate transcript -- do transcripts and then do -- or verbatim transcripts and then incorporate the information from the transcripts into a historical context, and that'll give you the full background on St. Sophia.

Mr. Fredericksen: Yeah, I like that option. What do you think?

Mr. Maly: Yeah, if I may, Mr. Chair. Very simple. One, if in 1937 there's a group of children, they're probably in that where they're still living, and so what you have is a great opportunity to, one, within the parish and perhaps through the Diocese office in Honolulu, simple do, one, a documentary, a simple documentary research, and I'm sure that it's all filed away by church, location, and name. But then, just within the community of Moloka`i, from the parishioners to ask for photographs and just begin that simple process. I think it would be a real asset to -- to the Diocese, to the parish itself, and to the community. And, you know, and it's a simple process to undertake, you know, that could, you know, maybe some guidance, you know, from Commissioner here from Moloka`i and, you know, help to establish a program that would enrich the community - pretty simple.

Mr. Fredericksen: Yeah, the building's gotta go but the memories don't.

Ms. Watanabe: Yeah.

Mr. Maly: That's correct.

Mr. Fredericksen: We wanna keep those memories.

Mr. Maly: I'm sure just as a Sunday, Saturday evening service announcement just to start asking parishioners to pull out photographs. I'm sure that while Stanley couldn't find photographs of things going on around the church, I'll bet you that the parishioners have all kinds of things stuck at home, you know, that would help to illustrate that history.

Mr. Fredericksen: Yeah, thanks, Kepa. Yeah, Alika.

Mr. Romanchak: Chris or Frank, do you have a sense of the position that the church might take on this within their records or whether they'd be willing or able to participate or be in support of this?

Mr. Skowronski: Well, two comments. The first comment is that one of the multi-purpose rooms that's close to the entry is being turned as a hospitality room, which new parishioners or new people that are unfamiliar with the church, mainly visitors or people coming to pay pilgrimage or homage to Father or now Saint Damien, will have to pass by this hospitality room and ongoing with the parishioners now is a compilation of old photographs and old documentation, paintings, anything they can get their hands on that they're accumulating in their archives that will be displayed purposely in -- in this hospitality room. And again, the idea behind this is that historical continuity is extremely important in all organized religions, so the parishioners and the building committee that are in existence right now want to keep that continuity and are actively gathering information and archival evidence for this and have square footage set aside specifically for this. Okay, so that's an ongoing situation and there's room set aside. There's costs and square footages and budgetary set aside for that. And then number two, our consultations and our interactions with Historic Hawaii Foundation, the people that came up, the person who came up and saw the site, Father and I took them around to -- to the other churches on the island with the idea being is that we're trying to negotiate or discuss with Historic Hawaii Foundation to look at the Catholic parish, not in terms of just St. Sophia or what used to be St. Sophia, but islandwide. Now there's at least nine churches islandwide that have been documented, some of which have disappeared. St. Ann's in Halawa is gone. St. John's is gone. Some that have been sold. Sacred Heart at Hoolehua. Blessed Sacrament has been turned into a women's center. And then there's St. Vincent's at Maunaloa. And, of course, Our Lady of Seven Sorrows and the one at Kamalo. So the idea is that one of the mitigation avenues would be a survey, and accurate documented survey, of all the structures that the Catholic Church has been using islandwide since the parish is now islandwide and that that would also be included, not just with Father Damien's or St. Damien's, excuse me, influence on this particular site, but also as famous as he is for what he has done on the peninsula, there hasn't been a lot of documentation or a lot of reverence made as to what he influenced topside in the rest of the island and that he would come up and build these churches. While he was administering on the peninsula, he would trek up through the valleys and bring building materials and actually build these other churches, he built four of them topside, and a lot of focus is usually made about the colony but there's not a lot of focus made that he actually started the Catholic community topside that had nothing to do with the colony, and we're trying to draw attention to that and show this as part of that overall continuity and so there's not only a room set aside, but that retaining or that privacy wall, and there's a major wall where the altar is that we wanna document and show that, that we're part of what his sacrifices were and we want to continue this. So that mitigation is already being assembled, that information is already being assembled and the intention is to actually place it here. Keep in mind also that this is probably going to be some sort of pilgrimage site.

Mr. Fredericksen: Yeah.

Mr. Skowronski: Because access is going to be cutoff, effective access, is going to be cutoff to the peninsula with the Department of Health and with the Fed, they're not going to allow people to be going up and down the switchback to get to the peninsula. So in light of that, the Diocese and the parish wants this location to be the focus of a lot of visitors coming into town and coming to the island that will not be able to access the peninsula. They'll be able to access this. And so with that in mind, it's imperative that the history of Father Damien's sacrifices and his influences are actually going to be placed in here as part of a mitigation.

Mr. Fredericksen: Any other questions?

Mr. Maly: All you gotta do is explain that cause that's all missing, all of that wonderful work is missing from this description.

Mr. Fredericksen: Yeah.

Mr. Hutaff: Can we go back to the picture that shows the front of this new thing here?

Mr. Fredericksen: What, the entries?

Mr. Hutaff: How it's going to look? Yeah, the entry. I wanna do -- the new one, not the old one. There you go. Okay, good.

Mr. Skowronski: Is that the slide that you're referring to?

Mr. Hutaff: Well, yeah, I kind of wanted to, you know, see if there was an easy suggestion to make the facade in that concept there sort of represent the facade of the past with the - I know it's not a bell tower - I know that there's religious significance to why there's that pyramid and it was utilized as a bell tower, not necessarily at this particular church, and the entryway, if it mimicked it, it would give continuity to what was and then to what is. You know what I'm trying to say? Am I not saying it wrong? Probably not. I'm making any sense? That what it looks like is like, gee, it would be really cool if when we looked at this picture and we saw the facade, the front of the old church be representative and the tower or the -- where the cross is on top because that was in days back to early Christianity that was the identifying building, whether you were on a farm looking miles and miles away that said, hey, this is a Catholic Church, you know, and it's something that if we drive by, if I drive by that, and I hadn't seen that, I would not recognize that it had been a church, okay? But if I saw that, I would go: Oh, there's a church there. It was just kind of a thought to kind of bring the old and new together. I mean I don't see how you can do it.

Mr. Maly: Well one of the photos from one of the Moloka'i churches that they showed, I think it was Kalawao, had actually four small crosses on a similar I think square tower, right, just on the corners.

Mr. Skowronski: Philomena?

Mr. Maly: Yes. And so the four crosses even on those four corners might --

Mr. Hutaff: Well, the pyramid actually means something.

Mr. Maly: Yes.

Mr. Hutaff: I mean --

Mr. Maly: But in Philomena --

Mr. Hutaff: Right.

Mr. Maly: It was flat with the four crosses.

Mr. Hutaff: Yeah, I was trying to keep a little bit of the old visually ...(inaudible)...

Mr. Skowronski: Keep in mind also that, as Stan showed us in the really grainy newspaper articles, the original St. Sophia did not have a steeple.

Mr. Hutaff: Right.

Mr. Skowronski: It had a bell tower. Okay, so that, again, is something that we're looking at the existing church with its steeple as being a sort of add on, and so we're trying to go back to the original, not only is this a reference to St. Philomena's solution, but it also goes back to the 1930's solution that was originally done for St. Sophia that did not have a steeple but had a tower.

Mr. Hutaff: Right.

Mr. Skowronski: And having a, the Italians call it a (...*Italian translation*...), having a vertical -- St. Mary's in Hana has that (...*Italian translation*...), and then it has the regular basilica and, okay, that is just as common in Catholicism architecture - I'm sorry, Catholic architecture than the traditional steeple with the steeple. The idea is that, you know, it was brought up in the building committee references that this was a little bit too Italian or Mediterranean, whereas in fact, the one we started analyzing what Philomena, St. Philomena looked like and the original St. Sophia looked like in '37, they started to realize

that this sort of tower rendition with the angled roofs coming off of it was just as important or just as meaningful as an icon.

Mr. Hutaff: Yeah, I understand what you're saying about that. I was just trying to fit this because we're going to lose an old building and it really goes against our grain to do that. Right? As far as the cultural sense go, so I was just trying to conceptualize something that people would recognize as being that and I don't see it possible within the -- what you have there now. It's just kind of a thought.

Mr. Hart: Well, it does look -- Chris Hart. It does look ecclesiastical, it certainly doesn't look like the other commercial buildings on Ala Malama.

Mr. Hutaff: I agree.

Mr. Hart: And I think you gotta look at it from the point of view of the evolution of the church and that I can counsel too, you know, there was a lot of effort made to basically develop standards for contemporary Catholic worship in terms of developing the ...(inaudible)... space. Probably the best example of how that actually occurred, you know, and basically was translated into the guidelines of, that I can counsel to, was when St. Anthony Church burned here in Wailuku, and the -- when the church was taken down, the community worked together, you know, with the Diocese of Honolulu and essentially applied the standards established for liturgy, and that I can counsel to, and St. Anthony Church today is very similar in the context of the space as this proposed St. Damien Church in Kaunakakai.

Mr. Hutaff: Well, like I said, for the Cultural Resources Commission, we have sort of a standard that we aspire to, okay, and leaving things the way they are in history is more along the lines of how we wanna think or how we're instructed to think. Your design is obviously based upon what the church wants.

Mr. Hart: Sure. And --

Mr. Hutaff: And --

Mr. Hart: And again the community.

Mr. Hutaff: And I was trying -- yeah. I was trying to see if there was a way you could kinda keep a little bit of both.

Mr. Hart: Well, and that's, you know, the echo to the St. Philomena's is basically, you know, the purpose of it -- huh?

Mr. Hutaff: I was talking about this particular church. I understand everything that you're saying. I was just trying to look for kind of a -- kind of a really good idea to ...(inaudible)... happening, is it.

Mr. Hart: All I can say is, you know, that -- you know -- well, it's -- it is -- I mean, you know, I think that, you know, the faith of the Catholic Church is evolving and it's being translated into, you know, basic more contemporary guidelines for communal worship than, you know, existed previously historically and that kind of the statement today.

Mr. Hutaff: Fine. Thank you.

Ms. Marquez: Comment.

Mr. Fredericksen: Veronica.

Ms. Marquez: Comment. Maybe this will help Ray and maybe myself. When I look at this thing is I don't think the project is to rebuild St. Sophia Church. I think this development is to construct this Blessed Damien Center, and this whole mana`o, since the canonization, is, and not to put anything down, is that it's been, hey, now we have a saint from our -- you know, from our moku --

Mr. Hutaff: I agree.

Ms. Marquez: Moloka`i. So I don't know. I'm not speaking for these fine people. It seems like that it's the essence of the Blessed Damien Center as opposed to knocking down the old St. Sophia and putting it back up to kinda keep it the same look. I don't know. Comments from the gentlemen. That's how I see it.

Mr. Hutaff: Thank you.

Ms. Marquez: You're welcome.

Mr. Hutaff: That's fine.

Ms. Marquez: Okay.

Mr. Fredericksen: Stanley?

Mr. Solamillo: Okay, Commissioners, do we have a recommendation on a mitigation for this project?

Mr. Fredericksen: Okay, anybody wanna tackle that recommendation for mitigation on this project?

Ms. Marquez: Meaning?

Mr. Solamillo: We discussed whether we wanted more history about this building and its congregation; whether we wanted to do it as a straight secondary research history; or whether we wanted to do a minimum of five oral history interviews from kupuna who were children maybe or were alive at the time that the building was built and incorporate that into a historical context for St. Sophia.

Ms. Marquez: Question. If we pursue the route of mitigation, that mana`o you said, will that be a barrier for the demolition of this property?

Mr. Solamillo: No, it'll be a requirement.

Ms. Marquez: Okay.

Mr. Maly: Another question though but it sounds like all of that work is actually underway now as well so is it possible, say, with the understanding that this work is being done and it's going to -- you know, that in fact they're dedicating a portion of the footprint of the floor plan to ensuring that this history lives and is passed on? Is it necessary to -- to do the mitigation?

Mr. Solamillo: It's up to you.

Mr. Fredericksen: Yeah, that's a really good point, Kepa. In someways, I -- you know, I really like the idea that they're going to do this, you know, set aside an area. The -- and I -- I think because -- I mean if it was any other circumstance, I probably would just say, uh-huh, period. Have it done. But they, quite frankly, be fool-hearted not to do it because what this church is going to represent, you know, for Blessed Damien, that's -- yeah, Blessed Damien Center, it would completely behoove them to have as much information as possible. I mean this is a really unique case.

Mr. Maly: It is.

Mr. Fredericksen: What -- yeah. Did you have something, Alike?

Mr. Romanchak: I think you kinda said what I was going to say.

Mr. Fredericksen: Stanley?

Mr. Solamillo: The actual recommendation is to approve demolition without the mitigation requirement.

Mr. Fredericksen: That's what it would --

Mr. Romanchak: I think based on our understanding of what was presented to us today that the church is in fact undertaking that mitigation on their own that you, the Planning Department -- or that they don't need to do anything official.

Mr. Fredericksen: This is something I'm thinking of. If there's a way that they could condense it -- I mean it would be something they could actually -- maybe they could even market it --

Mr. Hutaff: That's right.

Mr. Fredericksen: As a, you know, this is the history of this building site or this, you know, the church, this site. This is what was here before. And then if the County Planning Department could get a copy of that, I mean it would have that information, there would be an archive here --

Mr. Maly: Yes.

Mr. Fredericksen: Just so it's here and then they would have a -- the church would have a resource that they could do whatever here if they would -- I don't know - give them to people or if they donate or whatever - sell them even. But I don't know. What does that sound like to you folks?

Mr. Hutaff: That sounds like ...(inaudible)... but I definitely, if I was in their shoes or at least in the church's shoes, I'd be going --

Mr. Maly: Yeah.

Ms. Watanabe: Yeah.

Mr. Fredericksen: Now, from the County's point of view for this demolition permit, there needs to either be with or without mitigation, right? It can't be -- cause if this is what I just brought up is a wishy-washy thing because if we don't put it in writing, there's nothing that says that it's going to happen. So what do you folks, on the Commission, feel about it? I know it's 3:00 and we're all fading --

Mr. Maly: In reality, if they're going to -- if they're doing it already, it wouldn't be an imposition then to -- to include a condition. Is that correct?

Mr. Fredericksen: It doesn't seem like it would be --

Mr. Romanchak: I think it would depend on the timing, you know, if they wanna proceed with the demolition but they haven't yet completed their -- their research and whatnot.

Mr. Hutaff: I think the purpose of the -- what they're doing now and how they're doing it and the timing of it all indicates, and knowing the -- a little bit about the church's history as far as keeping track of their own history, I think it's pretty much automatic. I think anything we say is kind of moot and it would only slow things down a little bit. Like you said is that they're going to be gathering it and maybe gathering it for ten years.

Mr. Fredericksen: Yeah, it may be a work in progress that will evolve.

Mr. Hutaff: And they said it would certainly benefit Moloka'i and benefit the church itself and benefit the people who are going to come to see this place that can't go down to the peninsula, okay. That's pretty much automatic. You know, if they don't do it, you know, if they didn't plan to do it now, somebody would plan to do it in the future. So I think it's pretty much automatic.

Mr. Fredericksen: I feel comfortable if what we approve this in this specific instance, demolition with no further mitigation, but I mean as Ray point out, I mean this will, this information, unless, you know, they're full-hearted about it, not wanting to have that information, it will happen.

Ms. Marquez: So I mean according to this, we're here to comment and provide recommends so --

Mr. Fredericksen: Right.

Ms. Marquez: Would the recommend be to approve the demolition permit?

Mr. Fredericksen: Yeah, without mitigation.

Mr. Solamillo: That's correct.

Ms. Marquez: Without mitigation. Okay.

Mr. Fredericksen: Now, does anybody on the Commission wanna put forward a motion for that?

Mr. Hutaff: I'm sure Moloka'i want to.

Ms. Marquez: I would love to. Now help me out. I move that we --

Mr. Fredericksen: Approve the demolition.

Ms. Marquez: Well, we don't approve the demolition, we recommend the approval of the demolition with no mitigation.

Mr. Fredericksen: No further mitigation.

Ms. Marquez: You said it. Yes.

Ms. Watanabe: Second.

Mr. Fredericksen: That was an interesting one. 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: recommend the approval of the demolition with no further mitigation.

Mr. Fredericksen: Okay. Thanks for hanging in there guys but please -- please pass on our, you know, our concern to the church to, you know, try to get -- get this thing going as far as that documentation. It sounds like it's underway as we speak, so that's great. Okay, Stanley.

E. DIRECTOR'S REPORT

- 1. Certified Local Government (CLG) Projects (2007-2008)**
- 2. December 3 CRC Meeting Agenda**

F. COMMISSIONER'S ANNOUNCEMENTS

Mr. Solamillo: In the interest of time, I'm going to recommend that we suspend the Director's Report until next meeting. And then do I have concurrence?

Mr. Fredericksen: Okay, we don't need a motion do we? Okay, it's unanimous.

Mr. Solamillo: Okay, for Commissioner's Announcements, are there any Commissioner's announcements to make?

Mr. Fredericksen: Okay, I don't know if this would be an announcement but there's two State Historic Preservation Division review letters that I came across when I was going through this, and I've got concerns about two of them, and I -- Stanley, do you have this? Do you have the --

Mr. Solamillo: I have it but I haven't looked through them.

Mr. Fredericksen: Okay, there's one on October 1 --

Mr. Solamillo: Okay.

Mr. Fredericksen: And it's called -- it's a Section 106 NHPA Chapter 6E-8 Historic Preservation Review of Lahaina Small Boat Harbor Marginal Pier and Utility Improvements. Now, my question is, this is not -- there were two that came before the Commission.

Mr. Solamillo: Correct.

Mr. Fredericksen: One was the pier that was going to go out into the, you know, where the old Carthaginian used to be --

Mr. Solamillo: Yeah, and that's the one that's problematic.

Mr. Fredericksen: Yes, and that was the problematical one. Now, this -- this marginal pier and utility improvements, I want to make sure that that is the one that's the pier within the harbor itself that connects to the boats. Okay, so that's the first one. The document number, here, Stanley, I'll give you that, it's Doc No. 0910PC02.

Mr. Solamillo: Okay.

Mr. Fredericksen: And then the next one I'll give you the doc number on it, it's Doc. No. 0909PC28, and this one is request for comments for the Kaahumanu Avenue/Waiale Road Overpass for Federal Aid Project. Okay, this is a no effect letter from the State and I wanna know what exactly they're proposing. They're saying the work will only affect the underside of the overpass with no ground altering disturbance. The bridge itself is historically significant.

Mr. Solamillo: It's on the Register.

Mr. Fredericksen: Yeah, and what the -- well, I won't finish with that. What -- what is this about?

Mr. Solamillo: Okay.

Mr. Fredericksen: And also, you know, I was on the CRC before when this was an issue and I wanna know why the State - if this is what I think it is, why the State is -- you know, why this happened without us, the CRC, being notified about it cause this is on -- this is a -- it's a very significant bridge.

Mr. Solamillo: Okay.

Mr. Fredericksen: Okay, so those are the two -- those are my two comments on SHPD stuff. Anybody else other than -- okay, Alika.

Mr. Romanchak: Sorry, one quick one. Barbara Long, who testified earlier, before she left, left me these brochures of Wailuku Town that were developed about the cultural and history of Wailuku, and she wanted to encourage our Commission and the Planning Department to perhaps be more proactive in developing this sort of thing for other --

Mr. Fredericksen: Other areas on the island?

Mr. Romanchak: Towns, locations.

Mr. Fredericksen: Yeah.

Mr. Romanchak: And discuss what, you know, alternatives, funding sources, and that sort of thing for this sort of project.

Mr. Fredericksen: Great. Anybody else? Okay, that's it, right?

G. NEXT MEETING DATE: December 3, 2009

Mr. Solamillo: Alright, next meeting date is December 3, 2009, we may have it in Lahaina, and --

Mr. Fredericksen: What's potentially on that agenda?

Mr. Solamillo: At this moment in the afternoon, I have eaten, so I wouldn't remember. My mind is a blank slate right now.

Mr. Fredericksen: Okay, anybody move for adjournment.

Ms. Watanabe: I so move.

Mr. Fredericksen: Okay, and we're unanimous, right, to --

Mr. Solamillo: Mahalo to everyone.

Mr. Fredericksen: Thank you for marathon session everybody.

H. ADJOURNMENT

There being no further business brought before the Commission, the meeting was adjourned at 3:10 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions

RECORD OF ATTENDANCE

Present

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

Excused

Kalei Moikeha

Others

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