

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
MAY 3, 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 Chairperson, Raymond Hutaff, at approximately 10:10 a.m., Thursday, May 3, 2012, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Chair Raymond Hutaff: Okay, good morning, everybody. We're going to start the Maui County Cultural Resources Commission meeting for May 3, 2012.

B. APPROVAL OF MINUTES OF THE MARCH 1, 2012 MEETING

I guess the first order on the agenda is the approval of minutes for the March 1 meeting. Any comments, suggestions, motions?

Mr. Bruce U`u: Motion to approve.

Mr. Warren Osako: I got a -- it's both with spelling.

Chair Hutaff: Okay. Cool.

Mr. Osako: Page 17, talking about -- it says "bread over," but it should be "bread oven," and page 19 ...(inaudible)... talking about -- and it says, "flag," but it should be "slag."

Chair Hutaff: 19? Okay.

Ms. Rhiannon Chandler: Mahalo. I was wondering if, Warren, were you able to look at all the Hawaiian sites and verify the names 'cause I'm not kama`aina to Lana`i and I'm not sure, but even if we could ask Kepa too to --

Mr. Osako: Well, the problem is is, you know, at one point, the population of Lana`i went down to less than 200 people, so a lot of the place names and stuff like that are lost ...(inaudible)...

Ms. Chandler: Could you look, Warren, on page 4?

Mr. Osako: Page 4?

Ms. Chandler: Uh-huh, the one, two, three paragraph, and then it starts with Kahale, and it says, "palahoa;" is that "palaoa," supposed to be?

Mr. Osako: Yeah.

Ms. Chandler: Okay. So then the "h" should come out?

Mr. Osako: Yeah. Correct. Yes. I didn't even catch that.

Ms. Chandler: And then the letter that was going to be written to Castle & Cooke that was a part of these minutes, I was just -- I couldn't remember if we had talked about that. Did we talk about that, Chair?

Chair Hutaff: About writing a letter to Castle & Cooke?

Ms. Chandler: It was like one of the motions but I just wanted to ask if that happened. And then in the minutes also, under D, Director's Report, we talked about the Moku`ula -- they were in the 106, I think, process and we were going to receive reports on that, and this was from the March meeting, and I haven't received anything. I was just checking to see if the Commission or Stan had received, from Moku`ula, the report that's referenced here.

Mr. Stanley Solamillo: No report has been received yet.

Ms. Chandler: Okay.

Chair Hutaff: Okay, so back to the approval of the minutes with changes. Anybody want to reintroduce the motion with the changes to approve?

Mr. U`u: Motion to approve with amendments.

Mr. Osako: Second, with the corrections.

Chair Hutaff: Okay. The motion, and the motion has been seconded. Any discussion?

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

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

VOTED: to approve the minutes with changes.

Chair Hutaff: Motion is carried. Okay. Stan, you want to move on to Item C, Historic District Applications?

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

C. HISTORIC DISTRICT APPLICATIONS

- 1. MR. WAYNE I. ARAKAKI, on behalf of MS. SUSAN KUWADA, requesting review and approval for a parking lot and related improvements, located at 613 Luakini Street, TMK (2) 4-6-008:058 in Historic District No. 2, Lahaina, Island of Maui, Hawai'i. The CRC may take action on the Historic District Approval request. Public testimony will be accepted. (K. Aoki)**

Mr. Solamillo: The site is located also in the National Historic Landmark District, or the NHL District, and identified with a small triangle and orange arrow that's shown on this slide. And as most of the Commissioners who have been here for some time are tired of seeing these slides, I'm still going to show them. These are our what happened to Lahaina series. And this is a shot from 1946 showing Pioneer Mill Company's cane fields and the amount of development or urbanization, which had taken place by the 1940s. The site is identified again with an orange arrow. This is a closeup. In 1960, we still have cane fields, but we have new improvements along the shore, such as Kamehameha III School, as well as more urbanization, and the beginnings of subdivisions. The orange arrow marks the spot of the parcel you are considering. In 1975, we continue to urbanize and the cane fields begin to disappear on the makai side of the highway. The orange arrow denotes your parcel. And 1987, we see that there are no cane fields, essentially, in the Lahaina area and it's mostly becoming urbanized. So the site that you're going to look at today is a vacant lot located at 613 Kalua-- or Luakini, excuse me. And at this point, I will ask Mr. Arakaki to come up here and make his presentation, which is fairly brief.

Mr. Wayne Arakaki: Good morning. My name is Wayne Arakaki. I'm an engineer and we'll provide the information on the project. Luakini parking project is actually three properties. The lots ranges from 4,200 square feet, 5,200, and 6,500. Where you're looking at buildings in the back, that's the property with the 6,500 square feet. The other two properties are vacant. One property at the corner of Prison and Luakini is actually -- was a parking lot or is a parking lot, but it needs to be repaved and redone, reconstructed again. This is the -- again, the building in the back, that's the property, which is 6,500, and where the cars are parked, that's the parking lot that's at the corner of Luakini and Prison. Another shot of the parking on Luakini and Prison, at the corner, and then the buildings are in the back. Now, this is the lot that one time was a residential lot, but it's zoned commercial. The building has been removed and all you see is the concrete slab of the driveway. That's also going to be a parking lot. This is another picture of the same

property. This is the front of the property, 6,500 square feet, that has the buildings, the commercial buildings on it. The parking is actually surrounding this building. Again, on the right side is the current existing parking that has to be redone. The same building; the front commercial building. This is a landscaping plan. If you noticed, there's three buildings. The buildings run about 700 square feet to about 1000 square feet. We have a total of 24 parking stalls that we're trying to do. There is five stalls located on Prison Street; those were like going to be for employee parking, like long-term, you know, all day kind of parking, so they don't have to get out. But this is a requirement from the Planning Department to support the existing buildings to meet the parking requirements.

The type of plants we're going to be using is ohi'a lehua for the trees, the bush would be the Hawaiian white hibiscus, and the groundcover was - excuse me - pohinahina, that was the groundcover recommended. We have water meters for all the properties so they're going to be used for irrigation purposes.

All the parking stalls are full stalls; they're not compact stalls. What we did also was that on the landscaping we created six-foot planters where, you know, the old standards was two and four feet, but we went up with six-foot planters. There's two handicaps and also, again, standard parking.

All of the property is zoned commercial, B-2, for commercial use. The property is located about 300 feet from Front Street, at the intersection of Front Street and Prison Street. The other thing of concern is actually the drainage. We're going to keep the drainage onsite and nothing will go into the county roads. The Department of Water Supply asked us to upgrade the existing water meters; most of the waterlines in this area is actually galvanized piping so they asked us to upgrade to copper. A grading permit is required from Public Works, which we have submitted, but it's pending on the Planning approval. On the two sites, there will be no building construction. It's strictly a parking lot. If you have any questions?

Ms. Chandler: Mahalo. Well, I think your landscape design is beautiful. The plants that you just said are some of the most gorgeous native plants that exist so --

Mr. Arakaki: Thank you.

Ms. Chandler: I commend you for that. I was wondering if the Planning Department has a number, a ratio of trees to stalls, or if you're aware of anything like that?

Ms. Kathleen Aoki: Good morning, Commissioners. My name is Kathleen Aoki, and I'm the planner assigned the HDA approval that's before you today. I'm also assigned for the SMA application because this project is located in the special management area. There is a landscaping plan approval pending with another planner, but we're working together,

so as Mr. Arakaki stated, he has provided us with this landscaping plan, but that's an administrative permit that will be approved by the director. There is a ratio of five trees per stall that's required under the code. So everything that he has talked about has already gone through sort of the administrative review and has met the applicable requirements for the parking lot.

Ms. Chandler: Thank you. I just have two more questions. Is this area delineated a wetland, and are there any other considerations for that?

Ms. Aoki: No. Not that I'm aware of. In your packets that were provided to you, this did go to the State Historic Preservation Division. They did recommend that there be a survey and plan done, so it was done. There was some confusion with us getting it back and getting the approval, but everything has been received. You have that in your packet. And they approved the plan so --

Ms. Chandler: Okay. And then does this property sit on what is part of the Moku`ula complex?

Ms. Aoki: Not that I'm -- I don't believe so. If you read the report, I read the report twice --

Ms. Chandler: I did.

Ms. Aoki: Yeah.

Ms. Chandler: It actually talks a lot about Moku`ula.

Ms. Aoki: It does.

Ms. Chandler: So why I was confused as to whether this was -- because I know there's some adjacent properties that actually make up what was the total area of 17 acres, so I was wondering if this is part of that.

Ms. Aoki: I am under the impression that it is not.

Ms. Chandler: Thank you. I have no other questions.

Chair Hutaff: Anybody else have any questions? On the ...(inaudible)... study that you said was submitted and approved, right? They did mention that there were 13 sites associated or found or identified and recorded. Habitation deposits associated with subsurface features including refuse pits, fire pits, shell midden, postholes were identified and recorded. They didn't find anything else in this particular subject area on Luakini? 'Cause Luakini is known to be a very sacred path, or not really a path, but actually a burial

ground for some of the chiefs and stuff. They've never been really people to, as far as I know, identify how, it's just the stories and legends that they were, the high chiefs of Maui, were buried and there's been some talk about some of the things rising to the surface in the area. None of that was determined?

Ms. Aoki: According to the report, no. I mean, Chair, I can't really comment on this. I didn't do it. I'm not the consultant for it. We don't have the consultant here today with us. From what I understand, if SHPD finds that the report is adequate, and they accept it, you know, we're not going to question that. We're going to accept the findings. It seems, from what I read, and obviously you read it too, is that most of the -- the things that were found were bottles, and things back from the '30s and '40s. With is project, there's not going to be an extensive amount of deep, you know, grading.

Chair Hutaff: Right.

Ms. Aoki: So I think the subsurface is about as far as you're going to get anyway with the project, so that makes me feel comfortable that, you know, it's not going to go deep.

Chair Hutaff: Did they plan to have someone onsite?

Ms. Aoki: Yes. The plan requires --

Chair Hutaff: Requires that?

Ms. Aoki: That they have a monitor onsite at all times.

Chair Hutaff: And how deep are they going to have to go - do you know?

Ms. Aoki: I can have the applicant --

Mr. Arakaki: Again, you know, this property has been developed with the residential, and also -- and then it's an existing parking lot, so what we're going to do is probably even out the bumps and the lows, and then come in with untreated base course and asphalt. So, actually, we're not doing any kind of -- if excavation, I'll be surprised it would be more than one feet, if any.

Chair Hutaff: What, you're just going to take off the top in order to level and then put in your ...(inaudible)...

Mr. Arakaki: BC.

Chair Hutaff: ...(inaudible)... BC?

Mr. Arakaki: Yes.

Chair Hutaff: Okay. Any other questions?

Mr. Solamillo: Just a point of clarification. Going back to your development series, this is Moku`ula.

Chair Hutaff: Any comments? Anybody else got any other questions? Okay. I guess we -- and the staff recommendations are? Everybody read it?

Ms. Aoki: Thank you, Chair. The Planning Department recommends approval of the application request subject to the following conditions, if you look on page 5 of your report:

That full compliance with all governmental requirements shall be rendered.

I'd just like to take a side note here. Because there is an SMA permit that needs to be done for this, you're going to -- there's going to be a lot of conditions in that SMA that may not necessarily be on here. But I notice in the past, there may -- you know, there's been approvals on previous historic district approvals, such as construction shall be in accordance with the plans that you see; it shall be initiated by a certain time; that it shall follow the SMA. We've taken that out because it's redundant. It's going to be in the SMA. What the SMA permit is going to say is that it has to comply with your HDA approval, and the HDA approval is essentially going to say it has to apply with whatever is in the SMA. So I just wanted to clarify that because in case there was any question that it looked so short in here, it's essentially because the SMA is going to cover all the applicable building and Planning Department codes. This is just for the historic district approval.

Chair Hutaff: And the special management permit, okay, what is the exact reasons that they need to have a special management permit?

Ms. Aoki: They're located within the special management area district or boundary.

Chair Hutaff: So it's just really, okay, they're going to get a special permit to do this because you're in the historical district, not because there's certain restrictions, covenants, or anything?

Ms. Aoki: Not quite. Under the historic district approval, that's being triggered because it's in the Historic District 2. Under the SMA, special management area, it's another layer. It's a different -- it's a different review because they're in that boundary. So it's sort of -- it's in two different boundaries. You're responsible for the historic district, and then the planning commission is responsible for the special management area. This project will not be presented to the planning commission because it can be administratively done. It's not

triggering a major permit. It'll be a minor permit with conditions that the director will approve.

Chair Hutaff: Cool. And as far as how deep to go, when you plant trees and stuff like that, how deep are they dug up to be planted?

Mr. Arakaki: The Planning Department requires a minimum of a two-inch caliper tree, so I would say maybe about two feet to three feet down.

Chair Hutaff: So, we go from one-foot max down because of the parking lot to three feet because of the tree? Again, all those things are going to be monitored?

Mr. Arakaki: Yes.

Chair Hutaff: Okay. Please. She wants to make a comment.

Ms. Michele McLean: Thank you, Chair. Just to expound on what Kathleen was saying about the SMA permit. Those conditions relate to the coastal zone management law, so those will be related to impacts on the coastal zone, and so it would be duplicative to put the same conditions in both because both permits will apply to the project. But if there are any conditions specific to this project that relate to cultural resources, that would be appropriate for you guys to apply because that wouldn't necessarily come through the special management area permit. There haven't seem to be any specific concerns that you would wanna impose conditions, but just so you know that, you know, that's your responsibility, just like SMA has it's own responsibility.

Chair Hutaff: Okay, as far as -- it's probably better if I kind of say what I'm concerned about so that when I say something, you can understand where I'm coming from. Again, that particular area is known for its cultural significance as being a burial ground, and we don't have exact areas and some of it is more hearsay than actual proof, okay, because when the road was built and when things were done back then, there wasn't any real monitoring system going on. So my concern is is that here we are today and most likely we're going to probably not find anything because it's already been either removed or paved over. But that's where I wanna kinda be clear is that where these trees are going to be planted, and the digging, to me, would be most important to either look ahead before we plant that or while we're doing and have somebody really pay attention to what's going on. That would be my concern.

Ms. Aoki: And I completely appreciate that concern and that's why, if you look on page 19 of the monitoring report, the recommendations that were made include having a qualified archaeologist on the site. If features are identified, there's a specific procedure that has to be done. They have to have a pre-meeting. I mean there's always going to be

somebody there that's qualified to know how to handle any kind of findings, if there are any findings, and that's kind of the reason for having, you know, this report and having it accepted by SHPD. So I hope that you are comfortable with the fact that they will have a qualified person onsite at all times to be monitoring what the contractors are doing while they're building or planting the trees, or putting in the irrigation.

Mr. Bruce U`u: Also, yeah, it looks like it was previously built on also, and I think isn't it almost by law? I mean every project requires a monitoring plan and a mitigation plan. Is it a law?

Ms. Aoki: In Lahaina?

Mr. U`u: In Lahaina? No. Even in, the historic district definitely, but, for the most part, most of the projects now require it. Am I wrong?

Chair Hutaff: From my experience with one of the projects I have going on, it was dug up and subdivided, and now that we're putting the building on it, we have to monitor it again.

Mr. U`u: I know even residential homes right now, some of them, if it's undisturbed, and that's why they're going to post and pier and not footings. Just giving a heads up.

Ms. McLean: And just to answer the question. It depends. It's really a case-by-case situation depending on the type of development, what kind of ground altering activity is involved, what SHPD's comments are, and sometimes applicants will just pro-actively do a monitoring plan and have that approved just so that you don't have that back and forth with SHPD - just say we're going to go ahead and do it pro-actively. So it does vary and it does depend on the area. SHPD, you know, has their red flag areas where they know absolutely you're going to have to do an inventory survey, you're going to have to do monitoring, and other areas where they feel like, you know, no, you're just putting in post and pier, no need.

Ms. Aoki: Chair, I'd also like to add, to go along with what Michele was saying, many, many, many times in the SMA permits there is, if conditions are allowed, it's not an exemption, and it's applicable to the project, there is a condition in there that talks about either that they shall have a monitor onsite at all times, or that if they don't, if they're not required to, but there may be some apprehension or likelihood that maybe something will come up, there's a condition that says that if any archaeological features are found, that they have to stop immediately, contact SHPD, and we put the phone number in there, so my intent is to put that condition in the SMA permit. You could put it in this one if you'd like. I -- yeah. It's going to be -- I can assure you it will be in the SMA permit, but if it makes you more comfortable, I can put it in this one.

Chair Hutaff: Anymore comments? Suggestions? Questions? Anybody wanna make a motion?

Ms. Aoki: I'm sorry, Chair. I'll just finish up the reading of my recommendation here.

Chair Hutaff: Oh, yes.

Ms. Aoki: Sorry. That was my fault. I'll finish. In considering of the foregoing, the Planning Department recommends that the Maui County Cultural Resources Commission adopt the Planning Department's report and recommendation prepared for the May 3, 2012 meeting as its finding of facts, conclusions of law, and decision and order, and authorizes the Planning Director to transmit said written decision and order on behalf of the Maui County Cultural Resources Commission.

Chair Hutaff: Okay, I did forget one thing, probably the most important thing, any public testimony? Anybody wanna come up and speak about this? You wanna come up and speak about it, please? Just identify yourself when you come up, please.

Mr. Al Lagunero: Aloha. My name is Al Lagunero. I am the President for the Olowalu Cultural Reserve. I was very taken by your question regarding Luakini and the pathway, and that kind of concern really is something I'd like to thank you for. I think, you know, not been all that akamai about the development for Moku`ula, and caught just a little bit of the presentation a couple of weeks ago upstairs, as Moku`ula comes about, and you have that question with regard to the pathway, I'm wondering when the questions are going to go a little deeper as to Luakini being a pathway that we're talking about a heiau in the area, the Luakini Heiau, and if that is a part of maybe the function that was a part of Moku`ula, and the proximity of that might require, you know, that deeper question. I just wanted to thank you for taking that move. Mahalo.

Chair Hutaff: Thank you. As a comment to what you said, we need information too. So if we don't get information specifically, it's hard for us to really question other than just to make a question. But thank you so much for your comment. I certainly appreciate it. Anybody else any public testimony or anything? Comments? Okay. Anybody have a motion?

Mr. U`u: Motion to approve as recommended by staff.

Mr. Osako: Second.

Chair Hutaff: Okay, a motion has been put forth and seconded. Any comment or discussion?

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

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

VOTED: to approve as recommended by staff.

Chair Hutaff: Motion has carried. Thank you.

Ms. Aoki: Thank you, Commissioners.

Chair Hutaff: Okay, Stan.

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

D. ADVISORY REVIEW

- 1. MS. TANYA LEE GREIG, on behalf of CULTURAL SURVEYS HAWAI'I, INC.,** requesting comments for a CULTURAL IMPACT ASSESSMENT (CIA) for the Olowalu Town Master Plan, in Olowalu Ahupua`a, Lāhaina District, Island of Maui, Hawai'i. The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)

Mr. Solamillo: I will begin with just a really brief background on this, and then Tanya Lee Greig will come up and make a presentation. This is the location of the area, which is identified as the cultural impact assessment for the Olowalu Town Master Plan. This is the ahupua`a. And from the records that we have, this comes from a 1936 Pioneer Mill Company Land Map and it identifies Olowalu Camp and the history of this specific plantation, I believe it starts out in 1871 as the West Maui Plantation Company and becomes Olowalu Plantation Company, and then is absorbed by Pioneer Mill in, I believe, 1930. So in 1936, Pioneer Mill reassessed or reevaluated Olowalu, dismantled the small mill that was there, and then moved several of the housing units to Lahaina, and then this was a documentation of -- that occurred afterward.

There's two camp maps, which are identified with the gray areas that don't show up too well on the screen. This is the first. And then we went and pulled aerial photographs from 1946. And I think that the total count here for stores was two stores, a theater, and several other commercially related buildings, and then housing. This is the second map. So in all the documentation that we found, Olowalu is referred to as a village, a small community, not numbering more than 500 persons. At this point, I will hand it over to Tanya.

Ms. Tanya Lee Greig: Aloha. Tanya Lee Greig for Cultural Surveys Hawaii. We are currently in the process of conducting a cultural impact assessment and come to you as a part of the outreach and scoping process for recommendations and your kokua with regard to the cultural impact assessment. As Stanley pointed out earlier, this is the -- the location of the project area, the specific project area. The grayed out areas that you can see on the topo, it's also -- it should be in front of you in your letter, those areas will not be a part of the master plan itself. Those have been previously subdivided out and are not included with this particular master plan project. We have Mr. Bill Frampton here, with Frampton and Ward, he is the project proponent, and if you have any questions regarding specifics about the master plan, he would be able to answer those for you.

So this is the area of what we refer to in a cultural impact assessment as the area of direct effect, the place that we're looking at specifically as the project as developed. But knowing that we are trying to identify the traditional cultural resources and traditional cultural practices, with the cultural impact assessment we recognize that it is the ahupua`a itself, in its entirety, is the most appropriate area of study. So we are looking at from mauka to makai, mauka to makai this way, and in relation to where that project area lies, so the project area within Olowalu Ahupua`a is crosshatched, and then Olowalu Ahupua`a itself is shaded in orange. Okay. So we're looking at a very big area to, hopefully, have people come forward and share their mana`o about both the makai region and the mauka region in the context of the project.

So this is the master plan itself, just kind of a summary layout of what the project is planning. And again, Mr. Bill Frampton is here if you have any questions with regard to that. I'm just going to kinda stick with what I know. With regard to the project itself, there has been archeological work conducted previously by Xamanek Researches for the project specific back in 2000, so field work 1999, report 2000, around there, overlapping. They did it in two phases. They did a makai phase, so from the current alignment of Honoapi`ilani Highway down to the shoreline, they were able to identify seven historic properties or seven archaeological sites with that ranging from traditional pre-western contact time period up into the historic area to include the Olowalu mill. We do have a burial ground in the makai region as well. When they did the mauka section, the mauka section was within the limits of the project area from Honoapi`ilani Highway mauka to the very top of that project boundary. And within that, Xamanek recorded 31 historic properties, also both ranging from pre-contact traditional Hawaiian archaeological sites as well as historic area sites. Of all of these sites, most of them will be in preservation.

As a part of the preservation effort, the area that is shaded in yellowish grayish greenish, over there, that is the Olowalu Cultural Reserve. So within that reserve, all of the historic properties that were identified will be preserved, and we have Mr. Al Lagunero with us here today, he's the President of the Olowalu Cultural Reserve, if you have any questions

regarding the mission or the preservation measures for that, but we are going to focus on the area outside.

The red shaded areas, those are the archeological sites that are within the master plan area and include the buffers around the archaeological sites. So within there, we have ceremonial features, we have burial ground features, traditional Hawaiian burial features as well as historic plantation cemetery; all of which are slated for preservation.

So we are here today with that information and to request your kokua if you have any recommendations or know of anyone who would be willing to share their mana`o regarding the general history of the present and past land use of the project area; knowledge of the cultural resources, both mauka and makai, as it relates to Olowalu Town Master Plan; knowledge of any traditional practices in the area; any cultural associations of the project area, such as legends and traditional use. I know Lihau is a very important peak in the area so any additional legends and stories, mo`olelo about that particular peak would be very appreciated. And if you have any referrals of kupuna or elders who might be willing to share. We've been working really closely with Aunty Addie Rodrigues, in Olowalu, as well as Aunty Adelaide Silva and her son Frank. We've outreached to Nohooikaika ohana as well, and we know that they are still living in Olowalu. And then -- but of course we want to be as thorough as possible so we would like to know if there's anyone else out there that we should be contacting, any other organizations that we should be speaking with, and if there are any other cultural concerns that the community might have related to Hawaiian cultural practices, and given that it was a plantation town, there might be other people who might have had gathering practices, other groups of folks who might have had gathering practices in the mauka regions as well as knowledge of the makai fishing traditions. So I would like to put that out there as well. Thank you.

Chair Hutaff: You have ...(inaudible)...

Ms. Chandler: Yes. Mahalo. Okay, so the Dueys.

Ms. Greig: Okay.

Ms. Chandler: Have you spoken to them already?

Ms. Greig: Rose Marie Duey?

Ms. Chandler: Yes. And her husband John.

Ms. Greig: And her husband John. We've sent out a letter to Rose Marie. I think that -- I believe that she, for the cultural traditional practices of the Olowalu Ahupua`a in general, she'd deferring to Aunty Addie.

Ms. Chandler: Okay. And then Roselle Bailey.

Ms. Greig: Okay.

Ms. Chandler: I spoke to her this morning. So I have a lot to say --

Ms. Greig: Okay.

Ms. Chandler: But I don't know -- like I mean we could really be here for a long time. So maybe -- I don't know. How does that work if I have a lot to say about cultural resources in Olowalu?

Chair Hutaff: That's what you're here for.

Ms. Chandler: No, I understand, but could I speak to her and not take everybody's time? Or how does this process work?

Chair Hutaff: Why don't we begin?

Ms. McLean: There are a couple of options. Today, this is for the Cultural Resources Commission as a group to provide their input, but you're also welcome as a knowledgeable individual --

Ms. Chandler: Individual. Yes.

Ms. McLean: To provide your own personal comments beyond the group's comments.

Ms. Chandler: Thank you.

Ms. McLean: So if you feel like that's --

Ms. Chandler: Yes.

Ms. McLean: A more appropriate venue --

Ms. Chandler: 'Cause I'm worried that I'm not going to remember everything I have to say right now. Okay. That's wonderful. Alright. I would like to say though just I appreciate your mauka to makai perspective of the ahupua`a. Any work of this magnitude is going to impact the watershed and, most importantly, the coral reefs. There are fringing coral reefs in Olowalu that are the most beautiful reefs we have on Maui. And so not only is it part of the traditional cultural resources of that area, but also for the entire west side because the little fish hide in there, and then they grow, and then they swim away to the other areas.

So when we do not have that reef, we do not have the other fish. So, I think the most single perhaps most culturally important area is in the water. And so I look forward to seeing more as this develops in terms of archaeological findings. I was interested in the findings actually that were noted in red, and it doesn't say what they found, and is there somewhere where we could get that kind of information specifically about what the findings were? And then the Ka`iwaloa area, according to your map, was kind of against the Olowalu Cultural Reserve. I was wondering if it was a part of the conservation plan.

Ms. Greig: It is within the boundaries of the cultural reserve.

Ms. Chandler: Okay. Wonderful. And then I actually, I think when Al Lagunero comes back, 'cause I'm sure he's going to share, I just want to hear his thoughts.

Ms. Greig: Okay.

Chair Hutaff: Have you been able to get anybody to talk about the fisheries and the sharks out there that have the -- you know, we all know, maybe not all of us know, but that's kind of like a breeding ground where the sharks come out, right next to where the tourist ...(inaudible)... okay, and so you're probably not in a position to make recommendations, so I'm sure it'll come back, but I don't know of anybody out there who has the true story but I certainly would like to search that out because any development that impacts that area, it's going to have to be done so well that it does not impact the ocean at all. Ever. Ever. And I've noticed they don't even portray in the maps that you have here any of the actual streams. My understanding just by looking out there at the mountains and seeing what was there before, in this project, there are these four streams at one time, and two makaha, 'cause I've gone out there and surfed and I can feel the makaha. So anything that happens on the top of the surface could mitigate down to underneath and go on to the ocean rather -- you know, without any visual.

Ms. Greig: And I have Mr. Bill Frampton here who could possibly address some of your concerns with regards to that.

Chair Hutaff: Yes. True. But then having the, you know, it's like you're asking us to find the people, and I'm asking you to find the story from people I don't know.

Ms. Greig: Okay.

Chair Hutaff: You see what I mean?

Ms. Greig: Yeah ...(inaudible)...

Chair Hutaff: 'Cause I know, having been out there and gone out there diving and stuff with the sharks during their, you know, the sharks ...(inaudible)... there's -- you can have 200 of them at night, you know, out there just -- and so we kinda like protect -- try to protect them.

Ms. Chandler: Mahalo, Chair. Also, the other Lindseys, like Puanani Lindsey, her son, Ekolu, and Roselle's sister, Mary Helen, she's actually a really great person to sit down with and her -- and sometimes fades in and out, you know, she's a kupuna, but you can ask her and she has like memory like clear as day of what's underwater in some places, like she can see it in a map in her head, it's extraordinary, it's from her parents, Ned and Pua, so I would say please take the time to ask them. They've lived they're lives in Palanui on Front Street but have worked all over, you know, in different places so have a lot of information about the west side.

Mr. Gaylord Kubota: Mr. Chair?

Chair Hutaff: Yeah, go ahead.

Mr. Kubota: Yeah, Rhiannon's comment was perfect because I share the concern about the offshore fisheries. There was letter to *The Maui News* written on Sunday, April 29, 2012. The letter headline is, "*Olowalu Town Location a Threat to Reef*. Maui's giant manta rays are threatened. Three scientific publications and a doctoral dissertation describe more than 300 majestic giants that utilize Maui's Olowalu reef habitat, removing parasites and for social and reproductive behaviors. This unique habitat is one of a handful in the world, but it's threatened by the proposed development of Olowalu Town where 1500 new homes will be build adjacent to the only healthy reef left on Maui's leeward side. Shoreline development has already destroyed 25 to 90 percent of our coral in Kihei, Ma'alaea, and West Maui. Please be a voice for the manta rays and for the future of the children who will ultimately pay the true cost of this project, and tell the Maui County Council to consider an alternative location for Olowalu Town. Once the reef is gone, we can't bring it back." And it's from a Mark Deakos in Lahaina. Are you aware of this letter? You are? Are you him? Okay. Yeah, because if this letter has any, you know, substantial truth to it, then there's a serious problem. I would be very concerned about it.

Ms. Chandler: Chair?

Chair Hutaff: Go ahead.

Ms. Chandler: Mahalo, Commissioner. Truly very true. And, actually, Mark is a member of the Maui County Coral Reef Recovery Team with me, and so I know him. I think that we have been very concerned just, you know, about reef decline in general all around Maui, but Olowalu, you couldn't say it enough that they're, basically, kind of the last stand for

fringing coral reefs on the island, and repopulation, so there are many scientists that have studied Olowalu's reefs just because it's the best place to go study a reef, so when you bridge out into the marine community, just aside from cultural uses, the scientists have documented, you know, the biology of the reefs and I think even to talk to the Division of Aquatic Resources, under the DLNR, they have a lot of information because, ultimately, you know, environmental resources are cultural resources even if our people cannot speak to the resources, if scientists can tell us what is there, that's a part of the cultural traditions of the past and the future. Mahalo.

Ms. Greig: Thank you.

Chair Hutaff: Any other comments, suggestions? We can take public testimony now if anybody has the mind to speak, we certainly would appreciate the information.

Mr. Bill Frampton: Good morning, Commissioners and Chair. My name's Bill Frampton, and I am here with my partner, David Ward, and we're the project town developers of Olowalu Town. I just have a couple comments to say and I'd love to stay around for any questions and answers you may have either here today on the floor or with Rae, with -- afterwards, we'd be very pleased to be able to sit down and get some more of your mana'o.

Just a couple background points I wanted to make. Coming today to the Cultural Resources Commission, out of all the bodies that we're going to go to, this is probably one of the more highlights that we've been looking forward to. It's something that's extremely important to us and has a very deep meaning. I'm raised here on the island my whole life and I'm very much aware of the unique and beautiful setting of Olowalu, which is why, from the very get-go, the first thing we did was go to the Olowalu -- the `ohana from Olowalu, the decedents of that valley. Before we did any planning, any drawings of anything, was to sit and listen and learn about what is Olowalu. What is Olowalu about, from the mountain to sea, but beyond that, to the heavens, to the horizon, all of Olowalu as a whole. We were very blessed to have those families step forward and share with us and help guide us as to what we could do in the future, and one of the strongest values or principles that we've used was the setting aside of all that which are sacred before you start to draw a plan, including how we would address the reefs. Mr. Deakos wrote the letter. He's correct on what a phenomenal coastal resource we have at Olowalu. However, I would hope we could have met with him further. He has declined to meet additionally.

We did meet with, Rae, as you said, Mr. Ed Lindsey, who is deceased now. Ed was a fantastic resource when it came to reefs. He helped founded the Maui Nui Marine Resource Council. Ed resigned from that committee; one of the last things he did in objection to how the committee didn't give us a chance to share and speak with how Ed felt we could coexist with nature. If the development is done properly, we're capable of building beautiful places and coexisting.

The sharks at Hekili Point, that you talked about, Chair, I was just there this past weekend with my boys and kayaked around early in the morning before the sun comes up, and we sat in the water with ten of their friends and watched the reef -- the sharks come out, and it was really, really special, and all the kids first got spooked, then they realized the sharks were more scared of them, so we had to sit, and then they came back, and it was a neat relationship there. I have a lot more I'd love to share. The only handout I did give you was the cultural reserve, our president of the Olowalu Cultural Reserve is here today, and I gave you a handout just to identify some of the before and after work that has occurred out there, guided by John and Rose Marie Duey. Rose is the Executive Director; John is our resource sort of advisor out there, the water man, and our president, again, Al Lagunero is here. It's a really fascinating piece of information to take a look at as the mission statement and that helped set the tone and the direction as how we would approach the development of Olowalu Town.

Also, a handout you may have received, I hope you received, was a copy of a black and white map with a blue strip along the coastline showing where the ocean is. This map is something that's very, very important to what we're doing with the cultural impact assessment. It's a map that we've taken the time to go to every single family name that's ever been associated with Olowalu through the LCAs, place names, we have had a historian helping us, she couldn't make the meeting today, she provided a letter. One of the things we're trying to do is take all of those names, we've gone, and Tanya can explain this better, but took in the oral testimonies that were provided at the Mahele in Hawaiian of those that were awarded the lands as well as those that weren't awarded lands and still provided testimony, and they produced phenomenal information about what was occurring at Olowalu before contact. Those names are what we're calling part of our sense of place project where this map can now be overlaid on top of our plan, and these names will pop out, and they can help guide us for street names, park names, community center names, whatever it may be as a to make sure we preserve and hold on to that past and not forget it. But that's just some of the things we've handed out.

And I think last and not least, very important, is what Tanya related to earlier, a meeting with Aunty Adeline Rodrigues and her family, who is here today, and Aunty Addie could not make it, but Hinano Rodrigues is here, and I can't express in words or articulate how important of a role Hinano has been for us and the moral support, the spiritual support in helping us stay the course of a doing a project that may or may not have been done before on this island of how you can do a project that can result in a beautiful community that can coexist with nature. And now I'll -- I'm here for more technical questions if you like about the project, but I'd love to have either Hinano and/or Al share with you some mana`o, thoughts that they have as well. Thank you.

Chair Hutaff: Thank you. You have a question? Anybody have any questions for him?

Ms. Chandler: Yes. Actually, I wanted to state, Ed Lindsey did not actually resign from the Maui Nui Marine Resource Council related to this project. He died of bone cancer but had selected his next director. He was definitely a proponent of people working together. He wanted everybody to be able to hear each other's sides and come together, but I remember speaking to him about this, but I do want to say because you stated on the record that he resigned related to this project and that is not true but --

Mr. Frampton: I'm just restating what he had told me. That's all, Rae. Sorry.

Ms. Chandler: Yeah. He's --

Mr. Frampton: If it didn't occur, I appreciate you correcting that.

Ms. Chandler: Yeah. No, I -- because he's so important to me, I just need to say that. Thank you.

Mr. Frampton: Thanks.

Chair Hutaff: Small comment. We haven't finished this process yet, but just as an observation, if everything you say comes to play, how you want to do it, and then some, it is possible that you could set the stage for proper development in a culturally sensitive area. So you're kinda young yet, right? So if you do everything the way you've done it, and everything the way you plan to do it, and you do everything in order to protect all the things, this will probably be one of the best projects out there, and I challenge you to succeed it, not the project, but your words. Any other questions? Anybody else?

Mr. Kubota: I have a technical question. I notice you have a wastewater treatment facility there. Where would it empty into?

Mr. Frampton: I have a site plan that I could put up on the wall if you'd like or I could work off of the smaller version - it's a larger version of that. But the wastewater treatment plant, where it's proposed right now, would be up to the -- sort of the northern extent of the property, mauka of the existing highway, and it would be a compact decentralized treatment, they call them. They're extremely innovative in terms of what we can do with wastewater and elimination of injection wells, you know, because of the reefs, of course. There would be no injection wells in Olowalu. And we believe that could be done all over the island, but we're for sure going to -- we know it can be done in Olowalu.

Mr. Kubota: And where would the wastewater go?

Mr. Frampton: The wastewater will be treated onsite to a level that exceeds the R-1 water quality. The water would, and the nutrients, remain on land, and it's part of this integrated

wastewater management approach; that water stays on land for irrigation and to help irrigate our greeneries, our parks, our greenways, passive parks, as well as non-passive, the active parks, but we would have an abundant amount of wastewater to utilize as a -- it's not a liability, it's an asset, if done properly, but that's a good resource to have.

Mr. Kubota: I like to hear that you're going to keep on land.

Mr. Frampton: Yeah.

Chair Hutaff: Are there plans or engineering to be sure that in inclement weather or things like that that it doesn't make it down?

Mr. Frampton: Absolutely. Our -- we've hired -- part of our consultant team, we have the Brown and Caldwell, they're natural resource engineers. They're civil engineers, they're structural, but they also very much focus on natural resource engineering, which I studied up in school. There are ways to design it with proper measures in place that handle those periods where that you would exceed, you have abundant amount of rainfall, for example, that you may not need all of that R-1 water; well, what do you do with it? We have a soil aquifer treatment system designed in place that would capture that water and treat it naturally to eliminate the threat of having -- again, avoiding having to put it into an injection well. We can maintain 100% of that water onsite.

Mr. Kubota: How would you treat runoff from the project when you're developing it?

Mr. Frampton: Storm water runoff, it's an extremely valid concern, and related to the comments that you noted earlier from Mr. Deakos's letter and what Commissioner Rae had mentioned, I think that's the largest threat to all of the reefs, not only Maui, but Hawaii, is how we do or don't control storm water runoff especially related to non-point source pollution. So one of the -- the same engineers that we've hired to design our wastewater treatment system are the same engineers who are designing our storm water runoff plan to not only capture, but potentially reuse some of that water. And again, currently, right now, all of that water is charging down that mountainside carrying soil, dirt, sediments, landing on top of that reef and it's not helping that reef at all, and there are potential indications of, right now, of some decline in the reef based on our reef study that we just did. So for us, if you think about that existing highway, one way to envision it, the existing highway, when it was built in the 1950s, was raised. They brought a lot of fill in and they raised that highway. And as a result, when water came down the hill, it trapped that water. Hinano Rodrigues can share with you a story of what he had to do to make sure that the state put in the proper culverts, but similar to how that water was trapped, if you design it properly, you'd trap a vast majority of that water that's coming down and allow it to slowly infiltrate into the ground when designed with proper basins. We have an abundant amount

of park area, over 220 acres of parks and open space where we can spread that water out instead of channeling it into one area. Does that make sense?

Mr. Kubota: I'm glad to hear that.

Mr. Frampton: Thank you for the question.

Ms. Chandler: Chair?

Chair Hutaff: Go ahead.

Ms. Chandler: I wanted to ask about the archaeological sites that were identified and if they will be nominated to the Register of Historic Places nationally or in the state?

Mr. Frampton: As Tanya mentioned earlier, and on one of the sites, and I apologize, as you said, Rae, it's hard to read the fine print detail, the purpose of that exhibit was just to show you where those sites sit in relation to our plan that's out there now, also the connectivity of it, that those will be preserved. If those sites warrant being placed into the state or national or federal -- I'm all in favor of doing anything we can to ensure protection, however, last week, I believe it was last week, the Olowalu Cultural Reserve had meeting with their insurance people, and because of the amount of people that are coming up there, when you designate - I don't know this for certain - but I know there are some complications that we just need to be aware of. When you do require designation, there are some liabilities that come into play, they're not insurmountable, it's not you can't do that by all means, these sites are preserved and will be preserved, and like you said, I'm here with my family and my feet will be held to the fire, as Uncle Ed Lindsey told me, "I'm here to watch you," and he will. Those sites will be preserved. I can assure you that they're locked in place now. They're protected by the state law. I would be interested in hearing Hinano's thoughts, who's here, as well as Al, and your thoughts as well, sort of the pros and cons and whatever is best for the community, whatever is best for the iwi and the sites that are out there, I can assure that's at the forefront of what we're trying to do.

Ms. Chandler: Mahalo. Stan, is there complications with listing sites for the --

Mr. Solamillo: This appears to be a new and familiar argument, but it's been surfacing on Oahu as well, that because the public has to at least be able to see it or, in the case of archaeological sites, know where they are, and that's being used as an argument to preclude a nomination. I think what we really need to do is get an official opinion from the National Park Service on exactly, you know, what constitutes visibility from the public as can I see it from the street; is it visible from the public right-of-way versus do I need to have access into your house because I don't think that's the case and -- but, as I said, it's a rising tide of arguments against nominating properties to the Hawaii and National Register

of Historic Places. And I'll remind, you know, everyone that by nominating, you know, certain properties, there are tax advantages that come along with those as well. But, ultimately, protection and recognition of historic places in Hawaii still falls on the listing process - is it specifically identified, and is it protected, and it is actually identified legally in a document with easements, which are preservation related and with nominations to the Hawaii or National Register of Historic Places.

Ms. Chandler: Mahalo.

Mr. Frampton: Just as a followup, just so you know, and, Stan, I'm sure you know that the sites that are in place now do have access rights granted to the appropriate `ohana, and that is a concern of, for example, the Nahooikaika family that I met with a couple weeks ago, we had a large meeting with them, and one of the concerns is the access to the top of Pu`u Kilea, where there are plenty iwi up there, how many people do we want going up there and don't we want going up there; the whale folks, when they went out and did the whale counts, contacted, and ended up actually relocating where they do their counts to be sensitive. They used to, historically, go up there. I'm sure they didn't cause damage or harm, but out of respect, they -- we appreciate they contacted us, they contacted Hinano, and they worked out a site as it works out great vantage viewing points but respects the iwi at the same time. So that is -- I'd be curious, Stan, how the National Park approaches it, and I think just being very sensitive as to some of the sites that we may not want to draw a lot of attention to. But, Rae, it's a great discussion we should have on that.

Chair Hutaff: Okay. Everybody done with him? I have something later on. Yeah. Anybody else have any public testimony?

Mr. Hinano Rodrigues: Hinano Rodrigues. I'm here as a resident of Olowalu and Ukumehame, not as the cultural historian for Historic Preservation. Right about 1810, King Kamehameha I went to Lana`i and went to ask the chief, who was living there, his name is Kamakakehau, Kamehameha I asked Kamakakehau to move to Ukumehame because Kamehameha I wanted to raise cattle, and he asked Kamakakehau to be his konohiki. So Kamakehau moves to Ukumehame, and with one of his many wives, I think her name was Wahineino, not a very nice name for a wife, but it was her name nevertheless, if you wondered "Wahineino" means "bad woman;" anyway, from that union, the first child was Kauakahiakua, which means "the rain at the place of the gods." That name, "Kauakahiakua," also goes back to Kaupo, the Wilcox family, and I think Tanya's family. Anyway, so the first child is Kauakahiakua. She marries a man who was already from Ukumehame, his name is Kealoi. From that union, are many children. My direct lineage is with the daughter, Haehae. Haehae is a granddaughter of Kamakakehau; she marries a Lana`i man. See how the family keeps going all around? Marries a Lana`i man. His name is Kaaea, and from one of their many children is Lilikemamo. Lilikemamo marries June Sabudo Fujishiro, from Masegon Yamamoto, Hiroshima, Japan, and my grandma is

born, Louise Leialoha Fujishiro, half Japanese half Hawaiian. She then marries John Hoolulu Kaahui, which is my grandfather. And then my mom is born, Adeleine Kamaileolihau, and then I'm born from there. What's important is that my grandfather, John Hoolulu Kaahui, and my grandma, Louise Leialoha Kekahuna Kaaea Fujishiro Kaahui were actually third cousins. All going back to Ukumehame. And I'm talking about Ukumehame because Ukumehame and Olowalu are companion ahupua`a. When you talk about one, you gotta talk about the other.

So my family is from Ukumehame and Olowalu. My mom's -- where my parents live today, and me, where I live Friday, Saturday, Sunday, on the property that they're living on, that is where Chiefess Kalola lived with her husband, Chief Kaopuiki. Chief Kaopuiki being the cause of the Olowalu massacre.

So I'm actually speaking from someone who is a direct descendent of that area. With respect to the sharks, when we were kids, this is by the Olowalu Wharf, when we were kids, we used to go swimming and the sharks would come, maybe only three feet, and then we would come in to shore, and my grandma would say, "What you guys doing on the shore? You should be swimming." And we would say, "Tutu, ...(*Hawaiian language*)... got sharks." And she would say, "Get back in that water. The sharks are more afraid of you than you should be of them" Now, isn't that child abuse in today's standards? At any rate, we grew up knowing that the shark was not an enemy. We knew the sharks were there. It's nothing new.

When we used to go steal my father's net when my father would go work, we would go take the net, walk from where we live by mile marker 14, and then go lay the net inside that area by the wharf, and guess what? The hihimanu would come in. The sting ray. Yeah. We knew that. Everybody talk like that's a new thing. Eh, that was there for 40 years already, yeah, and we used to be afraid because remember, we stole the net. So that hihimanu had not better go into that net, and puka that net, and then we gotta take the net home all puka.

Another thing about the sharks, I gotta tell you that Tutu Haehae, my tutu, my great great grandma, granddaughter of Chief Kamakakehau, had a brother, and the brother was born without a spine. The brother was born -- the brother was stillborn. He had a name. I cannot tell you the name 'cause in our traditions, if I tell you the name, and I'm out in that water and the boat has turned over and I need help, when I wanna call him, I'm going to forget the name. That is the penalty for sharing the name with people who are not related to you. Anyway, the baby was born without a spine, so the mother took the baby and put it in a coconut husk, and where you guys call "Lone Pine Tree," put the baby out there, we call that "Punahoa," took the baby out there and, with the tide, the baby shark -- the baby went out in the coconut husk. The next day, the mother, Kauakahiakua, went with the women down to Lone Pine Tree to pick limu, and as she bent down, a baby shark jumped

for her breast, and she said, "Ah, this is our aumakua." The cave where that aumakua live is still there. There is a marker on shore, and I cannot share that with you, there's a marker on shore and a hundred yards out from that marker is where that cave is. The shark was there up until the 19 -- okay, let's take one step back, 1930s, my grand uncles represent Olowalu at a baseball game on Moloka'i. So they go over to Moloka'i 1930s, on the way back on the Sanpan, the Sanpan is swamped, the engine caught on fire, some people died, they tied the bodies to the swamped Sanpan, and my grand uncles held on to the Sanpan waiting for help to come in from Lahaina, and the sharks showed up. And what the sharks did, the sharks just rubbed against them, their thighs, like the cat does to you, and the manifestation of that was their thighs were all raw from the shark skin. One of my uncles claims that it was God that saved him and actually becomes a kahu after that. It was only during his old age that he actually admits that maybe it was his grand -- maybe it was his grand uncle that actually -- that saved him.

Anyway, I'm bringing up these stories 'cause I want you guys to know that I am from there. My sister's name is Kapoa lehua olihau ulakalae o hekili, which means that when the red lehua blossoms on Mt. Lihau, it's redness is reflected down at Cape Hekili. So within our family, the history and the geography of that area finds itself in the names.

With respect to Rose Marie Duey, funny how things happen the way they do. I was actually in Frampton's office 'cause I wanted to go maha`oi one of the maps that they had, and I ran into her there, and of course we did our pleasantries, then she said, "Hinano, we going defer to you guys about the cultural resources. We're there to run the Olowalu Cultural Reserve," or Preserve, whatever you call it, "but I just want to let you know, we refer to you and your mom. You guys are from there. You guys know. We'll just step back and let you guys do it."

Another sad thing is that I did talk to Ed Lindsey before he died, and Ed Lindsey did say that he was resigning, and I don't know what resigning from. He was resigning because the people were not going to listen to the people from Olowalu. That was is thing. And that's sad. Because I didn't know Ed Lindsey until the last couple years of his life, so I got closer to him.

Ms. Chandler: His wife, his son, and I are still members of Maui Nui Marine Resource Council, and that's the only reason why I said that. But I talked to him about this and he may have said different things, you know, maybe at the very end, he was, you know, at the very end, but I know his -- it was almost like his baby this, you know, council, and he really wished for, you know, people to see each other's point of view and get to talk it out, so mahalo.

Mr. Rodrigues: And our relationship with the Lindsey family is that my great great grandfather, Dan Kekahuna, was the sheriff for Olowalu Town and so was - I forget what that Lindsey man's name. Both of them were sheriffs for Olowalu Town in those days.

Bill said something that Ed's going to keep an eye on him. But you know what? So am I. And they know fully well, yeah, if you don't do this right, Ray said this is an opportunity, if they do it right, this serves as a prototype for future planning of this island. I, no offense to the planners, the Planning Department, no offense to anybody, but I think our planning is outdated. We do things the conventional way. We need to look at different ways of doing things, and I really truly believe we need to go back and look at the ahupua`a way of doing it. But I agree with the Chair, it had better be done right, and I'm keeping an eye on these guys.

Chair Hutaff: So you can be my mad dog?

Mr. Rodrigues: Yes. And they know already.

Chair Hutaff: Okay. Why don't we take about an eight-minute break, use the restrooms, so we reconvene say at 20 to 12.

(A recess was called at 11:30 a.m., and the meeting was reconvened at 11:41 a.m.)

Chair Hutaff: Okay. The Maui County Cultural Resources Commission is back in session. We left off at some more public comment. Go ahead.

Mr. Al Lagunero: Thank you, Chair. Al Lagunero, Olowalu Cultural Reserve. Mahalo. One of the, just very quickly about my mana`o for Olowalu Cultural Reserve, I'd like to start with a little story. I'm an artist. I do -- I returned to my work as an artist in 2008. For many years, I traveled, and then went -- prior to that, I was the executive director for Lokahi Pacific, and worked in community many, many years. So I, too, feel very pa`a to this place. My family is the Kamuali`i and the Kamehameha. My Kamuali`i genealogy is kokua by Mary Kawena Pukui, and my Kamehameha side is by ... Kapena Johnson. I don't know all of those names, but I mahalo the kupuna for providing that.

So many -- well, about a year ago, I was doing a project for the Waikiki Sheraton, and one of the reporters asked me: When did you leave Waikiki? And I think that's a very difficult question for me to answer because my family comes from many places. My homes are with my families. So I've never left Waikiki. I've never Maui or Kona. Those places are still a part of me. And I would like for us to understand that with Hawaii people, we are pre-real estate development not regulated by those boundaries. So I'm a dreamer. I'm an artist. And along with it, my work has been to tell the story of my kupuna. My great-grandmother lived for a 120 years. She was an informant and also nurse maid for

Montgomery, Cooke, and anthropologist for the Bishop Museum. So much of this work is the love that was given over these families and the many years and the ability to go from family to family. So I see Olowalu as not limited to the ahupua`a, but mauka to Rigel to Puana-kau, a constellation, which also has a star by the name of "Pu`u Hoonua." Rigel and Puana-kau, that particular is the tutelary star for West Maui and especially for Olowalu. So it's important, I think, for us to regain a sense of what that universe looks like.

In doing some of the work, my artwork, I was doing some work with Disney at Aulani, it was such a wonderful experience to see all of the works by many Hawaiian artists telling the story of our people. It probably is a place with the most now contemporary work by Hawaiians living. It was so full of that mana that came from that experience. After leaving the grounds at Aulani, our team made arrangements to stay at Camp Mokuleia, North Shore, Oahu, very saddened by the work at Aulani because our people cannot see them as often as I would like for them to see it. That sadness followed me to the debriefing on the weekend at Mokuleia. So I asked Akua, you know, kokua me because my heart is down. It was so low to kind of have that feeling. So I walked to the papa out at Mokuleia, and I looked down, and I saw limu kohu. Now Oahu, hard to find limu, and to find limu kohu just waving in the water underneath your feet was, I think, a wonderful kokua to me to let go immediately my heart let go, immediately I was ready to be joyful again.

It came to mind to call the other artists to come and see, and when they did, I pointed down so that they could see and they asked me, "What, uncle? What is it?" And I was kind of pu`iwa and I pulled back because this limu you should know. Then I had to take the time to show them the limu and name the limu. That again saddened me when I came home because what I realized is a lot of our people are in here, cerebral. Much of that experience is not with them anymore. This is my mana`o for Olowalu. Bring experience. Allow our children to experience. Allow our families to experience. Because if you give it to some other agency and some other kind of people, how is it going to live? It must live. And that is my mana`o for Olowalu. As I say, I'm a dreamer, and I look to many things that are possible -- are possibilities for us.

Over the last many years of being on Maui, many of my friends, like Keli`i Reichel, Hokulani, and all of the kumu, we've always talked about having a place where we could practice in private and not have to educate everybody about the kinds of things that we want to do because we might have questions about what we're doing. So taking the position with Olowalu Cultural Reserve was a means to kind of bring that mana`o together and working out of that so that that kind of assessment was made over many, many years in the friendship of trying to make our culture live. So this, I hope, is the way that we will be at Olowalu to bring people to experience. I hope that, in the future, we might be able to allow our children to become ambassadors to have a welcoming place for those families from the South Pacific. We have no place to welcome them in protocol that should be. If it's a possibility for us to do that with the property that we were gifted, then maybe that kind

of place is for Olowalu. It is a place to preserve life. It brings the question of: What now? What of our community and the life that we have now? So if we look at that, this shirt is about New Old Wisdom or New Old Way. This is part of a mural project for the Hawaii Convention Center that I participated on with about 22 children, 5 artists, and about 5 video teams to try to get the message that was something that OHA sponsored that we might be able to have a voice in APEC when we were not invited to the table. The voice came from the children. Again, it is the experience that I think is most important, and how that comes must come by aloha. For too long many of us have depended on nonprofit organizations. It takes away from that kuleana that we have when we have a society that has specific organization, specific means to transfer one to another. I thought that with Olowalu I would hold that place as president until we could find someone to take leadership from the west side. I'm still doing that. I would like to dream more, and paint more, and do that, and become more active in that kind of one-to-one with children and not be bogged by paperwork.

So I mahalo you for all that you do with trying to keep it maika`i. Some of my questions with the planning commission in public testimony is about not how many homes or shopping centers, but the question: What kind of civilization can we build? What is more meaningful in the long run? What kind of beauty can we preserve? What kinds of acknowledgments can we give to those who are passed? In the Mainland, we have many places where people have parks or a horse and a rider, where is our people? I would love to see our artists all over Hawaii pick a wahi pana, make a rock garden, put some ki`i or something to remember who these people are. We are losing it, and I am afraid. Mahalo.

Chair Hutaff: Very good. Any questions for the gentleman? Comments? Okay. Anymore public testimony? Okay. We're going to close public comment. Maybe two things before we go discussion here. First of all, the last testimony, okay, you need to be here more often. Okay. That was, for me, probably one of the most positive statements and speeches, heartfelt, and I get it, and I heard it. And we kind need some more, yeah? The second thing is is sort of a disclosure. The people who are with this development also developed Consolidated Baseyards, which I own or I rent from the bank a piece of property, okay, and I'm also on the board of that Consolidated Baseyards. So we do have a relationship, but not with this particular project, so I just wanted that to be brought out in the public. Any questions or comments? Any recommendations? Okay. None being stated, I would like to see that these -- this project come back again to us as far as updates go, as far as the -- what their -- the final plan is. Right now, this is just, basically, the -- not just, the cultural surveys commission asking us for comments and for guidance of people. As far as the project goes, we've got an insight to it, and I think that was very important that you guys showed up, and thank you so much, but we do have I think -- we'll have a lot of questions that'll probably be asked, especially how things will be preserved, the actual mechanics of it that are outside this particular review, and so I ask, as a recommendation, that the Cultural Resources Commission be a part of the continuing process with this

where we can ask specific questions about specific things as they get finalized, especially with the gentleman who previously got where he's in charge of that preservation and I'd certainly like to know how that's taking place, so that would be a recommendation that I would like to put forth, and I believe I can make a motion to that effect because there's only five of us, although I would perceive -- I would prefer somebody else to make the motion.

Mr. U`u: I'd like to make a motion or a condition or one addition to have updated -- help me -- updated reports, updated status be given to the Commission.

Chair Hutaff: Not given but if they come here. Go ahead. Maybe she can help.

Ms. McLean: Thank you, Chair. Procedurally, what you're being asked today is to help formulate the cultural impact assessment. Typically, a cultural impact assessment is part of a draft EA or draft EIS. The draft EIS for this project is out already. Obviously, it doesn't contain the cultural impact assessment. So there would be a couple of options, procedurally, and this is, you know, I don't know that there are requirements for this so this is something to check with the applicant and the consultant; one option would be for you to have the opportunity to comment on the draft EIS, it hasn't been transmitted to you formally, so that would be one option, which that would cover the whole range of the project, not just the cultural component and/or have an opportunity to comment on the final cultural impact assessment. 'Cause the final cultural impact assessment will be a part of the final EIS. And once that's done, it's done. There's no more comment period. So maybe before the final EIS is put together with that final cultural impact assessment, you would have the opportunity to comment on that final cultural impact assessment before the final EIS is put together. Does that make sense?

Chair Hutaff: So then his motion would more likely, based upon his words and yours, be that we have another opportunity to comment. That would be the recommendation?

Ms. McLean: And whether that's on the cultural impact assessment and/or the EIS.

Mr. U`u: I got a question. Question. So the process, the normal process right now would be Cultural Resources Commission give recommendations or provide comments, and then, after us, it would go to planning commission, council? What's the appropriate agencies or the path that would have to -- and the reason I ask, because I was on the planning commission, and I know we look over all the EAs and EIS, and I always felt, that's why I'm not going to make the motion to have it come before us again, and the reason is I don't want to take the authority away from the planning commission, which I served for five years. They go over the EAs. They go over the EIS. And if somebody wants to make it, that's fine. We still can testify at the commission, the planning commission, and we can still recommend some conditions at the planning commission, but I don't wanna take it

away and be the last agency to comment when I feel, personally, that's in the purview of CRC. And that's my mana`o.

Ms. McLean: I don't know who the accepting authority of the EIS will be. And you're right, there is another agency that has that authority to accept the final EIS. As when you're on the planning commission, if it is the planning commission, and I think Bill wants to jump in, I don't -- whoever that accepting agency is, you know, hypothetically, if it is the planning commission, they'll see all those agency comments, and one of those will be comments from the CRC, and all of those comments get included in the final EIS and the applicant demonstrates that those comments have been addressed in some fashion. It's, just right now, you're being asked to comment on the preparation of a document and after today, I don't know that there would be another opportunity for you to comment whether on the cultural impact assessment or on the broader project, and I think that's what you folks are wanting to do, so there are a couple ways to go about doing that and, you know, I think it would be reasonable to ask the applicant --

Chair Hutaff: Yes.

Ms. McLean: Where they see you fitting in again.

Mr. Frampton: Thank you. Bill Frampton. Couple quick answers. The State Land Use Commission, they're the accepting authority for the environmental impact statement. As far as coming back to this body, that's not a problem. Like you said before earlier was today was to, and this has been extremely helpful, questions that were asked, issues that were raised, gives us information to go back and further refine because we are, in our draft EIS, we put forward a document that was saying we're getting ready to do a big CIA. We're very much excited about it. What else are we missing? What else can we add to it? What else could you share? And one of the items was to come here. We have more kupuna we're going to meet with. And prior to the final EIS, if you'd like, we could come back and do a courtesy update and sort of share with you the status, where we're at. If you have more comments at that time, it's, you know, it's never too late to get it right. The draft EIS, for example, the comment period technically ended last week; it doesn't mean we would say, oh, too bad. We're more than willing to come back and share. I don't know, procedurally, how that works out, but if you'd like us to come back and share with you where we're at, how things are coming along, we'd be glad to 'cause like I said before, this is an important part to us, the Cultural Resources Commission, because that's a big part of the success for our project, whether we fail or succeed is the sincerity of what we're trying to do.

Chair Hutaff: Thank you.

Mr. Frampton: So no problem if you'd like us to come back. I don't mind that. And there's some members who maybe aren't here today that might have more to share as well. That -- no problem. However you'd like to proceed.

Chair Hutaff: Okay.

Mr. Osako: I have a little problem with the process because in a previous EIS, when it was presented to us, we had questions, some of which I asked, and some meetings after that we got a letter from the consultant that did the EIS, and by then, there was a letter, you know, we couldn't -- I thought they were coming back before us but by then, the planning commission had accepted the EIS, so it was a moot point, you know, in other words, you have questions, they can't answer it at the meeting, and then you get a letter with the answers, which you can't ask questions about, and by then it's -- the EIS has been accepted. So -- and I did write a letter to the Mayor and to SHPD and also to Erik Fredericksen, who was our chair at the time, and I got no answer back from anybody about that, about, you know, why come before us and then, you know, they answer the questions one time afterwards, after it's been accepted. It's like, you know, we're a showpiece. We don't make a difference.

Chair Hutaff: Okay. We still have a pending motion. You want to rescind that or you wanna --

Mr. U'u: I withdraw my motion and if someone wants to make a motion, that's fine.

Chair Hutaff: Does anybody else want to make a motion on recommendations or anything? Stan?

Mr. Solamillo: I think the applicant may have two options for you to consider, so it depends on whether you -- are we going to withdraw the motion or --

Chair Hutaff: Yes. He has withdrawn the motion.

Mr. Solamillo: Okay. So if it is okay with Corporation Counsel, there's two procedural options that might be considered by the Commission.

Mr. Frampton: Bill Frampton again. One or two options could be posting us on the agenda prior to going to before the State Land Use Commission is important so you have an opportunity to state before the final EIS is accepted. You can put us on the agenda to be a comment to the CIA at the time or comment upon the EIS as well. Either way is fine with us; whatever way you come up with. Well, procedurally, that could be a way to comment I believe on the final EIS, or the draft EIS, or on the CIA itself because we haven't

completed the CIA itself. The completed CIA will be put within the final EIS, so maybe we'd come back as part of trying to finalize our CIA, we could come here before we do so.

Ms. McLean: I would think that commenting on the final CIA --

Mr. Frampton: Okay. That makes sense.

Ms. McLean: As, you know, and after that you would finalize -- you would do your final EIS.

Mr. Frampton: Right. And so we wouldn't do the final EIS until we've finalized the CIA --

Ms. McLean: Right.

Mr. Frampton: So that would meet what you're trying to do. That makes sense.

Chair Hutaff: Okay. Would anybody like to make a motion to --

Mr. U`u: Yeah, just more clarity. Just for clarify. So we going -- we're going to be able to make comments on the entirety of the project outside of our realm of CRC or within the CRC?

Chair Hutaff: Well, I certainly can't answer for any attorney, but I know that we're limited by our rules but we also have the option to, you know, bring all of our rules and procedures and reasons for being here too.

Mr. U`u: 'Cause if that is the case, we need to look at the document as a whole and then to have a powerpoint presentation, that could take hours, potentially, if that's the case. 'Cause that would be needed for us to get the gist of what's happening.

Chair Hutaff: Okay.

Mr. U`u: And are we prepared, or is it legal, or are we sticking to our jurisdiction or our kuleana within the project confines?

Ms. Thomson: Commenting on either the cultural impact assessment prior to its being finalized, you know, would be, you know, definitely within your realm of authority, and you're requesting that the applicant come back before you so that you can have that opportunity, and, you know, or you can comment on the final EIS and, like you said, it could be a very extensive process if you wanted to choose to do that. But, you know, you're not the accepting authority but you have every right to comment on it as a body, especially as to the cultural aspects of the project.

Ms. Chandler: Chair? Mahalo, Bruce. I agree with you. I don't want to take away the role of the planning commission in commenting and accepting the EIS. The only thing that I think though should be part of what we do review is the fact that environmental resources are cultural resources, and as the Cultural Resources Commission, I think it would be appropriate for -- I mean I, at least, want to see the EIS, I want to see the draft EIS, and I want to see the final EIS. It doesn't mean that the whole Commission needs to do that. So, again, I don't know where that, you know, sits here. I would take anybody's recommendation, but I do wanna state that. I wanna see both of those documents, and I do think that we, you know, definitely need to review the cultural impact statement once it's finalized and provide comments, which I guess go into the final preparation of the EIS, and whether or not we comment after that point, I think it's important that, like Warren said, we had an opportunity to say something before it's finalized.

Mr. U`u: Question. And I not agreeing or disagreeing. I just want the Commission to be aware that, you know, I'm all for it too and -- but it's a lot of work, a lot of homework, and if we want to participate on something that's that big, you know, it's a lot more than reading this, you know, so beware. Be careful what you wish for sometimes. But I'm all for it. I think it would be good for me.

Chair Hutaff: If the Chair could make a comment. I've never looked at culture as too much work. Getting it right as too much work. Giving everybody an opportunity to comment and share their feelings and guide as too much work. I don't think you meant that.

Mr. U`u: No. I didn't.

Chair Hutaff: Okay. With that being said, I think that it is important for us, as the Cultural Resources Commission, and those of us who value the culture, in the audience and here, that at some point, before the planning commission has its final say, that we have an opportunity to comment, to make recommendations; that's kinda where I'm going.

Mr. U`u: And, yeah, you probably -- I didn't mean it that way, but what I mean is this - we barely make quorum. That's reality. I mean look, we got five, and we going take on something that's big, and I'm all for it, like I said, but realistically, we got five out of nine at a meeting, and just being realistic. I'm all for it. Hey, when I signed up for this, I signed up for it. And if we were to read the letters to the editor, I would never be on the planning commission or the CRC 'cause I don't pay much attention to the letters to the editor. But I'm all for it. But reality is we got five out of nine. We get hard time make quorum a lot of the times. We going read one EIS, which I'll read every page, and one EA, will everybody else? I know you guys will, most you, but I being realistic, and it's never enough work. I'll take all the work. But I being realistic. Five. And we going run into one procedure where we cannot vote or recommend because we no more one quorum, like now. If one guy doesn't vote, we done, and it goes back to them. We'll be held hostage because we

cannot get the quorum, or any other person that comes through here. And I'm all for it, like I said. I'm all for it.

Chair Hutaff: I'll get my fish hooks out and make sure they all appear. So can, you know, I guess the Chair is not really supposed to make a motion, so we have two choices. I can step down for a moment and make my motion, or someone can make a motion to -- would someone kinda help out this poor old man and make a motion that we have an opportunity to comment on the CIS before it -- in the project itself before it gets to the planning commission.

Mr. Osako: I will make a motion that we do have an opportunity to review and comment on the EIS before it goes for final approval.

Mr. U`u: Second.

Chair Hutaff: Okay, any comments? Discussion?

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

It has been moved by Commissioner Osako, seconded by Commission U`u, then unanimously

VOTED: that the CRC do have an opportunity to review and comment on the EIS before it goes for final approval.

Chair Hutaff: It has been carried. Thank you so much. You made an old man happy. Okay, I guess we're done with this thing for the ...(inaudible)... for the public for this one, and if we can move on to the next one, which is item D.2. Stanley? And mahalo for all those who testified. Appreciate everything. Really.

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

- 2. MR. JOSEPH ALUETA, on behalf of MAUI COUNTY, DEPARTMENT OF PUBLIC WORKS, requesting review and comment on the Draft Environmental Assessment for an Employee Parking lot on Wailuku Union Church Mission grounds and related improvements, located at 2307 Main Street, TMK (2) 3-4-014:por of 005 in Historic District No. 3, Wailuku, Island of Maui, Hawai'i. The CRC may provide comments. Public testimony will be accepted. (J. Alueta)**

Mr. Joseph Alueta: Okay. I see Stan made a powerpoint but I don't normally work that way. I'm kinda old school. Again, my name is Joe Alueta. I'm the Administrative Planning

Officer with the Planning Department. This has kinda been a joint -- because this is a county facility and we're doing it on a shoestring budget, they've drafted people from different departments to prepare reports and whatnot. I've been tasked with the draft EA portion of it.

I passed out to you a little map. The ones of the -- right there, Bruce -- it's the couple aerial photos from different angles, just to give you an idea of the site location. I always believe a picture is worth a thousand words. So it is, as indicated on the display, the paper map is exactly what you have there on the screen, which is showing Historic District 3. As indicated in the EA that you received, the project is, basically, on the mission grounds of Wailuku Union Church's mission ground. Again, it's in Historic District 3. In reality, the county is using -- is going to have a lease of about 30,000 square feet, and about, give or take, about 25,000 square feet is actually going to be improved, and we say that with improvements as in this will be a gravel parking lot with asphalt curbing.

This will be employee only, reserved employee stalls. The good thing about it is that it will take some of the on-street parking that is currently being occupied by county employees and move them off-street, and that'll free up a lot of the neighborhoods as well as county and public looking for parking spaces when they come to the county facilities.

They're trying, again, trying to get minimal impact as well as minimal cost and that's why it's going with gravel. There is no plans to remove any trees at this time. It's anticipated that they're going to, basically, be filling where they need to and that way, obviously, they know that there are some cultural and historic features and to minimize the impact, the county is, basically, just going to fill where they need to and not grade and dig up where you'd normally have.

This is, like I say, the draft EA. We're just coming before you for comments on the draft EA. Again, an EA is, basically, a disclosure document or an information document, and then the department still has to come before you for historic district approval because it is an action within the historic district, so that falls within your purview.

There's also debate, I guess, over whether or not certain variances need to be acquired also at the same time for setbacks from the roadway. There's some design standards within the Historic District No. 3.

Just to give some brief history on the site, they have -- you have granted approval, actually, this is kind of like rehash of a project. Twenty-two years ago, your Historic Commission granted an approval and an EA for the exact same project except, at that time, they were going to do asphalt paving. For one reason or another, the county never went forward with the project, and then -- but up until as recent as the mid-'90s, the CRC has granted temporary parking for inaugurations, mayor or council, what have you, so the site has

essentially been used as a parking lot as it is now. I mean and if you go up there, you'll see parking -- people have been parking on there. You'll see rutted areas where -- from the existing driveway. The county is proposing, as far as the improvements, is they're going to, if you look at the top of this slide or to the northwest side, they are going to have a -- or use that existing driveway access to Main Street, and then you have the -- they're going to make a new driveway entrance. Right now, there's a driveway entrance further to west in which then becomes a dirt -- you can see where it's been rutted out and the dirty, and you can see that on the aerial photos or the Bing Maps that I passed out to you earlier.

So with that, you know, if you have any specific comments on the draft EA that we can incorporate as we move forward. I believe you did receive the comments from the historic district that was cc'd to you earlier. You have any questions?

Chair Hutaff: So you're saying that just gravel, no AC or paving?

Mr. Alueta: AC curbing.

Chair Hutaff: AC curbing.

Mr. Alueta: To retain the gravel inside.

Chair Hutaff: Okay. And do you think that's going to be enough to stop the wear that you see now? I know when I walk over there there's some holes and stuff on the turns and stuff. Is applying gravel going to prevent that from happening in the future or?

Mr. Alueta: Yeah. If you apply -- probably Bruce knows better than me -- but if you apply crusher run, which is that -- which what I anticipate them doing, doing crusher run and compacting, and then there's that thing called "engineering fill," which is a State DOT gravel mix and it, basically, contains different grades of, from, you know, quarter-inch to C4 or 4C gravel, and that mix, when you do a roller over it, it doesn't move. I mean it's a base course that's used on all the highways and stuff like that, but given the amount of traffic, I think it'll hold up. It'll hold up better than the dirt and the erosion that's currently going on there now. And I think it will be used everyday, again, by the county employees, but the county will have to maintain it to ensure safety because, you know, the liability aspect of people walking over it.

Chair Hutaff: And you said that the parking area would be also a place where some of the county employees will park that they can't parking now ...(inaudible)...

Mr. Alueta: Yeah. Currently, as you know, the county does not have enough parking for all of its employees. It's, literally, a ten-year wait for a parking stall. I got mine around ten years. But it will move a lot of them, if you look, they're parked in a lot of the nook and

crannies all along here, on Kaohu Street, down areas, and also you have them parking up here, and during school traffic, you can create this conflict. I mean you got a lot of people parking along the sides of the road, down the residential roads, and again, this is an older neighborhood and older community, hence the historic district; a lot of the roadway widths and shoulders are not up to what would be considered standard now, so it does create a congestion along the roadways; it's legal parking, they have every right to park there. We do get complaints from the neighbors because of the traffic, but this would, hopefully, alleviate some of it because it would move a lot of those people who are on-street to be off-street, and also create a more orderly traffic. I think it'll improve the traffic situation in the sense that people are driving up there now trying to find parking and if you know where your parking is, you're going to go there and you know you got a guaranteed stall as oppose to making the rounds and circling around the neighborhood in search of a parking stall. But I think, from your aspect and your view, I guess you're looking at more, you know, how does this impact the historic district, you know, from a visual standpoint, but also culturally, you know, if there's cultural sties. The county is, again, trying to not impact the cultural sites there and trying to, basically, do no harm by just putting it under gravel or fill material. Because it's a temporary stall -- parking lot at this point in time, the county only has that five-year lease, the church has talked about -- wants to relocate their preschool in the future, I mean it's all talk and they've been saying that for the last 20 years, but they -- that's why the county really doesn't want to put that much money into asphalt paving unless they can get a long lease, but at this point in time, they're just doing gravel with asphalt curbing to control it. Also you have drainage. It helps with minimizing the amount of drainage improvements that have to go in there. There is none. And you have existing trees that have been acclimated to the site. They are, obviously, surviving on the existing rainfall that happens in Wailuku so you don't have to put in new landscaping that would then, again, require more infrastructure.

Mr. U`u: Currently, it's used as a parking lot right now as we speak?

Mr. Alueta: Right now, it's used, not as intensively obviously, but you can tell from the or if you go up there on any given day, you'll see cars parked in the gravel -- I mean in the grass area, in the scrub grass, but you'll also see, even from the aerial photos, you can see the rutted driveway that is used. There is currently office -- two office facilities up there; one, I believe, is an architect, and the other one is a chiropractor maybe, something like that, and so, obviously, customers come in there to those facilities are using it, but I think, you know, if you walk up there, I've walked there, you know, they're here and there, I mean, and rutted out.

Ms. McLean: And also special events parking.

Mr. Alueta: Yeah.

Ms. McLean: From time to time.

Mr. U`u: So, basically, how much cars we're taking off the road or the tight nooks? I mean if there's ten existing there, so we're taking off 57?

Mr. Alueta: Right. But I think what -- I think the ten there now will still be there but they're going to be further up on the property because, again, we're not using, from the site design, we're only using that bottom portion and it's, basically, if you look at the aerial, you see the -- okay, so this is Main Street, coming in this is the existing driveway, and this where the chiropractor's office is. So if you look at the two photos that I provided, this is that existing structure that shows up on there. On the historic map, they show this structure as well as the other ones here but they also show an old garage that used to be there that has been gone for years now. And so you can see that, if you're just using the aerial photo, you can see how far up the parking lot would go, and you can see the rest of the property would be still remain as is and that, most likely, customers for this or customers would probably just park over here in the grass area above it. So it would just be in this area that -- and so anticipating we got 67 stalls, those are going to all be existing county employees that are either parking on the roadway so anticipate taking all of those off of the roadway.

Chair Hutaff: Yeah, I've walked up there, I know what you mean about people kind of haphazardly parking, it's like, you know, some of it too is they go to either the preschool or the church or that little building there and it's like I'll just park in the middle that way it's safe. So I guess we just have to imagine this particular lot here filled with gravel and cars, and make a decision based upon that foresight. Any discussions on that? Any questions for him?

Mr. Alueta: And again, I'll remind you that this is just comments on the EA. You will get a historic district application, so you're going to get -- you'll be able to get more detailed or make recommendations more on that. You'll have the authority on that. At this point, I mean but if you give me your comments early, then I can kind of address them when I come back to you with the actual permit.

Chair Hutaff: Okay. You got anymore on that right now?

Mr. Alueta: No. The only, I guess from -- in talking with historic district, the concerns over is you are going to have, like I say, a cut for the new driveway, and there's a small low wall there, and then you're going to have a small cut for a pedestrian stairway, if you remember, but again all the trees will be remaining, and those are the main issues of concern right now I guess, you know, because you're cutting into that old wall over there.

Ms. McLean: Joe, you're saying "historic district," you mean Historic Preservation Division?

Mr. Alueta: I'm sorry. Yes.

Ms. McLean: Okay.

Mr. Alueta: Thank you for clarifying. Historic Preservation Division.

Chair Hutaff: When was that wall built - that small wall? Do you know?

Mr. Alueta: No.

Chair Hutaff: Less than 50 years ago? More than 100?

Mr. Alueta: I believe --

Mr. U`u: What wall?

Chair Hutaff: I imagine you're talking about this one.

Ms. McLean: There is a wall along Main Street. I don't think that's going to be cut. I think Joe's referring to a wall along Aupuni Street.

Mr. Alueta: Yes, Aupuni. There's a very, very small, you know, basically a dry stack wall. It probably was put in when the roadways were put in because -- just because of the topography.

Chair Hutaff: Okay. Should we turn it over to public comment? We have anybody in the public who would like to comment on this please?

Mr. U`u: As a resident?

Mr. Hinano Rodrigues: Nope. This one is as the Cultural Historian and Branch Chief for the History and Cultural Branch. When -- so we picked up a new archaeologist; it's good news; it's Jenny Picket. Some of you remember her from before. When she walked across her office to my office and told me what they were going to wanna do, I went into cardiac arrest, the EMT showed up brought me back to life, because this is a really, really, really important spot. So I think our compromise is that we ask that you guys do an AIS. See the question was asked: Well, what about that wall? Well, if there was an AIS, we could have the answer as to what about that wall. I think my last conversation with Jenny was that we're requesting an AIS.

Mr. Alueta: You gotta -- you cannot use your --

Mr. Rodrigues: Archaeological inventory survey.

Mr. Alueta: Yeah, that's what I thought you meant. So we are currently out for bid or out for contract selection on that. I did email Public Works, who's the applicant, an update but I have not heard back whether or not one's been selected, so there is going to be one done prior to again -- obviously, before the final EA is published and prior to us coming before historic district application.

Mr. Rodrigues: Okay. Fortunately, or maybe unfortunately, depending upon your point of view, a lot of the sites are subsurface and so we can stand out there and look at that place and say, oh, there's nothing, but it's when we go in and we do archaeological testing we find out there's a lot and I'm hoping we find nothing, but looking at the history of that area, I anticipate finding something.

Chair Hutaff: So what's your comments on the parking lot given this information?

Mr. Rodrigues: As much as possible, I don't think, as much as possible, I think we should address the issue as to whether or not a parking lot is conducive to a historic district as important as this. When you look at the architecture, and that's another brand in my division, when you look at the architecture, the architecture becomes subsumed into the parking lot, and so I would prefer to see this place just left as it is so that we look at, I think he was referring to Maui Architectural Group, that's one of the tenants there, but again, obviously, parking is necessary for the county workers, and I feel sorry for them. I see them every morning driving around looking for space. I really, you know -- so we gotta find the balance, and that's why our compromise with SHPD is we are requesting an AIS and through the AIS, we'll find whether or not there are anything significant in that area.

Chair Hutaff: Okay. Anymore public comment? Oh, you got a question?

Mr. U'u: Hinano, so it's part of the agreement between you guys and the county that they do an AIS?

Mr. Rodrigues: What happens is SHPD, under the law, can only make recommendations, so when the county approaches us and say, well, we're going to do this, our recommendation, fine, but do an AIS. The county has always been very good and have always followed our recommendations.

Ms. McLean: And as part of the EIS process, there's no way to appropriately address that comment without doing the AIS, so it gets done and if there are findings or recommendations from the archaeologist and from SHPD, because SHPD has to accept the AIS, then the project might be modified in some fashion to address those comments,

so all of that has to be done as part of the final EA or else the final EA doesn't cover everything that it should.

Chair Hutaff: Any other comments or questions?

Mr. Alueta: You still have public hearing -- you still have --

Chair Hutaff: Public, yeah. So we're going to end public hearing? Fine? Nobody else has anything more to say? Okay. How about discussion among Members of the Commission? Any discussion? Any comments? One of things I've kinda noticed over the years is that we have a tendency, when we don't see something, to automatically assume it's nothing. To tell you the truth, I had no idea this particular area had any significance other than the buildings themselves. I think when Makena, Olowalu, some of these places that have been developed, I think I made a comment in the very beginning is that if, you know, a developer or anybody looks at an area and if it looks like rubbish, it is assumed it's rubbish. If this has that much significance that the ambulance had to be called, okay, then the sad part is how come that's not acknowledged through signage, through anything so that anybody who walks through the area gets a sense of place. When I've walked through that area a couple of times for other reasons, I just said waste of kind of a big area and it's dusty. That's all I got out of it, you know. And since we don't have to make -- it says, "The CRC may provide comments," at this point, and we're probably going to see it again, yeah, we'll absolutely see it again, I, personally, don't have any other comments than what I just said.

Mr. Osako: I make a motion that we defer making any comments until we do have more information say from the EIS.

Ms. Chandler: I second.

Mr. Osako: Or EA.

Chair Hutaff: Okay. Discussion? Comments from --

Mr. Osako: Are they going to require like an inventory survey or archaeologist report? And then we'd be more in position to make comments whereas, right now, we have no information?

Ms. McLean: We could, like the last project, because the EA can't be -- the final EA can't be prepared until the inventory survey is completed and accepted by SHPD, we could bring that to the CRC for comment before the EA is finalized. If I could make one comment related to the Chair's comments, I think this is a situation where the process has worked the way that it's supposed. When this was first put together, this is a county project and all the work is being done in-house, and we thought about should there be any

archaeological review, and we referred to the old documentation that said no need, but we know more now than we did back in '89, and so we went forward without doing the inventory survey, but it's an example of the process working and SHPD saying, no, you need to do one, and so one will be done. I just wanted that to be put out there because the county is doing this as an in-house thing and we were -- we did ask the same questions. But anyway, back to the suggestion, I think that's something that we could do is for the CRC to comment on the draft EA again once the inventory survey is completed and accepted by SHPD. And then after that you would still see it again for the historic district permit.

Chair Hutaff: Okay, we got a motion and a second on the table, so we wanna discuss that after listening to what she had to say? Any discussion on that? Okay, so the motion is on the table.

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

It has been moved by Commissioner Osako, seconded by Commissioner Chandler, then unanimously

VOTED: defer making any comments on the draft EA again until the archaeological inventory survey is completed and accepted by SHPD.

Chair Hutaff: No one's opposed, the motion is carried.

E. WORKSHOP - CULTURAL RESOURCE COMMISSION ORIENTATION

- 1. Maui County Code, Chapter 2.88, "Cultural Resources Commission"; Maui County Code, Article III (Chapters 19.48, 19.50, and 19.52), "Maui County Historic Districts"; Maui County, Department of Planning, Administrative Rules, Chapter 530, "Rules of Practice and Procedure for the Maui County Cultural Resources Commission"; and Maui County, Department of Planning, Administrative Rules, Chapter 531, "Standards and Criteria Relating to the Duties and Authority of the Maui County Cultural Resources Commission." The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Chair Hutaff: Okay, on to item E. We're going to defer that because we needed to get some more of the new people in here that are not here. I'd like to defer it to the next meeting based upon time.

Mr. U`u: Motion to defer.

Chair Hutaff: Second?

Mr. Osako: Second.

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

It has been moved by Commission U`u, seconded by Commissioner Osako, then unanimously

VOTED: to defer item E to the next meeting.

Chair Hutaff: It is carried. On to item F, Director's Report.

F. DIRECTOR'S REPORT

Mr. Solamillo: Thank you, Mr Chair. That was the fastest workshop we've ever done. Under Director's Report, we have some announcements, which everyone needs to be made aware of, and for all those who are absent from our quorum today, this is probably one event that everyone should attend, May 8, 2012, 5 p.m. to 8 p.m., Maui High School Cafeteria, 600 South Lono Avenue, this is the one and only community meeting that we know which will be taking place here on Maui for comments on the State Historic Preservation Plan, and it's really important that our Commission is represented, so please turn out and make some comments, 5 to 8 is the time, address: 600 South Lono Avenue.

Chair Hutaff: Stanley, would you do me a favor? Would you email that out to all the members so even those who aren't here can get that?

Mr. Solamillo: I can send a copy to Suzie and then she could email it to all of you. How's that?

Chair Hutaff: Suzie, can you do that? Suzie, can you do that for us? Thank you so much for agreeing.

Mr. Solamillo: Thank you, Suzie. Okay, the only -- the information that came out, and this I received actually yesterday, it's fairly small, as part of the State Historic Preservation Planning Process, SMS Hawaii, in conjunction with the State Historic Preservation Division, is inviting the community to share their insights and ideas during the session listed below. Your input will assist and develop or to develop the State Historic Preservation Plan. At the meeting you'll have the opportunity to contribute to topics, including what should be the priorities for historic preservation in the state, and then your community, who should

participate in the process, what resources are available in your community to support historic preservation, and what resources are needed.

The disclaimer at the bottom of the page says, "SMS Hawaii is the lead contractor for the State Historic Preservation Office responsible for completing the 2012 to 2017 State Historic Preservation Plan."

Chair Hutaff: We have a comment from the audience here.

Mr. Hinano Rodrigues: As timing would have it, our first meeting was on Kaua`i last night, so I had to fly to Kaua`i last night. I think it's really important that you guys spread this to everybody to show up, anybody in the community, to let us know what your mana`o is about historic preservation. The reason why I say that was, again, because last night was the first night that we've held the meetings, in the meantime, we've had -- we've taken surveys with the public, and what happens is, while you're going through the meeting, they'll show you what your community says versus what the rest of the state says, and it was quite interesting in that the island of Kaua`i had more of an interest in the protection of historic sites versus the state as a whole. So I really wanna see what Maui is going to say next week Tuesday night.

Chair Hutaff: Comment. Do you have a list of emails and addresses of people who have appeared with us before that might find it -- that we might want to encourage to come to the meeting to, you know -- because the problem is I just got it yesterday too, and I notice it's in today's paper, but I'm not sure that that's enough time for everybody. A email blast -- do you have a list that you could take on and say for your FYI?

Mr. Rodrigues: We have a list. We have a sign-up list, like you guys do for every meeting. We are going to send out -- we're going to do a mass email to people who've shown up at the Burial Council meetings about this meeting.

Chair Hutaff: Perfect. Thank you. And you're going to do that in the next half-hour?

Mr. Rodrigues: Yes. I'm going to do it when I go back to my office.

Chair Hutaff: Thank you.

Mr. Solamillo: Any other comments?

Chair Hutaff: Any other -- no. I don't have any other comments. Does anybody else have any comments? Okay. Are we done?

Mr. Solamillo: No, we're not done yet. This is your informational part of the presentation. Last year was the centennial for the revolution in China, Sun Yat-sen, who had family living in Kula and who's family raised money for several revolutions, which the one that occurred in 1911 was responsible for the establishment of the Republic of China led to a lot of celebrations last year and a lot of movies being produced in the Peoples Republic of China. What has just come back to us and is available and will be distributed to Maui's libraries are two volumes on the history of Sun Yat-sen with photographs that have never been seen in the West and had been put together by groups of researchers from the United States as well as Mainland China, and some of the work here that was done for Woo Hing actually ended up getting in some of the publications that was produce, so this is kind of a real East-West thing that won't be sung about or talked about in the mainstream press. But anyway, these books will be available at Maui's public libraries.

1. June 7, 2012 CRC Meeting Agenda

June 7, 2012 agenda. The only thing that we have right now is Kahawaiokapi`a Bridge replacement pre-consultation, which will be coming to this body, and it's I believe Hawaii DOT, and this is for a bridge replacement.

Chair Hutaff: Hana?

Mr. Solamillo: Hana.

Ms. McLean: Stanley, is that pre-consultation on a draft EA or EIS?

Mr. Solamillo: No.

Ms. McLean: They may not have to do one. It may be exempt because it's a replacements, but they're just doing pre-consultation on the scope ...(inaudible)...

Mr. Solamillo: Yeah. I asked them actually to come in early. Don't do everything and then come in at the last minute when everything's finalized. So this will give the Commission an opportunity to comment early.

Chair Hutaff: Good. I think they were here on another bridge so I think they kind of knew what -- know what was discussed before, so cool. Great. Fantastic. Thank you, Stan.

Mr. Solamillo: Okay. Now, it's for Commissioners to make their announcements.

G. COMMISSIONER'S ANNOUNCEMENTS

Chair Hutaff: Any announcements? Rhiannon? Bruce? Gaylord? Warren?

Mr. Osako: Nothing.

Chair Hutaff: Do I have something? No. I pretty much -- other than thanking everybody for their support and putting up with me today. Okay. Should we have any announcements, Stanley? We'll take public comment. He's ready to get the emails out.

H. NEXT MEETING DATE: June 7, 2012

I. ADJOURNMENT

Okay, next meeting date, June 7, so I guess we're up for adjournment if anybody wants to move along those lines.

Mr. Osako: I move that we adjourn the meeting.

Chair Hutaff: Anybody opposed? None? We're gone. Meeting adjourned. Thank you so much.

There being no further business brought before the Commission, the meeting was adjourned at 12:48 p.m.

Respectfully submitted,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present

Raymond Hutaff, Chairperson
Warren Osako, Vice-Chairperson
Rhiannon Chandler
Gaylord Kubota
Bruce U`u

Excused

Irene Ka`ahanui
Makalapua Kanuha
Kahulu Maluo
Brandis Sarich

Others

Michele McLean, Deputy Planning Director
Stanley Solamillo, Cultural Resources Planner
Richelle Thomson, Deputy Corporation Counsel