

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
SEPTEMBER 1, 2011**

** 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, Hawai'i. ***

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Commission Member, Erik Fredericksen, at approximately 10:10 a.m., Thursday, September 1, 2011, 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).

Chair Erik Fredericksen: And good morning to you, Stanley, and to everyone else. Let's call the meeting to order. It's September 1, 2011, our meeting, and boy, months are zipping by. The first item on our agenda is approval of minutes of the April 7 and July 7, 2011 meetings. Any Commissioners have any comments or anything? Hearing no comments or additions to those meeting minutes, does anybody wanna move to approve them?

B. APPROVAL OF MINUTES OF THE APRIL 7, 2011 and JULY 7, 2011 MEETINGS

Mr. Warren Osako: I move that we approve the minutes for April 7 and July 7.

Chair Fredericksen: Okay, thank you, Warren. We have a motion on the floor. Anybody wanna second?

Mr. Bruce U`u: Second.

Chair Fredericksen: Okay.

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

It has been moved by Mr. Osako, seconded by Mr. U`u, then unanimously

VOTED: to approve the minutes for April 7 and July 7.

Chair Fredericksen: Moving on to Item C, Advisory Review. Stanley?

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

C. ADVISORY REVIEW

- 1. MS. COLLEEN MEDEIROS, on behalf of CULTURAL SURVEYS HAWAI'I, INC., requesting comments for a SUPPLEMENTAL CULTURAL IMPACT ASSESSMENT (SCIA) for the proposed Villages at Leiali'i Project, Wahikuli Ahupua'a, Lāhaina District, Maui, Hawai'i. The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Ms. Colleen Medeiros: Good morning. I'm Colleen Medeiros, with Cultural Surveys Hawaii, and we are coming to you folks this morning to -- for your input and possible referrals for the supplemental cultural impact assessment for the Villages of Leiali'i. This project is located above the Hawaiian Home Lands Leiali'i Subdivision in Wahikuli, near the civic center. It will span from right above the Hawaiian homes subdivision, mauka to the proposed bypass, and then extend -- and that would be Phase A, would be makai of the bypass, and then Phase B would extend mauka above the bypass. The total area that they're looking at, their specific project area, is 1,033 acres, all in Wahikuli. They're looking at developing residential homes, single-family and multi-family, as well as light industrial, different types of industrial use areas, they're looking at parks, and schools.

For our study, we're going to be looking at the entire ahupua`a of Wahikuli, and also we're going to look at, because this project goes right up against Kahoma Stream, we're going to be kinda focused on the stream areas, and also, on the northern side of the project area, there's Hahakea Gulch that is also going to be looked at for this study.

Chair Fredericksen: So -- oh, go ahead, Colleen. I'm sorry.

Ms. Medeiros: Oh, I was going to say, we're performing the supplemental cultural impact assessment as a result of comments from the DEIS. So this project is being done by the Hawaiian Housing Finance and Development Corporation. They've already drafted their draft EIS and, you know, based on the comments they got back, we're doing this supplemental cultural impact assessment. So there is another cultural impact assessment - the original.

Chair Fredericksen: When was all that stuff done about?

Ms. Medeiros: 2008 - 2009.

Chair Fredericksen: And there was an inventory survey done on this project?

Ms. Medeiros: Yes. The inventory survey for this area was done by PHRI in '89. And then in 2008, they went back out to do a field inspection, relocate sites in this specific project area and --

Chair Fredericksen: PHRI?

Ms. Medeiros: Yes. And get some GPS points.

Chair Fredericksen: Yeah, 'cause that's an ancient history AIS in '89. So, from the cultural impact assessment side, are there culturally -- were there culturally significant properties identified during that really early AIS?

Ms. Medeiros: Yes. And there are -- they're recorded sites, you know. They have state site numbers. There's a few in Hahakea Gulch. There are a handful in the project area for this subdivision. And, you know, we're aware of those and they, right now, it looks like their plans have them put in a preservation area, or they have them in like open space area and per PHRI's inventory survey, they would potentially be placed in a preservation zone.

Chair Fredericksen: And I know it's not -- that's not directly your folks' kuleana, the reason I'm asking though is because this is -- I mean that just brings up an automatic red flag from 1989. From your memory of this, what's the SHPD's response been? So was the thing -- go back out there in 2008 or 9 or whatever and relocate stuff? Is that what SHPD said to do or recommended to do?

Ms. Medeiros: You know, I don't think I read that correspondence between '89 and 2008, but I do believe in '89, it was accepted, that inventory survey was accepted. I mean I would imagine that they were required to go back out, which is why they did.

Chair Fredericksen: Yeah, I'm kind of somewhat skeptical at this point. It's just whenever there's these long periods in between, and I know it doesn't directly affect you folks, what it would be though or would come in to play though is were there any heiau or anything like that that were located during that earlier AIS?

Ms. Medeiros: Well, during the earlier AIS, there was a rectangular enclosure, and they recorded it as a habitation, pre-contact habitation, and they also recorded 13 probably burial mounds. Another --

Chair Fredericksen: Were they clustered or were they kinda scattered throughout the project area?

Ms. Medeiros: They were -- they're in one area. They're not scattered throughout the area. They are in one area.

Chair Fredericksen: So a concentration, potentially.

Ms. Medeiros: Yeah. There's also an L-shape -- a feature that was recorded as an L-shape, and, you know, we went back out, Cultural Surveys went out to do work for the Lahaina Bypass, Phase 1A realignment, or Phase 1A and realignment.

Chair Fredericksen: And this -- where does this go through this project area, qualitatively?

Ms. Medeiros: The bypass?

Chair Fredericksen: Yeah.

Ms. Medeiros: If you look on Figure -- Figure 2, the division between Phase A and B is the bypass.

Chair Fredericksen: Okay. So did you folks identify any new sites?

Ms. Medeiros: Well, we did identify a new site and then all that work was done for the realignment section.

Chair Fredericksen: As part of the AIS for the realignment. But so within this project area that was covered in 1989, you folks found a site that had been missed --

Ms. Medeiros: Yes.

Chair Fredericksen: During the previous work.

Ms. Medeiros: Yes.

Chair Fredericksen: And that's kinda where my concern's coming in for, you know, as an archaeologist, just because of when this earlier work was done because it's so long ago. The -- so to your understanding, the work that was done in 2008/2009 was -- it sounds to me like it was merely just going back out and saying, oh, this is where this site is; this is where this site is; the ones that were previously identified.

Ms. Medeiros: Yes.

Chair Fredericksen: And when was your folks' survey done for the bypass?

Ms. Medeiros: Our work for the bypass was done around 2007-8.

Chair Fredericksen: So prior to them going back out, PHRI going back out?

Ms. Medeiros: I think we were just -- we were out at the same time. Our time overlapped.

Chair Fredericksen: But -- so again, just to reiterate, you folks found a site that had been missed by the earlier survey, the AIS?

Ms. Medeiros: Yes.

Chair Fredericksen: What site -- what kind of a site was that?

Ms. Medeiros: A large historic agricultural terracing complex.

Chair Fredericksen: Now, when you say "historic," are you referring to the post-contact period?

Ms. Medeiros: No.

Chair Fredericksen: So pre-contact?

Ms. Medeiros: Oh, I'm sorry. Yes. Historic. Post --

Chair Fredericksen: Post-contact.

Ms. Medeiros: Post-contact, yes.

Chair Fredericksen: Okay, so plantation era - something?

Ms. Medeiros: Yeah.

Chair Fredericksen: Yeah. And some of those sites have been in the late '80s, early '90s, were not really considered to be sites by some archaeologists. They didn't think it was important. I'm not saying that that excuses it not being recorded. And they may just simply missed it. Rhiannon, did you have a question or comment?

Ms. Chandler: So just to clarify, these are plantation, sugar plantation sites. These are not lo'i structures of any kind?

Ms. Medeiros: As far as we could tell, a couple of the sites are historic agricultural sites, and a couple were recorded by PHRI as pre-contact --

Chair Fredericksen: Traditional --

Ms. Medeiros: Hawaiian sites so --

Ms. Chandler: Okay.

Ms. Medeiros: So both.

Ms. Chandler: Okay. Alright.

Ms. Medeiros: And then if I could add that a site that they had recorded as a possible habitation, in doing our work for the bypass for the cultural impact assessment, we learned that -- or some families approached us saying that that was their family cemetery.

Ms. Chandler: That's the 13 burials?

Ms. Medeiros: No. This was a rectangular enclosure.

Ms. Chandler: Oh. Oh, that's the one that you had identified as a possible habitation --

Ms. Medeiros: PHRI had identified it as a possible habitation, and in 2008, some of the family members said that that was their family cemetery.

Chair Fredericksen: Did this come before the CRC, a portion of this, in relationship to the bypass, or was that south of this where there were some -- or maybe that was the Burial Council meeting I was at, but I recall a little -- you know, some community concern being voiced about a site that had been identified as possible habitation but there was oral testimony that there was, you know, burials there - is this the same site?

Ms. Medeiros: Well, we did -- we did come before you folks for that cultural impact assessment that we did for the bypass and realignment.

Chair Fredericksen: So this site --

Ms. Medeiros: And this is -- it's the same -- pretty much the same issues. Same area.

Chair Fredericksen: But this is the site that was mentioned at that point that you just --

Ms. Medeiros: Yeah.

Chair Fredericksen: Bruce, did you have a question or comment?

Mr. Bruce U`u: Question. Question. So Phase A and Phase B, you guys conducted the study?

Ms. Medeiros: Yeah.

Mr. U`u: The AIS?

Chair Fredericksen: No, this was a different firm that did it in '89.

Mr. U`u: Okay. Okay. Question. So it's never been used for sugar cane or any type of --

Ms. Medeiros: It's been in sugar cane.

Mr. U`u: It's been in sugar cane?

Ms. Medeiros: Yes.

Chair Fredericksen: Yeah, Pioneer Mill.

Mr. U`u: So it's been graded; it's been grubbed; it's been many time over?

Chair Fredericksen: Not all of it.

Mr. U`u: Not all of it.

Ms. Medeiros: But, right, not all of it.

Chair Fredericksen: Lot's of it for sure.

Ms. Medeiros: You know these sites -- these sites somehow survived.

Mr. U`u: Okay.

Ms. Medeiros: But all around these sites, so far, that we know of was in sugar.

Chair Fredericksen: Yeah, I talked to some of the old-timer operators over the years, the guys that drive the really big bulldozers to construct some of those clear piles and there were some areas that they just didn't go into, it was too rocky, and Pioneer Mill didn't bother with trying to grow much sugar cane or any sugar cane in there, and these are these pockets --

Mr. U`u: Oh, okay, okay. It was left alone then.

Chair Fredericksen: That you will have remaining sites and -- I mean if there are sites, they're, you know, they're a good chance they're intact.

Mr. U`u: So question. Out of the 1,033 acres, what acreage was left alone or untouched or undisturbed?

Chair Fredericksen: Qualitatively.

Ms. Medeiros: Well --

Mr. U`u: Give or take?

Ms. Medeiros: I guess as far as we know it would be these areas where the sites exist.

Chair Fredericksen: Would you say 5%, 10%? Real qualitative - just trying to --

Mr. U`u: ...(inaudible)... picture in my head.

Ms. Medeiros: Five -- oh, well, you know this terracing feature that we found when we were working for the -- doing the bypass work, we estimated it was approximately 30 acres, although only 2 were in the corridor, so, you know, with --

Chair Fredericksen: Did it extend mauka or makai of the corridor?

Ms. Medeiros: Mauka. So with that in mind, 20%.

Mr. U`u: Okay. Okay.

Chair Fredericksen: Any other questions or comments?

Ms. Chandler: So in a case like this that you already found sites and I would assume there would be further cultural surveys done in the area before anything happens, is that correct?

Ms. Medeiros: Well, PHRI did recommend further work that may include, you know, vegetation clearing, further documentation, and data recovery. And then for the burial mounds, you know, potentially a, you know, plan -- a burial treatment plan and a preservation plan, but those have not been done yet.

Ms. Chandler: So then, essentially, the project would go around it or there would be the recommendation to move them, or you're saying you don't know yet?

Ms. Medeiros: I don't know, you know, what our clients and the state have in mind for that work. All I know is that it hasn't been done yet. And in their -- in some of their design plans, which are in their EIS, they have the area in a park and open space, you know, with some water retention features. We have yet to put -- we would like to put the points for the

sites, kind of overlay it onto their -- that particular map of theirs and see where everything kinda falls.

Ms. Chandler: So they can work around it maybe because they found 13 sites in 1989?

Ms. Medeiros: 13 mounds.

Ms. Chandler: Mounds, yeah, so --

Ms. Medeiros: Possible burial mounds.

Ms. Chandler: So that means there's probably more, I mean really, if you think about it. It's likely that there would be more than that. So have you spoken to the Lindsey family at all in this process?

Ms. Medeiros: You know, not the Lindsey family. We -- because of our work -- yeah, because of work on the bypass, we did meet, you know, a bunch of these families, and so we've been in touch with the Pali family, the Keahi, the Haia, 'cause there is another -- there's the Haia cemetery and the terrace complex up, you know, in the confluence of the or on the kinda bluff above the two streams and those families --

Chair Fredericksen: How far away is that site from this would you say - just qualitatively? From the boundaries of this project.

Ms. Medeiros: ...(inaudible)... in this sense but --

Chair Fredericksen: Or if you could just point it out, please.

Ms. Medeiros: So here's Kahoma Stream, here's Kanaha Stream, and this is the bluff where their site ...(inaudible)...

Chair Fredericksen: Okay, so a little south, not real far.

Ms. Medeiros: And the sites that we're talking about are kind of this area.

Mr. U`u: Where's the road, Colleen?

Ms. Medeiros: This is the bypass.

Chair Fredericksen: Between the Phases A and B.

Mr. Ray Hutaff: You had mentioned that during one of the surveys and after the survey, actually, that some sites were relocated? Did I hear that correctly?

Ms. Medeiros: No.

Mr. Hutaff: Okay.

Ms. Medeiros: The road was realigned.

Mr. Hutaff: I remember that. Yeah.

Ms. Medeiros: Oh, okay.

Chair Fredericksen: Are you asking about when the -- this other outfit went out, 2008 and 9, or ...(inaudible)...

Mr. Hutaff: And found some stuff, and then I heard a comment that some sites were relocated. I know that to be true from the last time we did the bypass that there was one iwi missing out of a bunch that had been moved down to -- I just wanted to know if that was same site that had been relocated.

Ms. Medeiros: Can I clarify?

Chair Fredericksen: Sure.

Ms. Medeiros: Did you mean -- they went back out and found the sites they had -- they relocated the sites they had found.

Mr. Hutaff: The bones. Yes.

Chair Fredericksen: No, just sites. These are just sites ...(inaudible)...

Ms. Medeiros: Yeah, they didn't actually move the sites like -- is that what you're asking?

Chair Fredericksen: They verified they were still there.

Mr. Hutaff: No. Actually, my question was what did, if I heard you correctly, relocated sites and then what did that mean, so it would have been more of a question. I didn't get it.

Ms. Medeiros: It meant that they went back out and re-identified them.

Chair Fredericksen: Physically identified them.

Mr. Hutaff: Okay. Got it.

Chair Fredericksen: But there is no, as far as you know, other than where you folks looked at the bypass corridor, there was no additional archaeological work done other than them relocating the sites, and then you folks did an inventory survey that specifically looked at the Lahaina Bypass corridor and identified a new site that had not been identified in previous AIS?

Ms. Medeiros: Yes.

Chair Fredericksen: Yes. Any other comments? Yeah, my comment is, it goes back to the age, if you will, of this inventory survey and what was considered an okay level of coverage in 1989, it's not 2010 or 11, and I mean just the fact that Cultural Surveys went back out and looked at a portion of this project area that had been surveyed before and found a pretty -- what did you say it was - 20 or 30 acres in size site?

Ms. Medeiros: Yeah.

Chair Fredericksen: Is not really encouraging to me. I would like to -- Colleen, if you could sit down for a second, I'm going to ask Hinano Rodrigues to come up and provide a little information about that one site that's got burials in it; the family had come forward about, Hinano. It was during the bypass work, and just to -- and I'm curious to know where the -- if you know of any burial treatment plan that's been done for these 13 probable burials, etcetera, associated with this project.

Mr. Hinano Rodrigues: Hinano Rodrigues, Historic Preservation. With respect to the walled site, I believe that is the Pali burials. With respect to the 13, the 13 mounds labeled as "probable/possible burials," I don't know. I wasn't here. I think that was 1989.

Chair Fredericksen: No, but this is 2008 or 9 when they went back out to relocate it. You folks had any correspondence, followup correspondence regarding any of these sites?

Mr. Rodrigues: Yeah, they didn't -- the 13 burials that you're referring to was not relocated in 2009.

Chair Fredericksen: So they weren't -- they didn't verify that they were still there? Is that --

Mr. Rodrigues: No, because I think it was outside of the project area. Yeah, so, okay, so these guys in 1989, okay, I wasn't here.

Chair Fredericksen: Right.

Mr. Rodrigues: But I'm going to guess based on what I've heard. So 1989, PHRI does their inventory survey and they make mention of the 13 burials. These guys come in to do the bypass, Phase A and B, and they don't -- in their return -- in these guys going to the area, they don't talk about -- they don't do the 13.

Chair Fredericksen: Oh, 'cause it's outside of their project area?

Mr. Rodrigues: Yeah. Right.

Chair Fredericksen: But within the project area for this project that's being presented today, they're doing the CIA --

Mr. Rodrigues: Right.

Chair Fredericksen: And that's -- the archaeology is not directly their kuleana, however, my question is: Has DHHL and whoever else as the landowner come forward to SHPD about these 13 burials that are on their property, they're doing an EIS or draft EIS, are you aware of any of that stuff?

Mr. Rodrigues: No, I'm totally unaware of that. But again, I work for the history and cultural branch, I'm not archaeology. I think, procedurally speaking, I agree with you that 1989 was a long time again, okay, but these guys are here for the CIA.

Chair Fredericksen: Right.

Mr. Rodrigues: They're not here for the AIS.

Chair Fredericksen: It's the same property though.

Mr. Rodrigues: Okay.

Chair Fredericksen: And it's not -- I'm not putting this on them. I'm just trying to get some information.

Mr. Rodrigues: Procedurally speaking, it's not the same thing. In order for SHPD to get involved, there has to be a trigger. They doing the CIA does not trigger SHPD being involved with respect to the AIS. I predict that, or at least I anticipate, that when this agency comes forward to do something that might require a permit, then there is a trigger and SHPD is involved. It is at that point, I'm guessing, that SHPD will say, okay, now, what happened to the 13 burials, because when an archaeological firm comes across burials during the AIS phase, they are obligated to develop and create a burial treatment plan.

Based on what I've heard in the last ten minutes, quite possibly that was never done, but that is totally separate from what these guys are doing.

Chair Fredericksen: One more question for you. A cultural impact assessment, in this case, if, you know, being aware of the fact, and they certainly, you know, Cultural Surveys certainly is and I think they've been, you know, doing the due diligence and everything else, it seems to me that the fact that there is a possible -- you know, these probably burials, well, certainly not necessarily from the CIA point of view, but the fact that it's the same TMK and everything, you know, I would express reservations on part of the project itself; that they need to address the need for a burial treatment plan, not the cultural impact assessment, however, they could certainly include information in there that the Cultural Resources Commission -- well, I have some concerns about it 'cause there's a puka.

Mr. Rodrigues: And I think that it's well within the purview of this tribunal.

Chair Fredericksen: That's a fancy term. Thank you, Hinano. Thanks for the information, Hinano.

Mr. Rodrigues: Sure.

Mr. Hutaff: Make us feel old.

Chair Fredericksen: Colleen, if you could please come back up. Yeah, so unless the Commission, you know, thinks otherwise, I would like reflected in your presentation today that one of the comments is what's the rest of story with this, you know, this site that has these 13 probably burial features. That needs to be addressed from the archaeological side and it doesn't appear that that's been the case. There is no burial treatment plan that Hinano's aware of and that would have been sometime pretty darn recently if they were out there 2008-2009. And just to reiterate, I'm not -- you know, this is not your folks' you know, anything laying on you. I mean you folks are doing the cultural impact assessment. But the fact that it is a part of this large area, that's certainly something that needs to be done. Any other comments?

Mr. U'u: So when they done with the AIS, would it be -- will we be able to review it?

Chair Fredericksen: That's a very good question. I think, given that it was done in 1989 and there hasn't been a burial treatment -- or there doesn't appear to have been a burial treatment plan prepared -- Stanley, can you come up to the microphone? I got a -- well, Bruce has a question and I've got a couple too. Thanks, Colleen. We'll ask you to come back up. Go ahead with your question, Bruce.

Mr. U`u: Question. I wanted to know if we going have -- going to have a chance to look at the AIS when they figure out a plan and burial plan?

Chair Fredericksen: Burial treatment plan.

Mr. Solamillo: If we receive a copy of it, yes. Just depends. And part of recent discussions that have happened between staff and the administration are that sometimes the Commission doesn't receive things or projects such as this and that we needed to have a clear scheduling of projects, EIS's, and things of that nature, so that this Commission would have an opportunity to review and comment.

Chair Fredericksen: Yeah. I think this is one of those -- a good example of that, and I know it's a grey area, and I greatly -- well, we all greatly appreciate your efforts, Stanley. This is not a --

Mr. Solamillo: Well, also it's not just this, it's also Section 106 consultations and there are a number of them coming up and this Commission needs to be a part of that.

Chair Fredericksen: Bruce?

Mr. U`u: Just for clarity. So, right now, they're asking us for history to point them in the right direction?

Chair Fredericksen: Right.

Mr. U`u: Okay. At what point do we look at projects then? If anybody comes to say, okay, point us in the direction, here you go, and they got some direction already, at what point in time or what is the trigger for the AIS to be on our lap? What's the trigger? There must be a trigger?

Chair Fredericksen: Would it be prior to subdivision, Stanley?

Mr. Solamillo: Actually, it could be before the planning commission approves the project.

Mr. U`u: Yeah, because they take our comments. So there is a trigger prior so we should be the first prior to planning --

Mr. Solamillo: You should be in line just like, it's not MRA --

Chair Fredericksen: It should certainly be before the planning commission.

Mr. Solamillo: UDRB gets projects and we should be getting projects just like UDRB does.

Mr. U`u: Okay. Just one more question.

Mr. Solamillo: Okay.

Mr. U`u: My next question will be: I know you get the Burial Council. I don't know, is the same Island Burial Council, Burial Council, it's the same?

Chair Fredericksen: Maui/Lana`i Island Burial Council. Yeah.

Mr. Solamillo: It's under the jurisdiction of SHPD.

Mr. U`u: Oh, jurisdiction of SHPD?

Mr. Solamillo: Yes.

Chair Fredericksen: But because these burial features were identified during an inventory survey, the Burial Council should be directly involved.

Mr. U`u: So they, in turn, hand the information to the CRC?

Chair Fredericksen: It would be us looking at it from the point of view of, you know, being involved in the environmental impact statement process, the planning end of it. But as I'm thinking about this, and I'm going to ask Hinano to come back up in a minute, it seems like the Burial Council should have been involved in this loop at some point, certainly, if it's a draft environmental impact statement process 'cause by law, burials or probably burials are identified to the Burial Council, Maui/Lana`i Island Burial Council, for Maui and Lana`i, become directly involved as does the State Historic Preservation Division.

Mr. U`u: Okay. So one question. One more question. We the CRC. They the Burial Council. We share information? Or at what point does the CRC look at something and the Burial Council is not involved, and vice-versa?

Chair Fredericksen: In this instance, I think, and this is another comment that when Colleen comes back up, I'm going to ask her to, you know, ensure that it's included in the CIA they're working on, if it hasn't happened already, that the Maui/Lana`i Island Burial Council should be definitely let know about this site. Rhiannon?

Ms. Chandler: I just wanna say that I agree with Bruce, and I'm always worried when stuff like this comes up and then I wonder if we're going to get a chance to see it again or anything like that. So thank you very much for being here.

Mr. Solamillo: No, don't thank you. Thank the Cultural Surveys Hawaii.

Ms. Chandler: But thank you, Bruce. I appreciate that.

Chair Fredericksen: Yeah, good points and comments. And I will just reiterate my concern, I've got a couple, some -- I mean I share your concerns, and then I go back to the, you know, the AIS was done in 1989, and that's a long time ago, and you lose the institutional memory or, you know, just the project's halted - who knows what happens over the course of that time. But good comments. Any other comments or questions?

Ms. Makalapua Kanuha: I just had one -- another question, and I guess it would be --

Chair Fredericksen: For Stanley or Colleen?

Ms. Kanuha: For Colleen.

Mr. Solamillo: Okay, can I chime in?

Chair Fredericksen: Yes.

Mr. Solamillo: Sorry to interrupt the Commissioner. You've been asked to offer information so I'm going to --

Chair Fredericksen: And comments.

Mr. Solamillo: Correct. But the Cultural Surveys Hawai'i has asked you for information that you might have on general history, and present and past land use of the project area, knowledge of cultural sites which may be impacted by the proposed subdivision, knowledge of traditional practice in the project area, cultural associations of the cultural area, such as legends and traditional uses, referrals of kupuna and others who might be willing to share their cultural knowledge, and any other cultural concerns that the community might have. So this discussion is probably concerns which the community might have.

Chair Fredericksen: And bullet number two, knowledge of cultural sites which may be impacted by the proposed subdivision, is spot on this 13 burial features, probably burial features, that have been mentioned or identified in the 1989 AIS. Okay, I'm sorry, Makalapua, you had a question for Colleen.

Ms. Kanuha: Because this project is known as "The Villages of Leiali'i," I know where's 104 Hawaiian homes that was developed, and if I'm not mistaken, that was the project called "The Villages of Leiali'i." So is this the same? I mean I know it's not Department of Hawaiian Home Lands, this project, but I just wanted to know is there kinda -- something that is connected to Hawaiian homes?

Ms. Medeiros: As far as I understand, no.

Ms. Kanuha: Okay, so we talking about two separate same name on the project? Villages of Leiali`i is Hawaiian Home Lands? The project, the 104?

Chair Fredericksen: That's in place, right?

Ms. Kanuha: That's in place?

Chair Fredericksen: Yeah.

Ms. Kanuha: That's where my house is. That's why I'm asking. I'm sorry. Kala mai. It's Villages of Leiali`i, so now this project that's up on the agenda item is Villages of Leiali`i, so is this --

Ms. Medeiros: Why is it the same name?

Ms. Kanuha: Yes.

Ms. Medeiros: I don't know.

Chair Fredericksen: Hinano, do you wanna come back up and --

Ms. Medeiros: Yeah. I don't know.

Chair Fredericksen: Offer something?

Mr. Rodrigues: Again, at that time, I was living on the Mainland, but when I came home, I kind of asked the questions about -- you see back in 1992, there was a group that sued the State of Hawaii and the Federal Government with regards to the inventory of Hawaiian home lands. Back in 1982, I was hired as a researcher to go find where the Hawaiian homes lands were. So, years later, I find out that, oh, they're talking about Hawaiian homes lands at Wahikuli, they used that word "Wahikuli" in those days, and I said, "What? In my research, I don't remember there being any Hawaiian homes lands." Well, what happened was that the State of Hawaii, maybe two decades ago, decided to build affordable, I think federally funded, homes. And when that happened, everybody got angry because those lands were ceded lands, and to put the fire out, my understanding is Governor Lingle found some way to transfer those lands to the DHHL inventory. So that is why, I think, quite possibly what is currently Hawaiian home lands took on the name of what was to have originally been these affordable homes. That's -- I'm 99% sure of that; 1%, again, I wasn't here.

Ms. Kanuha: So it actually went from ceded lands, to State of Hawaii, back to ceded lands?

Mr. Rodrigues: Yeah. Because in the old days, and when I say "old days," 20 years ago, in the old days, nobody divided state lands and ceded lands until the question come up as to wait a minute. Do you, the State of Hawaii, actually own the ceded lands? And so that's when we started to divide things.

Mr. U`u: And then just for comment. I remember I was on the planning commission and we was going over the general plan, and everyone on the commission, while we was putting on the urban growth boundaries for Lahaina, and when they came up and they said they are part of Villages of Leiali`i, everyone on the commission assumed they were a part of Hawaiian homes, and they didn't give us a distinction till later on they not a part of Hawaiian homes, and I think it was a softer approach to slide in the urban growth boundaries because they should have made it known to us prior that we not a part of the Villages of Leiali`i. So that's how I take it. You know, less flak, right, come in, and I could be wrong, but at the end we found out that they not a part of Hawaiian homes. I think it's a softer approach to the public and for envision when you look at this. That's my -- and I could be 99.9% wrong also, but they did it, maybe it happened and intended and it played out that way, and they didn't tell us, but it was a softer approach to get the project to give them the proper urban growth boundaries, in my head.

Mr. Rodrigues: And I think maybe hidden within Makalapua's question as to the proper name of this project and/or area, the Hawaiian community in Lahaina, the Hawaiian homes community in Lahaina has approached me with more or less the same question and they're saying, wait a minute, Hinano. We are Leiali`i. We are known as Leiali`i. How come going get this other project that going have the same name? But again, that's maybe on the outside.

Ms. Kanuha: Mahalo.

Chair Fredericksen: Well, I think that's a really good comment, Makalapua, to make is this name issue. What's culturally -- it seems to me it's culturally inappropriate for this new Phases A and B to have to share this name that's taken, as it were.

Ms. Kanuha: 'Cause if you look the small square, that's the Villages of Leiali`i, compared to the bigger ...(inaudible)... yeah.

Chair Fredericksen: Yeah. No, that's a really, I think, a really good --

Mr. U`u: I mean it's not a bad idea, schools and, you know, stuff for everybody, parks and --

Chair Fredericksen: Sure.

Ms. Kanuha: We're all going to be Villages of Leiali'i? One big happy kauhale. Actually, when we had like Villages of Leiali'i, it's like why we never call 'em "Leiali'i Kauhale" or "Kauhale Leiali'i." But now we got --

Ms. Chandler: That's a good point.

Ms. Kanuha: Huh?

Ms. Chandler: That was a good point. Kauhale, meaning --

Ms. Kanuha: A village.

Ms. Chandler: Housing grouping.

Ms. Kanuha: Yeah. A grouping.

Ms. Chandler: Yeah. So that that would probably be a more appropriate name, but I think it's a big point of confusion to have two projects with the same name and, yeah, who --

Ms. Kanuha: And, yet, they're separate.

Ms. Chandler: And because this one is not going to be a Hawaiian homes project so -- but it may ride on the Hawaiian homes coattails because it's an existing project.

Chair Fredericksen: I think recommending a name change is appropriate or doing something so it's separate entity. There's no confusion at all. Or I don't know misrepresentation is too harsh of a word, but just so there's no confusion.

Ms. Kanuha: 'Cause Villages of Leiali'i only consist of 104 homes.

Mr. U`u: This one is 4,000.

Ms. Kanuha: 4,000 -- compared to 4,000.

Mr. U`u: Potential 4,000.

Chair Fredericksen: Well, let's get back on, you know, what this is about, but this has all been really good discussion, and it is about the project. I will reiterate about, you know, the concern about the -- you know, there's a previously identified site that consists of 13 probable burial features, that needs to be addressed by the landlord or, excuse me, the

landowner. But within the CIA, I think there should be, you know, certainly something mentioned about it and the Commission's concerns presented there. Any other information on these bullet items that you folks can share with the presenter? Any other comments?

Ms. Medeiros: Yeah, and particularly, other families that may be we haven't contacted.

Ms. Kanuha: So you already spoke with the Keahi's and with the Pali's already? And the Haia's? 'Cause I know that's always been a big discussion about them wanting to protect their burial, kupuna iwi so -- I cannot think of any other families on that side.

Ms. Chandler: I would just say that Roselle Bailey -- I mean she always surprises me with what she knows about West Maui so you might check with her and just ask if she might have any idea about -- or might know other families, like you had said, because they all grew up together on the west side.

Ms. Kanuha: And I don't know if you spoke with Keeaumoku Kapu as well.

Ms. Medeiros: Yes. And, actually, we did present this project and requested information from the Burial Council at their meeting last week.

Chair Fredericksen: Did you -- oh yeah, I was there. I had low blood sugar at that point, I believe. But did the Burial Council indicate that probable burial site had been before them before?

Ms. Medeiros: No. No.

Chair Fredericksen: Any other comments? I think that's it unless you have anymore questions or any other kind of ...(inaudible)...

Ms. Medeiros: That's it.

Chair Fredericksen: That we have not commented on or given -- provided -- or just that we don't know.

Ms. Medeiros: No. No. Thank you. You guys, that was great input for us.

Chair Fredericksen: Oh, Warren. Sorry.

Mr. Osako: I can say that, you know, some of the information that you're looking for is very involved with getting a lot of this information and you might wanna go on the Lana'i Culture and Heritage website, and Kepa has done an ethnology, and it's very detailed, and, you know, I know that the funding for the project, which also included the archaeology, was

provided by OHA and at that last OHA trustees meeting on Lana`i, they asked him how much did this ethnology cost, and he said, "Nothing." Because, basically, he and Onaona are donating it because they didn't have the money for the archaeology part, but they asked them if you were to do this for somebody, what would it cost, and it was something like 70 or \$80,000, and the document is like an inch thick, and translating old newspapers and old documents and stuff, and it's real involved. I mean the information can be gathered, but it's not a small undertaking.

Ms. Medeiros: Okay. Thank you.

Chair Fredericksen: Alright. Well, that's it for this one then.

Ms. Medeiros: Alright. Thank you, guys.

Chair Fredericksen: Good luck and, yeah, just our comments about our concerns; please make sure those are in there. Thank you much.

Ms. Medeiros: Okay. We will. Thank you.

Chair Fredericksen: Okay, Stanley.

D. WORKSHOP - CULTURAL RESOURCE COMMISSION ORIENTATION

- 1. Maui County Code, Chapter 2.88, "Cultural Resources Commission"; Maui County Code, Chapter 19.48-52, "Maui County Historic Districts"; Maui County, Department of Planning, Administrative Rules, Chapter 530, "Rules of Practice and Procedure for the Maui County Cultural Resources Commission"; and Maui County, Department of Planning, Administrative Rules, Chapter 531, "Standards and Criteria Relating to the Duties and Authority of the Maui County Cultural Resources Commission." The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: The next item is the long awaited workshop as part of your Cultural Resources Commission orientation. So today we'll go through parts of the Maui County Code, specifically, Chapter 2.88, Cultural Resources Commission, Chapter 19.48-52, Maui County Historic Districts, and Administrative Rules will be put off to another meeting.

Chair Fredericksen: Hey, Stanley?

Mr. Solamillo: Yes?

Chair Fredericksen: I've got one question on -- how many Commission Members have had this before?

Mr. Solamillo: I wouldn't know.

Chair Fredericksen: No, I'm asking the Commission Members.

Mr. Solamillo: Okay.

Chair Fredericksen: You did? Makalapua? Rhiannon, have you sat through this before? Okay, so you haven't. Warren? Now, who hasn't that's not here? Irene and Brandis and Warren. Yes, Warren is not Jacey.

Mr. U'u: Jacey actually did.

Chair Fredericksen: Oh, okay. Okay. I just wanna make -- well, I don't know how -- Irene will just have to catchup and so will Brandis 'cause I know you're prepared to do it and we've got the time.

Mr. Solamillo: Yeah. I mean I'll do as much as we've got allocated for, and then we've got things under the Director's Report that we have to go through.

Chair Fredericksen: Yeah. Okay.

Mr. Solamillo: And there's also another hearing here at 1:30 so we gotta be out of here by 1 so --

Chair Fredericksen: Good. And Rhiannon's gotta leave by 1.

Ms. Chandler: Oh, thank you. I have a question. I know that we had made revisions to a document that went up to the council.

Mr. Solamillo: That is correct.

Ms. Chandler: Is this that same document?

Mr. Solamillo: No, this is not.

Ms. Chandler: Okay. Thank you.

Mr. Solamillo: This is what's on the books today. The other document is at Council Services, I believe, and hasn't been scheduled for hearing yet.

Ms. Chandler: Okay. Thank you.

Mr. Solamillo: I apologize for the technical difficulties at the front-end of this hearing. But we're good to go now. We have sent amendments up to council, and I don't know what the schedule is to take this to committee and to Full Council, so I can't help you with that. I'm going to ask that Corporation Counsel feel free to jump in at anytime and tell me that I'm wrong.

The first one is Chapter 2.88, Purpose and Intent, and this is very important and a lot of people forget that is actually in our code, and it says, "That preservation of historic properties enhances the educational, cultural, economic, and general welfare of the county. It is deemed essential that the qualities relating to the history and culture of Maui County be preserved through comprehensive historic preservation planning, implementation of Chapter 6E, historic preservation, Hawaii Revised Statutes, Maui County General Plan, and the adopted community plans provide a means to perpetuate this value of various cultures of which our community is comprised." So there is a reason for you to be here.

Under Part B: It is the intent of the chapter to provide for protecting and preserving historic properties and artifacts in the county and in encouraging, where appropriate, their adoption for appropriate and feasible use. Two: Encouraging the restoration, rehabilitation, and continued functional use of historic properties. Three: Encouraging the identification, preservation, promotion, and enhancement of those historic properties which represent or reflect distinctive elements of cultural, social, economic, political, and architectural history, and to encourage the designation of historic properties thereby ensuring that our cultural and historic heritage will be imparted to present and future generations of residents and visitors. And four: Formulating countywide comprehensive historic preservation policies, programs, and plans.

Under 2.88.030, under Commission Established: The commission shall consist of nine appointed members. The members shall be appointed by the mayor with the approval of the council, and shall be chosen from professions and persons with special interest in the following disciplines: architecture, history, archeology, planning, architectural history, Hawaiian culture, and ethnic history and culture of the county.

Under C - I'm just kind of going to highlight these sections, if anyone wants more content read, you can tell me - The majority of the commission members shall be professionals in the disciplines of archaeology, planning, architecture or architectural history, Hawaiian culture or history. It seems redundant and is.

Under E: All future appointments to the commission shall be made in such a manner as will ensure that the terms of the members of the commission shall conform to Subsection C and D of this section.

So at no time are we technically supposed to be without a commission that has an archaeologist, a historian, and architects, things that we deal with, and ethnic historian and cultural practitioners to deal with things that we deal with everyday.

Under Meetings and Voting, 2.88.050: The commission shall hold meetings at least bi-monthly. All meetings shall be open to the public, except as may be provided by law, and any person or representative thereof shall be entitled to appear and be heard on any matter before the commission. The only caveat for that on any matter by the commission” is that it has to be posted on the agenda because we cannot discuss items that are not posted because of the Sunshine Law.

Under B: Special meetings may be called by the chairman, director, or by any three members of the commission. So remember, if you have a hot item - a few years ago we had issues on Molokai, where we had to call special meetings, and that took place.

Under Powers and Duties: The commission shall advise and assist federal, state, and county government agencies in carrying out their historic preservation responsibilities.

B: The commission shall provide public information, education, training, and technical assistance relating to the national, state, and county historic preservation programs.

C: The commission shall initiate, accept, review, and recommend to the State Historic Preservation Officer historic properties, nominations for inclusion on the Hawaii and National Registers.

D: The commission shall maintain a system for the survey, inventory, and nomination of historic properties and archaeological sites within the county as well a system with site monitoring that is compatible with that of the State Historic Preservation Office.

E: The commission shall administer the Certified Local Government program of federal assistance for historic preservation within the county.

F: The commission shall provide design review for projects affecting any building or structure, site or district eligible for listing on the National or Hawaii Register of Historic Places and shall request and consider the State Historic Preservation Officer’s review and comment on all county undertakings, including the granting of permits. In its review, the commission shall consider the cultural significance of the site and its surroundings along with the Secretary of United States Department of the Interior Standards for rehab or Rehabilitation as amended, and those are called “The Standards.”

G: The commission shall develop and implement a comprehensive countywide historical preservation program process consistent with the State Historical Preservation Plan, which

includes the submitting of information pertaining to the State Inventory of Historic Places to the State Historic Preservation Officer.

I'm going to skip down to K: The commission may review and comment on archaeological reports submitted as part of development proposals to various county agencies. And that, in essence, is what we was doing today.

Under L: The commission may undertake any other action or activity, necessary or appropriate, towards the implement of its powers or duties, or towards the implementation of the purpose of this chapter. More importantly, and more specifically, these may include but not be limited to the following: 1) Recommend new ordinances establishing special treatment districts and archaeological districts; 2) Review and recommend amendments to current policies and laws on the enforcement of existing codes relating to historical sites; 3) Continually reevaluate building code requirements and enact amendments that are more sympathetic to preservation or provide exemptions for historic properties. I think the most common one that we do are the amendments that are more sympathetic to preservation or for exemptions of historic properties.

I think, at the time I didn't highlight this but they may be appropriate now, encourage the county, state, and federal governments and the private sector to implement appropriate management, strategies, curatorships, and meaningful interpretive programs of significant historical and archaeological structures, sites, and districts, and assist in programs of historic preservation including presentations, films, exhibits, conferences, publications, and other educational means, which increase public awareness and participation in preserving the past.

Ms. Chandler: Stanley?

Mr. Solamillo: Yes?

Ms. Chandler: Okay, could you give an example of number five that this Commission has been involved with, or would that be us taking the information that we got from the conference last weekend and like, say, handing out brochures and stuff. 'Cause I feel like we don't do a lot of public education, but there really isn't even a page on our website that -- I feel like we could put this information on the county's website, you know, a lot of the stuff that we learned and, specifically, the value of preservation and all those things that would be in a brochure. Is that something that's allowable?

Mr. Solamillo: No, I think it's really appropriate. It became very clear at the conference that that is something that we absolutely have to do because it's completely being forgotten, not just here, I mean I can, in truth, say, "Maui no ka oi" after attending the conference because I heard some horror stories. I was shocked at what's happening on some other islands.

But I've been really struck my hostility whether you propose, you know, nominating a property, just this wave of hostility comes out typically, and that just shows that the public is not aware, and I concur. So we'll probably come back with some -- obviously, because as staff, we -- I'm not a PR guy, you know, to do a lot of HABS, but we have to really plan for how we're going to do public education; one of the best things is the website, but it needs to go beyond that.

Ms. Chandler: Yeah, and maybe somehow affiliate it to our Maui County website or a link even. And I know they mentioned the grants available for CLGs, you know, so maybe we should just look at it, not as an additional unfunded burden, but something that we should apply for a grant for to do public education here in Maui County.

Mr. Solamillo: Agreed. And the people who you should talk to are the tourism people, people in other agencies, including county government, all the council, the mayor, everybody needs to -- we need to really relook at historic preservation and what it does for our islands and our tourism industry.

Chair Fredericksen: Rhiannon brought up a really, really interesting point/concept. I'm wondering, this might be an agenda -- an appropriate agenda item for our next meeting and could come out of that is a kind of a letter from the Cultural Resources Commission reaching out to some of these departments that Stanley has mentioned and, you know, basically, trying to see if there are some resources that could be called upon to seek out some grant funding for -- I mean in order to develop that's because money is out there at the federal level but gotta jump through the hoops and everything, but I think that's a great idea.

Ms. Chandler: They were actually saying at the conference that under the SHPO office, there is funding available to the CLGs, like us, that they're trying to give money away and people aren't applying for it so -- and this is exactly in line with what they would want and, at the same time, like I think maybe if we do have an agenda item to talk about sort of a strategic plan of action now that we have all this information in our head from the conference, we could also talk about, not only a website, but giving some thought to that whole wizard system of identifying. Why not take a grant \$20,000 and start a bare bones, you know wizard system that can be built on maybe by our own county, so I think that would be a good use of funds too. Oh, it was the GIS thing at the conference, I know you weren't there, but it was a GIS mapping of archaeological sites, historic sites over a certain age, everything - just amazing, like beautiful. Okay. Thank you.

Mr. Solamillo: Okay, under 2.88.070, Nominations to the Hawaii or National Register of Historic Places. A: Any person or organization, including the commission, may submit nominations to the Hawaii or National Register by submitting a completed nomination form to the State Historic Preservation Officer. The commission shall hold a public hearing after

receiving notification from the State Historic Preservation Officer of nominated historic properties with the county. At least ten days before prior to the hearing, notice of the date, time, place, and purpose of such hearing shall be published in a newspaper of general circulation in the county. Oral or written testimony concerning the significance of the proposed nomination shall be taken at the public hearing from any person. The commission shall forward its report to the mayor within 45 days after receiving notice from the State Historic Preservation Officer. The report shall include the findings on whether the property meets the criteria for nomination and a recommendation to the State Historic Preservation Officer either nominate or reject the proposed nomination. The mayor shall have 15 days after receiving the report of the commission to send this report and a recommendation to the State Historic Preservation officer. The mayor's recommendation may but need not concur with the recommendation contained in the commission's report. Does everybody remember doing this? 'Cause we did this for the Lana'i BCT nomination.

Mr. U'u: How long ago was that?

Mr. Solamillo: That was last year. We started that process back in 2009, I believe. A determination by the commission and mayor that the application for nomination does not meet nomination criteria is not a final administrative decision. Appeals must be filed with the State Historic Preservation Officer in writing within 30 days after the nomination has been denied.

Okay, typically, I, working on the behalf of the Cultural Resources Commission, file one nomination per year because that is a requirement under the Certified Local Government. Because of noticing requirements, I'm usually jamming a nomination to meet the 45-day prior to the scheduled hearing deadline, and because of this really tight schedule and the way that our noticing requirements are set up, it doesn't work. So, typically, what I've been doing is just filing it with the State Historic Preservation Officer, or SHPD; it then gets sent back to the county, but we usually -- we don't have time to schedule it for this Commission, and that's what's been happening. I think in our recommended amendments to this section, we've asked -- or we've actually setup where it will work time-wise where we have enough time to get it to this Commission for proper hearing.

Under 2.88.080, under Guidelines: The following documents on file in the Planning Department shall be used as a guide in matters pertaining to the review functions of the commission: A) Cultural Resources Management Plan for Maui County, this is an old document, it's dated 1984; B) Maui County General Plan, this is currently under an update right now; Proposal for the historical restoration and preservation of Lahaina, this is an old document, but it's a really great document by Community Planning, Inc., 1961; D) The Architectural Style Book for Lahaina, prepared in 1969; E) State Historic Preservation Plan, prepared by the State of Hawaii, Department of Land and Natural Resources, I think we had one in 2010 it was issued; Historic Preservation Program Guidelines, prepared by the

National Park Service; G) Office of Hawaiian Affairs Guidelines for the Consideration of Traditional Native Hawaiian Values and Historic Preservation Review, dated 1988; Design Guidelines for Front Street Improvements, that was prepared by Belt Collins in 1992; Lahaina Environmental Design Manual, prepared in 1975 by Chapman, Phillips, Brandt, Redick and Associates - okay, hold on, one more - the Secretary of the Interior Standards for the Treatment of Historic Properties, and the Lahaina Design Guidelines, as amended, and -- by this Commission, will be going to council, hopefully, this year.

Unidentified Speaker: ...(inaudible)...

Mr. Solamillo: No. That's a really great question. These documents are not online and they should be. So, thank you. They should be made available to Commissioners as well as the general public to review.

Ms. Chandler: Yeah, they're our guidelines. That's funny. Is there any way that we could request a copy of them in the future before they get online because it might be a while before they get online?

Mr. Solamillo: How many do you want?

Ms. Chandler: I would like a copy of - that probably is an enormous amount of paper - but I guess it's hard to say if any agenda items relate directly to some of these guidelines, then I would think it would be appropriate to have the guidelines with that agenda item, otherwise, it would probably be most appropriate to actually have these documents.

Chair Fredericksen: How about in a CD?

Mr. Solamillo: I think CD's best.

Ms. Chandler: Yeah.

Chair Fredericksen: Yeah, 'cause I mean the paper is going to be plenty.

Ms. Chandler: That's a good idea.

Mr. Solamillo: They sit on top of my file cabinet. They're that high.

Ms. Chandler: Oh my gosh. CD's wonderful.

Mr. Solamillo: CD, I think we can do that. Okay. Alright, we're going to segway now because the Secretary of the Interior Standards rule. They're published by National Park Service. And they're identified as 36CFR-Part 67, and the standards are applied to all

projects in a reasonable manner, taking into consideration economic and technical feasibility. But these are essentially these are the statements and the objectives that doing anything from restoration to rehabilitation that we keep in mind. So 1: A property shall be used for its historic purpose or be placed in a use that requires minimal change to the defining characters of the building and it's site and environment; 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alternation of features and spaces that characterize a property shall be avoided; 3: Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken; 4: Most properties change over time. Those changes that have acquired historic significance in their own right shall be retained and preserved; 5: Distinctive features finishes and construction techniques or examples of craftsmanship that characterizes a historic property shall be preserved; 6: Deteriorated historical features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in the design, color, texture, and other visual qualities, and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence; 7: Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used for surface cleaning of structures; if appropriate, shall be undertaken using the gentlest means possible; 8: Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken; 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing size, scale, and architectural features to protect the historical integrity of the property and its environment; and 10: New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Now those are what we try -- that's the perfect world and that's what we try to achieve.

2.88.090, Administration: The director shall appoint a professional from the disciplines of archaeology, architecture, architectural history, Hawaiian culture, history or historic preservation to serve as the liaison with the State Historic Preservation Office pertaining to matters which deal with purpose and intent of this chapter. The liaison may be an employee of the Planning Department or a member of the commission. So, technically, currently, that's myself.

The director shall provide technical clerical administrative functions and any other duties delegated by the commission. And that is Suzie.

We do a lot of other things and the things that mostly deal with hot topics, such as survey and inventory, and even public education, or general reviews which we conduct on historic properties, which determine eligibility or effect are covered under this clause as well as in a separate agreement as a Certified Local Government with the State Historic Preservation Division. So what we do is survey and inventory; Chapter 6E determinations of eligibility; determinations of effect, those are done with concurrence from SHPD; as well as we enter as parties to Section 106 consultation; we prepare nominations to the Hawaii and National Registers of Historic Places; we assist in the preparation of historic preservation tax credit project applications; and we're involved in HABS, HAER, HALS, that's Historic American Building Survey, Historic American Engineering Record, and Historic American Landscape Survey mitigation and documentation projects. Hopefully, this year we'll kickoff HALS so that we can begin dealing with cultural landscapes and Hawaiian cultural landscapes in particular.

Chair Fredericksen: Stanley?

Mr. Solamillo: Yes?

Chair Fredericksen: You know on the HALS?

Mr. Solamillo: Yep.

Chair Fredericksen: When you say, "hopefully, we can kickoff," is that just the county's going to be starting to address that? 'Cause that's one of the -- I mean gray area applies to that one. But so that will be something that the county --

Mr. Solamillo: We will be -- excuse me. We will be funding at least one documentation project, which is going to go under our HABS budget, so we'll do it as a one-to-one match. The matches usually come from Certified Local Government funds. And we'll either do one of two things, we'll either look at doing a straight documentation project, or we'll do a nomination of a cultural landscape.

Chair Fredericksen: The candidate at this point?

Mr. Solamillo: They're up in the air. You'd like to suggest some? I've been thinking Keanae. The whole lo'i complex. But if you have better sites.

Chair Fredericksen: Could we have that as an agenda item?

Mr. Solamillo: If you'd like. Tell me what would you like to place it under.

Chair Fredericksen: Well, the topic of HAL --

Mr. Solamillo: HAL --

Chair Fredericksen: You know the HALS implementation or something.

Mr. Solamillo: Okay.

Chair Fredericksen: But I think Keanae, that does sound like a worthy --

Mr. Solamillo: I think because I've been real concerned about Keanae because -- especially when the water war was going on. I mean this is a place that has for a thousand years or more always been that way. You can go find pictures in the 1880s, 1890s, going forward, and it still retains its culture, it's lo'i culture, and to have that threatened in a water war was particularly disturbing, especially because it is one of the places on Maui where everybody wants to go to, and contributes significantly as a destination for the tourism industry, and I felt, you know, maybe there is some way to elevate its importance and significance for everyone else. The key and crucial thing will be property owners support for it, and that has to be done first before I can even get into a project, per se. Comments? Any other comments?

Chair Fredericksen: Warren. Warren's got something.

Mr. Osako: Stanley, I have a question. Is it possible to get a copy of the inventory so -- especially I'm concerned with Lana'i so I know what is on the inventory and what needs to be added?

Mr. Solamillo: Yeah. The inventory, actually we had sent parts of it back to the contractors to get parts of it fixed, and it was just -- most of it was technical problems, but they have to go out actually for review by this Commission before they can even be made public. So right now, it's not a public document, but I can share the inventory with you because you're the Lana'i representative; same thing would go for Molokai as well.

Mr. Osako: Yeah, because I was talking to Hinano at the conference and it's very important to get things on the inventory because it kicks in some rules; whereas, if things are not on the inventory, then he said it's, you know, the kuleana of the land holder or the landowner, so there's, you know, not much you can do, you know, a lot of things happen.

Mr. Hutaff: Did ...(inaudible)... send over the current state inventory?

Mr. Solamillo: I haven't gotten it yet, but I can remind him.

Mr. Hutaff: Okay.

Chair Fredericksen: Rhiannon's got a comment/request.

Ms. Chandler: Well, I just thought about it when Ray said it, the list of national and state sites that are currently listed that are on Maui, if that could be an agenda item as well for discussion. Thank you.

Mr. Solamillo: Looks like I have a lot of work to do. Examples of Certified Local Government projects include: there was an NRHP photo assessment between 2007 and 2009, I don't remember the exact year, but in this, this was a National Park Service sponsored project where they wanted the conditions of every National Register site in Maui County recorded with photography as well on an assessment form. So all the sites were visited; Woo Hing Society preliminary catalog of plaques, couplets, and records, this was done after the thousand paper records were found in a trunk in this property and 30 plaques and couplets, which had remained untranslated for, you know, 30 to 40 years, finally were translated. Goodbye, Mr. Corporation Counsel. Other examples of county projects was a HABS III mitigation because of a new senior center, which was being built at the request of Lana`i citizens in Lana`i City, and this was a health and human services project; an addendum which was prepared for the Lana`i City BCT nomination was also partially funded under the CLG; as well as design guidelines, I believe, and we ended up with a draft design guidelines, which is yet to leave the department for scrutiny by this Commission and review. It should be coming sometime, if not at the tail-end of this year, next year.

Okay, under Chapter 19.48, Titles and Purpose: In order to promote the economic and general welfare - this is something I just said earlier on - of the people of the county and to ensure the harmonious, orderly, and efficient growth and development of county. It is deemed essential by the county council that the qualities relating to the history and culture of the county be preserved thereby creating attractions for visitors and residents alike.

Under 19.48.020, on the Establishment or Modification of Districts, Reporting and Hearing: Historic districts may be modified or extended, and new historic districts established provided in all such cases there shall be a report from the historic commission and a public hearing held by the historic commission. This -- this is the Cultural Resources Commission, and this is just an aside, the Commission could in fact designate Lana`i City as an historic district, as a local district. We have that power and this empowers us to do so. Again, the "P" in planning stands for politics and whether or not we wish to propose that, you know, but just to let you know, you do have the power to do that.

Probably the whole Lana`i City BCT nomination, we went through every process that would be possible, so we went through survey and inventory; coming back to the Commission with the findings; the Commission actually directing staff to prepare the nomination; the staff preparing the nomination; bringing the nomination back to this Commission; this

Commission directing staff to send it to the mayor for transmittal to the State Historic Preservation Officer; and then transmittal to the Hawaii State Board of Review, which is the shortened name of Hawaii Historic Places Review Board, for consideration. So we went through this whole process - very long, very arduous, and it was in the end sent back to the county because the community wanted an even larger district than the county had proposed. The county district was only 12 acres; Lana`i City is 222 acres. It was just the core, Dole Park; one block on either side. And then community wanted more. They wanted the baseyards included.

Chair Fredericksen: Stanley?

Mr. Solamillo: Yes?

Chair Fredericksen: Could we backup just a little bit? So the whole process was followed but did I hear you correctly that if the CRC had wanted to just declare this a historic district, that we could have?

Mr. Solamillo: Yes.

Chair Fredericksen: Without having gone through any of the other stuff?

Mr. Solamillo: Well, I mean you had to go through survey and inventory.

Chair Fredericksen: Right. But now that that's been done --

Mr. Solamillo: But now that you did it -- I mean you have a contested case on your hands, but, yeah, you could.

Chair Fredericksen: Interesting.

Mr. Solamillo: So --

Chair Fredericksen: Yeah, I -- so the contested case would come out from the landowner's reluctance to agree or, you know, to anything basically?

Mr. Hutaff: Is it the landowner that contest it? No, that's --

Mr. Solamillo: Yeah. The landowner would contest it.

Chair Fredericksen: Yeah.

Mr. Hutaff: So we could still do it and they would contest it?

Mr. Solamillo: Correct. But under, I think, and Hinano could tell me or tell you better than I can, in Hawaii, at this point, it comes down to property ownership and in very few -- I don't think there's any cases where the contested case for a nomination where the property did not win out? Am I correct? So property owner's rights rule in Hawaii right now.

Mr. Hutaff: In discussing that with somebody who has intimate knowledge of the lawsuits, it wasn't that the lawsuit was lost; it was not pursued by the county. In other words, they went up there and said, okay, we give up.

Mr. Osako: I have a suggestion along these lines, Stanley. If this process gets stalled for a long time, would it be possible to nominate the individual properties that are part of the district, proposed district, that are privately owned - First Hawaiian Bank, the churches, and stuff are privately owned, and if it's not possible to do the whole town or the business district, it might be possible to nominate those properties on their own.

Mr. Solamillo: Any person can prepare a nomination and submit it to SHPD.

Chair Fredericksen: Thanks, Stanley. Okay, alright, under Administration, 19.48.040: The planning director shall provide planning, architectural engineering, secretarial, and other services as may be required by the commission.

19.48.050, this is a hot button issue: It shall be the duty of the Department of Public Works, through its Director of Public Works, to enforce the provisions of this article. Okay, so when we get into enforcement, and this question also came up at the conference, enforcement of the signage ordinances, enforcement of all these issues that plague Lahaina, it's Public Works that is in charge of enforcement. And during the conference, I actually praised the organization because Public Works has worked with us really well and continues to do so. The fact that we have such smooth review process comes from, you know, Public Works and Planning working very closely together. But enforcement, because any time that the county tries to enforce, there's this huge outcry from businesses who are affected by it, and it usually causes the political will to shutdown and nothing seems to happen after that, and that's happened at least on two occasions that I know of since I've been in this position, and several cases before that, so I don't know what the -- public education probably you gotta do a real heavy run on Lahaina property owners.

19.48.060, under Violation: Any person, firm, or corporation violating the provisions of this article, whether in connection therewith a penalty is referred to or not for which violation or penalty is specifically prescribed shall be fined in the sum not exceeding \$500. I think we revised that and recommended a change in the amendments that have gone to council.

Chair Fredericksen: What was the revised ...(inaudible)...

Mr. Solamillo: The price? I don't remember. Sorry.

Ms. Richelle Thomson: One of the issues with issues fines and penalties is that they're limited in the charter to a thousand dollars right now, so that we're kind of going through that with the Department of Environmental Management that --

Mr. Solamillo: So it's a thousand per day?

Ms. Richelle Thomson: No, a thousand. It doesn't specify day or not so -- which is, you know, kinda ...(inaudible)...

Mr. Solamillo: Currently, we have three districts. Under 19.50.10, Historic District No. 1, and this is the one in Lahaina, it says: There is created within Lahaina, Maui, Hawaii, Historic District No. 1. The purpose of creating this district is to preserve historic structures and sites within the district and to enable the state and the county to make plans for the restoration of historic structures and sites. It is understood that no private landowner will be forced to restore any historic structure or site against his will. This is, I think, penned back in '66 or '67 -- '66. Okay.

This is historic district -- actually, 1 and 2 are combined on this graphic and this came with input from the National Park Service, which gave you or gave us the larger district going three miles out into the channel, and the one that caused the county, I think, great ...(inaudible)... Historic District No. 2 was created almost as a subset to Historic District No. 1. The purpose of this district is to preserve the charm of Lahaina by preserving the architectural styles, which are unique to Lahaina. This district differs from Historic District No. 1 in that there are no historic structures or sites within the district to be preserved and restored. On many occasions I've informed this Commission that that wasn't true even at the time that this was written and this was one of the amendments that was also sent to council, specifically, the biggest faux pas was the Lahaina Store, built in 1913, second concrete building in Maui, actually in Lahaina, after the Pioneer Mill Office, built in 1910, which was clearly standing and part of this district in 1966 and 7.

Okay, I think it's the Baldwin Bank, and then a version -- a whalefied version of the Baldwin Bank facade, complete with the whaler's figure head. This is still something that we have to tackle in Lahaina and it's a great building if it could ever be brought back to what it was, but it sits there right in the middle of a pretty intact lot. All we need to do is lose the figure head, put the real windows back in, and lose the brick.

Wailuku Historic District No. 3, this was essentially done to preserve the administrative, the county administrative and state buildings, which had been built in the county seat of Wailuku.

So under 19.50.30, which is a description of Historic District No. 3: There is created within Wailuku Town, Wailuku, Maui, Hawaii, a district to be known as Historic District No. 3. The purpose of this district is to preserve and protect the several well preserved historic structures and sties now existing, which are deemed to be of great value because they are closely identified with the early history of Maui County. Also included are the Kaahumanu Church; Alexander House; two buildings knows as Hale Hoikeike, or Bailey house and annex; and Kama ditch and aqueduct. The areas composing Historic District No. 3 are described as those land situated in the town of Wailuku, Wailuku District, and shown more particularly on the map entitled "Wailuku Historic District Map," dated 1961.

Paul Low, a county engineer, improved a building that was originally designed by H.L. Kerr in 1909. Paul Low's improvements of 1927, giving the building its plantation vernacular look with its hip roofs changed a neo-classical facade, but it was done during the period of significance. And these are the other -- some of the other great buildings in the district.

Regulations on Buildings and Uses, 19.52, we go under Architectural Style. This one got modified pretty heavily during our review of the proposed amendments, so I'm just going to read to you the lead line, under 19.52.010: The exterior of all new buildings constructed within the historic district must be in keeping with the architectural style of the district so as not to impair the value of other buildings in the immediate vicinity in order that the general character of the district shall not be injured.

Chair Fredericksen: Stanley?

Mr. Solamillo: Yes?

Chair Fredericksen: Under this Architectural Style, I've got a question, and it refers to Paia Town. I know this has not been assigned historic district status, but my understanding is the Planning Department tries to get people to, if they're building something, except of course in the case of the gas station and Minute Stop, or whatever it's called, have something that looks architecturally similar. Is that kind of a true representation of my understanding, kinda a true representation of reality?

Mr. Solamillo: The Paia -- Paia Town is a BCT, or business country town zoning district, so all the BCT is Paia --

Chair Fredericksen: Makawao.

Mr. Solamillo: Makawao, Lahaina. They all have district guidelines, design guidelines.

Chair Fredericksen: Okay, and the -- where I'm going with this is it seems, because of the number of historic buildings that are in Paia, many of which are still relatively --

Mr. Solamillo: Intact.

Chair Fredericksen: Intact, that might be an appropriate historic district candidate, I know that probably gives you a huge headache, but it's -- it is a question/comment.

Mr. Solamillo: I early on have done a survey -- actually, we're coming out with a survey this year for Paia and Makawao. Both are eligible. Both business districts are eligible for listing. The key here, after our Lana'i City experience, is to have at least 50%, I prefer 51, but we're required to have 50% owner support. Once we have 50% owner support, then we can go ahead with a nomination. The Planning Department will, at that point, you know, entertain the creation of a historic district. Or this was something that the Commissioners could do.

Chair Fredericksen: Yeah, Bruce had a question/comment.

Mr. Solamillo: Okay.

Mr. U`u: No, just -- so you need 51%?

Mr. Solamillo: 50, actually, required by law.

Mr. U`u: 50% from business owners?

Mr. Solamillo: Yeah.

Mr. U`u: Or owners, I should say.

Mr. Solamillo: Yeah, property owners.

Chair Fredericksen: Which defacto would be almost all of those are businesses right along Hana Highway. There are a couple houses though too, yeah?

Mr. U`u: Yeah.

Chair Fredericksen: A couple.

Mr. U`u: Upstairs ...(inaudible)...

Mr. Solamillo: Because I mean we've determined both those areas to be eligible for listing was, you know, hardly a problem, so it's like they're ready. But the key, as I said, is owner support. We just can't go back and -- Lana'i City was like a two-year investment of staff time and I mean, you know, there were petitions, all sorts of stuff ...(inaudible)...

Chair Fredericksen: I think that it would be -- I think it would be unfair to characterize Makawao and Paia as the same situation though as Lana`i because that is -- it involves a landowner that is quite paranoid, I guess is for lack of a better word, of having this done, but these other areas are -- I mean they do have quite a lot of tourist traffic and it would be an enhancement and would help kinda preserve the character of the areas.

Mr. Solamillo: I think that everybody's fearful because Lahaina, and I will say this over and over again, because of its special status, it falls under the feds, it falls under the state, it's a coastal property, and -- or a coastal district, and it falls under the county, so you have all these overlapping jurisdictions so you are strangling -- people are strangled with regulations in Lahaina so anytime you mention the historic district, people get red and they just say no. I don't want that. I don't want it all. And I think what we need to be preceding and say you already have district guidelines; you already is subjected to that.

Chair Fredericksen: Yeah, the BCT.

Mr. Solamillo: Right. The BCT guidelines are the only guidelines you're going to ever have. You know, if we're going to import those, the way we would be to actually import those guidelines as the historic district guidelines and that's pretty much it 'cause they do the same thing. The key thing is it provides you accessibility to get funds that you would normally not get, and on the Mainland and Texas, even in a very republican state, which is pro-business all the way, facade improvement grants were something that people really wanted to get because you could get, you know, a one-to-one match or forgivable grant to do at least \$10,000 worth of work on your facade. So I mean it has to be kind of a carrot and -- more of a carrot than even a stick approach at this point because right now, the hostility that I face even bringing up the issue, I mean I haven't even gone through, look, we can give you tax credits to, you know, help you even reduce your cost further, or what I'd like to have is full tax abatement, you know, a tax freeze for commercial property owners at your current levels, you only get taxed on your improvements ten years down the road, or ...(inaudible)... down the road.

Chair Fredericksen: Hey, Stanley?

Mr. Solamillo: Yeah?

Chair Fredericksen: I've got a question. Let's say if somebody leases a historic building in Paia and/or Makawao, so if the lessee wants to carry out improvements, could they qualify for getting tax incentives if these areas were to be given historic district status, you know, like district four and five, per se, would the lessee be able to access that or is it only the landowner?

Mr. Solamillo: No, the lessee can if the owner is willing to transfer those credits to the lessee. So there are ways to do it.

Chair Fredericksen: Thanks.

Mr. Osako: I got a quick, short question, Stanley. I noticed in Lana'i City you recently, you know, couple years, up to present, a couple of the buildings have had modifications or additions for ADA, Americans with Disabilities Act. Do these modifications or additions disqualify the building in any way?

Mr. Solamillo: No. They do not. Okay, under 19.52.020, Review of Plans: Within any historic district established in this article, the commission shall have the power to approve all plans, and the superintendent of building inspection of the county shall not issue a building permit until a certificate of approval has been issued by the historic commission. These are the old terms. It is now the Cultural Resources Commission, and this name or nomenclature has been recommended for change.

Another Lahaina issue, 19.52.030, Signs: Within Historic District No. 1 and Historic District No. 2, no signs that blink, revolve, or contain lighting from within shall be allowed. Wall signs shall be no larger than 12 square feet. Marquee or hanging signs shall be no larger than 8 square feet. All signs shall be rustic in design.

Under 19.52.040, Repairs: Nothing in this article shall be construed to prevent ordinary maintenance or repair of any structure within the historic districts.

19.52.050, Demolition or Movement of Structures: A) The demolition or moving of structures of historic or architectural worth shall be discouraged. This, I think, is the biggest in Maui County and it continues rather unabated. I think one year we had something like close to a hundred buildings demolished that were eligible for listing, and it was just really very sad, and we've watched the Lahaina National Historic Landmark get hit every year by more and more buildings, more and more properties going down. I think this graphic was done in 2008, and I don't remember what the total count was at the time.

Ms. Chandler: Stanley?

Mr. Solamillo: Yes?

Ms. Chandler: At the conference, they had said something about our job to encourage the maintenance or preservation of the Commission. Again, it goes back to education. But they had mentioned tax credits for historic properties and somehow if we could get tax credits for termiting or some kind of like -- it seems like termites are the single biggest issue and it can't be our -- we cannot be the only city in the country struggling with the same

issue of termites, like I was wondering if there's any research I could do or something to figure out what other municipalities are doing to handle this issue because demolition is usually related to not termiting their house?

Mr. Solamillo: No termite protection?

Ms. Chandler: Yeah.

Mr. Solamillo: I agree, but I mean a lot of people -- and this was another problem at -- on Lana'i City as well because you'd walk into a building and it was just covered with termite evidence. It's a maintenance issue. A lot of it is related to people not being able to afford to tent their houses, or, you know, property owners who are unwilling to tent their houses. But right now we're dealing with, you know, properties that haven't been tented in 20, 30 years, or if ever, and that's where we're at with development pressure. And families, you know, the property was lived in by an elder or a senior, and then the senior passes away or goes into a facility, and then the kids are wanting to liquidate it. That's real -- it happens a lot.

Ms. Chandler: Yeah. Just -- I just feel like it's going to keep happening, you know. For instance, abandoned vehicles on the highway are a big issue, and what the DMV wants to do is tack on a small amount of money to your registration fee so that when it comes time that it's the end of your car's life, you'll be able to get it -- recycle it for free because you've already paid for it. So if there was some kind of system, I'm just saying because we just came from this conference where we got all inspired, if there was a system by which there was a credit somehow, a tax credit that would allow for the ability for the people to afford to tent their house, and then the tenting would have to be filed, proof of termite control needs to be filed at least once every so many years or something, otherwise, if we don't get ahead of it, we're going to lose every building in this district that's not made from cement or rock - you know what I mean? Like it's just -- I don't know. Okay.

Mr. Solamillo: I will ask you do to do termite research.

Ms. Chandler: Okay.

Mr. Solamillo: Under the whole demo issue, this is -- I'm concerned because I came across buildings that were existent or photographed in the '80s by Nancy Bannick, and she was the woman, you know, largely responsible for saving what was left of China Town in Honolulu, and the photographs that are of Maui are shocking. We had some really incredible buildings, and they're all gone, and this kind of erosive pattern, you know, of dropping buildings, whether it's the large landowners or small mom and pop businesses or even families, it's just this whole process of erasure, which over time, ends up obliterating the whole, you know, and maybe that is what will happen, but it's good to have

representative structures from all periods. And then, of course, we have this Maalaea Ebisu Shrine, 1916, part of a development down at Maalaea, which you know received you know support from various factions, and in the end, the project - and, of course, this is hindsight, and hindsight is 20/20 - but this is like shrines are related to boat builders and their craft, alright. And this was 1916. I think there's only what? There were only three -- no, there were five on Maui. There was only this one and Maui Jinsha left, and now Maui Jinsha is the only one remaining. Pain should have been taken to handle this better than drop it and do a reconstruction, and that's just my opinion.

Chair Fredericksen: Yeah. And the reconstruction wasn't --

Mr. Solamillo: Yeah. So it's kind of like what's real; what's not? You know, and it's really sad, but we've kind of morphed into this it's okay if we do kind of a cartoon of it, you know. That is really not. The same with taking rocks from heiau - it's like --

Chair Fredericksen: Or adding to them.

Mr. Solamillo: Under 19.52.070, Variances: In any particular case where strict compliance with the provisions of this article would cause practical difficulty or unnecessary hardship, the commission may grant a variance from the restrictions set forth in this article provided that such variances approved by the county council.

Under Appeals, 19.52.080: Any action by the commission may be appealed to the county council within the period of 15 days from the date of notice to the aggrieved party. The council may override any action of the commission by a majority vote.

Then we have regulations for Historic Districts No. 1 and 2, under 19.52.090, and we have them for Height; Yard Spacing; Selling in Public Places; Drinking in Public; Parking. And if you wish to, because of time constraints, I'm going to kind of slide over them. We also have regulations that are similar for Historic District No. 3 in Wailuku. And we do have something for the protection of trees, although Maui County does not have a tree protection ordinance. In those districts, we also -- or all three districts we deal with signage and selling in public places. Yes?

Chair Fredericksen: Can we backup a little bit about your comment about trees.

Mr. Solamillo: Yep. Right there. Under F.

Chair Fredericksen: Yeah, that's a concern because there are what I would term historically significant trees here that periodically get the ax and it's kind of goes back to, in some respects, what Rhiannon was talking about, it's - I don't know if "demolition" is quite the right term, but it's --

Mr. Solamillo: Kinda demo by neglect.

Chair Fredericksen: Yeah. Yeah. And so there's no specific ordinance that provides any encouragement, as it were, for landowners to try to maintain these quite majestic trees, in some cases? So there's nothing?

Mr. Solamillo: Under the -- I think it was under the general plan, there were attempts to get a recommendation for a tree ordinance but it failed.

Chair Fredericksen: Because? Do you remember?

Mr. Solamillo: I wasn't taking part in the GPAC or all the community meetings that were held, but it did ...(inaudible)...

Chair Fredericksen: Oh, Hinano left. Too bad. I would have asked him.

Mr. Solamillo: It did not make it to the final cut so --

Chair Fredericksen: Okay, I --

Mr. Solamillo: But I mean the way that they may be handled is under cultural landscape.

Chair Fredericksen: That was going to be my followup. So that may be able to go under the HALS --

Mr. Solamillo: Right.

Chair Fredericksen: Discussion that we have coming us then. Thank you.

Mr. Solamillo: Then we have Rules of Practice, Title 12, Chapter 530. And that concludes our Cultural Resources Commission orientation for today. The next time we gather on this topic, we will got through the administrative rules. So don't file away the two other copies - the copy of the code.

E. DIRECTOR'S REPORT

1. October 6, 2011 CRC Meeting Agenda

Mr. Solamillo: Under Director's Report, before we get to meeting agenda, actually let's do meeting agenda first. Does this Commission have any items they would like to see posted on the next agenda?

Chair Fredericksen: My memory is failing me. We had two or three really timely ones I thought.

Ms. Chandler: Ray, I think --

Mr. Hutaff: Talk about the website; try to see if we can put up public information to go along with our charter to educate the public.

Chair Fredericksen: Oh, and, yeah, reaching for -- for grant opportunities to help fund on that.

Mr. Hutaff: Yeah. By the way, Dr. Rossi said it should be a thousand dollars and if you call him, you might get it. He's very impressed with Stanley, not like we are.

Mr. Solamillo: I'm lucky. I'm lucky --

Chair Fredericksen: Did you write the other ones down, Ray? I didn't think to do that.

Mr. Hutaff: No. I'm sorry. She had all my ideas. I was writing down my ideas and she came up with them and ...(inaudible)... cool.

Mr. Solamillo: I have letter outreach for education to the general public, for county departments. We have place names. Place names have come up --

Chair Fredericksen: Yeah.

Mr. Solamillo: As an issue. They came up with the issue of moving Pu`ukoli`i out of the ahupua`a where it was always existing into another one and calling it New Pu`ukoli`i Village. And that, since objections were raised, never came back to CRC. Then we had the recommendation for HALS as a agenda item.

Chair Fredericksen: And can you put on a sub-text there, Stanley, about the -- not sub-text, but about just large historically significant trees?

Ms. Chandler: I think the arborist committee might have a really good list of those, but I wanted to also add maybe, if it's related, traditional cultural properties, what they call "TCPs," in our suggestions for areas that we could examine. And then I know that another agenda item that I had said was to talk about the properties on Maui that are listed in the National and State Register, and I know that they're already online, but I think it would be healthy for our Commission to kinda see what's on there and then maybe that would spark some like minded properties, yeah.

Chair Fredericksen: That was the one where we'd get CDs. Oh no, that was --

Ms. Chandler: No, the CD was of the guiding documents.

Ms. Kanuha: Guidelines.

Chair Fredericksen: Yeah, guidelines.

Ms. Chandler: Guidelines.

Chair Fredericksen: We could get CDs. That doesn't have to be an agenda item though.

Mr. Hutaff: As far as inventory too, Dr. Rossi said that they have it up on their website, but his list is current. The one on the website is two years old. You want me to call him? You want me to call him?

Mr. Solamillo: If you'd like.

Mr. Hutaff: No. It's up to you. I don't wanna interfere.

Mr. Solamillo: You're not interfering. We had HALS. There's another component. Actually, HALS is documenting just for the sake of documenting, but the TCP nominations are I think the real critical thing.

Chair Fredericksen: That would be a separate agenda item, wouldn't it? Isn't --

Mr. Solamillo: Yeah. I mean I just heard today on the way here that somebody had purchased the swinging bridges and, all of a sudden, was stopping people from going there and that there were going to be -- it was going to be a public outcry of sorts later this week.

Mr. Hutaff: Really?

Mr. Solamillo: Yeah.

Mr. Hutaff: I think this issue has come up before. There is somebody now --

Mr. Solamillo: Wanting to charge a lot of money now to people.

Mr. Hutaff: Who is charging to get in who says has the authority. What else is up at the swinging bridge? There's a flower farm?

Chair Fredericksen: There's a large private landowner. I think that's the one you're talking about.

Mr. Hutaff: Yeah. But there's a house below it and they sell flowers or does something to some place -- they're the ones that are claiming the right to that path.

Mr. U`u: Oh, that's Joe Alueta's house.

Mr. Hutaff: I think so maybe. I mean --

Mr. Solamillo: Yeah, he's at the bottom of that valley. No, I used to live in that valley. I love that valley.

Mr. Hutaff: Because they have a little sign there that says you gotta pay parking and who you're paying it to, and actually you're paying to cross their path.

Mr. Solamillo: So anyway, they will be picketing sometime this week.

Ms. Chandler: Wow. Oh, I wanted to add to the agenda the ability to just discuss the CLG grant opportunities and -- 'cause I would be willing to write for a grant if it came down to that that I know that the staff is really overworked, and we have a lot to do, and I'm very not afraid of that process. So if we decide that we would like to pursue a public education campaign or website or whatever it is that we think would further our efforts and I offer to write that grant, so maybe we can discuss it.

Mr. Solamillo: I think it's really critical. The public education now is such a critical component and making sure that everything, you know, kanaka maoli culture, through all our immigrants cultures, and this, you know, our combined ohana, which in view of the new census information which declared that, you know, new immigration had now become the majority population on this island as well as several other islands in Hawaii, I think it's really important, this is just from experience, whatever you can do now 'cause there's always that possibility of ordinances that pop up and your chickens are going to be outlawed and that kinda thing so -- whatever you love about your traditional culture. Okay, any other items for the agenda or potential agendas because we've got -- we're kind of in a holding pattern. We're waiting to go to Molokai because we've got work over there and we've got a hearing, but I'm waiting for an applicant to get back from a long trip so that we can schedule it, and then we've got some other items that I'm going to go through quickly. I promise I'll get you out really fast. Hawaii Historic Review Board took place August 20, 2011 and the Maalaea General Store was placed on the Hawaii Register and recommended transmittal to the keeper of the register in Washington DC. This is a tax credit project. It will end up with, in fact, the parapet being rebuilt. So you'll have a traditional, you know, general store there

will all this stuff that's been added to it over time because each one has its own significance, and hopefully it will be open sometime before the end of the year.

Mr. Hutaff: Who actually listed that?

Mr. Solamillo: Who listed it?

Mr. Hutaff: Yeah, who --

Mr. Solamillo: I prepared the nomination.

Mr. Hutaff: You did, right?

Mr. Solamillo: Yes.

Chair Fredericksen: Thank you for that, Stanley.

Mr. Solamillo: No. Thank the owner.

Chair Fredericksen: Oh yes.

Mr. Solamillo: The owner was Dominic Marino --

Chair Fredericksen: Dom Marino.

Mr. Solamillo: Dom Marino and --

Chair Fredericksen: Trish.

Mr. Solamillo: They're a great family to do that.

Mr. Hutaff: So they promised dollar-fifty hot dogs, right?

Mr. Solamillo: Right. Okay, there was a great conference. I'm sorry that more of you were not able to attend. I really am. It ran from August 26 to August 28. It was held at the Sheraton Maui Resort and Spa - had never been there before myself so I got close to that rock. But coming out of that, I think there were some things that we need to be very cognizant of and we should have some discussion of and they should be agendized. The first priority: Amend the Maui County Code to include the designation of all Maui County individual and multi-property districts currently listed on the Hawaii and National Registers of Historic Places as local districts. So this allows us to do what we've been talking about and it ties into inventory. And by the way, the inventory that Maui County had

subcontracted out in 2009 is GIS compatible, so we're part of the way there in getting this digitized and computer savvy data base up, but there's some things that needs to be worked on. But I think this is really important to make this jump so that all of sudden we have a local inventory and then we can do what needs to be done 'cause this is going to include everything from archaeological resources, Hawaiian resources, such as Pi'ilani Heiau, all the way to Fred Baldwin and the most recent, which is the Maalaea General Store - everything in between. The next thing that we --

Chair Fredericksen: Question, Stanley.

Mr. Solamillo: Okay. Go.

Ms. Chandler: About the local listing.

Mr. Solamillo: Yes?

Ms. Chandler: If we had determined that there are properties that we wanted to list on it that are not on the national or the state listing, we -- this body would be the approving authority to list them on the local listing?

Mr. Solamillo: That is correct.

Ms. Chandler: That's excellent.

Chair Fredericksen: So going back to -- so going by that, if Paia and/or Makawao are not on registers, either one of them, that's something the Commission could do with potential ramifications?

Mr. Solamillo: Yes. The only thing I'm going to caution everyone is, you know, I mean you have to have departmental support, you have to have your council person support, you have to have the majority of property owner supports 'cause, otherwise, it's like you don't wanna be tying everybody up in contested case hearings. But the whole point is can we, you know, convince the public and the property owners that we are the best thing in town and, you know, this is -- and the tourism folks. They're the real beneficiaries, right? The restaurants, the tourists, the businesses that cater to the tourism industry, they're the beneficiaries of having authentic places for people to go visit.

Mr. Hutaff: You know, as we give some of these nominations and place or go for it or even when it comes up as potential nominations, if anybody here can speak along the lines of how it affects the tourism or ...(inaudible)... I could take it to the business owners to get them on our side because right now there's a lot of confusion of which side they think they're on. So this is a way it might open some doors for us especially for funding later on.

Mr. Solamillo: I mean in my desperation, I'd love to just call up Dallas, Texas, to send their most avid right-wing booster from the, you know, central business district and say, okay, you know, tell 'em, because I mean we're dealing a lot of new immigrant businesses now, and they come from the Mainland, so it's like, okay, get the, you know, these folks and let 'em talk to each other and maybe that is the way to convince 'em. I don't know. It's not a bad idea actually. The real pro-business kinda thing.

Ms. Chandler: And then another agenda item, I know we had discussed many times, the commissioner that doesn't come to the meetings and our ability to get a new commissioner.

Chair Fredericksen: Thank you for bringing that up.

Ms. Thomson: Can you ...(inaudible)... that person you are talking about.

Ms. Chandler: We've talked about it.

Ms. Thomson: That's the -- if you can get them to voluntarily resign, that's the easiest way to --

Chair Fredericksen: So what would that consist of?

Mr. U`u: Write one letter.

Ms. Thomson: Yeah, a letter.

Chair Fredericksen: Okay. So we write a letter as a Commission --

Mr. U`u: He writes a letter.

Ms. Thomson: I think that, you know, you can do it as the Commission, the Chair, asking staff to do it. That's the easiest way to handle it.

Chair Fredericksen: Now, does this have to be an agenda item before we can do it, like we can't do it now, right? It would have to be at the next meeting and have it be an agenda item?

Ms. Thomson: That -- you know, I don't know. I think that that's not necessarily -- it doesn't say you're acting on it; it's more administrative.

Mr. Hutaff: Yeah. I figure, administratively, we can do.

Chair Fredericksen: Warren?

Mr. Osako: Do we know if this person is still even on Maui or a resident?

Chair Fredericksen: No. But no matter what, you know, the slot is tied up.

Mr. Osako: No. But if they're not a resident of Maui anymore, would that automatically disqualify them?

Ms. Thomson: Not necessarily. You can't remove them that way. You know, there's a whole process of -- but it's easiest to ...(inaudible)... remove themselves; then the mayor can appoint another person.

Mr. U`u: I know a few people who resigned from the planning commission wrote a letter to the mayor to announce that --

Chair Fredericksen: Yeah, that's say, hey, I'm resigning.

Mr. U`u: I'm resigning due to personal reasons or whatever.

Mr. Hutaff: Well, if we could get in touch with this person by mail, we could send him the form letter - just spell your name, signature, and mail it back.

Chair Fredericksen: Would email -- is an email resignation acceptable?

Ms. Thomson: Sure.

Mr. Hutaff: I will try to get into touch with him by email. And even where he used to work and stuff like that has no idea.

Ms. Thomson: When does the term expire?

Ms. Chandler: Oh gosh, four years from now.

Chair Fredericksen: Couple of years from now. Three years, yeah.

Ms. Thomson: I can give you the information next time if you can't get a hold of him, you know, what happens next.

Mr. U`u: I thought after so much misses --

Mr. Solamillo: Usually after three.

Mr. U`u: After three.

Mr. Solamillo: Un-excused.

Mr. U`u: In a row, un-excused, or something ...(inaudible)...

Chair Fredericksen: Yeah. Well, this is plenty, plenty, plenty, plenty beyond that.

Mr. U`u: Two years?

Ms. Thomson: You don't get automatically removed though ...(inaudible)...

Mr. Solamillo: I mean I've mentioned it to the administration on three occasions, and I haven't --

Chair Fredericksen: Stanley, and I'm sorry to heap things on your plate, but would it be possible for you to just draft a short memo, I'll be happy to sign it, and just say, hey, you know, in regards to this Commission Member, we'd like to proceed with, you know, at least notification asking him to voluntarily resign so we can get a new commission member onboard 'cause sometimes it makes it hard to, you know, have a quorum?

Mr. Solamillo: Yes.

Chair Fredericksen: Or somebody's gotta leave early, like today, the room's pau, I mean we gotta go no matter what, but like Rhiannon has to leave -- would have had to leave at one today, which was when we're all leaving anyway now, but I also would need to have left at one, and that we would have lost quorum right there 'cause there's six of us and there would have been four left.

Mr. U`u: And then for votes, you got close votes.

Chair Fredericksen: Yeah.

Mr. Solamillo: Yeah.

Mr. U`u: And then they gotta come back or somebody gotta come back ...(inaudible)...

Chair Fredericksen: Yeah. No, it's just better to have one more person who wants to be on the Commission. Yeah.

Ms. Thomson: Mike Molina, in the mayor's office, assisted another commission with the same problem.

Mr. Solamillo: Oh really? Okay. Can you find out what they did?

Ms. Thomson: Well, that's what they did is Mike contacted the board member and he resigned ...(inaudible)...

Mr. Solamillo: Okay.

Chair Fredericksen: Could maybe --

Mr. U`u: Can we fire 'em?

Ms. Thomson: Not really.

Mr. U`u: That was a joke.

Ms. Thomson: There's a ...(inaudible)...

Chair Fredericksen: Strike that from the record.

Ms. Chandler: I think I would like to request that it be an agenda item for the next meeting though because we've had this conversation a couple times 'cause I just wanna see if we can --

Chair Fredericksen: Yeah, just so we can get a ...(inaudible)...

Ms. Chandler: Yeah, so at the next meeting we can hear that a letter was sent out and there was some kind of a response or resolution some way.

Ms. Thomson: And then if not, what the next step is.

Chair Fredericksen: So Mike Molina sounds like is the person because he's the executive assistant to the mayor who's maybe perhaps the most appropriate person to contact.

Ms. Thomson: Yeah. So we'd have to give Mike the latest contact information for this -- for the missing --

Chair Fredericksen: And Stanley doesn't need to do like an official letter for that or anything; just like an email; maybe you could copy it to me, Stanley, just requesting that Mike Molina, you know, try to contact ...(inaudible)...

Mr. Osako: When was the last time he attended a meeting or if ever?

Mr. Solamillo: I mean staff should not be contacting council members directly so --

Mr. U`u: He not one council member.

Chair Fredericksen: No, he's not a council member. He's a executive assistant.

Mr. Solamillo: Oh, I'm sorry. That's right. Then I can do that, I think. Let me check with my boss.

Chair Fredericksen: At our, you know, at our request.

Mr. Solamillo: Let me just talk to John Summers.

Mr. U`u: Two years.

Chair Fredericksen: Yeah, two years minus two meetings.

Ms. Thomson: And -- of I can do it ...(inaudible)...

Mr. Solamillo: That would be even better.

Chair Fredericksen: Okay.

Ms. Thomson: Who is this person?

Mr. U`u: Jacey Laborte.

Chair Fredericksen: Yeah, Laborte. J-A-C-E-Y. And then -- was it B or P? Laborte? Yeah, L-A-B-O-R-T-E. And he gets copied email, like when Suzie sends out to all the Commission Members, you know, who can make it to the next meeting, so she's got his email contact.

Mr. U`u: I remember the first -- second meeting, or was it the first meeting, he had hinted that he was going to continue his education.

Mr. Hutaff: Right. So that's why I looked for him at the previous university that he went to. He was on staff for one of them, one the universities.

Mr. U`u: That's right.

Ms. Chandler: ...(inaudible)...

Mr. Hutaff: No. I've been trying to find him to kinda give the -- let us know what's going on and, unfortunately, I haven't had any luck. I have tried to contact his family.

Mr. Osako: Suzie, on the emails, does his address come back as --

Mr. Hutaff: Nope.

Chair Fredericksen: Yeah, so the emails are getting received unless he put 'em into SPAM, the SPAM file.

Mr. Hutaff: 'Cause the only thing it says in the Chapter 530 is, on attendance: No members shall be absent from the service of the commission unless the member is sick or otherwise unable to attend and has no -- and has so advised the chairperson or the commission clerk prior. But there's nothing that says what happens if you do.

Ms. Thomson: It's under a different section, I remember right off the top of my head, but it comes from the administrative branch, it says the commission itself, you know ...(inaudible)... have the power to do whatever other than request that they resign. I'll pass that on and see where it gets.

Chair Fredericksen: Thank you.

Mr. Solamillo: Okay, I think one more item on this. This was one of the most important that came out of the conference: Adopt Section 106 protocols as identified by the Advisory Council on Historic Preservation, or the ACHP, with respect to native Hawaiian organizations, or NHOs. Now, the ramifications of this are pretty large because, in essence, the ACHP recognizes that native American tribal governments and tribal organizations are treated as government to government contact, it's not invite the kupuna to sit in the back of the room and to invite them to come up to speak. There's special protocols in doing that, and we're not even there yet on this one. So that means they'll have be a lot of consultation with corporation counsel because this is a totally new thing initiated by the Federal Government with respect to indigenous people and this has its very large implications.

Mr. Hutaff: In other words, so five minute's not going to cut it?

Mr. Solamillo: So, as I said, no one knows this one is one the horizon but it is the one that's going to have the biggest impact in everything that we do.

Ms. Chandler: So what's the action item for the Commission on this? Is that to formally accept these as our own protocol or would it be to identify or define native Hawaiian organizations because that, to me, is the trickiest words in this document?

Mr. Solamillo: I have to go through the document. I have to send it to corporation counsel. It's gotta go through the whole administration because no one knows this one is even floating out there. I really mean it. No one knows it's out that. But it's big.

Ms. Chandler: And maybe there are individuals that are not affiliated with the organizations but somehow they would or should be recognized under this protocol as well, so it's interesting because there is no one native Hawaiian entity that speaks for native Hawaiian people, which is what makes us so difficult compared to tribal organizations.

Mr. Solamillo: No, but I mean -- yeah, but in California, I mean the guy from the advisory council said, well, do you have something like, some outrageous number, a hundred and something tribes that they have to deal with, so the hui, or Na Kupuna O Maui, or anyone, right, they tend to be tied to a ahupua`a, and they tend to be tied to a moku, so -- but it's just that this is -- this is a first. It's actually recognizing these organizations as representing something than just, you know, a "cc" at the bottom of a letter, right, so -- but this is something that I've got to distribute to the administration and then corporation counsel will be asked to weigh in. So that one would constitute a whole meeting in -- another workshop in itself and I don't know enough to do it, so I've gotta get somebody from the advisory council.

Mr. Osako: So we would have to have a definition of a native Hawaiian organization.

Mr. Hutaff: Or what's recognizable. I think that's the issue.

Chair Fredericksen: Who determines that?

Mr. U`u: Exactly ...(inaudible)... body.

Mr. Solamillo: And I don't know, you know, with the issue because of blood quantum, which is the colonial construct, it's not -- it is a colonial construct and how does that ...(inaudible)...

Mr. Hutaff: But this is an organization. This is not necessarily --

Mr. Solamillo: Correct. But it may come up.

Mr. Hutaff: Yeah, we'd have to look at what they -- how they define that: What is a native Hawaiian organization? You put two people together --

Chair Fredericksen: That's beyond our --

Mr. Hutaff: That's beyond our pay grade.

Mr. U`u: More than a day - I'll tell you that.

Mr. Hutaff: That's why we have corporation counsel.

Ms. Thomson: Sounds great ...(inaudible)...

F. COMMISSIONER'S ANNOUNCEMENTS

Mr. Solamillo: Okay, Commissioner's Announcements. Commissioner's Announcement.

Chair Fredericksen: None. You got something, Rhiannon?

Ms. Chandler: I think maybe just a thank you letter back to the people who organized that conference because it was a big deal and they did acknowledge, the SHPO Pua, acknowledged that they haven't spent enough time focusing on the CLGs and that we have all these responsibilities they intend to help us with and so maybe just to say to them that we really appreciate the opportunity and also that it was held here, yeah, so I don't know if that's a simple letter -- email -- email maybe, I don't know from you or from Stanley but --

Mr. Solamillo: I've already sent an email. I think probably we'll get a formal letter from the Cultural Resources Commission would be better.

Ms. Chandler: Okay.

Mr. Hutaff: Yeah, I think we can do it individually too ...(inaudible)...

Ms. Chandler: Yeah.

Mr. Solamillo: I wanna thank all of you for attending.

Chair Fredericksen: So, Commission Members that did attend, what were your -- what's your take on it?

Mr. Hutaff: What I came out of it that I thought was very important is the non-architectural side of sites that we could nominate, from fishponds to streams, and the fact that we could do it as individuals, there's definitely a process to it. I know that I've already contacted three people to see if they'd be interested in looking at some of the places that already exist and go over the process of nominating them. It appears that from a cultural standpoint, nominating something can have long-term beneficial affects.

Chair Fredericksen: Well, there's some level of protection or recourse.

Mr. Hutaff: Well, even if it's not protection, so to speak, it also can be acknowledgment. Somebody go, oh, gee whiz, I didn't know. But I think the first step is obviously getting what we have down in our inventory already. I have an appointment September 19 in Kanaio to actually go over some of the historic sites out there and some of the history, and it's more to see how it fits within what we learn, and how do you fill out the application, and, you know, how mad is Stanley going to get at me when he sees the stack of the come through. But it was kinda nice to see the government support. You know, we fight here, and they are sort of like on our side. You know, one of the main things, for me anyway, that made a whole lot of sense, and I don't necessarily pay attention to, and that is first get the people on your side, then ask them to vote, so maybe being a little more diplomatic with the council, I think Elle Cochran's a good person to approach, at least for me, to start that process so that whoever get -- so when we knock on their door, they might be willing to open it rather than slam it.

Chair Fredericksen: Nobody's home.

Mr. Hutaff: Yeah.

Chair Fredericksen: Warren.

Mr. Osako: Well, for me, it was really eye-opening and that's why I was interested in the inventory because, you know, according to the process, survey and inventory is the first step, and also because of the problems that we face on Lana`i where there is a person now that's not originally from Lana`i, h's only been there, oh, maybe somewhere between five and ten years, and he's taken it upon himself to try to restore Hawaiian or archaeological sites, and I talked to Hinano about this at the conference and he says if these properties or sites are not listed or on an inventory, then it becomes the purvey of the landowner. So we have no recourse.

Chair Fredericksen: Yeah. You're right. Rhiannon? Okay, well, thanks for sharing. I mean these conferences can be -- I mean there's an awful lot of material, you know, disseminated. They're very, very interesting. I'm glad you folks -- you went, right?

Ms. Chandler: Yeah.

Mr. Hutaff: Maybe, Rae, maybe you and I can sit down at some point in time and see how we can help each other on facilitating nominations, you know.

Ms. Chandler: I asked, actually, I asked Stanley if there could be a subcommittee -- if there could be subcommittees within the Commission, like working groups. I expected other commissions must also do this 'cause how else would they put forward all their nominations or inventory lists or anything like that. They can't possibly have all that staff, you know. So

maybe we could look at that in the future - having little working groups that maybe based on our individuals strengths or interests.

Mr. Hutaff: Or, from what I understand, we could even do it outside of the Commission as far as gathering the information.

Ms. Chandler: Yes.

Mr. Hutaff: And putting together groups of people that we have in common 'cause, you know, organization is obviously one body of it, but then having somebody put it all together in the, you know, printed form, and having somebody gather the information, and have somebody do the pictures and the surveys. So right there, if you had four people doing it rather than one, you save 25% of the time. And we could put -- go ahead.

Ms. Thomson: One of the things -- I mean just that you're aware of because you're commissioners, so if you're getting together as groups, you can have subcommittees and all that, which is no problems at all. You can have working groups. You have to, you know, get the group nominated in a meeting, and then the group has to report back in a public meeting because you can't take actions without ...(inaudible)...

Mr. Hutaff: Okay, if we're doing it as Cultural Resources Commission, which part of that I got out there is we can do it as individuals.

Ms. Thomson: You can, but if there are more than two of you who are acting together, it really could be seen as a Commission action rather than, no, we just know each other but we kinda do this, you know, it'd be hard to ...(inaudible)...

Mr. Hutaff: Maybe you and I can sit down and discuss see if there's some -- you might access to people that have information, I have access to people who can type.

Ms. Chandler: Sure.

Chair Fredericksen: Anything else? Any thoughts or anything, other thoughts, other than let's skedaddle. Okay, well, we've taken care of our business if anybody would like to make a motion to adjourn.

Mr. Hutaff: I move we go.

Mr. Osako: I second.

Chair Fredericksen: Alright. If anyone's opposed, raise your hand. If not, we're out of here. Have a safe September, everyone. See you next month.

G. NEXT MEETING DATE: October 6, 2011

H. ADJOURNMENT

There being no further business brought before the Commission, the meeting was adjourned at 12:40 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present

Erik Fredericksen, Chairperson
Raymond Hutaff, Vice-Chairperson
Rhiannon Chandler
Makalapua Kanuha
Warren Osako
Bruce U`u

Absent

Jacey Laborte

Excused

Irene Kaahanui
Brandis Sarich

Others

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