

**CULTURAL RESOURCES COMMISSION  
REGULAR MEETING  
JANUARY 5, 2012**

*\* 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 12:50 p.m., Thursday, January 5, 2012, at the Mitchell Pauole Center, 90 Ainoa Street, Kaunakakai, Molokai, Hawaii.

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

Chair Erik Fredericksen: Aloha, everybody. It's just about 12:50, and I'd like to call the January 5, 2012 meeting of the Maui County Cultural Resources Commission to order. Everyone who's in the audience, I just wanted to thank you folks for taking the time to come out. We were a little late because we had some field -- field trips that we were participating in, and then there was a fire coming -- when we were coming back into town that we had to wait little bit for. But thank you for your patience.

**B. PUBLIC TESTIMONY ON ANY AGENDA ITEM**

Firstly, we will be getting into the overall agenda, but if anyone wants to provide public testimony on a given agenda item because they gotta leave and they can't stay, please feel free to come forward, state your name, and what you're testifying about. If not, we'll just get right on into our meeting. Everybody's okay? Okay.

**C. APPROVAL OF MINUTES OF THE MAY 5, 2011, JUNE 2, 2011, SEPTEMBER 1, 2011, AND OCTOBER 6, 2011 MEETINGS**

First -- or the next item is C., approval of minutes, May 5, 2011, June 2, 2011, September 1, 2011, and October 6, 2011 minutes. Stanley, would you like to get going on that? Okay. Any Commission Members have any comments or questions or suggestions or additions, deletions on any of the minutes? Okay, that being said, Bruce?

Mr. Bruce U`u: Motion to accept the minutes.

Chair Fredericksen: I was just going to ask is that okay?

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

***It has been moved by Mr. U`u, seconded by Ms. Kanuha, then unanimously***

***VOTED: to accept the minutes.***

Chair Fredericksen: Motion approved and passed. Thank you.

Mr. Stanley Solamillo: Is that the minutes in total or --

Chair Fredericksen: Yes.

Mr. Solamillo: Do we wanna do them one at a time?

Chair Fredericksen: No. That was in total.

Mr. Solamillo: Okay.

Chair Fredericksen: Rhiannon, did you have a question?

Ms. Rhiannon Chandler: Yes, Chair. Thank you. I just wanted to ask if the July -- if there's anything special about the July minutes because I know AKAKU was there, that was the one at the Lahaina Senior Center, and if we would be getting those at maybe the next meeting?

Chair Fredericksen: Stanley or Suzie? Can either of you answer that?

Mr. Solamillo: I can't answer that. Suzie?

Chair Fredericksen: Could you repeat your question for Suzie?

Ms. Chandler: Oh, I was just wondering if there was something special about the July meeting because AKAKU was there, I haven't seen them there before, so I was wondering if that one might come later or --

Chair Fredericksen: The July minutes? Oh, that's right. It wasn't a meeting. We just had testimony.

Ms. Chandler: Oh, so there's no record of it for this?

Chair Fredericksen: Yeah, because the item had been withdrawn.

Ms. Chandler: Oh, wow.

Chair Fredericksen: So we didn't have -- so there would be no minutes on that. Yeah?

Ms. Chandler: Okay. Is it allowable to ask for a copy of the video or --

Chair Fredericksen: AKAKU.

Ms. Chandler: They could give it to us directly?

Chair Fredericksen: Yeah.

Ms. Chandler: Okay. Thank you.

Chair Fredericksen: Okay. Thanks, Rhiannon. Okay, Item D is Banyan Tree Park. Stanley?

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

- D. BANYAN TREE PARK - Report from the County Department of Parks and Recreation on confirmed users for Banyan Tree Park for 2012. (*This item was deferred from the October 6 meeting and is time sensitive*). The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Chair Fredericksen: Any Commission Members have any questions? Yeah, Brandis?

Ms. Brandis Sarich: I have a question about the purpose of the rest weekend.

Mr. Solamillo: The rest weekend is to give the banyan tree a break so that we don't have constant use, so usually one weekend per month is set aside I believe.

Ms. Sarich: And do we know this is really actually necessary?

Mr. Solamillo: It's recommended by the County Arborist.

Ms. Sarich: Okay. Thank you.

Chair Fredericksen: Any other questions or comments about the schedule? Is there any public testimony on this item? Okay. Let's see, Stanley, this is asking for comments and recommendations from the CRC. Any Commission Members have any comments or recommendations other than maybe the schedule to approve as is? Do we need a motion?

Mr. Ray Hutaff: I move that we approve the schedule as presented to us.

Chair Fredericksen: Do we have a second?

Ms. Makalapua Kanuha: I second.

Chair Fredericksen: Okay. Thanks, Makalapua.

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

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

***VOTED: to approve the schedule as presented to the Commission.***

Chair Fredericksen: Alright. Motion passes. Item E, Advisory Review.

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

#### **E. ADVISORY REVIEW**

- 1. MR. ADOLPH HELM, President, on behalf of AHA KUKUI O MOLOKAI CANOE CLUB, requesting comments and recommendations on the Draft Environmental Assessment and Special Management Area (SMA) Use Permit, for HALAU WA'A PROJECT, located at Malama Cultural Park, TMK 5-3-001:005, Kaunakakai, Hawai'i. (SM1 2009/0020) The CRC may provide comments and recommendations. Public testimony will be accepted. (N. McPherson)**

Ms. Nancy McPherson: Aloha kakou. Nancy McPherson, Staff Planner for Molokai. This is Stanley Solamillo, our Cultural Resources Planner. I also want to introduce our Planning Director, Will Spence, who's here today, and your Secretary, Suzette Esmeralda.

This is an SMA major permit for halau wa'a, actually three structures and site improvements, on the Malama Cultural Park site on the county owned parcel there that Aha Kukui O Molokai has a lease for. It's located right at the base of the wharf road, and is a traditional area for the Kaunakakai ahupua`a traditional makai use area, shoreline use area. This is the halau of -- actually it was a fishing lodge and recreation place for Kapua`iwa, Kamehameha V, and he loved to come to Molokai and stay at his house here, and there were, you know, many visitors, royalty as well as, you know, even -- I'm not sure if Robert Lewis Stevenson visited, but I wouldn't be surprised, and there was a special beach, the royal sands were in front of that house, and it's a very special area. That is actually on the state owned parcel, so that platform is still there, and it was cleared recently, I believe, by one of the canoe clubs, and it's on another parcel so it's not going to be impacted by this project. Okay?

So we have an old map of Molokai, circa -- Stan, what year is that one? 1887 -- 97. Okay. And that's the location in the Kaunakakai ahupua`a. This is another old map. Hawaii Government Survey 1897 showing the location of the fishpond. This is an American Sugar Company map of the Kaunakakai area where the wharf mole comes in. And there were various railroads tracks in the area. That's where -- the mouth of Kaunakakai Stream might have changed somewhat but -- and the roads were later created and realigned. This is also an old map of the Kaunakakai area showing the approximate location. I think that's showing the location of the Malama Platform. So where the project is occurring is going to be, well, kind of in the middle of those two arrows actually. This is, I believe, Kapua`iwa Coconut Grove. Yes. An excursion at the royal grove, Molokai, 1924, which is just to the west, a little distance west across the Kawela Stream from the project site. And as many of us know, Prince Jonah Kuhio Kalaniana`ole helped start the -- well, was instrumental in creating Hawaiian home lands and the Hawaiian Homestead Act, and so there's a lot of association with royalty with this area. And the recently Keapuni Lokahi had this Kalaniana`ole Hall restored, and I pointed it out to the commissioners in my van as we were driving down from the airport, a very excellent historically accurate restoration of a 1937 building on Hawaiian home lands. This is a topo map, 1921 to 22, 24. A lot of salt was manufactured in that area in the past. The road actually went through the site and then was later realigned to the east. That's the Malama Platform there with the red arrow. And that is the -- is that the telegraph station? The telegraph station. There was a telegraph station there. That Kalaiakamanu Church, which was built on the platform after the house was moved to Kamakana family property, I believe, and this church was built there afterwards, so this would have been the '20s, 1920s, I think, and '30s. We have some very, very knowledgeable people in the room so I'm just limping along here, and correct me if I make any misstatements. That's the area of the salt pan, so that further to the west. And there's salt pans there on the left. And then the Malama area in the middle, and then the telegraph station on the far right. And that's our -- that's covering the background and the history. There's a lot more history. We'd love to have the time to really get into it, but we have to kind of do it short and sweet today, so I also have the project proponents are here: Adolph Helm, from Aha Kukui O Molokai; Eddie Halealoha Ayau is also here; and Francine Palama, who prepared the cultural impact statement for the draft EA for this project.

So this is a Aha Kukui O Molokai project, and this portion of the presentation -- I'm not sure. Hale, did you wanna handle this? Okay. I'm going to defer to the applicant, if I may, or applicant's representative.

Chair Fredericksen: Thanks, Nancy.

Mr. Eddie Halealoha Ayau: Okay. This is a presentation that we -- powerpoint that we put together for a community that we did, I think it was last -- no. September 30, 2010 - part of our requirement but also part of our responsibility to, you know, have consultation with

the community. A picture of canoe and paddlers. This is part of what I talked about earlier in terms of the organization wanting to restore the role of wa`a to a more traditional one instead of the overemphasis on racing. And so we went out and got a grant from the Administration for Native Americans, ANA; did a two-year project where -- and this is photos of the activities that were going on out at the fishpond to teach throw netting, different fishing using the canoe, laying net, also how to prepare the fish, and we had kids mostly. Youth mostly from the club that participated in this two-year project.

More photos from those activities. At the bottom right, you see ...(inaudible)... that was the ocean safety course that we were teaching the students as well. Same photos from the same event.

This one we hosted the commissioner from the Administration for Native Americans, ANA, and I think this was a good activity because we used a canoe to teach how to lay net, how to prepare fish, and then we also had races as part of the day's event.

More pictures from the -- and, actually, that's her in the top right-hand corner. You can hardly see her.

Another activity, like I mentioned this morning, was to bringing a koa canoe back to the island 'cause when we started, there wasn't one, but since then, there is a koa canoe. And since we don't have koa logs this big, we had to go to Hawaii Island. So this is Keanakolu State Forest, and it's -- the State Forestry has a program, educational and cultural program, that provides koa logs if you're using it for educational purposes, and so we were able to get two logs to build our canoe. So from logs up in Keanakolu, which is up in Mauna Kea, at about the 8,000-foot elevation, and then it was brought down to Panaewa, to the home of Ray Bumatai, who's a master canoe builder, and the canoe was built there. That's Uncle Ray in the top left. I guess photos of the process of building a canoe.

And this presentation's from 2010 so it doesn't include the recent photographs of the canoe arriving home and the blessing that was done for it and the naming of the canoe, which is Kukui O Kanaloa.

Chair Fredericksen: I've got a question. Where's the canoe kept now?

Mr. Adolph Helm: ...(inaudible)...

Chair Fredericksen: Thank you.

Mr. Ayau: Yeah, which is the main purpose for wanting the halau wa`a, so thank you. Pictures of cleanup at -- you guys were down at the site. There was a lot of dumping that went on there over the years and so a lot of glass, metal, debris in the water, and, you

know, the canoes are launched right from the shoreline, so the club organize cleanups; also of the wetlands. There was a lot of dumping that was done in there as well and so part of, you know, the social culture surrounding canoeing and so this what our board saw as a vision for the organization. The bottom ...(inaudible)...

Mr. Helm: Yeah. What we're doing is actually sharing the profits of ...(inaudible)... we also had, over the years, we had --

Chair Fredericksen: Excuse me? Excuse me? Can you go to the microphone, otherwise, Suzie's going to have a problem trying to ...(inaudible)...

Mr. Helm: What you see on the bottom right side, lower right side corner is the rigging process. You know, I know a lot of you guys know about the rigging process involved with the canoes, but we had a workshop. Also, throughout the years, we've invited resource people, guys like Nappy Napoleon, Kai Bartlett, and other people, to help us through that educational process, so that's what's happening there. Okay.

Mr. Ayau: A aerial view of our project area. You see the arrow at the bottom. Another one. And just a profile what we're trying to do. The two canoe houses; a small meeting hall facility. And one of the reasons why we wanted to do this, and, you know, this came up this past summer, you know, we had the six sailing canoes that came up from Kahiki to Hawaii, and then went on to California, well, one of the functions we want for the halau is a place to hold protocol when you welcome someone, especially canoes in the ocean; instead it was held at Kulana O Iwi, which is fine, but having a site, you know, there on the shoreline for that purpose, and so, you know, we anticipate, you know, use by the community, by the club for functions, you know, that's what we had, you know, in addition to the two halau, we have the meeting hall facility, and then all the associated improvements.

A list of all the -- what the purposes are and what the needs were for the project. You know, it was small component of the larger, you know, park master plan and, you know, we're hoping to at least, you know, the state ran out of money, and they went implement it, but that we'd be able to, you know, at least implement one part of it. Site and landscape plan. And then some of the architectural drawings that we had, initial drawings that we had done by Carlo Priska, our architect on the project.

Mr. Helm: Okay, sorry about that interjection, but I think of value would be if our architect that worked on this project just to give a little background on the design concept, and sorry, Hale, about that, but I think it would be worth everybody's time to have her. Is that okay?

Chair Fredericksen: That's fine. But could you also state your name for the record?

Mr. Helm: Adolph Helm.

Chair Fredericksen: Thank you.

Mr. Helm: Okay. Sorry about that.

Chair Fredericksen: No. It's fine.

Ms. Francine Palama: Aloha mai kakou. My name is Francine Palama, Maunakai & Associates. As we were asked to plan and design for this basic halau wa`a, we took into consideration the cultural aspects of the site, especially that which is located next to the site, and so we didn't want something that was very inappropriate and did not blend well with the neighborhood, and did not sit well in the ahupua`a. And so there were several reiterations that we went through and we listened to our client with regards to what their needs were, and one of the things they asked about was storage. Many of the canoe hale that I -- the halau wa`a that I have looked at across the state have less storage space. Basically, they have enough room for their canoes and, basically, those are the canoes that are in the races. Those are not your everyday canoes that are kept in the halau wa`a. And so as I continued my journey through the state, on the different islands, and started to ask about the purpose of their halau wa`a, many of them complained about not enough storage, so that was one of the requests that our client had ask that there was enough storage to put all of the ukana that goes along with the paddlers and for paddling activities.

So this halau wa`a sits fits about 18 canoes in here, which allows for the community to bring their canoes off the beaches and into a safe area. We also talked about security. We also looked at the structural integrity of the halau wa`a because with that structural integrity you going have the facade of the cording that happens. They could go ahead and do some lashings on the inside and, yet, the structural integrity of the canoe house would be in -- not in jeopardy.

We are looking at doing your traditional rock wall along with the A-shape or the triangular shape canoe that we're looking at right now. As the first phase of the design that we had gone through, we will look at addressing other needs of our client and the design may change, but not that much by way of space. So you could actually enter from mauka to makai, and when you're through paddling, you could bring your canoe right from makai back into mauka. So it has the ocean towards your back and the mountain from the back as you bring in your canoe. There's also the idea of having -- looking at the ohia post that would be used from Hawaii Island. And so the idea was to keep it very simple and not very complex, and I've seen several other halau wa`a across the state, basically, it's more of a traditional house looking design and so when I hear from the canoeing community on different islands, you know, they had wished that it was more traditional and, yet, it had its



contemporary materials. So some of the materials that we were looking at, there is a material that is used in Honolulu, on many of the hotels, and it is fire retardant. We did take it over to - myself and the architect, Carlo Priska, who's on this particular project - over to the Maui council and they did see the material, but we also considered our client's request with regards to an additional or an alternative material that would help them in securing the maintenance of this building. Everything looks really nice in the beginning, but in the long run, they're responsible for the maintenance and it does have some cost factors that was built into that, so we took that into consideration.

And so the halau wa`a is basically for community purposes, and this is where we were looking at, and those that are on the beach are, I understand, more than welcome to bring their canoes in there and take that out of the inclement weather.

Here we're looking at the meeting house and what was really important for our client was to have a meeting house. As it was reiterated earlier, that we could bring the canoes, have blessings where canoes could come in from the ocean and they could have a proper protocol of acceptance, and there would be an area for them to be able to bring their canoe in, have the blessings, kukakuka, and properly share stories of where they've been and what has happened. And as I shared earlier down at the site, many of our paddlers that come across to Molokai, basically, bring everything and they're down at Hale o Lono Harbor. Nobody really stays here up in Kaunakakai. But if there is a site -- I mean if there is a structure and there is a purpose for gathering, I think there would be a much more connection for the paddlers in Molokai its community and it would economically help the community here as opposed to many of them running down to Hale o Lono Harbor. So this particular meeting house also is equipped with a kitchen facility that would help facilitate cooking, preparation, whatever activity is going on; it also has -- it's compliant with ADA with regards to the showers for men and women and the restroom facilities, and so that is what we had addressed with out client.

These are some of the traditional style wa`a. This one is over on Maui. Yeah, on Maui. And so very open, very pavilion like. I've been here many, many times, and this one is very active. I mean I've been there when they've had their races, I've been there when they had their luau, baby luau, you know.

Okay, these are some of the site photographs and some of the existing conditions that are on the site, which we actually toured this morning.

Mr. Ayau: Just bullet points of the park master plan, history of it, and what -- where we fit into the -- where our component fits into the larger park plan. A map from the original park plan. Just in terms of our project what we've been able to accomplish was to get a grant of real property or the lease from -- a 55-year lease agreement from Maui County in October of 2009, and then to initiate our SMA application, update our EA, which was done

in September 2010, and now we're going through the last phase of the rest of the additional permits that we need. And like I said this morning, you know, we've been at this for quite a while and, you know, we just -- we just wanna ...(inaudible)... and get through it 'cause we, you know, we think this is a solid project for our community, and we think that the benefit that it presents -- provides to the community will be a positive one.

All the different studies that we had to go through. And because of the time that this has taken, like some of them we had to do 'em, like the wetlands delineation, we had to do it three times. And the third time, because the county wanted us to digitize the locations, the mapping locations, and so, you know, which emphasizes the point that we are nonprofit, we're a small nonprofit, so the majority of funds we get are from writing grants, and the initial grant that we got through Maui County for this project, we're already tapping into the construction money to deal with the regulatory compliance side because we've already gone through all of that. You know, if you look at this list, these guys aren't cheap. And so, you know, we're eager to, you know, take this to the next step and appear before the planning commission and explain what we're trying to do with this project.

Last one, and I don't know if was brought up earlier, but Chris Hart and Partners are our land use planning consultant. Questions?

Chair Fredericksen: Thank you. Rhiannon, has a question.

Ms. Chandler: Mahalo. I wanted to ask after the -- after this meeting, then you will go to the planning commission, and what other steps are there beyond that? So after the planning commission would be building would be the next step?

Mr. Ayau: I'm not sure.

Ms. Chandler: Okay.

Mr. Ayau: That's a Chris Hart and Partner question.

Ms. Chandler: Okay. 'Cause I -- mahalo for all that you shared. It was wonderful to be at the site earlier today, and I can see your passion and appreciate your dedication to carry this so far for so long, and I'm sorry that the process is hard, but I know you know what you're doing for the generations behind you. And for the landscape, we had talked about briefly at the site, I wanted to ask, I know that at the 1996 master plan and it does look like there's a little bit of landscape design in that plan but it doesn't list any plant list or any kind of botanical inventory, do you have that kind of information for the areas right around the area that you're going to be working in?

Mr. Ayau: Yes. And we will further develop the management -- the wetlands management plan that you were talking about earlier as well. I think we were focusing so heavily on the halau side.

Ms. Chandler: Yeah. Oh, absolutely.

Mr. Ayau: There's still a portion that's -- the wetlands that's still in our property that we need to --

Ms. Chandler: Yeah. Definitely. It's almost cosmetic sort of, you know, when you're thinking about this but really, culturally, because you have the plants there, they are actively growing and you know that the wetland plants are so much better for the area, I think a lot of people sometimes don't, you know, see what's there and, hopefully, we can have more of that at that place. And I'd be happy help you, I don't know if I can say that, but I just really want to see this happen.

Mr. Ayau: Thank you.

Chair Fredericksen: Any other questions, Commission Members? Bruce?

Mr. Bruce U`u: I guess this would be for Stan or -- so after we look at it, the CRC, it goes to the planning commission? What the time frame?

Ms. McPherson: Well, we have --

Mr. U`u: I know you still need the final EA and the FONSI.

Ms. McPherson: They need to finalize the EA in order for the application to be deemed complete. It has been sent out for agency comments already. But we did wanna solicit your comments, from the CRC, because of the specially significant cultural nature of the site and also of the activity and structures that they wanna build for it. We -- this may need to go Urban Design Review Board. I'm going to talk to the Planning Director a little bit more about that too. But then we would be looking more at landscaping also. So what we'd like -- you know, I'm hoping we can do the -- finalize this within 2010. That's, I think, the goal. As soon as possible really. And, you know, funding can be a challenge, you know, especially when you're hiring a consultant, multiple consultants, and so the department is trying to facilitate this for them, but we do need the final EA. We may need Urban Design Review Board comments, and your comments will help the Molokai Planning Commission because then they feel like those areas have gotten extra scrutiny by people with some expertise, and there's also been additional opportunity for the community to give their mana`o, especially, you know, that it was here or held here on Molokai, which we all thank you very much for being able to come over here. Did that answer your question, Bruce?

As soon as possible, but there's a couple more hoops they have to jump through - flood, special flood hazard area development permit is one of those, but we work closely with -- I work with our Zoning and Enforcement Division and we try to get those things ironed out.

Chair Fredericksen: Brandis.

Ms. Sarich: Is the presentation done?

Mr. Ayau: I'm done.

Ms. Sarich: Oh. I have quite a few questions. First, I wanna say that I love this project. I love the modern use of the materials for traditional structures, and the fact that the site planning is very sensitive and shields the cultural park from the yacht club, which I have been there for paddling events and had a lot of fun there, but I think that to see the halau there instead of that concrete building will be amazing. That said, I did go through what we were asked to review and I have a few questions.

One of the criteria for judging this project is the idea of using local materials in the construction, and I just wanted to ask: What local materials will be used?

Mr. Ayau: Well, we had talked and was mentioned earlier about using the ohia posts for the halau but we're not sure if we have ohia here big enough to do it. It's like, you know, not having koa. I mean that's just the situation we find ourselves in. In terms of the other building materials, I mean that's -- I mean the focus was to be sure it stayed 'cause it's just cheap -- cheaper to do so.

Ms. Sarich: Right. Well, would the lava rock come from this island?

Mr. Ayau: Well, I mean I wouldn't take stone from another island. I mean that kind of goes without saying.

Ms. Sarich: And then the pili grass being synthetic, I like this idea because of the maintenance factor, but I just wonder how will it be installed and will cultural practices be followed with using such modern materials?

Mr. Ayau: Rephrase your question, please?

Ms. Sarich: So as I understand it, and I could be wrong in my understanding of how pili grass is applied, but even in the report it says that when it's cut, prayers are spoken, and that the way that it's applied to the halau is significant, so when we're looking at using synthetic pili, I'm just wondering how is that addressed.

Mr. Ayau: The primary focus when the decision was made to use synthetic pili had to do with long term use and the conditions that you find in Kaunakakai. The other reason why we went with that was because of fire protection and the fact that we don't have that kind of pili here on the island, in terms of amounts. So the issue for us wasn't a matter of acquiring pili as much as it was the practical reality of trying to build a halau in 2012, and I'm pretty sure there's no protocol ...(inaudible)... buying synthetic pili and installing it.

Chair Fredericksen: Are you -- I've got a question. Are you folks required to have a sprinkler system because of the fire stuff and all of that?

Ms. Palama: If it's with the pili grass, we're required to have the sprinkler system, and so this material, synthetic pili, was shown to the council members, I'd have to say about a year-and-a-half, almost two years ago, and the fire department chief and his deputy was there to see the synthetic material, knew of the material because it was used in Honolulu at many of hotels that had constructed hale on their site. It is expensive, first and foremost, so we do use traditional pili, loulu, if you will, other materials, traditional materials. We will look at installing a sprinkler system that'll cost anywhere from 30 to \$75,000, and this project will never get done. So those are some of the materials that we took into consideration with regards to the fire retardant material.

With regards to Brandis' question, you know, about the cultural aspect, the fact that we know that pili grass does exist, and there are some structures, like Kaho`olawe that I have been participating in the last rebuild of the meeting house, the halau wai, down at Kaho`olawe, we did use the traditional pili grass and that is because there are no urban structures around, there's no one on the island, but it is not that we forget where some of the materials that we have used in traditional sense, that is what this halau brings and this particular meeting room brings is that you may have programs and activities to share what the traditional would look like. You can also do structural models with the children to be able to see that. And then it allows for a connection to see that, yes, this does work because we're able to do this under this halau and under this meeting room without having to forget what were some of the cultural materials that were used, the past, know where we can gather them and what is its purpose. So I appreciate your question. Thank you.

Ms. Sarich: Thank you very much.

Mr. Ayau: I think it's also important to recognize that the bottom line, in terms of culture in my opinion, is that it's functional, and so if our kupuna had synthetic pili back in the day, they would use it because it's functional. They didn't because they didn't have it.

Chair Fredericksen: There was no fire department.

Mr. Ayau: ...(inaudible)... but, you know, bottom line is we're just trying to take the most, you know, practical approach and we wanted the aesthetic value of the pili, we've seen it before and we went like it.

Chair Fredericksen: Do you have more questions, Brandis? Go ahead.

Ms. Sarich: Yes. I just wanted to clarify that I agree with why you're using it, but as I read the report and the master plan for the park, it lays out that you're supposed to use -- I mean that the effort will be to use local materials so I just wanted to hear that response. I also wanted to ask about the design of the project, in the meeting halau, what is the section that doesn't have roof over it?

Ms. Palama: If you're talking about the one between the meeting place and the kitchen --

Ms. Sarich: Yes.

Ms. Palama: There is a -- yeah, it's pretty much for outdoor ceremonies, if you will, but there is enclosures to the kitchen and to the meeting area so that the open area is allowed for other ceremonial protocols as the client wish to perform. The other thing that we looked at was also creating an overhead skylight, if you will, just so that there's enough natural lighting through there. And again, we're using some of the traditional material, the pohaku. Whether or not the pohaku comes from this island is entirely up to the client unless we've heard Hale, you know, I don't know if you want to use pohaku because, as Hawaiians, pohaku is very sacred to us and it's not just you go out and pick your pohaku like you pick plumeria or you go out and you get, you know, ti leaves. Prayers are also incorporated. Depending what site its coming from and its historical information, and if it's pono, there is a prayer and protocol before removing the pohaku. Not all pohaku wanna be picked up and taken down to the beach. You know, many of them have lived in the mountains for years; all of a sudden, they find themselves cold, and I'm speaking in ...(inaudible)... excuse me, yeah - that when they go down to the ocean, they don't wanna behave. They don't want to sit in with everybody else. So this is where it's important that when you lay the stones together that that practitioner goes through a protocol of prayers asking first and foremost for permission for the pohaku to come and go on to the next site to share kukakuka ...(inaudible)... "Whoa, Aunty Fran, you nuts or what talking to the pohaku? You gotta be crazy?" Ah, how many of us have taken pohaku off the Big Island up in Volcano? Or how many of us have read stories about taking lava from the Big Island, yeah? So ask for permission. It's asking permission. Sharing what is the site about. What is this project about. They all have to get along, like all of us in this room, you know. We come. We get along. We're okay. But with something that's agitated, the pohaku fall out; the rest of the structure is going to just fall over. So it's important in spirit that there is a prayer and there's also the protocol with the pohaku wherever that area of the pohaku is coming from. Thank you, Brandis.

Ms. Sarich: I also wanted to ask about the form of the halau with the wall sides. As I understand it, traditionally, a canoe halau would have open sides, and I understand safety-wise why that's done, and I just wanted to ask, culturally, because I don't understand. I just want to make sure that that's appropriate culturally.

Mr. Ayau: I think the fact that we're a Hawaiian canoe club asking that this the design we want, in my mind, makes it culturally appropriate. Again, one of the benefits of being Hawaiian is that you get to see your culture evolve. And so, you know, what our kupuna did is our foundation but it's not what we're stuck in. We are allowed to, you know, modify where we have to. And so the design that you see is like our best attempt at putting both together, in terms of what the building requirements are and what we wanted to see in terms of the halau. Yeah. That's all. I mean it's pretty straightforward.

Mr. Hutaff: Okay. Question -- not a question but got a statement for -- all the canoe hale that I've seen and remnants of canoe hale have all had walls; all walled against the cliff or a mound or something to provide protection, and pohaku has many meanings and many functions, like has been noted, and one of the things that you want to do is have a purpose in protection is the ultimate purpose. So I think that they're right on within the culture.

Mr. Ayau: Mahalo.

Chair Fredericksen: Any other comments, questions?

Ms. Sarich: Again, I would just like to say that I'm so supportive of this project and I'm sorry if some of my questions seemed offensive, but I just -- it's the way I get at things. I go through and analyze each part and make sure that those questions that we were asked to answered are followed.

Mr. Ayau: Sure.

Ms. Sarich: And -- but in spirit, this is beautiful and I would like to participate in it. It's an incredible project.

Mr. Ayau: Mahalo.

Chair Fredericksen: Any other comments? Warren?

Mr. Osako: I just would like to say that I like your idea of promoting the wa`a as not just a racing instrument, but back to the actual cultural uses, and I think that's a very good idea.

Mr. Ayau: Mahalo.

Ms. Kanuha: I, too, would like to make a comment. Mahalo nui for all of your hard work, and being a past board member for Hui O Wa`a Kaulua in Lahaina, we understand how very important -- that how our kupuna traveled from island to island; that's basically how we, as kanaka maoli Hawaii, we really got here was on the wa`a, so I understand the importance of it, and I also understand that the work that goes into it. As we approach almost the completion of Mo`okiha O Pi`ilani, and I appreciate Molokai and the community, and the canoe community, and I'm just ecstatic because I know wanting to welcome our Polynesian cousins, I spearheaded the welcome committee on Maui and I know the passion that we have and how important it is to do protocol properly. We cannot do that unless we have the tools, and we have the place, and we have the hale, not only to welcome them, but to feed them, to care for them because it is our kuleana as we, too, travel to the South Pacific, to Aotearoa, to Tahiti. So I commend the Molokai community. Thank you for continuing on the works of our kupuna. So mahalo. I'm excited. I just can't wait till you invite us when it's all pau.

Chair Fredericksen: Yeah, I'd just like to echo what a couple of the other Commission Members have said. I like the focus, the broadening the focus, was not only about racing because that's not only what they were used for. And I also wanted to thank you folks for your stamina and your endurance in this. It's one of those things that you got where it is, you got wetlands, and cultural sites, a whole bunch of different -- flood zone, but it's well worth the patience. But thank you. And we will do our best to help.

Mr. Ayau: Mahalo.

Chair Fredericksen: Yeah? One more -- go ahead.

Ms. Chandler: Yes. Mahalo. I just wanted to say that there's probably nothing more kaumaha for your all as a community to look to your forest and say we don't have a tree for our wa`a, and I would just ask that maybe, you know, I know you're still going through the process, but maybe in the future, and I again would love to help with this, there could be a restoration project that we could plant the trees for the wa`a in the future, that we could plan the koa now, and the ohia now so that we will have it, so the future generations will have it when they need it.

Mr. Ayau: I think they -- I'm not sure. I thought ...(inaudible)... they already done the koa planting but, of course, the more the better.

Chair Fredericksen: Bruce?

Mr. U`u: Just one quick one. I like the part -- I like everything about this. This is a no-brainer for me. It should be a slam-dunk and let us hope the process gets expedited from this point moving forward. As far as what you guys doing with the youth, I think we gotta



save 'em. And I think this is one of the ways you do give back to the cultural aspect of -- of that side. We was -- I was from Paia, low-income housing, and I must say that the canoe, when they used to invite the kolohe kids for paddle, and I was one of 'em, and I swear that's the culture where you get grounded and I think went contribute to myself not being where I shouldn't have been, and I think if you can do that for anybody or any island for our local kids, I think that was the saving grace for me in that period between 16 to 19, you know, sad to say, plenty people make wrong choices. I get one twin brother locked up for 14 years. He took the other course. So I went to the canoe side and that was culture side and that opened up the doors for me and I learned, wow, you know what? You gotta behave or you -- you know, that process which is lost and somebody had to show us the direction and we need this for our kids 'cause we no like lose the kids. So I commend you guys that you guys doing one incredible job and I look forward for the day when the kids out there doing that and they get their own hale but the bigger picture would be to, you know, give the youth something and mahalo you guys for doing such a great job.

Mr. Ayau: Mahalo.

Chair Fredericksen: Thanks, Bruce. Now I'd like to open up the floor for public testimony on this project. Do we have a sign-up list, Suzie? Okay, we don't have a sign-up list so what I would ask is go ahead and come forward, state your name, and we'll go from there.

Ms. Corene Kehaunani Helm: Aloha, everyone. My name is Corene Kehaunani Helm. And before I give you my talk, I wanted to say thank you so much for coming, and I think nobody said this today but Happy New Year to everybody in this room. And I wanna say mahalo to Arleone for sharing with me a beautiful book that she -- can you hold it up, Arleone? She put together for a history of the place. And I asked to make a copy and put it in the library 'cause it's such a nice piece of work that she did there. And I wanna say mahalo to all of you for recognizing Jonah Kalaniana'ole Kuhio, Prince Kuhio, and I wanna recognize all of the ali'i who, at one time, walked the shores from Kaua'i all the way to all the islands, and especially here on Molokai. And just two days ago, it was Queen Emma's birthday. And I want us not to forget that it's because of our ali'i that we have hospitals, schools, this wonderful Malama Park, we have Lunalilo Home, we have so many gifts that were given to us from our very special kupuna, our ali'i, and I want us to all remember that, you know, it was for the generations that are to come. And, you know, I gotta say, I getting old. I'm in my 60s already. And some of you are older than me. And what I am concerned with is the generations to come, and I want very much for all of us to think about who are clients really are, and they're the younger generation. And I support the building of this halau 'cause I've seen the many opio, keiki and opio go through it with good times, sad times, mostly happy times, and I think that it's important for this community. And one more thing I wanna say is, you know, Aha Kukui is a canoe club on this island, but this is not an exclusive club. The intent for this grant is inclusive of our entire community and we want

every single one of you to know that you will all be a part of this wonderful, wonderful halau, hopefully, within the next few years it'll get built. Thank you.

Chair Fredericksen: Thank you. Anyone else want to give testimony?

Ms. Daphne Socher: Hello. My name is Daphne Socher. I'm a 35-year resident of Molokai. I am a young paddler. Notice my hair color. I only started paddling five years ago. I am a member of Aha Kukui O Molokai. I had something prepared and I'm going to try and keep it brief. Paddling, as a Hawaiian tradition, traditional means of transport and fishing, is now a sport and is valid for all ages, and both sexes, inter-generational activity throughout the whole island. It is a fabulous way for people to participate together. The canoe house will provide a place to protect and store beautiful, expensive, important Hawaiian equipment and teach all of our next generations about Hawaiiiana, about paddling, about use of the ocean. I cannot think of a more valid endeavor than bringing tis canoe hale to fruition after all these years and much beautiful energy, and I hope that when Adolph asked for a few years of a lease, and they said would you like a 55-year lease on this piece of property, I almost fell off my chair. I will be dead when they have to come and renew this lease. Fabulous. These people will have a place of their own for my grandchildren's grandchildren. Aloha. Thank you for listening.

Chair Fredericksen: Thank you.

Ms. Judy Caparida: Aloha, everybody. I cannot move fast like before. Thank you so much for coming and to hear the concern and the needs of Molokai. For Molokai, we need hands-on. That's what we teach our kids. We teach our children, our children teach their children, and it's been that way for us. It's simple. But we get so confused when people come and try to dissect everything that we do. And I'm thankful because Malama Park needs to be -- needs to come alive. That place has been dry and has been messed up for a long period of time. So we need this because it's important to us. It's important. We know people don't take interest in Molokai so much but you know what? Now, there's no more place to build anymore so they really wanna get their hands into everything that we do. This is important to Molokai. So I'm here to let you folks know that what we want on Molokai meet the needs of our people, meet the needs of our children because we go out there, we see everything, but you know what? Molokai got the best, but we ain't got the space or the room to provide for all those that come over to enjoy themselves. And if they wanna go enjoy themselves, they go way down there, Hale o Lono. Hello? Nobody down there. There's only Four Seasons. After that, it's gone again. And here we are. We still get nothing. So I think we should start with Malama Park, and I think that you folks all should support us because we ain't doing nothing to ruin anything or be destructive. We are trying to be pono and do everything that is right for our community. I love all you guys. Happy New Year. Thank you.

Chair Fredericksen: Thank you.

Ms. Stacy Crivello: Aloha. My name is Stacy Crivello. I wanted to ask the question: Can I only address the agenda item E, or can I also address F and G?

Chair Fredericksen: Do you need -- if you need to go, you can give testimony for all three.

Ms. Crivello: Okay. I think I wanna start off with -- with F and G, if I may. I think it was in the '90s that the Malama Cultural Park concept came about, and that came in presentation to -- it's mentioned in our community plan, it's mentioned in our community island ten-year strategic plan from the enterprise community, and Walter himself have presented the concept and made many presentations on the concept of the Malama Park and the vision that I believe he see as an interpretive cultural site, and he can correct me if I'm wrong, or as well as a very significant cultural movement that becomes something very real. So knowing that the government layers have lost funding or what have you, I hope it's not anything sacrilegious that I'm saying, but go ahead and demolish those buildings that were put there. Once the building went there, I think it took away the significant purpose that because it was just part there and I think, like it mentions in your agenda, totally neglected, and that is not where it belongs. So that's my testimony on behalf of the agenda to make a presentation to demolish the existing judiciary court building as well as the jail that is in place there.

So as far as the halau wa`a project, I'm a resident of Molokai - born and raised - and I support the Aha Kukui O Molokai's halau wa`a project at Malama Cultural Park. The park has its -- is significant for its cultural heritage and the findings, archaeologically, as your well aware. The halau wa`a project was recognized and accepted as part of the Malama project concept when it first came into a concept and they approach Keapuni Lokahi, a nonprofit entity that implemented the Molokai Enterprise ten-year strategic plan, and with that that entity was able to leverage monies to assist the halau wa`a to do their planning so that it will be done in the right way as far as with the regulations. So in my opinion, due diligence, as you noticed yourself to the process, are being fulfilled by the project lead entity. But important, the halau wa`a project signifies efforts of our island community to proclaim a healthy community. Through the many aspects of canoe paddling, canoe building, teamwork, and the efforts of harmonizing one self with the physical and spiritual strength of the wa`a and ocean, the energies are all positive. Our island needs the feeling of positive energies. And this is what we all try to obtain daily, whether we're on Molokai or wherever. But this is where I personally feel it brings about a sense of creating a healthier community. We proclaim as Molokaians as the place for all things Hawaiian; all things to be of our culture. So we also choose to build on our cultural foundation. We have, Molokai, has many plans in place - community plan, strategic plans, you name it, we got it - but everything in the plans articulates the same beat that our cultural heritage is our

foremost asset and we will interpret our assets as such to preserve, educate, and pass on to our beneficiaries the value of our kupuna that we received from those before us.

As you members of the Maui County Cultural Resources Commission, if it is your role to recommend the halau wa`a project to begin its building or whatever recommendation you will submit to the regulatory process, I encourage your consideration to allow the opportunity to build, practice, and perpetuate our culture by bringing us a positive effort to foster a healthy community. Mahalo.

Chair Fredericksen: Thank you. Next person, testifier?

Ms. Arleone Dibben-Young: Aloha mai. Arleone Dibben-Young. I'm an ex-president of the Molokai Island Main Street Association for five years, and I do wanna see, in difference than what Stacy said, I would like to see those two structures saved. At this point, they just need stabilization, and termiting, and then moved to a permanent location. They're current locations may be appropriate as back on a 1924 map. There is a jail at the site, at the exact site where the courthouse is now. If you've ever been up to the Meyer Sugar Mill, you can see that that site was very -- in very, very poor condition compared to these two structures, and also the other structure in town. These are the oldest buildings still standing on the island and, for that, they do deserve cultural consideration. That's regarding those structures.

Chair Fredericksen: Okay, thank you. Next testifier. Let's stick with the one under item E right now, about the canoe.

Mr. Walter Ritte: I wanted to give some important background about this site we're talking about. I you just said we wanna look at that one spot, but I think it's important, if you guys are going to make recommendations, you understand the value of this place.

Chair Fredericksen: Oh yeah. No, that's fine.

Mr. Ritte: Okay. So, historically, this was a royal compound, so it has the highest place, and it wasn't only Kamehameha V, but it was prior to Kamehameha V, that when people or when the ali`i came to Molokai, this was the royal compound. So when we think about this place, and whatever activities we're going to have at this place, we need to have that vision that this is not just any 'ole place; that is a very special place.

Then as the years went by, this became the rubbish dump. This was a rubbish dump. So everybody who was driving to the wharf had to pass the rubbish dump, and all the kiawe trees was growing in the rubbish dump and people were just dumping everything over there. So then it went from a rubbish to something else.

The lands of this place was very complicated with Molokai Ranch, some county lands, state lands, so in order to get to this situation we're in right now, there was lots of land exchanges, lots of effort to consolidate all these lands in order to come up with a place for the public, not to dump their rubbish, but to treat it more as a royal compound that it really was and to fit the needs of the public. So they come up with a plan, took four or five years to come up with a plan, and I'd like to recommend this group that you really try and whoever is going to be building in this park, stick to that design plan, and it's in the EA. I think it's page 9 or 12, or something. It talks about what the design plan is. So whoever is going to be doing things, they need to stick to the original plan of this place in order to keep the integrity of what this place should become, otherwise, it's going to go all over the place.

One of the reason is to provide activities for the community. So this project that is being presented today, it fits perfectly into what this place was supposed to be. I don't -- listening to everything today, I don't see any reason why this project shouldn't go through. In fact, it's beyond what I would expect anybody to do to get a project to for this. I mean I cannot believe what they doing to this poor canoe club.

The other thing about this park, the importance of this park to the entire town of Kaunakakai is that it allows the town of Kaunakakai to become an oceanfront town. 'Cause right now, you have Kaunakakai Town, and you have that highway, and then you have this industrial guys over there, so nobody really comes through there; it's like the town is cutoff. On the other side, you got all these stupid oil and gas and -- you know, so there's a disconnect. So the long-range goal of Molokai was to have a town that connects to the ocean. So, hopefully -- well, that's why they built the industrial park was to get rid of all of these gas tanks and dangerous things out of town into the industrial area and connect the town. So right now, this park is one of the efforts to connect Kaunakakai so people could walk from Kaunakakai, walk all the down to the ocean, and enjoy an ocean town.

So if you look at your map, almost everything's in place. I was hoping you guys could recommend that from Hio Place, it's the -- this parcel right here that goes past the park, that all the industrial activities that's taking place, right before you get to the main highway, and across the highway is the service station, so right across the service station you see all of this industrial activity going on; that place shouldn't be there. That place stays privately owned and we've been trying to get the county or somebody to purchase those lands because it's all a flood zone anyway, they can never really build there unless they fill that whole place up with soil, to become part of the park. So I'm hoping you guys would recommend that the zoning of this area be park instead of industrial so that we can have a park that actually connects to town. I'm not sure if you guys are following me about what parcel I'm talking about. It's not a really big parcel. And plan for that parcel was to allow open space for our elders. That was -- when they coming into town, they could go over there and do whatever kinds of things - open space, shade trees, benches, those kinds of

things that would say to the people in the town come. Come get some shade. And, hopefully, not going get too much dust over there like we get in town.

One of the big reasons for this park was not to have it be a state park, which is what it is now, and you guys walked through it; if I was the state, I would be ashamed of calling it a state park. I mean it's horrible. So the idea was to have, not a county park either, but to have a community-based park; that the community would own this park, the community would run this park, and the park would have some kind of a financial engine, and the financial engine was to be a visitors center. So anybody who would come into Molokai and going to look at Molokai would come to the park first, two reasons they would come to the park, because that's where the community would have activities. They would have a building for hula halau and hula practices. If you come in here, you're having a meeting in there, and the hula is in here, it's hard time to have a meeting over here, and this is not really conducive to hula halau in here anyway, so the park would be a place where you would have all of your hula activities, and the place where - I don't wanna say the word but I'm going to say anyway - you know where that stupid jailhouse is, is where we're supposed to have the arts and crafts activities over there. And so we would have the hula, the arts and crafts, all of the canoe clubs. This would not be the only canoe club that would be on the beach, there would be other canoe clubs on the beach. So there would be all kinds of traditional activities. So this would be an active area and the tourists would come. They would like to come to an active area anyway, but not -- it's not setup for them, but there would be a place where they could come and enjoy whatever activity but have a visitor center so that the visitor center would become a place where they would come first, and that would be the financial end to run the park, so the community-based organizations would have some kind of a financial engine in the tourist thing.

I really, really would like to suggest that you recommend getting rid of those two buildings, okay. If you read through this design thing, there was never any mention of those two buildings. That -- those buildings came after the park got built, and it came because of political BS. It was an old building. I used to go visit my father in the jail, so I have some kind of ...(inaudible)... to the jail, but it doesn't belong in one cultural park. I mean dah. And the courthouse, you know, I mean I was in the courthouse a lot, but it doesn't belong in a park. If you wanna save it, put it where it belongs, someplace not in a cultural park. And the people who brought it there told the community don't worry. We're going to get money grants from the Federal Government for historic restoration. And did you guys see it? I mean it's time for it for to go. So I'd like to recommend you guys get rid of the non-traditional things like that out of the cultural park.

The canoe club -- it's critical the canoe clubs are critical because one of the biggest activities on Molokai is our canoe races. People like that challenge going across ...(inaudible)... so the problem with that is that it had become an Oahu event. It used to be a Molokai-Oahu event. It was big time. People used to camp all night and I mean it was

big time. Now it's just Oahu. All the celebrations are on that end, and yet all the cultural potential coming to Molokai but there's no place for it. So the park, when they put the park together, that was a big part of the park was to have the races start from Kaunakakai, have a one week long celebration on Molokai, and they get a cultural kind of a celebration before you do the race.

So those were some of the things that I'd like to let you guys know about and just go one more time over on the recommendations that this place stay the concept of a royal compound and follow the site development plan, and that we keep in mind that this place is a community place, private fenced-off areas like yacht club kine stuff where you can only get the key and it's only for whoever it's for but it's a public kind of a place, and that you allow some kind of a financial engine for this community-based concept. So those are the recommendations I'd like to offer to this group.

Chair Fredericksen: Thank you. Could you state your name just for the record so we got it?

Mr. Ritte: I'm sorry. Yeah, my name is Walter Ritte.

Chair Fredericksen: Thank you. Okay, next person, testifier?

Mr. Adolph Helm: Okay. Adolph Helm. Mahalo nui for you Commissioners taking the time to come Molokai. Awesome to see you guys take interest, and mahalo to the Planning Department for helping to kinda facilitate this. It's really great to have you guys show up and be interested in Molokai. I did provide a written testimony, I'll stand by on that written testimony, but I also, in addition, wanted to add more to that testimony. First of all, I'd like to also commend those that, in the early years, that started this concept of the Malama Park initiative. A great mahalo. It was really a community-based driven initiative. To really look at it from that perspective, it kinda helped us to kinda look at it and say, hey, these guys did a great job. As we start to look and investigate sort of the way forward to initiate our halau project, it was kinda a no-brainer to resurrect at least the halau wa`a side of it.

Mind you, I wanted to share a little bit, and there was a lot of questions asked about the cultural sensitivity part about the construction of the halau wa`a. I know what was written in the initial plan for the Malama Park. I want you to consider the idea that this is 2012. It's been many years and things have evolved. We're a nonprofit 501(c)(3) organization. I'm currently the president of Aha Kukui O Molokai. We looked at it from the cultural sensitivity side, trying to stay the course with the Malama project concept. And when you try to look at it from that perspective, you appreciate what the original intent was, but you also look at the practical and reality side of how can you really make this project successful moving forward and for generations to come. And so that's the idea with this halau project is trying

to mesh modern traditions, modern and Hawaiian cultural tradition, tradition into one concept, and that's kinda really where the philosophy is here.

We, as a nonprofit, we have to look at survival in terms of our fiscal responsibility. You know, for us to maintain our halau, we have to be innovative, we have to look at ways to sustain ourselves to ensure that we kinda malama our infrastructure, and malama the whole area. The idea of opening up to the public, that we have -- there's nothing in it for us as far as, you know, Aha Kukui itself. This is all about community because it is a county lease agreement and it stipulates that we have to provide access to the public. There's no way we're going to fence off that place and make this an exclusionary -- exclusive place just for Aha Kukui. That was never in our concept. And in our original concept plan where we designed the concept around the ka hale concept, which is exactly what Walter shared about having a place for different, various artists, etcetera, etcetera. So I really, you know, would recommend that you really kinda look at this and kinda help us get there so we can be a catalyst to kinda have others in the community kinda get involved and resurrect the other aspects of the Malama Cultural Park Plan. Mind you, we can look at it from the side that we wanna keep this as cultural sensitive as possible, but we drive our cars, yeah, to Malama Park. So what we wanna do is just kind of make sure we're culturally sensitive and we mesh the two so it's appropriate. Thank you.

Chair Fredericksen: Thank you. Next testifier.

Ms. Ruth Manu: Aloha. I'm Kupuna Ruth Manu and I was very excited 'cause I heard that Maui commissioners were coming over, planning commission so -- I do support the kukui wa`a, you know, the canoe shack. We really do. And the park, we really need help with that. But my main purpose here is for Mana'e, Ualapue. "Loko i`a" we call that, not a fishpond. It is a fishpond but, for Hawaiians, we say, "loko i`a." I wanted to find out what is your guys' plan. What is your intention? Blah, blah, blah. Whatever. Because that is the reason why I came to find out because I come from that area. And we have Aha Kiole, where on the board, board members ...(inaudible)... whatever. Ahupua`a. So I'm very, very much concerned about that 'cause I need information that is facts; that is truth; no BS to tell my community because we gather together for kukakuka and everything has to be laid out on the board, straight out, all cards out. So I'm here as a community member, whatever, to find out what are you guys going to do with Ualapue and what is your plan. Aloha.

Chair Fredericksen: Okay. Thank you for your testimony. We will be coming to this a little bit later in the meeting.

Ms. Manu: Well, can't you do it like how you did for her?

Chair Fredericksen: Well, only the testimony part.



Ms. Manu: Okay. Oh, alright. But, you know, like you guys, time limited, that this kupuna's time limited too. Thank you.

Chair Fredericksen: Thank you very much. Any other testifier?

Ms. Jessica Kalawe Oswald: Yeah, my name is Jessica Kalawe Oswald. I'm in here to testify for the Malama Park, of mister -- our halau. I'm part of their halau that could -- I think it would bring a lot of communities together and, hopefully, bring in, like what Uncle Walter was saying, the town to the front and revive our parks. I don't think the jailhouse should stay there any longer. There's a huge beehive. We always tell our kids, "Watch out. There's a huge beehive." But the county don't do nothing about it. We told them many times about it. They say we can't do anything. So, yeah, let's move those two buildings away and beautify our downtown area so that we can feel more as a community and feel that we have a place to play, especially when -- time when canoe season come around. Thank you.

Chair Fredericksen: Thank you.

Ms. Kanuha: ...(inaudible)...

Chair Fredericksen: Yeah. Makalapua?

Ms. Kanuha: So how many years have you been involved in --

Ms. Oswald: Over five years.

Ms. Kanuha: Five years. And you have babies that are involved --

Ms. Oswald: Yes.

Ms. Kanuha: As well?

Ms. Oswald: That's what got me going. So do you feel that that building there with the beehives and that is like detrimental, like it's very dangerous?

Ms. Oswald: Yeah. Yeah. And just -- everybody always wonder what is those buildings are for, and we gotta kinda bring back the history of, oh yea, it's the jailhouse, the old courthouse, and they were like why is it there? That's a beautiful space but we have these old buildings here that just brings not so good memories, I guess.

Ms. Kanuha: So it's like a --

Ms. Oswald: Yeah.

Ms. Kanuha: It's dangerous and any of the kids play around the area --

Ms. Oswald: Yeah. I wanna be able to beautify that because I'm part of also our youth in motion program that we have from the side that if we wanna have ocean activities and we wanna be able to, you know, have a big place for our kids to play, that they don't have to be scared of because maybe these two buildings are like to dark and gloomy, and a lot of history went through that buildings, let's put it that way.

Ms. Kanuha: Mahalo. Thank you very much.

Ms. Oswald: Thank you.

Mr. Kanohowailuku Helm: Aloha. Mahalo for coming to Molokai to hear our concerns. My name is Kanohowailuku Helm, and I just came to support the halau wa`a down at Malama Park, and just little bit history. We started the club, geesh, early 2000. When we first started, we, you know, luckily one of the other clubs loaned us malia mold, was some of us young men of the island, and we're paddling this, you know, old beast for a while in training for to do the channel in the future. And, you know, since then, the canoe club has grown and, you know, we have membership and people who have joined the club from, you know, everywhere on the island, from east to west. You know, Aha Kukui is a open canoe club where we always share with the community so whenever there's different races, different clubs borrow our boats. Today, we have, you know, we have a whole bunch of canoes since the time when we were borrowing the malia mold, geesh, a very important part of my life and I think a lot of young men on the island who took part of this is our canoe club actually did a circumference of our island, Molokai, where we paddled around the whole island. We also did a community project down at Kalaupapa where we did a ho`olaulea for the kupuna down there, the patients. And we also help to install the sprinkler system down at Kioea Park. So we did a lot of community things. And this halau wa`a will, in my mind, and will be something great for the community to come together and to practice good health for ourselves and for our children, be a good thing for the future, be a good thing to greet people who come from away, and just one good thing overall.

The subject on the buildings, if it doesn't get moved, the termite.

Chair Fredericksen: Thank you. Next testifier? Okay, if everyone is -- who wants to has testified, the Vice-Chair is going to read a couple letters in for the record 'cause my voice is going. Take it away, Ray.

Mr. Hutaff: I was told I have to bind to that excuse. Okay, written testimony. This is from Zachary Helm, we're reading this so that it would be part of the record:

My name is Zachary Helm, a community leader and a Hawaiian homesteader and a Hawaiian homesteader on the island of Molokai. I am testifying in behalf of myself I am in support of the halau wa`a project here on Molokai, and I feel it is a long overdue project. The Aha Kukui O Molokai organization has been working very hard during the past eight years in trying to meet the requirements for this project. I urge all of you to support this project because it will definitely benefit the entire island community. The organizations has followed and complied with all of the County of Maui's requirements at this state.

Your understanding and support is very much appreciated. Should you approve this process, it will be one step closure for Aha Kukui O Molokai to begin the construction of their canoe halau. It is a dream come true.

Should you have any questions regarding my testimony, please feel free in contacting at my address below.

Mr. Hutaff: And the address will be kept on file if anybody wants it. Second letter, from April L. M. Kealoha:

To Whom It May Concern:

Aloha, my name is April Kealoha, a resident of Ka`amola, Molokai. My two daughters and I have been members of Aha Kukui O Molokai since 2004 and both are active paddlers in the youth division.

To have a halau wa`a that can house canoes is beautiful for the Molokai youth and community as well. There will be also space for paddlers to have kukakuka sessions.

I am in support of this halau wa`a project that will be located at Malama Cultural Park, TMK 5-3-001:005 and I ask you to approve this project as a cultural resource center for Molokai and its community.

Mahalo for your consideration to this project.

Mr. Hutaff: And it's signed, "April L. M. Kealoha." And that's been read into the record.

Chair Fredericksen: Ray wants to talk more so I'll give it back to him.

Mr. Hutaff: You want me to talk. Today, you know, when we came to Molokai, and we look around, it's hard to imagine what we don't see - what was. I was surprised when the other

members, and I pointed out the fishpond, and saying, "You can't look at this as a fishpond. You need to look at this as it was 2, 3, 4, 500 years ago, and see that it fed 3 or 4,000 people, but you don't see the people there today." The other thing I took notice of was a sign that says, "malama." Now that's a very powerful word. And personal belief in seeing and hearing the testimony, and going down there today, is malama is always two ways. Do we malama? Or does the park malama us? In either case, it tends for me to believe that it's the beginning whenever you malama something, and to be at the harbor entrance, to be the welcoming center, I think that the -- I mean, looking back, and I'm looking at this and saying, so we have park named "Malama" and no one's ever taken care of it, at least in our lifetime? You know, that's not only rude, but kinda shame too, yeah? And so I will take, you know, some responsibility and the shame by saying, gee whiz. I never even look to know that there was a park named "Malama." It kinda makes sense. As far as the portion from the road before Malama Park, it's not on our agenda, so we really can't address it, but it certainly doesn't stop you guys from addressing it at a later date, but maybe not compile it together, but after the fact, so this can move on.

As far as what you wanna do with the property, if, as part of the bylaws of the corporation that you've setup, the 503 corporation, you can make those in the bylaws and elect presidents and elect the things that make it your 503(c) have a purpose so that way you can get it without having to come through the corporation.

As far as what I believe, that, you know, we can look to the past, even though we no can see everything, and we can stand here in the future, the only piece of information that we lack is the future, okay. So what we really to do is we gain what's in the past so we can bring it to the future, and I think everything that you guys wanna do is not just a good idea, it's absolutely necessary. And I think the Planning Department and everybody who's involved should take into consideration our response as the Cultural Resources Commission, if I can get the vote to the others, is that we would like to see this project start being built tomorrow or as soon as possible - whichever comes first.

Chair Fredericksen: Thank you, Ray. Let's see, Commission Members, we'll close public testimony, and now let's go ahead and discuss the project. Nancy, did you have anything else you wanted to add?

Ms. McPherson: Yes, thank you. Nancy McPherson, Staff Planner. I did wanna also bring to your attention, on Page 4 and 5 of the memo that was submitted to you -- oh, I'm sorry. Page 5 at the bottom, we're asking you to assist the Molokai Planning Commission in making a determination that there is no irrevocable commitment to loss or destruction of any cultural resources due to the project. This is part of Chapter 205A, Hawaii Revised Statute, Coastal Zone Management. And then, on Page 6, we do have four recommended conditions of approval, and we'd like to get your feedback and comments on those, and any

additional ones that you would -- or any that you'd like to remove, you know, and get your feedback on those four conditions and anything else that's culturally related. So thank you.

Chair Fredericksen: Nancy, could you just go ahead and read through those?

Ms. McPherson: Oh, okay.

Chair Fredericksen: Please.

Ms. McPherson: We're submitting these draft recommended conditions of approval for the SMA major permit concerning cultural resources and historic properties for your review, comments, and recommendations:

1. That as the mauka half of the project area is underlain by SIHP #50-60-03-630, a traditional period subsurface cultural deposit, there shall be precautionary archaeological monitoring during all ground disturbing activities.

And that would already be on the SMA major permit;

That an archeological monitor shall be on site for all ground altering disturbance, and a coordination meeting with construction crew and all pertinent parties prior to the initiation of work shall be conducted.

That's also already in the approved archaeological monitoring plan and, you know, would automatically be included with the SMA major;

3. That all work shall --

oh, this is actually a standard State Historic Preservation condition. Do you want me to go ahead and read through the whole thing? Okay.

Then No. 4, that in the event --

this is one that we modified a little bit for Molokai because, you know, the Molokai Island Burial Council hasn't actually been able to make a quorum for a long time but they still wanna be notified so -

in the event that any human remains are inadvertently exposed, the find shall be immediately protected with a buffer fence, and the SHPD offices on Maui and Oahu as well as the Molokai Island Burial Council shall be notified pursuant to Hawaii Administrative Rules for further evaluation and appropriate burial protocol.

And the fact that the project manager is very, very well versed in those laws and protocols, I think we won't have any problems with this project. So thank you.

Chair Fredericksen: Thank you, Nancy. Commission Members, any discussion. Yes, Brandis. Or comments.

Ms. Sarich: I just want to make my recommendations ...(inaudible)...

Chair Fredericksen: Okay, recommendations. That's fine too.

Ms. Sarich: I hope that the other agencies will approve this project, the Malama Halau Wa`a. I feel that this project is a model community project which brings together the realities of today while preserving and celebrating traditional Hawaiian culture on a very appropriate site.

Chair Fredericksen: Agreed. Any other Commission Members comments? Yes, Bruce.

Mr. U`u: Only two. Just two. One, that they expedite the process as quickly as they can. And, two, if it goes before the Urban Design Review Board, that they into consideration of how it was used in the past as a royal compound and they stick to the design plan on what's given, yeah, in here. So if it goes that route, just a recommendation to the Urban Design Review Board, or the planning commission.

Chair Fredericksen: Anybody else? Warren.

Mr. Osako: Actually, I have a question about the archaeological monitoring and all that. I mean, you know, we usually get all of that information from SHPD, so actually that's under their purview?

Chair Fredericksen: Because there's a permitting process, the State Historic Preservation Division has commented on it in advance.

Mr. Osako: Right.

Chair Fredericksen: yeah.

Mr. Osako: So we have not received anything about this?

Chair Fredericksen: As a Commission?

Mr. Osako: Yeah. Yeah. Well, maybe have they -- have any permits been applied for?

Chair Fredericksen: No. Not that I'm aware of ...(inaudible)...

Mr. Osako: Okay, that's why we haven't received anything from SHPD about it.

Chair Fredericksen: Well, it has been reviewed.

Ms. McPherson: There's an SMA major permit application in the county right now, and they have an approved archaeological monitoring plan, and that was included with the information that was given to you in your packet, I believe. Yes. Scientific Consultant Services, Inc. So you can comment on the archaeological monitoring plan also, which making comments on everything that was submitted to you.

Chair Fredericksen: Makalapua?

Ms. Kanuha: I was hearing the story about the courthouse and the jail building, so just so that I understand it better, the original location was here in Kaunakakai, and then they cut it up, and then they moved part of it down by Malama Cultural Center or where the center site is going to be?

Chair Fredericksen: And those -- we'll be discussing those in two -- looks like two different agenda items following ...(inaudible)... but, yeah, they are sitting there now. One is on the property, I believe, that ...(inaudible)...

Ms. Kanuha: So we're moving to approve for the cultural center, and then we're going to talk about the buildings?

Chair Fredericksen: That's correct, yeah, Stanley?

Ms. Kanuha: Sorry. I was just trying to jump ahead of time. Sorry.

Chair Fredericksen: No, no. That's good. But it's all interrelated to an extent, yeah.

Ms. Kanuha: Okay.

Chair Fredericksen: Any other comments? Rhiannon, did you have something?

Ms. Chandler: Mahalo, Chair. I don't know if now is an appropriate time, but I guess along with the list of recommendations, if we could also just recommend, in terms of groundcover temporarily at the site, that they use wetland plants and many of them that are already growing on the site, and just if I could include on the record, the wetland plants that are growing there now already are akulikuli and kipukai, and other plants that would be really wonderful there are `ae`ae `ilima, and then two different vines, pa`uohi`iaka and pohuehue.

And the reason for that is that native plants are the best filters of toxins. They are good for erosion control and sedimentation control, and all of that I think is important in the area. So if that could be included in part of what is done. And, actually, the plants that are growing there now, they grow from cuttings, so there should be no added expense to continue to propagate what is down there and try and remove some of the prickly-weed because, ultimately, it will help to reclaim this site.

Chair Fredericksen: And the pluchea --

Ms. Chandler: Pluchea, yes. That too. Prickly-weed and pluchea are invasive.

Chair Fredericksen: Any other comments? Yeah, Bruce.

Mr. U`u: This is more -- a testifier brought up about the industrial area that's above the park, Malama Park, and --

Chair Fredericksen: Which is a separate TMK, and something we can't really comment on too much, but go ahead.

Mr. U`u: Just a question. If it's an industrial area and sits above the park, the runoff and the sheet flow of water will affect the park. And I understand the point of the change in zoning, which is not in our purview, but if you can bring up that they will have an adverse effect on the royal compound, if you have an industrial park that's up above -- sitting above the park, the sheet flow and the runoff, the drainage --

Chair Fredericksen: It would be a very --

Mr. U`u: Adverse impact.

Chair Fredericksen: Good thing to take up, or the community to try to have ...(inaudible)...

Mr. U`u: And so the point I'm bringing is during the time of a community plan or your Molokai planning stages, that'll be more of an appropriate time to bring it up, but I see the point, and you having a royal compound and you got sheet flow off an industrial area, you know.

Ms. McPherson: It's been on my radar for a long time.

Mr. U`u: Thank you.

Chair Fredericksen: Okay, any other -- any other comments, recommendations? Yeah, just in closing, I just would like to thank all the folks who have been involved with the



project, and then the folks who've come to testify. So, let's see, Nancy, have you -- do we need a motion on this, of recommendations, some additional? I think so. I mean we've got four draft recommendations that are here. Maybe let's try to figure out if we wanna add any or -- I think the recommendations that are there should be there, but do we wanna add any? Rhiannon, you were mentioning about using native wetland adapted plants.

Ms. McPherson: Yeah, I pretty much got down that the CRC recommends that groundcover be used using local wetland plants, preferably grown from cuttings from onsite populations of akulikuli, kipukai, and `ae `ae `ilima, also using pohuehue and pa`uohi`iaka, and removal of prickly-weed and pluchea.

Ms. Chandler: Excellent. Mahalo.

Chair Fredericksen: I think that was it. So it would be those five conditions. Yes, Bruce, could you reiterate your one for Nancy, and then we'll have Will --

Mr. U`u: One of the conditions I wanted to propose was that if it goes before Urban Design Review Board, that they understand what it was before and they follow the -- I guess the design plan that was given so to keep it in uniformity.

Chair Fredericksen: Yes, Stanley?

Mr. U`u: If that's in our purview - probably not.

Chair Fredericksen: We've got something here.

Mr. Solamillo: I think that overall the Commission Members support the project.

Chair Fredericksen: Yes.

Mr. Solamillo: Then that probably ought to be your lead statement that the Cultural Resources Commission supports this project with the following conditions.

Chair Fredericksen: Yeah. And that sounds fine. Yes, Will?

Mr. William Spence: And that's --

Chair Fredericksen: Name, please?

Mr. Spence: Commissioners, my name is William Spence. I'm the Planning Director. Everybody's gotta say that. Nobody understands that, you know, you read the minutes of the meeting, and it's inaudible, and no name; you don't know where the comments came

from. Yeah, I'm just reiterating what Stan said. When we transmit your recommendations to the Molokai Planning Commission, we want -- I understand this Commission to want a statement in favor of this project.

Chair Fredericksen: Well, from what we've all shared, I would say we strongly favor this -- or are in support of this project. Is that -- does that sound -- I'm not mis-speaking?

Ms. Sarich: ...(inaudible)... specific reasons?

Mr. Spence: I don't think you need specific reasons. It's pretty much on the record. But if that's the decision of this Commission, you know, we can -- maybe just a little motion to say, you know, we're in favor.

Chair Fredericksen: Okay. Well, I think that's the way to go, folks. So if somebody wants to make a motion?

Mr. Hutaff: I make a motion that we state strongly our support for this project, and quickly.

Mr. Osako: I second.

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

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

***VOTED: to state strongly our support for this project, and quickly.***

Chair Fredericksen: And then, Nancy, the recommendations that you -- there are six now?

Ms. McPherson: No. We'll make the strongly in favor --

Chair Fredericksen: Of the overall project, yeah.

Ms. McPherson: Of the successful quick project, and that would be No. 1. And then the rest will be renumbered to follow that, including the last one, which was for the plants.

Chair Fredericksen: Okay.

Ms. McPherson: So that would be seven, actually. Or do we just do the we're in favor as a statement or should that actually be a numbered item? Okay, so, yeah, it'll be five then.

Chair Fredericksen: I believe six.

Ms. McPherson: Oh, Bruce, could you restate. I'm sorry. I didn't catch yours.

Mr. U'u: That we stick to the design plan give so it has some uniformity in that area.

Mr. Hutaff: I move that we stick with the six recommendations as has been just stated.

Ms. Sarich: I second that.

Chair Fredericksen: Oh, okay. Yes, that's right because there are now six. Okay.

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

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

***VOTED: to stick with the six recommendations as stated.***

Chair Fredericksen: Okay. Thank you.

Ms. McPherson: Thank you, Commissioners.

Chair Fredericksen: Okay, thank you all. Moving on to Item F, Demolitions. Stanley?

Mr. Solamillo: I think because we're running out of time here, and I've got a 4:00 boat, so what I am going to propose is that we consider Items F and G, with the exception of G.2.; that we consider F.1. and G.1. together as one item. That includes:

## **F. DEMOLITIONS**

- 1. MR. ROBERT E. FREEBURG, AIA, on behalf of STATE OF HAWAI'I, DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, requesting comments and recommendations on Demolition of OLD JUDICIARY BUILDING, located at Makaena Place, TMK 5-3-005:012, Kaunakakai, Island of Molokai, Hawai'i. The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

## **G. COMMUNICATIONS**

- 1. MR. STANLEY SOLAMILLO, on behalf of the MAUI COUNTY PLANNING DEPARTMENT, requesting comments and recommendations on FORMER JUDICIARY BUILDING (COURTHOUSE) AND MAUI COUNTY JAIL, subject to Demolition by Neglect, located at Malama Cultural Park,**

**TMK 5-3-001:005 and TMK 5-3-001:002, Kaunakakai, Island of Molokai, Hawai'i. The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: Is there any opposition to that list of items being combined?

Chair Fredericksen: I think we're fine. Yeah, Commission Members? Okay, Stanley.

Mr. Solamillo: If we get on a time constraint, and we have to dispense of the other portions of the meeting that we normally do, like Director's Report and everything like that, then I'll have to have an official adjournment of the meeting, and then exit to the dock.

Okay, our first item is the demolition of the old judiciary building. Oral tradition, and this is where we get into some problems with these particular cases, oral tradition says that these buildings have been moved several times and that they were originally constructed in the 19<sup>th</sup> century. Our 1882 map of Puko`o shows a courthouse and a jail located at this location. At Puko`o Harbor, in 1888, we see a courthouse mentioned. And there a series of Second Circuit Court judges dated from 1887 to 1918, and they include Abraham Fornander, A. Noah Kapoikai, John W. Kalua, A Noah Kapoikai again, Selden B. Kingsbury, William S. Edings. After that, however, which is a span of 1887 to 1918, the actual chronology is not clear and would have to be researched further, sometime during this whole period, we have the courthouse and the jail being moved to Ualapu`e, and then to Kaunakakai.

In 1927, we have a Sandborn Insurance Map, which shows a courthouse with a longer building behind it, both of which have front porches, facing in opposite direction, and, in this case, we got what looks like restrooms. They're all one-story buildings. And, unfortunately, I don't have anything specifically identified on this county parcel defined as the Molokai county yard as being a jail. So we're kind of at a lost there.

Then we get photographs, and we've got photographs from 1973. This is one taken in 1973. Here is the front of the same building taken in 1988. This is the courthouse, and there's a little red arrow that popped up on the rear, and if you didn't see the Sanborn Map, you wouldn't know, and if you didn't see this photograph, which is what it looked like, this accretional growth of buildings, which were attached to one another, which, in essence, formed the courthouse, records keeping, and county offices for Kaunakakai. And this is what we're looking at the rear portion in the proposed demolition by Department of Accounting and General Services, which is what we saw this morning. You could see the outline on the edge of that courthouse building. So this is looking at the building, which is proposed for demolition, as it looked in 1988. So it's a telescopic building with multiple parts added, okay? Alright, here's another view of it. What essentially happened is that they cut this building up and removed that last portion that we saw up at the civic center,

enclosed the gable ends, boxed in a soffit, and that's why it looks pretty weird on that one gable end, right? Okay.

And then there's another section, which would join that to the courthouse, so that would be right at the dotted line, and that was demolished. And in the oral tradition that we heard this morning on site, it was that little section that got demolished, which actually functioned as the judge's chambers for the courtroom. So there you have the little piece that's being proposed for demolition, and the little piece, which was in situ in 1988.

Okay, looking at another angle, it was a hodge-podge of buildings put together in various states of repair or disrepair. And that's the building that we're looking at right now. The interior of the courtroom, in 1988, very simply, very nondescript, and I would hate to go here for trial so -- and I'm sure there are people who share those sentiments here in Kaunakakai.

Now, it gets dicey because we've got a Molokai daughter involved, and this Judge Maul, and as you saw in the brief, she is the daughter of Y.K. Yuen, who was a Molokai merchant, and she was the first Asian-American female judge in the Territory as well as the State of Hawaii. So there's specific importance to this building, even as bad it looked. And because of time constraints, I can't read you the bio. That's her on the left as a child, one of five. This is her father. And he spent his, at least in the bios that were prepared, he spent the last two decades living at Keawanui Fishpond, which is part of what we looked at this morning. That NHL that look so bad.

So I'm going to continue rolling on through because there's a couple more photographs. I believe it's 2001 when -- or 2001, the moving and the cutting and everything took place. This was one of two jails, which were purported to have existed at Kaunakakai. The one that was moved, obviously, replaced the one that was already here. And then with the jail's proper, we also have the issue of World War II confinement of Japanese. At least four merchants purported to have been housed in the jail after the bombing of Pearl Harbor, but prior to their being shipped to Oahu because Honouliuli was a site for internment had not been readied for them yet and there was no boat traffic. In 2007, we initiated a recording of these buildings just because they were in bad shape then, and they look a lot worse today, and they were identified as a confinement sites. These buildings share similarities, especially the jails, with Lana`i and Hana. Hana restored there's. Lana`i is -- has also got a pending demolition application on that. So if things go the way everyone I think seems to wish, then only Hana will have a complete jail from the early 20<sup>th</sup> century, and it will be only at that place that you'll know what it was like to be in jail either by the territory or by the state.

There's a lot of interest on the Mainland, not so much here, about Japanese internment and what went through people's -- or what was their experience during that time. They were

shipped all over the United States. I think this recent discovery of some FBI records, which kind of summarizes somebody's case after December 7, and I think the FBI official says we do not see how this man can ever become loyal to the United States of America, and we do not believe that his children will ever be brought up as Americans, and he was summarily sent off to the Mainland for internment, and that's just the fact of life.

In hearing today where we have a royal place, which was turned into a an industrial place, and then into a dump, and is trying to make its way back to being a royal place or a place of importance, or a sacred place, we have these challenges of cultures and world views, and I'm going to be really by the book here, 36 CFR 800, it's the Federal Register that governs all eligibility for properties that are potentially eligible for listing in the National Register of Historic Places. Once you move a building, you compromise its eligibility for listing in the National Register of Historic Places. Now, if you did that, and it was 50 years ago or 80 years ago, it can still acquire importance at a new site. If it is less than 50, it doesn't have that possibility. Okay, that's the first issue. Second issue is the buildings have been cut up, so they've been changed. Yes, we can, as the contractor that was hired by the Department of General Services and Accounting, we can reassemble them. You will have one section that will have to be rebuilt, and all of these things are quite possible, if the site that has been selected for their disposition was permanent. Today, the site is as much in limbo as it was in 2000 or 2001. And according to citizens who live here in Kaunakakai, they have a different vision for that place then remembering the incarceration of their family members, the incarceration of Japanese ...(inaudible)... which may have occurred in that courtroom, etcetera.

So, based upon the buildings as they stand today, they are not eligible for listing in the National Register of Historic Places. They hold specific significance for Maui County, and specific significance because of Judge Maul to be listed in some register, but Maui County would have to probably create a local register to designate those buildings. The question that really is up to us today is -- well, I forgot one more thing. Lots of people came out to support the preservation of these buildings as long ago as -- well, I don't know, and Mayor Cravalho was in power, but it goes back to his tenure, that's a long time -- at whatever level it happened, whether it was at staff level, or whether it was at county, state, who knows, just the positioning of a county-owned property on a state-owned parcel, and the positioning of a state-owned property on a county-owned parcel, put those buildings in a position to be, you know, demolitions by neglect, which is why they were placed on this agenda. After over ten years of neglect, the buildings now pose a life and safety risk, not just from the bees, but they're not secure anymore, and anything can really happen. So my recommendation is probably to proceed down the path that we normally do for buildings which are not eligible. If they're important to us, we will mitigate the adverse effect of the demolition but we can't allow this situation to continue as it is today, but that's up for discussion. At this point, it's five of three, we have to leave at 3:15 to 3:20, so you can ask questions of me, and then we should probably take public comment.

Chair Fredericksen: Commission Members? I think Brandis -- or, excuse me, you had one first, Rhiannon.

Ms. Chandler: Well, Stanley, I was wondering if anyone has offered a property for these buildings to be housed other than where they are currently?

Mr. Solamillo: We've got a potential on the floor from a citizen but that's -- as far as formal, no.

Ms. Chandler: Do you feel like it is - I don't know, this is a hard question - but should we vote to make a decision today about these buildings and then, ultimately, not be able to take it back, or should we wait another meeting to see if there's a possibility of moving them to another location for the sake of trying to save them in the future? I know that that's probably been said in the past, but as you stated, if this is demolished, then there would only be one other courthouse of this era, of this type, in the State of Hawaii. So I don't know. I mean it seems very significant from all that you've shared and, at the same time, very inappropriately placed in the place that it is sitting now, and so I have deep sympathy for the community for why that happened. I think we wouldn't be forced to consider demolition if it were in a more appropriate place.

Mr. Solamillo: It's really up to this Commission because you've been asked to make recommendations and comments. We've had a condition that's gone on for a decade and with too deleterious affect, and now it's -- it's actually impeding, you know, the project that was just presented to you. That's why it came up in public comment.

Chair Fredericksen: Brandis, did you have a comment?

Ms. Sarich: If they were able, Stanley, if they were able to re-purpose these building so that they would be restored and used them for another use and move them to another site, could they still qualify for like a local registry so that that history would have a physical manifestation?

Mr. Solamillo: Yeah. I believe they could. But this, again, that would mean that we create another level of designation, which is local designation, to -- and we're getting more and more buildings like this. The site that we looked, the Moyer house in Lahaina, which is supposed to be the bottom anchor of the district, it's been so altered that it's going to take a long, you know, reconstructive preservation to bring that back to National Register eligibility, so that would also classify in this third tier of sites.

Chair Fredericksen: Stanley, I have a hypothetical, nuts and bolts. Okay, the buildings, someone wants to provide a place for them off site so they disappear. What's the time

window, if, you know, so those buildings have to be gone so they don't, particularly, I think the courthouse, so it does not impact the project that was just before us?

Mr. Solamillo: Unless you wanted to reconstruct that whole telescoped building, yeah.

Chair Fredericksen: No, but the project -- okay, which -- now I'm confused. The -- down at the Cultural Park --

Mr. Solamillo: You have the jail and courthouse.

Chair Fredericksen: Right. And the courthouse is on the property that the canoe hale is going to be on, correct?

Mr. Solamillo: That's correct.

Chair Fredericksen: Now, if that building, if somebody provides a place for it to be relocated to, how long of a time would there be before that building had to leave so it didn't mess up the progress of the --

Mr. Solamillo: I don't know. Nancy would have to answer.

Chair Fredericksen: Do you see what I'm saying?

Mr. Solamillo: Yes.

Ms. McPherson: Yeah, actually, they're plans are to build around the building. You know, they don't have any plans to move it or impact it. I think we'd wanna know that it was stabilized enough so that if it was nudged by heavy equipment, it wouldn't just fall over. But at the same time, you know, they're demo by neglect. That's why Stan wanted to put them on the agenda. Something needs to happen at some point in the reasonably near future. But there's nothing imminent. Right now what DAGS was suggesting was that they were willing to move the little judiciary building across the Malama Park site at no charge, but nobody wants it there, and we have talked about, you know, wouldn't it be great to put all three of them together someplace and do a Kaunakakai museum and, you know, we looked into the internment stuff and, you know, all of that, there's a lot of opportunity, but it needs -- they need a home, and so that's -- and they need an organization. The other thing was DAGS said it would only move it if there was a 501(c)(3) that was willing to take responsibility. Yeah. And there's Molokai Main Street, but Beverly Pauole Moore is not here today. I asked her to come but she's not here.

Chair Fredericksen: Any other comments, Commissioners? Warren.



Mr. Osako: So, Stanley, does the state still own all three of the buildings, the one here and the two that are down there?

Mr. Solamillo: There's just one. They own the courthouse, which is currently at the Malama Cultural Park site. They own this old judiciary building. And the county owns the jail. The problem is that the underlying land is owned by the opposite agencies so you have --

Mr. Osako: ...(inaudible)... owners.

Mr. Solamillo: Right. So it's kind of a nice little way if you don't -- won't want a permit to be led.

Mr. Osako: Cause if the state owned them, then --

Mr. Solamillo: If it's a state-owned building on state-owned land, you know, everything is cool, and county-owned building on county-owned land. But that all happened before any of us were here.

Mr. Osako: So the state has culpability in this?

Ms. Solamillo: I'm hesitant to try and raise the issue of culpability at this point. It's like, you know -- that's why I had asked for, you know, state officials to be here today and try and help us with all of this, but they're not here. So the best thing is what can we do as a Commission to maybe try and find a way to move things forward.

Chair Fredericksen: Go ahead, Rhiannon.

Ms. Chandler: Stan, you said that there was an offer here today of a property. What is that?

Mr. Solamillo: A citizen that had spoken earlier today so --

Chair Fredericksen: Is the person who made the offer in the audience?

Mr. Solamillo: Yeah. Arleone, you wanna talk?

Chair Fredericksen: Would you like to come up and share a little bit with us? State your name.

Ms. Dibben-Young: Aloha mai. Arleone Dibben-Young, previous president of Molokai Island Main Street Association. I am -- I've been involved in these buildings since they

were -- since right after they were moved to the location where they're at right now. I'm also a wildlife biologist, and I am one of the executive directors of the Statewide Wetlands Steering Committee. I volunteer at the Kaunakakai Wastewater Reclamation Facility. It's a 23-acre parcel in the conservation district, general subzone. I have been working on wetland restorations at that site and managing the endangered bird population. There is a portion of the property that's upland. It's outside of the delineated wetland. And these buildings -- it's county-owned, by the way -- and there is room for these buildings. I have discussed this with the plant manager. They would be for it. But the problem is funding for the buildings; getting the buildings from point A to point B. One of the problems has been with these structures since -- for the last ten years I've been unable to find any funding whatsoever to stabilize them, termite tent them, move them to a new location, and then restore them. All the pews and everything is stored with inside the courthouse, so everything's there. The windows were altered, yes. But most of what's there is there ready for restoration. Because it is a county property, we would have to make arrangements to have the site, you know, approved through SMA, CDUA, EA, all the normal stuff that we're used to on Molokai. It would be a lengthy process. But it's a good location for the buildings because it is on a county parcel. So that's my suggestion. Any questions?

Chair Fredericksen: Okay, I mean it sounds neat. Just a sec, Brandis. I just -- when I start hearing SMA and EA and everything else, it's like oh, my goodness. Go ahead, Brandis.

Ms. Sarich: I'm sorry if I wasn't paying attention. Where is this parcel located?

Ms. Dibben-Young: One-tenth of a mile west of town, on the makai side, so it's just on the other side of Kaunakakai Stream.

Ms. Sarich: So, as a museum, it would be accessible to people?

Ms. Dibben-Young: Absolutely.

Chair Fredericksen: I like the idea. I'm just concerned somewhat about the regulatory hurdles.

Ms. Dibben-Young: I agree. But right now that's the only parcel I've been able to find where these buildings could be moved to. I have not been able to find a landowner. At one point, I had negotiated a parcel with Molokai Ranch, and that parcel was then, instead of being donated to Molokai Island Main Street Association, it was donated to the veterans, and that's where they're center is being built now. So our initial thought was that the structures would go there.

Mr. U'u: How long was it situated on the site currently?

Ms. Dibben-Young: At Malama Park now?

Mr. U`u: Yes.

Ms. Dibben-Young: It's been ten years.

Mr. U`u: I doubt it if anything going happen so I recommend to break it down just for speed. I mean, you know, in a perfect world, we will find a spot tomorrow. It's been ten years. Nothing happened. It looks like nothing going happen. So instead of prolonging the inevitable, you know. I hate to see it go. Don't get me wrong. But I'm being realistic. With the permitting process, it's been there for ten years, I'm being a realist, demolition by neglect, you know. That's my kuleana. Two cents.

Ms. Dibben-Young: Funding has been the major problem and trying to get anybody interested in it. Most people have very bad memories with those two buildings.

Chair Fredericksen: Stanley, what -- have these buildings been HABS -- had HABS level work carried out?

Mr. Solamillo: A partial floor plan minus the cell with bees was done, and the floor plan of the courthouse is done. What would be necessary would be a HABS Level III, which is go and complete the floor plan on the jail, get the bees taken care of so we can somebody to pull tape, then just pull the HABS level photography, and then submit that to SHPD along with a narrative report, and that's it.

Chair Fredericksen: Any other comments? Okay, Brandis, then Ray. Go ahead, Ray.

Mr. Hutaff: Go ahead. I get to go ahead? Boy, talk about being stuck between two places. I think that the statement was made that if those two buildings remain there for a little while longer that it wouldn't really slow down any of the processes of the halau. Also, you know, through the SMA, it seems like our function is we're really supposed to try to save old buildings, and we certainly wanna do that. At the same time, we don't wanna screw anybody else up and it doesn't seem that we would. Is it possible for us to recommend that alternatives be looked at to move the building within a period of time and we revisit this permit in a year?

Mr. Solamillo: I mean you can do anything you want. We're advisory. DAGS, essentially, issued us a letter that said you got 30 days. If you don't anything, we're going to knock it down.

Mr. Hutaff: How would you -- if we say something we're doing something?

Mr. Solamillo: The other thing about getting funding, I mean when things initially get started, when you preserve historic buildings, those are eligible for community development block grants. There's a whole range of things that are specifically setup to help us do what we, you know, wanna do and what we do as a Cultural Resources Commission. But when all of these other things happen, you know, they cut out those possibilities, and we're at this point where, okay, the building's been cut up, moved, that 86s it's eligibility, and in compromising the eligibility, you then compromise my ability to get funds. So everything, seriously, you know, whether it was tax credits or, you know, anything, HP funding, you know. So we're looking at trying to find a gift or a donor and that's, especially now in the current economic state that the country is in, becomes problematic, or at least a challenge.

Mr. Hutaff: I really understand all that, and that's kinda looking at the past and looking at the future, and then try to bring the past forward in order to have a future. I'm looking at the future of that building and envisioning, like everybody visualized this Malama Park, if you visualize that as being a museum, okay, if we toss it away right now, no one's going to care today, and probably no one's going to care tomorrow. But if somehow it works out where we move that building, which, according to what I read there, is the first courthouse on Molokai, to a place where it becomes a museum, a hundred years from now, somebody will say, that was a pretty good idea. You see what I mean? That's my -- that's kind a dilemma is that if we ask people to be visionaries, you know, look to the future and to visualize things and then by visualizing, then make them happen, and our role is to try and save some of these buildings, then, at the same time, give it a time limit. I think the compromise is a time limit, not say no, not say yes, say can we revisit this in a year and see if something can come up and see if the community can come up with an idea for the long-term, move the property, blah, blah, blah, blah. I'm just asking that does that make any sense to anybody or will a year from now we'll forget all about it and then we'll have demolition by neglect at the expense of the halau? That's my question.

Mr. Solamillo: Anything is possible. It's for you, the Commissioners, to decide.

Ms. Kanuha: I just have one concern. You know, we heard the voices of the community here how a lot of them would just love to just see it just go away. My concern is we keep it there for another year, it becomes a danger to the community, to the kids, and I'm not talking about only about the bees, but I'm talking about children, when they play down there, they have a lot of canoe activities going on, now if the kids are going to be running freely, as kolohe and curious as we were as children, they going like go mahaoi, we going like go climb inside there, or we going like throw one rock because the windows just look so inviting to just crack it. So I'm looking at the danger potential of it if we, as a Commission, keep it there one more year. And I had another question. By keeping it there, maybe I wasn't paying attention, however, does it slow down the process of what we just went pass? It does slow it down. Now we talking about we need money, we need funding, then we gotta go through all these -- the process, and some of the community

residents that live here was so surprised to see us here, like so you folks are what? So when, really, is the next time that our Commission is going to really be here to start voting on these buildings that are potential danger, Ray?

Mr. Hutaff: I can only make a few excuses to get here.

Ms. Kanuha: Yeah, but --

Mr. Solamillo: Okay. There's some public testimony that people wanna do, and I've gotta go soon too 'cause of the boat.

Ms. Lori Buchanan: Hi. My name is Lori Buchanan. We're still in the public comment period. Also know as a monkey wrench in the plans. To cut it short, I do not support the demolition of the cultural resource center, or culture buildings, or whatever they are. My question is to Planning Staff: It is in the SMA, and DAGS is giving you demolish this thing or else, and Planner Stan said to stick to the book. So the book, who issues a demolition permit in the SMA? The Molokai Planning Commission is the only commission in the State of Hawaii that has to concur with all SMA permits, even if the Planning Director exempts it, we still have to concur with his exemptions. So that's my question. What about the demolition permit 'cause the demolition permit in a SMA, who issues it and does this come before the Molokai Planning Commission?

Chair Fredericksen: Thanks, Will. Can you come --

Mr. Spence: I'm not sure. I'd have to look at the Molokai Planning Commission rules, SMA rules. But in general, what Lori is saying is true that SMA permits, I'm not sure that this requires an SMA permit or even an exemption. We'll look at that. My one comment to the Commission was about the cost. You've heard about the permitting process that comes, you have to do an EA and a CDUA or CDUP and, you know, the permitting can run into 50-\$100,000, then you have to find funds to move and restore, and, you know, we're talking about a lot of money for a project. So just keep that in mind as well.

Ms. Buchanan: My question was not answered, and that's okay.

Mr. Spence: I'll find out for you.

Ms. Buchanan: Okay, thank you. In lieu of waiting for the answer with the time clock ticking over here, again, I'm not in favor of the demolition, and why I didn't wanna go on record because although I said I was a Molokai resident, I am Planning Commissioner. I also serve on state commissions as well, Legacy Lands Commission, when we purchase high value conservation easements throughout the state. I'm familiar with the process. And I am also familiar how those buildings got there, and I also know that people took one

55-year lease knowing what was there already, okay. So with all that considerations, I understand ugly, let's move on, and we all like everything nice and shiny, and I don't have so much bad memories about the place. That's my braddah over there. We usually on the end of spectrums when -- on issues on the island. But anyway, that's for the record. So I don't think you guys can come to one conclusion today, but if you do, that's your guys' purview. But, you know, it's nice for somebody to come out and say, now, those buildings got there without no permit, without nothing. Somebody went throw'em on their truck, they went move'em over there. Isn't that right? And we know who the person was. So if that building --

Ms. McPherson: SMA minor permit.

Ms. Buchanan: They had a SMA minor permit. Okay, whatever. It got there really quickly before the rules of Planning Commission the way they exist now, okay. She willing to take 'em and do something with 'em. All the permitting or money finding is not our problem. That's not our problem. Our problem is whether you going recommend the demolition or not. And bending on that thing, might come to me, and I might just have to approve that demolition permit or not. So that's where we stay. But for the record, I don't concur with that action. Thank you.

Ms. Chandler: Chair, I propose that we defer this item to the next meeting.

Chair Fredericksen: Okay. Any --

Ms. Chandler: And also, if it's possible, Stanley, if we could write a letter to DSA to ask them to hold on because we're still talking about it.

Mr. Solamillo: Yep. DAGS.

Ms. Chandler: Oh. Thank you.

Chair Fredericksen: We need a motion. Okay, do you wanna make that into a motion, Rhiannon?

Ms. Chandler: I move that we --

Chair Fredericksen: Defer.

Ms. Chandler: Defer this item to the next agenda meeting, and I also move that we write a letter to DAGS to ask them to not demolish the building while we are waiting to make our decision.

Chair Fredericksen: Is there a second?

Mr. U`u: Second.

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

***It has been moved by Ms. Chandler, seconded by Mr. U`u, then unanimously***

***VOTED: to defer this item to the next agenda meeting, and also that we write a letter to DAGS to ask them to not demolish the building while we are waiting to make our decision.***

Chair Fredericksen: Okay, motion carries. Okay, so that's it. Correct, Stanley? Okay, do we have a motion to adjourn? Hold on. Hold on. Sorry. Oh, we have one more, Stanley, to do?

- 2. MR. STANLEY SOLAMILLO, on behalf of the MAUI COUNTY PLANNING DEPARTMENT, requesting comments and recommendations on HOKUKANO-'UALAPU'E COMPLEX NATIONAL HISTORIC LANDMARK, Multiple TMKs, Kahananui and 'Ualapu'e, Island of Molokai, Hawai'i. The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: I was going to defer that. I was going to ask to defer the NHL to another meeting.

Chair Fredericksen: Okay. So can you broaden your motion, Rhiannon, to include that? Or we'll just do a separate -- we'll do a separate motion. So, Ray?

Mr. Hutaff: I move that we agree for whatever you said to move.

Chair Fredericksen: Okay, so we're deferring the item G.2. for next meeting. Okay. Do we have a second?

Mr. U`u: Second.

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

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

***VOTED: to defer item G.2. for the next meeting.***

Chair Fredericksen: Okay. Now, next one. We need to close out the meeting. Do we have a motion to --

**I. COMMISSIONER'S ANNOUNCEMENTS**

Mr. Solamillo: We got one little announcement before you do that. Brandis, do you have an announcement to make to the Commission today?

Ms. Sarich: No.

Mr. Solamillo: About -- okay, so you're --

Ms. Sarich: I'm going to ...(inaudible)... on that also.

Mr. Solamillo: Okay. Then we're good.

**J. NEXT MEETING DATE: February 2, 2012**

**K. ADJOURNMENT**

Chair Fredericksen: Okay, now, does anyone want to make a motion to close out the meeting? Thank you.

Ms. Chandler: I wanted to say mahalo to the people from Molokai that came down today, and to the Planning Director for being here and for allowing us to be here, and we hope to be back here again to continue to stay on top of these issues, but we really appreciate everybody's involvement. And our Commissioner was here, she recently came off of our Commission, Veronica Marquez, she's not here anymore, but we do have Molokai Commissioner, she's actually sick today, but we do have one, and she's normally on the board with us, and she travels to Maui for the meetings. But it took a lot to get here today so we just appreciate to be able to be here. Mahalo. And with that, I think we move to adjourn this meeting.

Chair Fredericksen: Okay, second? We're all good to go?

There being no further business brought before the Commission, the motion was put to a vote.

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

***VOTED: to adjourn the meeting at 3:21 p.m.***



Chair Fredericksen: Thank you all. Be safe. Be sound.

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  
Brandis Sarich  
Bruce U`u

#### **Excused**

Irene Ka`ahanui

#### **Others**

William Spence, Planning Director  
Stanley Solamillo, Cultural Resources Planning  
Nancy McPherson, Planning Staff, Molokai  
Richelle Thomson, Deputy Corporation Counsel