

CULTURAL RESOURCES COMMISSION
REGULAR MEETING
DECEMBER 4, 2003

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Chairperson Dawn Duensing at 9:05 a.m., Thursday, December 4, 2003, Planning Conference Room, Kalana Pakui Building, 1st Floor, 250 S. High Street, Wailuku, Maui, Hawaii.

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

Ms. Duensing: ...(inaudible)... and the first item on our agenda is a Resolution. Somebody wanna handle that?

Mr. Fredericksen: A Resolution Thanking the CRC Chair Dawn Duensing for excellent service and other things but, anyway, I don't know what we're going to do; somebody's going to –

Mr. Suzuki: Yeah, if there's no objections by the Commissioners, I'd like to read the Resolution in its entirety.

B. RESOLUTION THANKING CRC CHAIR DAWN DUENSING

Mr. Suzuki read the Resolution into the record (see attached).

Ms. Duensing: Thank you, Mr. Suzuki.

Mr. Suzuki: I'll be circulating this Resolution for all the members' signatures.

Ms. Duensing: Thank you, Daren. And if I may just have a couple minutes to express my appreciation to my fellow Commissioners. You think the word "aloha" is sometimes misused and overused in Hawaii but I feel there is a lot of aloha for the work we do on this Commission and for each other, and I really appreciate all the support I've gotten from you during my five years here. I know Tremaine is not here but I'd like to publicly thank her for all the service, the years of service she's given to this Commission, and also Wayne Boteilho who has given me his complete support since I've been Chairman and I think the Planning staff members too who always seem to have other backgrounds than historic preservation but they do an outstanding job anyway and I look forward to working with all of you in the future as well, thank you. Okay, the first item on our agenda today is the Historic District Application from the LahainaTown Action Committee and this is Simone.

C. PERMIT REVIEW

1. HISTORIC DISTRICT APPLICATIONS

- a. MS. THEO MORRISON, LAHAINATOWN ACTION COMMITTEE requesting Historic District Approval to amend the scope of the Historic District permit for the 2004 Chinese New Year Event held annually in January or February within a street closure of the 800 block of Front Street near the Wo Hing Museum, Lahaina, Island of Maui. The 2004 event includes the use of Campbell Park for a Chinese movie night. (S. Bosco)**

Ms. Bosco: Good morning, Commissioners. This application before you is for the Chinese New Year event which annually takes place in Lahaina, usually within a street closure, in January or February. This year the applicant would like to amend the request to include a Friday night and the event, basically, will involve the showing of a Chinese movie in Campbell Park with the set up of about a hundred chairs and also the setting up of three tables Friday night between the hours of 5 and 10 p.m., and the tables will be used for Feng Shui, Mah-Johngg, and martial arts demonstrations, and, again, the movie will show that evening for approximately two hours.

On Saturday night, the regular event, hopefully, will occur. I understand, I'm not sure that there's funding for Saturday, however, normally on Saturday night, between 5 and 10, there's a street closure within the 800 block of Front Street and what happens is a Chinese Lion Dance, the blessing of the Wo Hing Temple, martial arts demonstrations within the street closure, there's set up of food, and water booths, and soda booths, and also arts crafts, three tables will be there. There's no admission charge and for Saturday night, script is sold at each food booth with the exception of the t-shirt booth, which will have the exchange of money.

Okay, so I'm going to allow the applicant to come up and explain the event a little bit further. I just want to emphasize that, before I do that, that the increase of use of open spaces within Lahaina demonstrates a clear need for these kinds of events. It's clear that there's people coming in now that they want to have special events, they're looking for places to do these kinds of things and, naturally, the area lends to it; there's just a high flow of traffic and, in the past, the Commission has supported these kinds of events. So, with that being said, the recommendation does include pretty much all the standard conditions that are normally put on for this event and if you have any questions for me, I'll be more than happy to answer them before the applicant comes up.

Ms. Duensing: Okay, are there any questions for Simone before we ask Ms. Morrison to come up?

Mr. Pa: This is not a question but I'm just looking at Recommendation No. 6, and I know the closure of the street is not our concern, but I notice that in the application, on Friday, they're requesting that it be from 5 to 10 p.m., and on Saturday from 4 to 10, are you going to close it both days beginning at 5?

Ms. Bosco: No. No, the street closure only is proposed for Saturday night, not for Friday night.

Mr. Pa: Only Saturday.

Ms. Bosco: So Saturday night involves the movie and the set up of three tables within Campbell Park only. On Saturday, the event moves out of Campbell Park into Front Street, okay?

Mr. Pa: I see. Okay, thank you.

Ms. Bosco: And the applicant can explain a little bit further what she expects will happen.

Ms. Duensing: Okay, can we have the applicant come up please?

Ms. Theo Morrison: Good morning, my name is Theo Morrison, Director of LahainaTown Action Committee. We've been doing this event for 13 years and we've kinda outgrew our permit, this is what triggered this whole thing cause we had a permit and then it was realized that we weren't quite following it, and then we did add this Friday night event this time. The idea for Friday night is entirely free, the Friday night event. The movie's free; the demonstrations are free; there's no selling; there's no commercial activity in Campbell Park. Normally we bring in the lions both days, Friday and Saturday. Friday they do the little -- they walk down Front Street and visit all the different stores and then go to the temple and do the blessing of the temple. And then Saturday is when we have our big festival and actually close down the street. So this year we were thinking, for Friday, that we'd expand it a little bit since the -- we do have the lions and they would be doing a little more of a event thing at the -- at Campbell Park, at that end of town but, again, it's totally free; there's no charge. But, I should mention, that we might not be able to do this cause we're having some funding challenges but, hopefully, we can do this next year.

Ms. Duensing: Well we're glad you're trying to get the permit anyway just in case.

Ms. Morrison: Yeah, well I figured --

Ms. Duensing: Instead making it a last minute ...(inaudible)...

Ms. Morrison: Right. Yeah, we're ahead of the game here.

Ms. Duensing: Great. Are there any questions?

Ms. Sablas: Is the movie going to be in Chinese?

Ms. Morrison: Oh yeah. Yes, and martial arts, some kind of martial arts, Chinese, Kung Fu type movie.

Mr. Fredericksen: What's the movie? Do you know?

Ms. Morrison: We don't know yet.

Mr. Fredericksen: Oh, okay.

Ms. Duensing: Okay. Well I think most of the Commissioners support the LahainaTown Action Committee and they're honor of local cultural and the arts here on Maui. So, if we don't have any questions, maybe, Simone, you can go through the recommendations before we take action. Thank you, Theo.

Ms. Bosco: Thank you. Do you want me to go through every single one of them? I can call out the ones --

Ms. Duesing: They're probably pretty much run of the mill of what we would normally have from the Planning Department.

Ms. Bosco: I think the one that I did add, just to be on the safe side, is No. 12, that no ground altering including the use of stakes to hold down any structure shall occur. I didn't really get the specifics on how the movie screen will go up or even the sides of it so I wanted to make sure that we had that in there and if there's any questions about that, the applicant can contact me.

Ms. Duensing: Okay.

Ms. Bosco: That's it.

Ms. Duensing: And I think this is a long running event and it's been properly permitted and supervised in the past so unless the Commissioners want to express any concerns or objections.

Mr. Fredericksen: I don't have any concerns. All I could say is, you know, it's nice that these sorts of events are, you know, becoming more frequent, cultural, culturally oriented events because I think there was something in this handout that, you know, indicates, you know, well something Hawaii Business did in March 2003, you know, a lot of tourist do come to Hawaii come to learn something, to experience something, not just come to look at whatever, glitz and fake flower leis and whatever, you know, t-shirts and that sort of thing, they want to get a feeling of what's going on with Hawaii's culture so I think this is great.

Mr. Pa: I'm curious. Will any ships be in port at this time?

Ms. Bosco: I don't think so. No. It's a post-Christmas party.

Mr. Pa: It's a post-Christmas party.

Ms. Duensing: Okay, I need some kind of motion for action.

Mr. Fredericksen: I move that we accept this proposal with the Planning Department's recommendations, the 12 attached recommendations.

Mr. Pa: Second it.

Ms. Duensing: All in favor say "aye" please.

Mr. Suzuki: There's 13.

Ms. Bosco: Oh, yeah.

Mr. Fredericksen: Let's see with the 13 attached.

Ms. Duensing: There's one on the back, the full compliance with all other applicable government requirements shall be rendered.

Mr. Fredericksen: Thanks, Daren.

Ms. Duensing: Okay, do we need to amend motion then or redo it? Or just note that there's 13, not 12, Mr. Corp. Counsel?

Mr. Akama: I think if we just note that there are 13, not 12, that would be sufficient.

Ms. Duensing: Alright, duly noted.

It has been moved by Mr. Erik Fredericksen, seconded by Mr. Milton Pa, then unanimously

VOTED: to Accept the Proposal with the Planning Department's Recommendations.

Ms. Duesing: Thank you, Daren.

Ms. Bosco: Thank you.

Ms. Duensing: Okay, we have next on our agenda, Advisory Review, and this is Cultural Resources Hawaii regarding the Ulupalakua Water System and Robyn Loudermilk will be handling this and I guess this was deferred from the last meeting.

2. ADVISORY REVIEW

- a. **MS. TANYA L. LEE-GREIG of CULTURAL RESOURCES HAWAII, INC. requesting comments in the preparation of a proposed cultural resources assessment for the replacement of the Ulupalakua Water System for the area mauka of Kula Highway from Kula Sanatorium to Kanaio. The purpose of the study is to determine if there will be any impacts to traditional cultural practices by the replacement of the Ulupalakua Water System. This cultural study is being done in conjunction with an Environmental Assessment (EA). (R. Loudermilk) (Deferred from the Nov. meeting. Commissioners: Please bring your materials with you)**

Ms. Loudermilk: Yes, this was deferred from the last meeting and, basically, the County will be doing the replacement of the Ulupalakua Water System and they've asked this body for any input regarding general history, knowledge of cultural sites for traditional gathering practices, a cultural association with the project areas, referrals of other individuals or any other cultural concerns. As part of the application, a map was provided to you so, basically, that's what I'm here for. I don't have any recommendations or anything but in terms of general knowledge or other people that I can direct this agency to.

Ms. Duensing: Yeah, just to remind the Commissioners, we are only serving as an advisory commission on this issue. Do we have anybody here from Cultural Resources Hawaii?

Ms. Loudermilk: No, we don't.

Ms. Duensing: We don't.

Ms. Loudermilk: Oh, sorry. Yes?

Ms. Tanya Lee-Greig: Cultural Surveys.

Ms. Loudermilk: Cultural Surveys.

Ms. Duensing: Oh, I'm sorry. I'm sorry. Cultural resource is on my mind. Could you please come up?

Ms. Lee-Greig: I'm Tanya Lee-Greig with Cultural Surveys Hawaii doing the cultural impact assessment, the interviews in connection with this EA and if there's any comments.

Ms. Duensing: Where are you at this stage of the game in your project?

Ms. Lee-Greig: Background research and a few interviews with residents from Keokea. I've been lucky to get in contact with Perry Artatez and I've been working really closely with him in scheduling interviews on the Keokea and of the project area, and so far we've just covered that, and, currently, in the Ulupalakua area, trying to schedule interviews with paniolo and former residents and then on to Kanaio from there.

Ms. Duensing: Okay. Alright.

Mr. Fredericksen: Tanya, I've got -- I forgot or I can't seem to find the map. I think it was in last time, in the last packet and so I forgot it, but what's the approximate distance that this thing's covering?

Ms. Lee-Greig: It's approximately 10 miles. The Kula Sands to Kamaole Tank is a future consideration being done during this EA and, actually, the actual replacement will go from Kamaole Tank to Kanaio Village, the mauka tank.

Mr. Fredericksen: I was gonna suggest talking to Perry, I know him real well, he grew up in Pukalani, but he's got a parcel in the Hawaiian Home Lands subdivision there in Keokea, but he would be -- cause he's real active in that community, I'm sure you know this because you've been talking story with him already. And then you're looking, you said, at folks in Ulupalakua too? And then you said Kanaio? Who out there have you -- there must be something like a community association or something?

Ms. Lee-Greig: The community association I was -- I have some extended family connection to the Uwekoolani family out there so --

Mr. Fredericksen: Okay.

Ms. Lee-Greig: Working on it, hopefully, we can get together.

Ms. Duensing: I think for Keokea too it's important to, as you said with Ulupalakua you've got the paniolo story there, but with Keokea you can't overlook the Chinese impact on the community. I guess the first place to go would be to the Chings or the Fongs.

Mr. Fredericksen: Yeah, either of those families.

Ms. Duensing: And I think that would be absolutely essential for this project.

Ms. Lee-Greig: Okay.

Mr. Fredericksen: How big is the -- where's the waterline going to go?

Ms. Lee-Greig: The waterline is -- they're going to do improvement from Kamaole Tank to Kanaio. I don't know exactly the diameter, maximum of eight inches though, I believe, and there are three laterals coming down, they're going to extend the Ulupalakua lateral makai of the road to the new division.

Mr. Fredericksen: But most of it will be in the road though most of the line that they're putting is going to follow --

Ms. Lee-Greig: Follow the Jeep road connecting the water tanks.

Mr. Fredericksen: Okay. Okay. So it's going to be cross-country basically.

Ms. Lee-Greig: Right. Right.

Mr. Fredericksen: So not along the existing road ...(inaudible)...

Ms. Lee-Greig: No, no, more up by those old terrace, the Chinese terraces up there and the clearing mounds.

Mr. Fredericksen: Okay, you know, I'd say something about, you know, when people refer to Chinese terraces, they were originally a lot of those were Hawaiian that got expanded by, you know, like when the Chinese came in -- oh, thank you, Robyn -- when the Chinese came in, you know, to grow potatoes and stuff when the potato boom was going on. Yeah, we did a project coming down from Science City down to the Kula Substation, it used be Hawaiian Tel, I don't know what it is now, Verizon or whatever it's called, and there's a, as a good example, just mauka of the road past Ulupalakua side, past that substation, there's

terracing that was used by, it's on Haleakala, I don't if it's Haleakala Ranch or, oh, no, I thinks it's Kaonoulu Ranch land, but it's got terracing that was used in the post-contact period but there's also a Hawaiian component that's, you know, down deeper, but they've got -- the Chinese definitely expanded the Hawaiian terraces.

Ms. Duensing: Okay, are there any other comments or advice we can provide? Okay, thank you for coming in and good luck with your study.

Ms. Lee-Greig: Thank you.

Mr. Fredericksen: Good luck, yeah. Perry's got -- he's got lots of connections.

Ms. Lee-Greig: Yeah, he's a great guy.

Ms. Duensing: And I agree with Erik too, we can't overlook the native Hawaiian thing and I didn't mean to imply that when I said to make sure to include the Chinese.

Ms. Lee-Greig: Okay.

Ms. Duensing: Thank you.

Ms. Lee-Greig: Thank you.

Ms. Duensing: Okay, it's a Robyn Loudermilk show today. We have her also advising or updating us on the DPW and Environmental Management -- what do we call that now DPWEM? And this is regarding Paihi Bridge replacement project out near Hana.

Ms. Loudermilk: Can I request a five-minute recess? The applicant has a powerpoint presentation so we can set everything up and then we'll start. Thank you.

A recess was called at 9:26 a.m., and reconvened at 9:31 a.m.

- b. MR. GILBERT COLOMA-AGARAN, Director, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT requesting a Special Management Use Permit for the Paihi Bridge Replacement project, to replace an existing substandard single-lane concrete bridge structure with a new single-lane concrete bridge and temporary single lane steel panel bridge located about 6.5 miles south of Hana Town at TMK: 1-5-010:001 and 1-5-01:002, Hana, Island of Maui. (R. Loudermilk)**

Ms. Loudermilk: Good morning, Commissioners. Today we have the Department of Public Works and Environmental Management coming before you for comments on a Special Management Area Permit for the replacement of Paihi Bridge. This morning we have a powerpoint presentation done by their consultant, Wilson Okamoto. I have from Wilson Okamoto Mr. Earl Matsukawa, the project manager; we have Laura Mau, planner on the project, and from the Department of Public Works and Environmental Management, I have Joe Krueger. So, at this point in time, I'd like to turn the presentation over to them. Thank you.

Mr. Earl Matsukawa: Good morning, Chair Duensing, members of the Commission.

Ms. Duensing: Good morning.

Mr. Matsukawa: Thank you for having us here again. I think some of you might have seen this presentation. We were before you March 2002 when we prepared the Draft EA and we kind of went over what the project was, so some time has elapsed, about a year in fact, and part of this was the project wasn't designed but one of the problems in getting the SMA application moving was we couldn't get all signatures, the County had a hard time tracking down all the owners because it does affect some private parcels, and we finally got all the signatures so now we're filing the Special Management Area Permit application.

Okay, basically, this is in the Hana Highway Historic District, which Chair Duensing had a real key role in pushing this through and getting it listed on the National Register, so it's now on the National Register as well as the State Register of Historic Places; it runs from Huelo to Kipahulu. There's like 59 bridges and 8 culverts in this area that are over 50 years old and probably everyday they're more getting on because they've reached the age of 50 years and they're on the list. Of this, most of it is in State Highway, most of the bridges and culverts are in State Highway all the way from Huelo to just south of Hana. And then the Hana Highway between Hana and Kipahulu is under County jurisdiction and there are 14 bridges, County bridges between Hana and Kipahulu. Actually two of the -- there's actually 16 bridges but two of those are in Federal jurisdiction as part of the Haleakala National Park. Now there's still some jurisdictional issues. Some Feds think that actually they're County bridges but, for that matter, we wrote that County accepts jurisdiction for the 14 bridges. Okay then we prepared the Hana Maui Bridge within a Preservation Plan for the Maui Bridges in the Hana Highway Historic District; this covers the 14 bridges under County jurisdiction. We did this right after we came in with the Papahawahawa, the SMA Permit was denied, we prepared the Preservation Plan, we presented it to the CRC, we went out to the Hana community several times, and then we finally got it accepted by the State Historic Preservation Division, and this plan lays out recommendations for the 14 County bridges, so the next slide shows there are four bridges, basically, that are in relatively good shape that the County can maintain and continue use and then there's no measures proposed for these bridges, and these are the

four bridges shown in red. And then beyond that there are several bridges that have significant historic features that are being recommended either for rehabilitation or some sort of special mitigation measures to try and preserve the actual material and the character of the bridges themselves. In particular, the Kokoai Bridge, which is the one closest to Kipahulu, has an individually significant feature, it could be listed, I think it's listed individually as a site as opposed to the other bridges, which are regarded as not necessarily individually significant but contributing to the historical significance of the whole Hana Highway Historic District. So if we take those out, there are ten bridges -- six bridges that are proposed for replacement. The Kahalopo'o Bridge and the Papahawahawa Bridge have already come before the Commission and the Planning Commission and they were granted Special Management Area Permits and are about to go out to bid for actual replacement, and the Waiohonu Bridge recently received the SMA Permit, so those three are already approved. We are in for the Paihi Bridge at this time.

The Paihi Bridge was built in 1911, so it's 92 years old. It's 36 feet long, the span; it's 18 feet wide overall, that's from the outside railing to the outside railing, and there's a depth that's 13.8 feet wide, that's the part that the cars -- between the depth, the road surface, and there is an 18 inch guardrail, for the most part, 18 inch high; actually, it was initially constructed as 24 inches high but there's been a lot of layers of asphalt put on the bridge itself. Here's a view from the makai elevation and you can see that it's pretty much of a flat side and that's one of the features that we're trying to preserve in the replacement.

Okay, the bridge has a sufficiency rating on a scale of 100, this is a National Bridge Rating System, and it's rating No. 4 on a scale of 100, which is extremely low. It has some major structure deficiencies, and I'll show you some pictures of what some of the deficiencies -- it also had some substandard geometry and a lot of it has to do with the fact that it is a one-lane bridge serving a two-lane highway so, just by that, they take points off, and this is a National Bridge Rating System.

There is a potential for closure. The Federal Highway Administration, when the bridge gets this low on the scale, they're starting to recommend closure to use to the public but because it's so important for the traveling in the Hana District, it's the only bridge that has to be crossed that the County is trying to keep it open, and there is a potential exposure to liability. The County knows it's deficient. If something should happen, somebody should hit the rail, or go over the bridge, or any other reason that the bridge is implicated, then there are exposure to liability and this is a particular issue because when we went through the Preservation Plan, there are a lot of issues related to this. I mean why does the State want to bring this up to such high standard, which is like as close to the National standards as possible; that's this standard that's recommended for all bridges, and how is this related to liability because Vermont, for example, allows, that state allows a lot more leeway in terms of how you can address, they allow single-lane bridges and the state allows that sort of thing. Well there's a -- in Honolulu, in Hawaii, there's been a court case precedence,

the Taylor Rice case on Kauai where the State was found liable. There was a drunken driver. He had an accident on a highway, this did not involve a bridge by the way, but because the guardrails were of a -- not up to current standard and the State had repaved the highway right next to that guardrail, the court ruled that when you fix the guardrail, you start fixing the highway, you should fix everything and you should have brought guardrail up to standard; found the State 20 percent liable in a over a million dollar suit. There was a second suit that followed on the Big Island. The Castro suit. Again, a similar case. The State didn't fix the guardrail. A guy who had a few beers at a party went over, sued the State for 3.3 million dollars. The current status, the State is still appealing that case. There's been no decision. But because it is precedent, this went all the way to the Hawaii Supreme Court, the Taylor Rice one. The Supreme Court, the State feels that they need to protect, so there is State involvement in this, and I'll get to that in a second, because the State makes a decision on what they will allow Federal funding to be used for.

This is the existing structural condition of the bridge. It is highly deteriorated. You can see on the beams that the rebars are exposed. What happens is all the water, you can see the fluorescent meaning water, is getting into the concrete, it gets into the rebar, rust the rebar, the rebars expand and breaks the concrete, and the rebars are rusting out, so it's in very poor condition. The bridge is rated for 8 tons. Current standard is it should have a rating of 15 tons and, because of this the deterioration, it's been downgraded. Again, exposed rebar, quite a bit of exposed rebar and the concern here is because of this kind of exposure, because the rebars, especially at the bottom, are all in tension and really hold the weight of the bridge; if the rebars at the bottom go, it really starts losing the structural capability and there's a potential for catastrophic failure, that's a sudden failure.

Okay the proposed replacement would address the structure deficiencies, bring it up to a 15 ton rating again. It is based on the recommendations of the Preservation Plan I mentioned earlier. There is a single lane proposed. Now this is where we had some problems trying to get a design exception. One of the breakthroughs from the Preservation Plan was the State agreed to allow a single-lane exemption, design exemption, to allow single lane with a minimum of 16 feet wide between railings. For this particular bridge, because of the one-foot guardrail, the railings that will be attached, it will come back to the original width. The current outside width of the bridge is 18 feet, it will have narrower railings, and we're proposing a 32-inch solid concrete railing. Typically, when a bridge is -- has a lot of pedestrians on it, like this one because there's a really scenic waterfall behind it, the recommendation is to go to 42 inches, and that's the standard height you find for most railings like in hotel lanais like that for pedestrians, but for to try to preserve the character, the State is going to allow a design exemption for 32-inch concrete railings.

Another thing we're able to do is try to preserve some of the original materials. We want to leave the original abutments in place, and I'll show you how we'll be accomplishing this in a second. The approach guardrails, right now, part of it is like masonry rock, rockwall

guardrail approach. Some of it is that WB steel beam approaches and, basically, the guardrail approaches are -- they line up against the railing so that nobody will crash into the -- head-on into the railings so you put a guardrail there to deflect cars away from the end of the guardrail, so that's what the approach guardrails are for. There will be a blacktop, it's a layer of blacktop over the concrete; this is just because the current character of the bridge has been repaved so kind of keep that character of all the bridges along the highway, put a asphalt layer. There will be a temporary steel panel bridge. This is so that when the bridge is replaced, the traffic can flow through most of the time, and I'll go over the estimated schedule in a second. They will have the required signage for the use of a single-lane bridge and there are some extra signs and you've seen it all, you know, you have to yield and all those kind of signs have to go up and, by doing this, we're able to utilize Federal funding for the project. It's estimated to cost about 1.3 million. With Federal funding, the Federal Government will pick up 80 percent of that funding.

The reason I mentioned the State, again, this all ties back to this U. S. Code on Federal Aid Projects from the Highway Administration. Basically, it has to be designed, constructed, operated, and maintained in accordance with State laws and State design standards and that, normally for a bridge like this, would be 32 feet wide with aluminum railings and the whole modern bridge, but what we are able to do, they do have an exception, the design exception and if the State agrees to the design exception in light of all the liabilities and issues that I related to you about the Supreme Court rulings and the precedence set by that, then the Feds will agree and provide money if the State agrees to accept the design exception and, with that, they do accept some of the liability should something happen because they've approved the design exception and that relieves the County of some of that liability, at least that's what, in theory, has been explained to us.

This is the replacement bridge. This is a site plan. You can see some of the -- these are the approach guardrails, okay, the approach guardrails from the end of the railings there and then it will transition to the steel guardrails beyond that, which part of it is already existing. On the Kaupo side, that will tie into an existing rockwall you see in the far corner. In this drawing you can see that the hatch plates on the bottom that is part of the original abutment. We're not going to be using the original abutment, instead there are these drilled shafts that are going down, they're going to be drilled behind the existing abutment into solid rock, and that will support the bridge so that there'll be no weight put on top. These are the drilled shafts so that no weight will go on the existing abutments and so it, basically, spans over the existing abutments and retaining walls that are left can be left in place, and then you can see how this is the rockwall approach guardrail instead of using the steel guardrail. And this is a section through the bridge and, basically I showed you in an earlier photograph, this sort of replicates the image that you see on the makai side of the bridge, again, there is -- we did put a cap on here, the current bridge is just a solid flat top and it's two feet wide, but this is a feature that is found on some of the bridges in the Hana District so we put that taper on the top of that bridge and these are specially made.

Normally -- the normal way you would see is the typical I-beam that you see through here but, for this bridge, we've designed it so it is a boxed, basically, a solid concrete girder.

This is just to give an idea of what the artist rendition of what the change will be, this is the existing, and then this would be the proposed. This is from the Hana, looking from Hana to Kaupo. Next slide is the view from Kaupo looking toward Hana and then the replacement bridge. The guardrails do go a little bit higher. Also noting, there is a -- this was in a Preservation Plan, and we had some agreement on this from the community and SHPD, the date would go on the outside makai side of the bridge and, actually on the inside, Hana side of the bridge, the name would be placed in the concrete. Then there'll be a temporary bridge. This is the site plan. There's a big ravine, there's like a 100-foot drop-off here into another pond, there's a waterfall coming down here. The trouble is -- the difficulty is that, you know, the bridge is very narrow here but, as soon as you get out, it's a long span, so it's over 100 feet, so a temporary panel bridge will be installed, some abutments would have to be constructed here and here in the roadway in order to hold this bridge up. And, as you can see, this goes down like 40 feet drilled through solid rock in order to be able to carry the weight of the bridge. The bridge will be installed. From what I understand, this type of bridge is kind of put in place and pushed out, extended out until it reaches the other side, then it's set in place and fixed, and then it becomes usable.

This is just -- it's a single-lane bridge. It's actually 13-7 on a steel deck so it's a single-lane bridge during the time the construction is going on. This is just to kind of give you an idea of what it will look like once it's installed, and then from the Kaupo approach. It is a long bridge and it will be placed -- anchored here and after the bridge is removed, then the top part of the concrete, they can't remove all of the piers that go down 40 feet, but the top portion, all the visible portions will be removed and then restored, and actually the road, the finished road, does go through here so then it becomes part of the road, similar to the other side.

This is the preliminary road closure schedule. There's going to be some night closure, this is to construct the bridge abutments that I just pointed out to drill the shaft and build the abutments for the temporary bridge, and then when they install the temporary bridge they're going to have haul it, from what I understand, I guess from Kahului, and then there will be seven days of estimated closure, it could be less, but this is to erect the temporary bridge, it's total closure, nothing can get through. Then it'll be open and, for six months, there'll be intermittent closures, they're going to try to do it night, but there might be closures to bring in materials and things especially when they bring in the large girders, they'll be prefabricated girders, and they have to make the turns around all of the hairpin turns on the way to Hana. And then another seven days when they take apart the temporary bridge, then the traffic will be restored to the new bridge, and then some nighttime closure for two months to remove all of the abutments from the temporary bridge.

So the total construction time is estimated at nine months. Okay, that's about it for the presentation. Any questions?

Mr. Fredericksen: Earl, I've got a couple, just off the top of my head questions, and then other folks can have a little time to think about the questions they have. I've got a couple other ones too, but when you say road closures, like night closures, what time are you talking about? What kind of time ...(inaudible)...

Mr. Matsukawa: Okay, what they want to do is it's usually, they haven't established a time, it might be 8 --

Mr. Fredericksen: Is it like late?

Mr. Matsukawa: It could be late. They haven't really done that. I think, well, they'll have to do that once the contractor gets on board.

Ms. Laura Mau: I think, preliminarily ...(inaudible)... talking about like 10 to 4 ...(inaudible)...

Mr. Fredericksen: Yeah, it's gotta -- it should be later because I mean there's a lot of tourist that would be coming --

Mr. Matsukawa: Yes, there's a lot of traffic into the evening. It will be late.

Mr. Fredericksen: We've come back many times ...(inaudible)...

Mr. Matsukawa: And I think the County is willing to say, "Okay, if we keep it late and it runs a few days, you know, a little longer because the hours of operation are shorter, " then I think they'll be willing to because that's really, from when we went out to the community in Hana, that was probably the biggest concern that they'll be closed to traffic, and we did talk to the emergency services people, and they've talked about it, so they haven't really worked out the possibility of maybe even stationing one vehicle inside because almost always they'll be able to do pedestrian access and even if they have to get a person on a stretcher across the bridge if there's a vehicle waiting on the other side; they've been talking about options like that.

Ms. Duensing: Can you please speak into the microphone and state your name? Thank you.

Ms. Mau: I'm Laura Maui from Wilson Okamoto. There's also going to be a hotline set up for people to call in on a regular basis. I think the State did that during their closure when they were kind of shoring up the side, they had some kind of wall -- they were working on

the side of the mountain, yeah, stabilizing the side of the mountain, and the County is planning to do the same.

Ms. Sablas: Do we have any idea what time, at this point, what time of the year? I mean what month I should say.

Mr. Matsukawa: I don't think we have a time schedule but, you know, that -- I think that the County would want to do it during drier weather because when that waterfall comes down, I mean, that thing comes down and sometimes, I understand, it even hits the road, the bridge itself, so I'm pretty sure it would be prudent to do it during drier weather.

Ms. Sablas: It's like a nine-month, if I remember?

Mr. Matsukawa: Yes. It will span -- but I guess you can schedule major work, like when you're putting in the abutment for the temporary bridge and those, it's not as effective, but when you're actually building that replacement bridge, yeah, I think you'd want to schedule it for drier weather and ...(inaudible)...

Ms. Sablas: Which will probably be about April - May --

Mr. Matsukawa: Yeah.

Ms. Sablas: To run through the --

Mr. Matsukawa: Yeah.

Ms. Sablas: When it starts to rain. You know for alternate plans, for the back side of the road, is any plan to make it, I mean it's okay I think, but has any consideration been put in to excess use of the back side of the road so maybe we need to make sure that you know --

Mr. Matsukawa: The back --

Ms. Sablas: Well, you know, the alternate route.

Mr. Fredericksen: Kaupo.

Ms. Sablas: From Kaupo side.

Mr. Matsukawa: Yes.

Ms. Sablas: Cause if it's going to be closed for seven consecutive days --

Mr. Matsukawa: Yes.

Ms. Sablas: People would have to travel the back side road.

Mr. Matsukawa: Yes. Yes.

Ms. Sablas: So my question is is there going to be any plans to make sure that the back side road is up to par for the increased traffic?

Mr. Matsukawa: Okay, I think it's more for --

Ms. Duensing: I think Mr. Krueger could probably answer that question.

Mr. Joe Krueger: The back road is -- will be maintained regularly but you do know there's a five-mile stretch of gravel road. They put intermittent hole patches through there so that the steep side sections aren't as bad as it used to be, but they will have it graded regularly.

Ms. Sablas: Okay, that was my -- thank you.

Mr. Fredericksen: You pau, Lori? You pau? Did you get your answer?

Ms. Sablas: Yeah, I got my answer to that.

Mr. Fredericksen: I've got a comment and it's also a question, Earl. I think when you were talking or, you know, during the presentation, I saw something that said asphalt over bridge. We've had this discussion at various points on the Commission. The problem with a lot of these bridges, or one of the problems, I think, is there's been, I'm certainly not an engineer, but there's been layers and layers and layers of blacktop placed over, but not taken off, and I mean some of them it's like, I mean, it's thick, 8, 10, whatever inches.

Mr. Matsukawa: Well this bridge originally had a railing height of 24 inches and now it's 18 inches.

Mr. Fredericksen: Yeah. But wouldn't it be a better idea to just like maybe make the concrete, color the concrete so it was black so it wouldn't need -- I mean that blacktop thing wouldn't come back to haunt, you know, these bridges down the road, the ones that do need to get replaced?

Mr. Matsukawa: I think maybe I'll ask Joe because I'm not sure what their policies are for -- cause it's basically when they repave the road, they just put a new layer of asphalt over it and I don't know what the long term policy is with regard to how they do maintenance like that because that's going to make it thicker if you keep adding.

Mr. Krueger: Yes, what we normally do, when we resurface the road, we just go right ahead and go right over the bridge. But in cases like these bridges that have a low rating, a low tonnage rating, we go ahead and we coldplane it and we coldplane the approaches, remove the existing asphalt, they don't remove all of it, so when the new asphalt is put on, it's onto the grade, the elevation that it was previously before the resurfacing.

Ms. Duensing: And this is currently being done?

Mr. Krueger: Yeah. Yeah. In fact, when they have to go over these, sometimes they unload, they switch trucks cause the bridges won't hold the big 20-ton trucks, they put it in a smaller truck to cross the bridge.

Mr. Fredericksen: But, you know, from like a nuts and bolts point of view, do you think it would be better to just have, when the bridge is made, just have a -- the span of it just be colored concrete and then just -- so it doesn't -- don't even have to have that issue or does that not make the, on the other sides, too complicated to match into that when it is time to repave?

Mr. Krueger: If we do that, then what we'll have to do when we resurface is to come back and coldplane the approaches so, no matter what, we still have to coldplane so we might as well resurface over the grade and coldplane it and then come back when we resurface.

Mr. Fredericksen: Like I said, I'm certainly not an engineer, but it was just something I was thinking of.

Mr. Krueger: No, that's a good idea.

Mr. Fredericksen: Thanks, Joe.

Ms. Duensing: One of the questions I have is, and again Mr. Krueger might be able to help with this, is you mentioned how you're going to haul the temporary bridge out to Hana over the road, is there any consideration given to possibly being able to dump it by helicopter so that we don't have to haul all these heavy loads over all the bridges every time because that's not good for the road or the State bridges?

Mr. Krueger: We have looked at that particular solution and we can't find a helicopter big enough to carry some of these beams.

Mr. Fredericksen: Not even the stuff -- the ones that are running back and forth to Kahoolawe?

Mr. Krueger: Maybe that --

Mr. Fredericksen: The big one?

Mr. Krueger: Yeah. Yeah.

Mr. Fredericksen: They don't have regular use anymore so they might be interested.

Mr. Krueger: It's a very huge helicopter, I don't know where you can get them, but the one's you can rent now, you know, they have, where you have to put air conditioning units, those huge units on top of the building, that is too small to carry concrete beams. But we're still looking into that feasibility. So far we haven't found a helicopter around that's big enough. There isn't one on Maui, you know, and we don't know if there's any on Oahu that's available to be rented.

Ms. Duensing: I just wanted to kind of reemphasize that because every time we get into these conversations we talk about all the overloaded trucks that are going over our 70 bridges or whatever.

Mr. Krueger: We also considered barging it but then we have the --

Ms. Duensing: Then you have to fix the wharf. I know they want to do that demolition by neglect anyway so -- that's another issue. We better not get going on that anyway. Stay on the subject.

Mr. Kapu: I got a question. What about the possibility of prefabbing those concrete products there? I used to work for one prefab company. I used to make those.

Mr. Krueger: That's what we're seriously considering is to have the --

Mr. Fredericksen: Cast?

Ms. Duesing: Cast in place.

Mr. Krueger: Yeah, to construct the beams on site or near by, you know, where have open field, and then, you know, precast it on site near the area and then put it in place after it's cured; that is a big alternative that we may have to go, but we're still looking into that.

Ms. Sablas: I have a question for Earl. When you mentioned the date on the makai side, is that going to be the original 1911 date?

Mr. Matsukawa: No, I think that went around -- do we put the date or do we put maybe the original date in parenthesis, and we all went around and finally we came up to the fact that we should just put the date. I think that was the recommendation.

Ms. Duensing: Could I make a comment on that cause Erik is whispering in my ear, "Why not? Why not?"

Ms. Sablas: It's historical.

Mr. Fredericksen: Robyn?

Ms. Loudermilk: I would just like to make a comment. From the Waiohonu Bridge, the Hana Advisory Committee, as a condition for the Special Management Area, indicated that they put both dates on the bridge.

Ms. Duensing: This is very inappropriate as goes historic preservation and what I was going to say, and you know you can ask anybody in a graduate school preservation classes and you know the National Park Service or whoever you want to ask, is all we're trying to do then is, what's a good word to describe it? You know, kind of fake people out or make a fake -- I mean the project is fake enough as it is, you know.

Mr. Matsukawa: Yeah, I know what you're saying.

Ms. Duensing: The appropriate way to say when the original bridge was built is to do it by a brochure or display panel with a picture of the original structure as well as the history of when it was built and who did it, not on the bridge, it doesn't belong there because otherwise we're trying to add history to this bridge and there's nothing historic about it.

Ms. Loudermilk: I just wanted to bring that up because that is a condition of the Special Management Area and the Hana Advisory Committee felt very strongly about that because they wanted people to know: one, that this is a new bridge and so that date that we have on is for the new bridge, and then they wanted the old -- they wanted the date of the original bridge put on. They felt very strongly about that as a community. So I just wanted to bring that to this Commission's attention because that is a condition for the Special Management Area Permit for the Waiohonu Bridge.

Ms. Duensing: I think this Commission should take action then and write somebody a letter addressing that.

Mr. Pa: Would it be appropriate to make a notation, for example like originally built 1911?

Ms. Duensing: Well that's part of the interpretation of the old stuff, not the interpretation of the new stuff; that's my point. You have a distinguishing -- you distinguish what is history and what is not history, and the new bridge is not history.

Ms. Sablas: Cause it's a replacement and not a refurbished. Yeah.

Ms. Duensing: Right. Right.

Mr. Fredericksen: Yeah, but --

Ms. Duensing: And I mean these bridges, even though we're trying to mimic the old ones and we're making them theoretically one lane by how we're going to be, you know, paving them and putting up signs and putting the lines on them, it's something completely new, it's going to change the look of the road, and it is going to impact the historical integrity of the road because we lose original structures, and if that's what the Hana Advisory Commission is doing, this is one of the flaws in how handle SMA's then because it goes to Cultural Resources Commission first, and we say what we think on the design, and then here you go having somebody else, you know, putting other conditions into this design and we're trying to preserve what is a Historic District listed on the National Register, and it's bad enough to have intruding non-contributing items, but then to kind of falsify things by putting on -- and it's going to be confusing dates; you know the average tourist isn't going to know what they're for, maybe the Hana community will be but, you know, it's just adding confusion into a messy situation.

Ms. Sablas: Well if you have the old date, then a hundred years from now it's going to be like a two-hundred year old bridge compared to if you put the present date, which is a replacement date, that would be more historically correct. You know your point about a brochure, just a thought though, brochures come and go.

Ms. Duensing: A brochure or a, you know, a kind of, like a park service does, with a interpretive plaque next to the bridge would be more appropriate than marking it up with the date that has nothing to do with that bridge.

Mr. Fredericksen: Yes.

Ms. Sablas: Cause nothing is going to remain of the remaining -- existing bridge, which is what I got, right? Everything --

Mr. Matsukawa: ...(inaudible)... the part that's holding up the bridge you can't normally see down ...(inaudible)...

Ms. Duensing: Yeah. Yeah, and I know for Waiohonu we -- my recollection is that we asked them to reuse the original lava rocks to go over the stuff but, you know, it's still not going to be original. I have a real problem with including the original construction date and I'd like to, I mean, I guess that's not part of this issue and we shouldn't get too far off base right now, but we should address that as a Commission I think.

Mr. Fredericksen: We can do it under Item H. I just -- but I do have a comment, and I agree with a lot of what Dawn's saying, but I also look at things kind of from a nuts and bolts point of view, I mean there is no plan to have any sort of interpretive, anything that I've seen anywhere in the, you know, data -- not data recovery but the Preservation Plan, and I just -- I try to think of ways to, well, how can this be done? I mean it might be a good idea to have a plaque by each bridge, I mean each replaced bridge. Brochures, like Lori said, I mean, you know, brochures is like whatever, you know some people are going to get them and some people aren't, and they get lost, please forget, where is it, where did I, you know, who printed it, and it's pau, but I think it's important some way to ensure that, okay, this bridge is replaced whatever, in 2003, no matter what, there should be that date on the bridge when it's built, I think, period.

Ms. Sablas: Yes. Yeah, I agree with that, yeah.

Mr. Fredericksen: But, you know, how do we let folks know easily that this bridge replaced a bridge that was built whenever? And so that's the thing I'm thinking about and if it's doing a plaque there, I mean, yeah, that, in a lot of ways I think, it'd be better because somebody can look, oh yeah, this bridge was --

Ms. Duensing: And we talked about this before.

Mr. Fredericksen: But it's not -- but, again nuts and bolts, there's no -- it's one of these gray area issues where there's nothing in writing so it ain't going to happen, I'm sorry, it just won't and it's because it's one of those things where it just won't be caught, so I think that's something that we need to address, maybe a little bit later today, but I think it is something cause this is going to happen.

Ms. Duensing: Yeah, and I mean I think it is within the realm of the CRC to do something to preserve the history of this segment of highway especially because it is going to be so radically altered. The other reason why I don't like the two dates to make it more clear is anybody who knows anything about preservation, you know, you look at a, you know, pick a date out of my head, 1911/2003, you know, somebody like me would get out of the car and jump under the bridge and see, well what's 1911? You know, did they just restore it in 2003 or what did they do? You know, it's just not clear and I really strongly dislike that idea. I think it's completely inappropriate.

Ms. Loudermilk: Just to add onto the conversation what the intent of the Hana Advisory Committee was to find a way within their purview of what they felt could preserve the history because there is no direction, not only for the Hana bridges, but for any other historic property within Maui County. So that is what they came up with so, as Dawn indicated, if that's a high priority, since we have the Lahaina Sign Design Guidelines, fix and other things that it may be a new program to go forward looking at the areas within

Maui County that have been designated and what type of interpretive programs do we want to develop so we can provide guidance to the various community groups, consultants, interested individuals who want to do the right thing but don't necessarily have the guidance at this point in time.

Ms. Duensing: I completely agree with what the advisory commission is trying to do and that is one of our concerns is how do we distinguish what's old and what's new and do it in an appropriate way. But, you know, we've had the discussion before about, you know, possible plaques next to the thing, we've talked about getting, you know, signs up on the road, and everything else and, you know, it needs to be part of a work plan. But I think if we're going to do these bridges, it needs to be done right and we've spent so much time trying to do it right.

Ms. Loudermilk: You know this committee could relay those concerns in relation to this bridge and my understanding is that the Waiohonu Bridge is not going to be going out to bid for a while more and that we would have time to work with the Hana community and the Hana Advisory Commission to find a way to get that across, maybe we can take that out as a condition, or we can provide guidance in, you know, this is what you folks -- we understand this is what you want to do, these are the ways that we suggest that they can be done. I do not think they would be adverse to that cause, again, they want to do -- they want to preserve the history; at the meeting, that was the only mechanism that they could think of that would be able to accomplish this.

Ms. Duensing: And we completely understand that; we support that; we want to do it too. It's just that the way the SMA process is handled --

Mr. Fredericksen: Yeah, it's not perfect.

Ms. Duensing: You know it doesn't really get reviewed by the CRC in the end and --

Ms. Loudermilk: No, this is your chance now.

Ms. Duensing: Right.

Ms. Loudermilk: Up front.

Ms. Duensing: Right. So I think what we would like to do is, and again, you know, this isn't really what we're talking about with this bridge but it's going to happen in the future too, is we need to address the advisory commission in Hana and the Planning Commission that we feel that this is a highly inappropriate condition added to the SMA Permit process, we support the idea of what they're trying to do, but we'd like to see it done in a different way

to distinguish the old and the new and how to do it, and then we'll be on the right track with the rest of the bridges too.

Ms. Loudermilk: And it's not only bridges, it's everything else.

Ms. Duensing: Everything.

Ms. Loudermilk: Yeah, it's everything else. Yeah. Yeah.

Ms. Duensing: Yeah, I mean we went through a lot of trouble to get this on the Historic Register and then we've done nothing to interpret it and, you know --

Mr. Fredericksen: Now it's the puka.

Ms. Loudermilk: Yeah and you know --

Ms. Duensing: It's been on our work plan and nothing ever happened so we need to do this.

Ms. Loudermilk: Yeah, okay.

Ms. Duensing: Daren, do you have something you'd like to add? You're kinda --

Mr. Suzuki: No, I'm debating whether we should order lunch or not.

Ms. Sablas: Oh, okay, very important subject, huh?

Ms. Duensing: That's important too.

Ms. Loudermilk: And it looks like there is going to be lunch. So, you know, I just had wanted to add that, you know, as part of the discussion and that, you know, so we all understand that it wasn't anything malicious or, you know, they wanted to --

Ms. Duensing: We understand completely and this has been one of our concerns so my next question for either Corp. Counsel or Mr. Suzuki is should this be an item on our January agenda for proper discussion or should we -- can we discuss it under H, Hana Belt Road, and just come up with a letter for today?

Mr. Suzuki: Well we're specifically discussing now the Paihi Bridge.

Ms. Duensing: Right, that's why I'm saying --

Mr. Suzuki: It seems like you folks have specific comments to Paihi Bridge so the comments that you guys are giving now can be drafted in a form of a letter to both Hana Advisory and the Planning Commission, who has ultimate authority to approve this project so, like Robyn stated, now is your chance.

Ms. Duensing: Okay, but we can also specifically address what she's telling us that they want incorporated into the Waiohonu project because we don't want to see that happen because --

Ms. Loudermilk: Under the general category of the Hana Bridges which is on the agenda and --

Ms. Duensing: Since they put that as a special condition, I think it needs to be specifically addressed.

Mr. Suzuki: It didn't go to commission yet?

Ms. Loudermilk: No, it did. It passed the commission. Yeah, it's been approved by the Maui Planning Commission.

Ms. Duensing: And I see Mr. Krueger nodding his head as well.

Ms. Loudermilk: Yeah, and I think the intent is the agenda item, Hana Bridges, allows us to discuss anything in relation to the Hana -- anything related to the Hana roadway and that may be the appropriate time because it's not only specific to Waiohonu and the comments would not only be specific to this particular bridge, it's a larger -- it's the larger -- for the area. What you think, Dudley?

Mr. Akama: By the way, it says Hana Belt Road.

Ms. Loudermilk: Hana Belt Road. Same thing.

Mr. Akama: So you're correct. We can address the general comments regarding signage on bridges at that time which would then render an advisory opinion as far as this Commission is concerned for --

Ms. Loudermilk: Regarding the larger picture.

Mr. Akama: Not only Waiohonu, but the future bridges that may be renovated so ...(inaudible)...

Ms. Loudermilk: Okay, so can we get back to Paihi Bridge?

Ms. Duensing: Let's put this back on hold and as long as we're talking about dates on Paihi Bridge, I'll get right back to it. One of the things that bothers me about the design of Paihi, well, a lot of things do cause I want to see the bridge preserved, but Paihi is the one that has the nice big chunky walls, almost two feet thick, on one side it says 19 and on the other side it says 11, right, isn't that how the date's on there now so that when you're driving, you see the date as you come along? Isn't that Paihi Bridge? Yeah, but I think a couple years ago -- can I just, thank you.

Mr. Fredericksen: One of the other bridges ...(inaudible)...

Ms. Duensing: Yeah, I think it was originally on the left side of this picture too before that wall goes up. Is that what you remember, Mr. Krueger? It was just on the one side? I think it was on both sides originally. Yeah, okay, so a couple of things I have, and I don't know what we can do design wise, but one of the things that came up in our previous conversations on the reconstruction of Paihi like design was that we've got all these rock walls and guardrails and, you know, it just goes on for hundreds of feet and we asked that that be minimized. I know because you're constrained by AASHTO and the State, you know, it's going to be hard to do, but is there any way that the project date could go on the end of the walls? It used to. I don't think it try to replicate this 1911 so that you see it when you come in like it used to be instead of --

Mr. Matsukawa: Yeah, I guess, yeah, going back to why it's covered is because the guardrail is now under AASHTO standards, you want a smooth transition through the bridge so that the bridge, the railing of the bridge is not exposed that a car could slam right into it head on, that's why there's a guardrail that abuts the bridge and so, in fact, even the smoothness of the guardrail to deflect the cars away from crashing into the end of the bridge and that's why the end of the bridge, in all cases, gets covered. If you look at even simple bridges, they'll have like things going around the bridge or abutting right up against it. In this case, because we used the rockwall guardrail approach, it does abut and cover it. Now, in some cases, if you look, they have the W-beam but it would till cover it because it would need to make a smooth transition between the guardrail and the end of the railing so the end is not exposed to a head on collision and that's why we got into this situation that it's covered.

Ms. Duensing: Yeah, and I understand that and I guess the question for Mr. Krueger is the DOT doing anything to make more design exceptions for rural roads in Hawaii? They kept telling us they are but they haven't done anything.

Mr. Krueger: I haven't heard anything from them. In fact, each one of these is a battle just to get the design exception.

Ms. Duensing: I mean --

Mr. Krueger: I mean you would think we did one, and already approved, they would approve them all, but they don't.

Ms. Duensing: No, but it's gotta be done on a case-by-case basis.

Mr. Krueger: Every one is individual. We have to fight for every one of these.

Ms. Duensing: For that 16-foot bridge right? Yeah.

Mr. Matsukawa: ...(inaudible)... you are referring to there is a -- from the Federal Government that Scenic Byways Program that the State, like three or four years ago, because under that program, they could look at, like in one of the first ones was going to be the Hana Highway District, the State could look at it and come up with their own standards so we don't have to go for design exceptions every time.

Ms. Duensing: But you don't need a scenic byway to get State exceptions, as I understand it, it's under ISTEA. ...(inaudible)...

Mr. Matsukawa: Yeah. Oh yeah, you don't need it, you don't need -- we're getting it one by one but what the scenic byways does is allows the State -- gives the State money to go for a full-on comprehensive so like for all of the district, you know, do certain things for all of the bridges, but they've never pursued it from what I understand.

Ms. Duensing: That'll never happen. Okay, so are there any other questions?

Mr. Fredericksen: I just -- I think, you know, this issue, this date issue has kind of resurfaced this need, you know, reemphasize the need to try to get something so what bridges do have to go can have some level of interpretation, it doesn't have to be a lot, but I think it is important and if it's in place, then it'll be this is how it is for each one.

Ms. Duensing: Yeah, I'd be thrilled to write three paragraphs ...(inaudible)...

Mr. Fredericksen: Yeah, and I was just going to say that's something the Planning Department, in the near future, I'm sure can handle that.

Ms. Loudermilk: Cause we can start with that now in terms of the comments to the Hana Advisory Committee in relation to this bridge and to -- and that'll be a good point, a starting point, and then we can get into another discussion later on in the agenda item in terms of mechanisms of how we can do that cause if they have that, they will respect it.

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

Ms. Loudermilk: Yeah, you know, they will respect it and we can explain to them the larger preservation type issue, though they were trying to do the right thing, that this would be more preferable.

Ms. Duensing: Cause I think, you know, this is our chance to provide the advice on this project, we can't control it otherwise we wouldn't let them tear down bridge, and this should be one of our recommendations since this other issue was brought to our attention.

Mr. Fredericksen: Excuse me, Dawn, so in terms of, just again nuts and bolts, there's one bridge that has, at this point, is dual-dated.

Ms. Loudermilk: That is my understanding. I can double-check on the previous two bridges to see if that condition was also put on -- okay it was not, okay, so only on this particular bridge then so --

Mr. Fredericksen: The other bridges will have just the built date and then they --.

Mr. Matsukawa: We'll have the date on the makai outside ...(inaudible)...

Ms. Loudermilk: If that, I mean that could be a recommendation, one of many recommendations in terms of how this Commission wants to handle date and name.

Mr. Fredericksen: And the thing too with this is that it be, I don't know how much it would cost, it wouldn't be free of course to get a plaque made, but that, you know, Federal funding could be applied to that as well cause that's part of the bridge placement, if you will --

Ms. Duensing: Or we could use future CRC funding for that too. I don't know, you know, the Feds are also -- are already giving us 80 percent of the bridge and I don't know that falls within the scope too although I know historically --

Mr. Fredericksen: It should.

Ms. Duensing: They've forced local governments to appropriate one percent for beautification so it's probably not impossible to get it done.

Ms. Loudermilk: Is this just general comments or are you giving me specific things that I should write in the letter at this point in time?

Mr. Fredericksen: It's always general.

Ms. Duensing: I think as a Commission we can come up with some concerns and maybe we should have a discussion cause I certainly have some concerns about the project that was brought up previously and I think we need to reemphasize.

Mr. Pa: May I ask you know the railings where the name and dates are printed on, are they solid?

Ms. Duensing: Yeah, it's going to be a solid concrete bridge wall.

Mr. Pa: Solid wall?

Ms. Duensing: Yeah.

Mr. Pa: And the color is natural concrete?

Ms. Duensing: Are they gonna -- they're just going to plain concrete this time, right?

Mr. Matsukawa: We might do that ...(inaudible)...

Ms. Duensing: Yeah.

Ms. Loudermilk: So there'll be no coloration, that's just the color of concrete.

Ms. Duensing: Historically, they probably just had concrete walls but they were painted white at some point probably for delineation when you're driving at night, yeah, and there's better ways to do that with reflectors and less obtrusive things, I think. One question I have and, you know, because this bridge is so different because it's got those thick walls, the only other one that does is on the State side by where the ditch works are, I can't remember which one it is, anyway, I know that you're taking a foot off of those walls to make the bridge the same width but expand the roadway width to 16 feet, and I think I asked the last time and you said it couldn't be done but just in case I didn't I'm going to ask again, is there any way to try to make those bridge walls wider even if it -- just to, you know, not two feet, but maybe to distinguish them from the other bridges because Paihi was something unique in the past? Maybe not put them down to one foot but one-half?

Mr. Matsukawa: I don't remember the rationale for my answer.

Ms. Duensing: Somehow I think it was that it was going to screw up the alignment of the road. Is that what it was?

Mr. Krueger: I don't have a problem making it a little wider but I wouldn't want to see it two feet wider --

Ms. Duensing: Not two feet wide but what about --

Mr. Krueger: That would encourage people to walk on it.

Mr. Fredericksen: Oh, that's what the conversation was.

Ms. Duensing: Except that you're going to have it peaked.

Mr. Krueger: Yeah, it's already peaked now, I mean the existing one has a peak on it but it's not that much, but if it's two feet wide and easy to walk on --

Mr. Fredericksen: How do you know, Joe?

Ms. Duensing: Even I didn't try that.

Mr. Krueger: Now we have it one foot wide but I wouldn't mind making it a little wider than one foot.

Ms. Duensing: A foot-and-a-half or --

Mr. Fredericksen: It's pretty wide.

Mr. Krueger: Yeah I got ...(inaudible)...

Ms. Duensing: Okay, well maybe this can be part of our advisory -- yeah.

Mr. Krueger: Yeah, you can, yeah.

Ms. Duensing: Okay.

Mr. Krueger: But I wouldn't want it two feet more.

Ms. Duensing: Alright, yeah, and I think you did say earlier that would hurt the alignment somehow, yeah. Yeah. Even I don't remember but I think that's what it was. Okay, so do we have any other questions or can we make a list of advisory recommendations that we would send to the Planning Commission, right?

Mr. Whelchel: I was going to ask about this top of this guardrail. The original was two feet wide, it's flat, and I want to know why they went two feet, he just explained it, keep people from walking on it, how many people have fallen off of the original one?

Mr. Krueger: ...(inaudible)... I don't want to take the chance of having one falling off.

Mr. Fredericksen: It goes back to liability, Lon.

Mr. Krueger: But also the Hana Advisory Committee brought that up and they wanted a slope on it to keep the water off of it.

Ms. Duensing: It makes sense. It's good engineering, right? Yeah. So I think the first thing that the CRC would again iterate and this is the same ole' thing I always say is I really don't want to see this bridge torn down.

Ms. Loudermilk: Okay, replacement versus preservation discussion.

Ms. Duensing: You know that whole nine yards already. When I reviewed this a couple days ago, when I received my packet, I'm still really bothered by the hundreds of feet of rockwall and guardrail. To me it's just going to look like a concrete tunnel with guardrails at the end of it and I -- this is why we need those State standards so that we wouldn't have to do so much of that.

Ms. Loudermilk: We can talk maybe a little bit more about that under the Hana agenda item because I did do some research.

Ms. Duensing: Well, I still think that we need to say we'd like to see that minimized.

Ms. Loudermilk: Okay. Sure. Okay. Sure. But in terms of the --

Ms. Duensing: Because design wise, you know, it's just not -- it's not historic. You know one thing I'd like to say very bluntly is that rubrail, which they're proposing to use, is not appropriate for a 20 mile per hour road, you know, that's freeway style stuff.

Ms. Loudermilk: So we want to minimize the length of the guardrail, the --

Ms. Duensing: I mean I realize that --

Mr. Matsukawa: ...(inaudible)... we went with the rubrails because of the recommendation that it's not ...(inaudible)...

Ms. Duensing: Yeah.

Mr. Matsukawa: That's why we went with rubrails ...(inaudible)...

Ms. Duensing: I know that but I still think it's inappropriate for a 20 mile an hour road. Thank you, Earl. And I'm sure that, you know, we're not going to get our wishes on that either but I need to say it.

Ms. Loudermilk: Rubber --

Ms. Duensing: Rubrail and that's the double stretch --

Ms. Loudermilk: So that is inappropriate --

Ms. Duensing: For a historic road as well as a low speed road.

Mr. Fredericksen: I've got, excuse me, Dawn, I've got a quick interjection on that. Are these going to be shiny?

Ms. Duensing: Probably.

Mr. Fredericksen: It just shines --

Ms. Duensing: You can get them treated so that they're not so shiny right off the bat can't you?

Mr. Krueger: You can request a different color.

Ms. Duensing: We don't want a color, we'd just like them dull.

Mr. Krueger: Dull?

Ms. Duensing: Yeah, and the reason why we say that is I'm sure Erik's thinking about that part in Keanae where they did the thing and you can see it all the way across Honomanu Gulch. They were really good cause they didn't put in, you know, tri-beam or two sections like a rubrail, but it's so bright you can see it all the way across cause what they did was is they got a W-beam back-to-back and it had to be special fabricated on the Mainland, they said they did that at our request or my request, but it's going to take a long time for that to dull down.

Ms. Loudermilk: So we include let's try to --

Ms. Duensing: If we could use dull finish --

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

Ms. Duensing: No, no, no, they'll paint it camouflage. Don't say that -- we'd say a dull finish --

Ms. Loudermilk: A dull finish to the rubrail.

Ms. Duensing: Of metal guardrails. I know it's possible but I'm sure that's going to up the cost too. Do you know what it's called, Joe?

Mr. Krueger: No.

Mr. Fredericksen: Distressed.

Ms. Duensing: Yeah, kinda.

Ms. Loudermilk: No, then it becomes historic.

Ms. Duensing: How about beaten up.

Mr. Pa: To me a dull finish would be more natural, you know, to the environment I mean -- you know, and then as time goes by it'll get duller and duller and then ...(inaudible)...

Ms. Duensing: But it's taking a long time for some of that bright new stuff to tone down.

Ms. Loudermilk: Sandpaper.

Ms. Duensing: Yeah, we'll just go out and bang it up.

Mr. Matsukawa: We'll see what's available.

Ms. Duensing: Yes.

Ms. Loudermilk: Yeah, sure.

Ms. Sablas: Leave it out in the elements before you install it.

Ms. Duensing: Just reuse old stuff. One thing I would like to point out is we're happy that the existing abutments will remain and that the new abutments will go in behind those, and it's good that they're using asphalt pavement rather than bright white concrete, which would be inappropriate along our historic road.

Ms. Loudermilk: Can you repeat that last one again? Happy to use --

Ms. Duensing: It's appropriate that they are using asphalt --

Ms. Loudermilk: Okay.

Ms. Duensing: Colored pavement rather than white concrete on the bridge so that it matches the roadway. Also the concern was expressed about -- I think we should make some kind of a recommendation in favor of preserving the other bridges that the County needs to work to minimize hauling such heavy loads over the Hana Highway throughout all these construction projects.

Mr. Fredericksen: The replacement or the temporary bridge part and stuff.

Ms. Sablas: All construction projects.

Ms. Duensing: All construction projects and this is really an important point and I think the County is well aware of that but, and they're working on it and we'd like to encourage that, and we should state that it is in order to protect the other bridges that are historic and have a very low load rating, you know, every time a heavy truck goes over it, that hurts. Another good thing in the design to reemphasize is the 32-inch high walls. I know that was one of our concerns previously and although it's higher than the original walls, it's still good so that people can see over it when they're driving, you know, get out and take a look over the bridge and enjoy the scenery which is inherent part of the Hana Belt Road. One other thing I wondered about, and this gets back to the picture of the existing bridge, is I guess what I'm trying to say is I think that the 1911 is on both sides of the original bridge, when you guys do the demolition is it going to be possible to remove this rockwall from the bridge wall to see what's back there or not to get a good picture of that before the bridge goes? I would like to make that a recommendation because, you know, the bridge needs to be documented to HAER standards and I know that was in your --

Mr. Matsukawa: It's already been done ...(inaudible)...

Ms. Duensing: Yeah, but I think that's a really defining character of what the -- that's the way I remember the thing is the 1911 on both sides, I may be wrong, you know, maybe I'm thinking of another bridge, but I'd sure like to find out and if it's back there, get a good picture of the original bridge without the rockwall.

Ms. Loudermilk: So what do you exactly want them to do? Without a picture of the -- okay.

Ms. Duensing: It would be the Hana, the south approach to the existing bridge without the rockwall prior to demolition, if possible.

Ms. Loudermilk: Hana south approach.

Ms. Duensing: And then do you have something in there on trying to widen the walls if possible? We understand that it can't be two feet, but as wide as possible to replicate the unique feel of the old -- the historic bridge.

Ms. Loudermilk: Look at widening the walls larger than one foot -- the railing --

Ms. Whelchel: Would you be widening them on the outside or inside ...(inaudible)...

Ms. Duensing: It would be on the outside because they still want that --

Ms. Loudermilk: Okay so widening the railings on the outside so that it is greater than one foot but less than two feet.

Ms. Duensing: Just greater than one foot.

Ms. Loudermilk: Okay.

Ms. Duensing: Try to, I don't want to say imitate or replicate, but imitate maybe the historic --

Mr. Fredericksen: Visually would mimic --

Ms. Duensing: Cause it's gonna -- what's gonna be the end result is it's going to be wider than the other bridges, the replacement bridges, I'm saying.

Ms. Loudermilk: Greater than one feet.

Ms. Duensing: Yeah, just in an effort to -- because that bridge is unique ...(inaudible)...

Ms. Loudermilk: Yeah. Yeah.

Ms. Duensing: And I need to review that letter before it goes out.

Ms. Loudermilk: Sure.

Ms. Duensing: Anything else?

Ms. Loudermilk: You want me to put anything on dates? We have the opportunity in this particular letter for this particular bridge.

Ms. Duensing: Yeah, that the new construction date as well as the name be on the bridge parapets, the bridge walls, and not the 1911 date, that should be addressed. We agree that we should preserve history but the -- preserving the history of the old bridge should be addressed in a different way separate from the new bridge.

Ms. Loudermilk: Anything else?

Ms. Duensing: Anything else? And I guess Mr. Krueger can know that we appreciate how you fight with State DOT to do the right thing on these new bridges, even though we don't want them, but we know you guys are trying and it's a lot of effort on your part and we appreciate that.

Mr. Matsukawa: ...(inaudible)... we did get the word to proceed on Koukouai so we'll be back. What I wanted to do was do Koukouai and Kapia come back to the Commission early on so we get early input because, especially for Koukouai because its individual significance and the Historic Preservation Plan does talk about several options and we're gonna -- seeking guidance on which option and approaches might be appropriate, so I will be coming back soon on just to kind of give you a heads up on that.

Ms. Duensing: Yeah, thank you.

Mr. Fredericksen: Excuse me, Earl, real quick on that. Just keep in mind about this, you know, the plaque issue and the ones that are going to be preserved too it would be good to be able to get those plaques, interpretive plaques for those too if possible.

Mr. Matsukawa: Okay.

Mr. Fredericksen: Just keep it in the back of your mind.

Mr. Matsukawa: Sure, thank you.

Ms. Sablas: Should we add Erik's comment about the plaques to our list? Or should it be later?

Ms. Duensing: I think when we do that, if I can review the letter, we'll say that, you know, the historic interpretation of these bridges, whether it be by plaques or whatever, needs to be addressed separately. Would that be okay?

Ms. Sablas: Yeah, as long as it's not put on the side, yeah.

Mr. Fredericksen: Yeah, it's gotta get mandated too.

Ms. Duensing: Yeah, that's an important point and, Robyn, will you let me know when that letter is ready? And thank you, Earl and Laura, too. Okay, next item on our agenda is again the DPWEM regarding Kahekili Highway and improvements and a culvert replacement project near Kahakuloa, and Robyn is going to update us on that.

Mr. Suzuki: Madam Chair?

Ms. Duensing: Yes?

Mr. Suzuki: If I could interrupt, can we get everyone's lunch menu so -- we gotta make the order now.

Ms. Duensing: Okay. Can we just have a five-minute recess?

A recess was called at 10:35 a.m., and reconvened at 10:46 a.m.

- b. MR. LLOYD P.C.W. LEE, Engineering Division Chief, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT requesting comments on the Kahekili Highway Improvements and culvert replacement project (Mile Post 9.4), Kahakuloa, Island of Maui. (R. Loudermilk)**

Ms. Loudermilk: Commissioners, this is a request from the State Historic Preservation Division for comments and review on the Kahekili Highway improvements and culvert replacements. There are two locations: at Mile Post 9.4, and Mile Post 11.7. Basically, the project is the demolition of the existing concrete rubble masonry outlet in that structures and existing drainlines and the new culvert, road paving, guardrails, and new CRM inlet/outlet structures at Mile Post 9.4, and at Mile Post 11.7, the partial demolition of an existing CRM wall and new road paving and widening with headwalls and wingwalls. The Kahekili Highway is more than 50 years old and has been designated SIHP 50-50-02-5427. However, because SHPD believes that the road and CRM appear to have historic and architectural significance, we would like to see alternatives explored and would also like to see the Maui County Cultural Resources Commission to review the project.

As part of your packet, we had the different design drawings as well as black and white photos. By Commissioner Sablas are some color photos of the two areas for you to take a look at, and here from the Department of Public Works we have Shayne Agawa.

Mr. Agawa: Good morning, Commission members. I'm Shayne Agawa and I work for the Department of Public Works as a design engineer and I'm here to answer any design or technical questions that you may have on the project. If we can start with Mile Post 9.4, just a background. As Robyn said, this project is road improvement plus a culvert replacement, and on a site visit with the Highways Division we found out that there's an 18-inch aluminum pipe culvert that's running across Kahekili Highway that has collapsed and in one of your photos, I'm not sure, I think it's 4445 J-Peg No.

Ms. Duensing: This one?

Mr. Agawa: I'm sorry, no, it's the other --

Ms. Loudermilk: It would be a black and white that was part of the packet.

Mr. Agawa: Yeah, it should be connected with your design plans. There's an indentation in the pavement which shows that the culvert has collapsed. A portion of the CRM wall, on the Wailuku side, has also collapsed and the plan is to replace the whole CRM wall cause we found that the remainder of the wall is structurally unstable and, as you can see, a whole portion of that wall has crumbled into the gulch. Also on the drainage outlet side, the pipe has been undermined by runoff, so that whole 18-inch culvert would be taken out, the CRM walls demolished, and the culvert will be replaced with a concrete box culvert, not aluminum pipe, which tends to corrode so we won't have this corrosion collapse again. We also are planning on widening the road, this is under request by the Highways Division. And part of the reason why the walls collapsed, these older walls, is in the design they haven't designed in weepholes, which are drainage holes as part of the wall design which allows water to flow from behind the wall, and the weight of the water tends to crumble the wall over, topple the wall over, so this new design has incorporated the weepholes and also the pavement widening protects the rainwater from seeping into the ground and causing extra weight on the back of the wall, so what we're proposing to do is to just widen the pavement out to the back of the wall and also to the opposite side, mauka.

Ms. Duensing: How much wider are you gonna do the road?

Mr. Agawa: Approximately 20 feet wider, it's about a 40-foot span, and roughly half of it is paved right now. The condition of the pavement requires repaving or resurfacing and the remainder is just exposed soil on the mauka side, so on Sheet 5 of 14, you can see the different hatching patterns and that'll give you the extent of the new roadway as opposed to the resurfacing portion.

Ms. Duensing: And is it all going to be paved then?

Mr. Agawa: Correct.

Mr. Fredericksen: Shayne, why, I'm just curious, why the widening of the road in that area? Do people stop and park there or --

Mr. Agawa: Yes, that's one of the concerns. The other is if you take a look at the site, the road is sloped toward the mauka portion which forces the water to go into the inlet, which is on the upstream side of the culvert, concentrating the water has tended to erode under the slope, the rock slope, so the pavement will prevent further erosion of that dirt area draining into the inlet side of the culvert.

Ms. Duensing: I want to ask a question, I hope it's not too stupid but I want to make sure I understand this, is the slope actually going to be cut to widen the road or is it already --

Mr. Agawa: It's an existing slope. The water is currently flowing to the upstream side.

Ms. Duensing: It's a slope that water collects in?

Mr. Agawa: Right, and it's eroding -- the rock face coming down is solid rock but the bottom is soil so when the water runs off of the pavement it tends to erode that soil going to the inlet and it's sloped that way so it forces it into the inlet side.

Ms. Duensing: Okay, that's what I understood. I just wanted to make sure. Thank you. Any other questions?

Mr. Agawa: Any other questions?

Ms. Duensing: I don't want to interrupt your train of thought.

Mr. Agawa: No. No. That's pretty much the background of this project.

Ms. Duensing: The CRM walls are going to be real CRM walls or --

Mr. Agawa: Meaning solid CRM or just the facia?

Ms. Duensing: Right.

Mr. Agawa: It'll be complete CRM walls.

Ms. Duensing: Yeah, so, okay.

Mr. Fredericksen: Are there any plans to do -- to widen the road itself in other areas?

Mr. Agawa: Future plans? Yes, there are.

Mr. Fredericksen: How, like just qualitatively, how wide?

Mr. Agawa: In certain areas, especially on the Lahaina side of Kahakuloa Village, there's narrow roads, they're pretty much just a ten-foot single-lane road and, hopefully, we're trying to get them up to maybe four or five feet wider; it's just depending on economics how much our budget allows us to do.

Ms. Duensing: Is the County paying for this project on its own funds?

Mr. Agawa: Yes.

Ms. Duensing: I got a call from SHPD and that's why I asked this to come to us because I hadn't seen any of the plans and I appreciate the County coming -- you guys didn't even go to SHPD cause you just gone in and torn it down because you're using your own money and nobody's requiring you to do this, so I'd like to commend the County for doing the right thing because this is a historic road, it's really a neat little place to go motorcycling and whatever. I did get chance to review the plans though after I requested these and actually I think most of the design work is pretty good on this project. I hadn't, you know, when the architect called me from SHPD I had no photos so it was hard to see the extent of the damage to the road and what Shayne has told us makes a lot of sense that, you know, this has collapsed and something needs to be done about it. Personally, I think that the design really isn't too bad because what you've designed here really mimics the box culverts that are on Haleakala Highway already up at the National Park Service so it's got a very historic feel to it already and it helps preserve the sense of place by using the rocks instead of solid concrete, so I think you've done a pretty good job.

Mr. Agawa: There's also a dual advantage: one is the point you just made; the other is it allows lower maintenance in the future using a box culvert cause we've noticed debris backing up and that's part of the reason why it collapsed cause the CAP, the aluminum pipes, tend to corrode and constrict whereas the box culverts wouldn't.

Ms. Duensing: Yeah, and the box culverts are actually quite small. It's not really that big.

Mr. Agawa: Yes, it's a -- it should be a three-by-two, I think it's called out as two-by-three so it's two feet high so it's similar in height to the original pipe but it's a little wider.

Ms. Duensing: The pavement over this box culvert is going to be asphalt or concrete?

Mr. Agawa: Asphalt.

Ms. Duensing: Asphalt. Cause actually I think work has to be done, you know, I don't really want to see 40 feet of asphalt myself on that narrow road, I understand why it needs to be done, but I think the design of the box culverts are very well done, I think that you've done a good job on that, and I understand why Susan wanted us to review it, you know, we want to preserve the original structures if we can, but, you know, if it's come to the point where we can't and it needs repair and replacement, I think he's done a good job; that's my personal view, and Robyn's probably laughing cause she knows I rarely tell people they did a good job.

Mr. Agawa: I thought it was because I was a rookie or something.

Ms. Duensing: No, but I wrote the history of Haleakala Highway, a few years ago, for the National Park Service and this is, basically, what you've done up there and you've done a better job than the engineers up there because most of the box culverts up there were placed in the wrong place. They had to run heights to take the water down. This is true, I'm not making this up. So he's done a good job. Anybody else have any comments?

Mr. Pa: No, but, you know, as I was reading the plans, it kind of dawned on me, are any highways in the County of Maui grooved? You know like on Oahu, going to Wahiawa, they have those grooves in the highway and --

Mr. Agawa: Is it the speed -- the delineator?

Mr. Pa: Right, yeah, they're grooved. I guess to prevent --

Mr. Whelchel: Hydroplaning.

Mr. Pa: Hydroplaning, yeah. Do we have any highways in the County of Maui that are?

Mr. Whelchel: It won't be hydroplaning on this curb.

Ms. Duensing: Are you guys going to super elevate it or just --

Mr. Agawa: We're just going to hold the existing slope. It's already super elevated but it's toward the mauka side and it's mainly for drainage purpose cause what's happening is when the rainwater hits that small patch of dirt behind the wall, it erodes it, and it allows water to go behind the wall, and now we're going to pave it over; that's the intent is to stop the water from eroding behind the wall.

Ms. Sablas: I can't tell from the pictures but is there a steep drop-off from the road here?

Mr. Agawa: On the makai side? Ocean side?

Ms. Sablas: Yeah.

Mr. Agawa: Yes, it's about maybe a ten-foot drop, it's almost vertical, it's greater than a one-to-one slope definitely.

Ms. Sablas: Yeah.

Mr. Agawa: And where the wall collapsed, it's almost vertical, it's still holding the shape of the wall, but it's starting to erode further down, and I'm not sure if you have a good picture of it, but it's starting to creep up to the pavement, yeah.

Ms. Duensing: Yeah, something definitely needs to be done. So I guess we need to write a letter and it needs to go SHPD and thank SHPD for bringing this to our attention. I think we agree with Susan that while we would like to see the original structures preserved, you know, the pictures presented to us show that something obviously needs to be done, and I think that Mr. Agawa has done a good job of designing something that is historically appropriate for this road, and I would even point out that the use of the concrete box culverts with lava rock is used on Haleakala Highway, which is another historic road on our island, and I think we should support this.

Mr. Agawa: Thank you. Any other questions on Mile Post 9.4? Okay, there's another project on Mile Post 11.7 on Kahekili. It's very similar to the one we just discussed; the only difference is this is not a culvert replacement, it's just a wall replacement, a portion of the wall has collapsed and the remainder part of that portion that's collapsed is structurally unstable so our intent is to take away or demolish seven feet of that in length and rebuild the same type of CRM wall. This is Job No. 03-28. And if you look on Sheet 3 of 10, you can see the portion that we're planning to demolish, it's not that much --

Ms. Sablas: We don't have it.

Mr. Fredericksen: We only have -- the one we have, Shayne, goes up to 14.

Mr. Agawa: Oh, I'm sorry. I don't know if I should pass this one out.

Ms. Duensing: So you're talking about a retaining wall or a guard wall type of thing?

Mr. Fredericksen: So you're talking about taking out seven feet about ...(inaudible)...

Mr. Agawa: When you get to look at the drawing it's a CRM, existing CRM structure with a concrete slab that was put in after-the-fact, it's not original construction and there's supposed to be two wing walls that come out and one has collapsed, and the purpose of this project is just to replace it. The rest of the CRM structure will be left intact because it has been found structurally stable still and only seven feet in length of the wall shows, you know, would be demolished per plan.

Ms. Duensing: But it's an in-kind replacement which is what we would request.

Mr. Fredericksen: Yeah, that's what we would like.

Mr. Agawa: Right. It's not a demolition, it's not a total demolition, it's just a replacement of the portion that has crumbled into the gulch.

Ms. Duensing: Right. He's going to like the CRC. His first appearance with the CRC and he's just doing so well. We'll put you in charge of all the historic roads.

Mr. Agawa: You gotta talk to Joe about that now.

Ms. Duensing: He's doing a good job too, but we haven't always been so complimentary to him.

Mr. Agawa: Oh, I'll be prepared for those days.

Ms. Duensing: Okay, anything else?

Mr. Agawa: That's it? Any questions on 11.7 Mile Post marker?

Ms. Duensing: I don't think we have any questions and I guess we would just put, for Mile Post 11.7, we agree with the in-kind replacement of the --

Ms. Loudermilk: It has been brought to our attention that the Mile Post 11 is not on our agenda, only the Mile Post 9 -- would it be the Commission's pleasure to amend the agenda item to add this item on?

Ms. Duensing: Yeah.

Mr. Fredericksen: What's the other one, Robyn, 11 point what?

Ms. Loudermilk: Mile Post --

Mr. Agawa: 11.7.

Ms. Loudermilk: 11.7.

Ms. Duensing: Yeah. I think since it's such a minor project that still falls under Kahekili Highway improvements that's what I would like to do is amend our agenda because we only have one comment on it and I think we all agree that it's being appropriately done because it's an in-kind replacement so that's --

Ms. Loudermilk: So can we have a motion to amend the agenda.

Mr. Fredericksen: Yeah, I'll do it. I'd like to make a motion that we amend the agenda under Item 2.c. to add Mile Post 11.7 into that item for consideration.

Ms. Sablas: Second.

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

It has been moved by Mr. Erik Fredericksen, seconded by Ms. Lori Sablas, then unanimously

VOTED: to Amend the Agenda under Item C.2.c. to add Mile Post 11.7.

Mr. Agawa: Thank you.

Ms. Duensing: Thank you. No, you know what has been pointed out is we didn't even request public testimony on any of our items today. Do we have any public who wants to make any testimony? If there isn't, we're lucky. Daren, you didn't point that out.

Mr. Suzuki: Out of practice.

Ms. Duensing: I remember in Lanai that was the first thing you pointed out to me is don't forget public testimony. Okay, well, that's good. Alright, and I know we have Mr. Jim Niess patiently waiting to speak to us. Ann? Thank you, Robyn.

- d. **MR. JIM NIESS of MAUI ARCHITECTURAL GROUP on behalf of LOKAHI PACIFIC regarding modifications on the need to demolish the existing facade of the 62 Market Street Building due to the extreme deterioration of the wood supporting the second floor and facade revealed as hazardous materials were removed from the interior. (A. Cua) (original project plans were still reviewed by the CRC)**

Ms. Cua: Okay, Madam Chair and members of the Commission, the next item that's before you is before you for informational purposes. You reviewed the Lokahi Pacific's project back in April of this year and the letter I just passed out was the letter that was written on your behalf including your comments. These comments were given to the applicant and was also given to the Maui Redevelopment Agency who is the Agency charged with issuing the Maui Redevelopment Agency Permit for the partial demolition and reconstruction of the new Lokahi Pacific Building.

The building was approved by the Maui Redevelopment Agency on April 28, 2003. The opening paragraph indicates that they granted design approval of the new building with the retaining and restoration of the Market Street facade. In going back to the records, it was represented by the applicant that they were planning to retain the front ten feet of the building and they would restore that to its original appearance in order to maintain the character of Wailuku Town, and that's found on Page 4 of the Director's Report or the Staff

Report that was approved by the Maui Redevelopment Agency. Demolition Permits were issued for the building, and we have copies of the Demolition Permits, there were three Demolition Permits, and all Demolition Permits on the permit it states that the building will retain the front facade for the new office building.

We received a phone call, I can't remember the date but it was like a Monday, indicating that, it was from the public, questioning what had happened to this building because the recollection was that part of it was supposed to be retained and after we did the research, you know, we realized, and then we took a site visit, we realized the entire building had been demolished. So I proceeded to call the project's Project Manager of Lokahi Pacific who, basically, informed me that, you know, it was the architect and the contractor's responsibility and that, you know, there was some problems with the building. I then proceeded to call the architect and Mr. Niess was not available so I talked to I guess his partner in the firm and he did not really have much information and, you know, he indicated that he would get back to me, and, basically, what I was told was that there was, after they demolished the portion they were planning to demolish, there were structure problems with the front portion and the decision was made to take it down; we were never contacted in that process. So we're taking this before you because it's a project that you reviewed, it's a project that you commented on, you supported it in part because of the representations made by the applicant, and I just wanted to go over your -- couple of your comments, you know, you did say -- you stated in general that as a practice, this Commission encourages rehabilitation and restoration versus demolition and reconstruction of buildings; you indicated that the Market Street facade of the building should be retained as was represented by the applicant, and we are also taking this back to the Maui Redevelopment Agency. They could rescind the permit, that's a possibility. We're not sure what's going to happen, but they're gonna -- this is going to go back to the MRA later this month. So, with that, I would introduce the applicant at this time unless you have any questions.

Ms. Duensing: I do have a question, Ann. I want to make sure I understand the proper policy here. Yeah, I've read Mr. Niess's letter and everything but I guess my question is, in the best circumstances, if they proceeded with the demolition and found the facade to be beyond saving, what's the appropriate action to take?

Ms. Cua: Well I think they could have called the County.

Ms. Duensing: They should have called you in any case.

Ms. Cua: They could have called the County. Let somebody in the County know. Nobody knew.

Ms. Duensing: Right, so, in any case, they should've called you --

Ms. Cua: Right.

Ms. Duensing: And that's obvious but, in most cases, would the County send out an inspector --

Ms. Cua: They would.

Ms. Duensing: And the Demolition Permit would be amended? Would that be the proper procedure?

Ms. Cua: Well, actually, that's never happened before. I know we'd send somebody out and then we'd have to make a decision, but we just never had the chance to even dialogue and that was the concern, and the answer I got from the project's consultant or the Project Manager from Lokahi Pacific was that, well, nobody told them that they needed to tell the County that and, you know, the County was of the understanding that this was going to be retained so there was no question, there was no question by this Commission, by the MRA, by us.

Ms. Duensing: So I just wanted to clarify that when this happened, you had to find out in another -- by another party who, basically, called you.

Ms. Cua: Right. We found out from the public and from staff who happened to go by and saw it.

Ms. Duensing: Okay, I just wanted to clarify that. Thank you.

Mr. Jim Niess: Good morning, Commission members. I'm Jim Niess, Maui Architectural Group, and I am here by way of explanation and apology to the County for not being diligent in informing of the actions that were being taken here. On the building, we did represent and it was our intention to save the first ten feet of the structure, as represented to you folks in April, but those of you that know me and have heard me speak before, I do have an ...(inaudible)... you've heard this before, if the tenant's thriving, the building's surviving, and this is an excellent case to support that intention because there hasn't been a tenant in the building for over ten years and what's happened is that the roof began to leak and once moisture got into the structure, it really went down quickly. That being said, the canopy on the front of the building, which had a clay tile, it was a heavy canopy, was removed about, I'm only guessing, about four or five years ago. As you can see, the remnant of where the canopy was is this little ragged line. Well, when the canopy was taken down, the second floor framing was exposed and it was left exposed for a considerable amount of time. So what happened that caused this whole episode was the second floor began to collapse and what we had, at best, was an attractive nuisance and, at worst, a serious hazard, so we had to take action. We did have the Demolition Permit

in hand, and as we looked at it closely, the structure closely, there just was no option to save the front and you can see, I'm going to pass this around here, you can see there were cracks in the facade and that the damage that occurred to the floor is obvious from this framing here or from this photograph and I also did a little sketch here to kind of show you what happened. The upper portion of the facade is wood framed and the lower portion was concrete but when that canopy portion was removed, it caused the hinge effect and when the floor collapsed, there was just no way to brace what was left safely, and the demolition contractor wouldn't commit to bracing it because it is a concern for liability and, at that point, we just had to make a decision to protect the public's safety and, regrettably, we had to take it down. The good news is that we plan to replicate what was there and so, in essence, it went from a preservation effort on the front to a in-kind replacement, so to speak, and, you know, if we hadn't taken this action, there were high winds right -- this was done over the weekend too so that kind of precluded County involvement, but that Monday there were, Monday, Tuesday, and Wednesday there were very high winds and I think it was a prudent decision. There was a good chance that the whole face would have toppled into Market Street. So it was a public safety issue that we had to address and, regrettably, you know it's a charming facade, I would liked to have saved it, but I think, in the final analysis, we'll be able to replicate it and we'll have a structure that's going to last another hundred years rather than something that's going to need rehabilitation in another 15 or 20 years so -- I had one last image I wanted to share with you which is the collapse of the National Dollar canopy, I don't know if you folks saw this, it happened about a month ago, but it happened on a Sunday, fortunately, because somebody easily could've been killed by this particular collapse, and it just illustrates that some of those old structures, even though visually they look competent and structurally viable, are just, once moisture and the termites get a hold of them, it's just -- it's unfortunate but they do become hazardous. So that's just the explanation of the events that transpired a couple of weeks ago and if you got any questions, I'd be happy to address them.

Ms. Duensing: Any questions, Commissioners?

Mr. Whelchel: I've known Mr. Niess as one of our more qualified historic preservation advocate that's on the island, he made a mistake, was pretty dumb. I know that he wouldn't take something down that he felt was worth retaining.

Mr. Fredericksen: Yeah.

Ms. Duensing: I kinda echo Lon's sentiment, and I've worked with Mr. Niess on a number of projects, and I don't think we really argue with his decision or contractor's decision that the building needed to come down, I think it was in the manner in which it did and the omission of making the phone call to Ann or the appropriate County authorities is the big omission here, and I guess it just points out the problems with these what I always call facade ectomies too.

Mr. Niess: That's a good point, especially a two-story element like this, it's very difficult to hold a slender piece in place for any length of time.

Ms. Duensing: So, Jim, I guess just a question regarding the structure and the architecture then. Do you still think that if you would have tried -- is there any possibility to rehabilitated this structure if you would have just done the whole structure rather than just try to take it apart and then have it fall down on you?

Mr. Niess: You mean the entire structure?

Ms. Duensing: Yeah.

Mr. Niess: Yeah, no, the entire structure was gone. The second floor was sagging badly and the masonry, it just doesn't come up to contemporary codes for earthquake and wind resistance, so there was no option of keeping the bulk of the building, so we're making an attempt, if you look at my sketch, if this facade had been continuously structural, it would have been much easier to save, but the fact that the whole upper portion was framed onto the second floor and once the floor started to go, the facade wasn't viable any longer, and all the nice detail on the facade is on the second floor so -- and the lower section my structural engineer, as far as putting a new floor above that, was extremely uncomfortable with that because we don't know how the sides of the footing and whatnot, so there's other reasons that replacement is probably the best option at this point.

Ms. Duensing: And I do trust your professional opinion, again, I think it's the manner in which it was handled, you know, it would have been better to just call Ann or the appropriate officials at the County first thing on Monday morning --

Mr. Niess: No, that's a good point.

Ms. Duensing: And I don't know if it's your responsibility or the contractor's responsibility but somebody --

Mr. Niess: Well, it was an oversight and we do apologize for that.

Ms. Cua: We just felt this situation needed to come before you, you know, again, we didn't want you to find, probably you knew about it, but we just felt because you were in the loop it was the County's responsibility to come and inform you and let the applicant come before you and state its case and not have you find out, if you didn't, like how we found out just through other people complaining, didn't you take a look at this? You know, this building -- you know, so we just didn't want that to happen and that's why we're here.

Ms. Duensing: Thank you, Ann, I appreciate that, and I want to emphasize that I think if it would have been anybody other than Jim, we would have really been wondering, yeah, can we really trust what this guy has to say but --

Mr. Niess: Well I appreciate your confidence.

Ms. Duensing: So thank you both and thank you Lokahi Pacific. Anything else?

Ms. Sablas: Well I think, actually, it's a blessing in disguise, you know, to have discovered that. You just needed a slap in the hand to not do it again, but it is. Again, I echo the sentiments of -- the respect that our Commission have for you and so --

Mr. Niess: Thank you, Lori.

3. DEMOLITION PERMITS - None

D. UNFINISHED BUSINESS - None

E. NOMINATIONS TO THE NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Ms. Duensing: Thank you, Jim. Okay, the next item is Demolition Permits, thankfully, we have none. We have no Unfinished Business. Item E, we have no nominations to the National and State Registers other than to note that the Mayor did support the recommendation this Commission made last month on the Kula Hospital to the National and State Registers, so I guess the next thing that means is that it will go to the State Board and if they concur, it will then go on to the National Advisory Review Board.

Mr. Fredericksen: How long does that take?

Ms. Duensing: Usually anywhere from three months to a year, yeah. I know that the Hana Highway took about a year from when we got it till, no, about half-a-year I think it was, but I know that another nomination I did on Kauai is hung up due to disputes and that's been going on for two years now so -- I also know, I talked to Tonia regarding another application, this one has been held up for couple years, and we have a new reviewer so they're getting, you know, it's a very subjective thing and the one I did got sent back and she was just really amazed that it got sent back cause she thought it was very detailed and everything. So we'll see what happens with this one cause I asked her what she thought and she says, "Well, I don't know, but this person is apparently going to be very picky." Pickier than me I guess. Okay, so anyway we'll hope for the best on Kula Hospital because I think that's one of our --

Mr. Fredericksen: Oh, it'll make it ...(inaudible)...

Ms. Duensing: It's one of the few architectural marvels we have left over from Dickie on this island other than the two across the street. Discussion on Preservation Planning, Mr. Suzuki?

F. DISCUSSION ON PRESERVATION PLANNING

Mr. Suzuki: This can be -- this is a standing item on your agenda. It's a pretty broad topic to discuss. We can discuss any follow-up or we can follow-up on our Lanai trip. I think this is the first meeting since you've been back since we went on our Lanai trip; that'll all fall under preservation planning.

Ms. Duensing: Yeah, maybe we can discuss the Lanai trip and also this Hana Highway thing because that's really, you know, a Hana Belt Road issue but it's also a planning our future workload issue, even though I won't be on the Commission. For the Lanai meeting, did we do any follow-up regarding the discussion we had on the native plant restoration area? I think we were going to try to do a few letters on that; that was the bulk of our discussion that one night.

Mr. Suzuki: Oh, okay. Yes, if I could, Madam Chair and Commissioners. First of all, you're referring to the conservation easement at Kanepuu, I believe, that the Nature Conservancy, I think, took over as part of an agreement and they pretty much fell through on that agreement. I did speak to Castle & Cooke Resorts, formerly Lanai Company, and, well, let me back up. The Commission wanted to know who else could do the maintenance because, again, the Nature Conservancy is just -- fell through on that, so I did contact Castle & Cooke and they stated that they are looking at turning this over, this easement, over to Hui Malama Pono O Lanai, which is the group that is currently maintaining it or has taken the lead on maintaining this conservation area.

Mr. Fredericksen: Daren, did the Hui request that or was that something that Castle & Cooke's just looking at?

Mr. Kaopuiki: Let me explain that, Erik. I am a member of Hui Malama and that organization was formed a long time ago and then we found out that the State was giving up Kanepuu and we didn't want them to just let it go, so Hui Malama took it upon themselves to get the members to go and do the work, and they were there last week to clean up some of the place because the State actually only what they did was plant some plants and gave that away to the different islands but maintaining of the whole area was not even touched.

Mr. Fredericksen: How big is that again?

Mr. Kaopuiki: Four hundred and --

Mr. Fredericksen; Four hundred something?

Mr. Kaopuiki: Yeah, eighty-seven, I think.

Mr. Fredericksen: And then this -- so this is all volunteer yeah?

Mr. Kaopuiki: Right.

Mr. Fredericksen: For aloha, yeah, so --

Mr. Kaopuiki: Yeah, we want to save those plants because, right now, somebody just got through fixing the fence but there's only one deer eating up all the small stuff that was growing so we got it out of there, somebody shot it, but Hui Malama is, right now, is sort of -- we're scheduled to meet with some of the wheels of Lanai Company on the 9th; we're going to be taking this thing around.

Mr. Fredericksen: Okay, so you folks -- I'm assuming you need some funding would be beneficial.

Mr. Kaopuiki: Yes.

Mr. Fredericksen: Have you folks looked at any kind of ways to get this money?

Mr. Kaopuiki: We use grant.

Mr. Fredericksen: Okay, good.

Mr. Kaopuiki: We're trying to get a tractor, a deep hoer or, you know, something, but we're going to work something out, right now, we want to make sure that there is somebody taking care of the place instead of letting it just go.

Ms. Duensing: And what was the attitude of Castle & Cooke in your conversations, Daren?

Mr. Suzuki: Just that they realized that Nature Conservancy fell through and this is the obvious group to turn it over to officially.

Mr. Fredericksen: So would it be a conservation easement or just turn over the land or what? Or is that something they're still thinking about?

Mr. Suzuki: Well, my understanding with this easement it was very specific in the deed that'll be turned over. It was going to be maintained by the Nature Conservancy, so what would be involved would be changing the name, I guess.

Mr. Fredericksen: Changing that on the deed, the name, basically.

Mr. Suzuki: Right.

Ms. Duensing: Did you speak to anybody at the Nature Conservancy or they just --

Mr. Suzuki: No.

Ms. Duensing: They're just going to be out of it or --

Mr. Suzuki: I did not speak to --

Ms. Duensing: Because didn't they get some money for this too?

Mr. Suzuki: I think they did, yeah, Uncle Sol?

Ms. Duensing: I mean they have some responsibility --

Mr. Suzuki: Nature Conservancy, yeah.

Ms. Duensing: If they aren't doing what they got paid for unless they used up all the money, right?

Mr. Suzuki: I can't answer that. I'm not sure if monies were exchanged or if there was a grant or --

Mr. Kaopuiki: I'll be able to tell you at the next meeting what happened at the meeting on the 9th.

Ms. Duensing: Okay, should we put that on our agenda for next month then?

Mr. Suzuki: We can. Specifically just follow up on the Kanepuu --

Mr. Fredericksen: Yeah.

Ms. Duensing: Yeah, cause I think we should follow through with this. We really haven't had any Lanai issues in my five years here other than the possible, well, couple possible demolitions and, you know, this is something the community has put a lot effort into so I

would like to follow it through and, you know, make sure somebody keeps up these efforts so that they don't go to waste, if the other Commissioners would agree.

Ms. Sablas: I agree because that really is, I think, the finest example of a dry land forest that we have in the State and --

Mr. Fredericksen: I know somebody who would disagree but it's a very good one, not on Lanai, but I'm thinking of the one on Kahoolawe.

Ms. Sablas: Oh yeah, but that's accessible there too, yeah.

Ms. Duensing: But I think one of the other important things, and Sol Kahoohalahala made this point pretty clear, I think, is that so much of the Hawaiian culture has been so eclipsed and wiped out on Lanai --

Mr. Fredericksen: Yeah.

Ms. Duensing: That, you know, this one project that people are really interested in we need to keep that moving forward and make sure that it's a success because, you know, there are so few Hawaiians on that island and they feel like they've been shut out so let's take the opportunity for this one thing we've going to keep going if we can help.

Mr. Fredericksen: Well in terms of, you know, vegetative destruction, Lanai has been really heavily hit, Lanai and Kahoolawe, and so anything that we can do to help out, you know, the situation I think we should as a Commission and certainly, you know, the folks that are trying to take care of it over there, the Hui, I mean anything we can do to support them is important.

Ms. Sablas: I think we talk about stewardship and that's what I had mentioned again, you know, Castle & Cooke as they come before, you know, the Planning Department for other things that they should be reminded of their stewardship responsibility, this being a big part of it, and it's, you know, it's --

Mr. Kaopuiki: Yeah, you see, the management people have been changing pretty fast so what happened, the people that come over, they don't care about those kind of things like native plants and everything, they care less about them ...(inaudible)... they want to see the business, you know.

Mr. Fredericksen: I think though, I mean for me, just personally, what the, you know, the big companies that I mean had major impacts across the whole State, and I'm talking pineapple and sugar, and, you know, sometimes I get real impatient with people who use the economic argument because it's like, wait a second, those companies benefitted for

a long time and destroyed a whole bunch of stuff in order to get that benefit, and some of the ways that land was initially acquired to be destroyed is kind of suspect as well, but whatever about that issue, I won't even go there, but there really should be, and I don't know if we can, but there really should be some responsibility taken. You can't just go, oh well, gee whiz. You know, in reality, we cause a lot of these problems but, you know, now here we are and we can't take responsibility for it because it cost a little money and I --

Ms. Duensing: Well I think they can, you know, try not to be adversarial and just educate them to help.

Mr. Fredericksen: No, I know.

Ms. Duensing: I know you're not, you know, encouraging us to be adversarial and you guys know I like to do that anyway, but, you know, it's -- it can be part of our responsibility and our service to the community to try to better educate them on what's the right thing to do too.

Ms. Sablas: Or being accountable --

Ms. Duensing: Yeah.

Ms. Sablas: Because they do have a large impact on what's happening on that island.

Ms. Duensing: And accountability is part of being ...(inaudible)...

Mr. Fredericksen: The biggest impact in terms of, you know, if you look at an island community anywhere in the State because every place else, you know, you got lots of different hats and different, you know, interest in there but, on Lanai, it's pretty much one interest and I mean that's, in a lot of ways, it's really neat opportunity if those folks can look at it from that point of view to, you know, how could you be a, I don't know if model is a correct word, but that responsible corporate, whatever, members of society, and I think about and I don't agree with everything Amfac's done either, but, you know, I do look at some things like the Kaanapali 2020 and, you know, it is possible to do stuff like that responsibly and I think --

Ms. Sablas: Working in partnership, yeah.

Mr. Fredericksen: Yeah. If there's any way we can encourage that partnership, you know, encourage that, you know, working with the community, I mean, gosh, it's so important.

Ms. Sablas: I think that's a really strong point in encouraging the, you know, the stewards to be really -- I mean I think they would want to do it but that's why I'm interested in Uncle

Sol's comment about, you know, if you guys were asked to or is that something you just felt that you wanted to do, Uncle Sol, and to take over after Nature Conservancy left? I think that was the original question. Did Castle & Cooke come and approach your group to take over the --

Mr. Kaopuiki: No, I'm a member but I didn't want to hold office because I got this thing to take up, I got a community involved plan to better the community, I told them I only get one body, I cannot be all over the place. But anyway, on this particular plan, I want to be sure that we get the whole island because if you read this magazine, it's not a magazine, it's a big -- with all the native plants in Hawaii, it was published by *National Geographic*, I took the two girls who took all the pictures --

Mr. Fredericksen: Oh, took them around to see the plants.

Mr. Kaopuiki: Yeah, Kathy something ...(inaudible)... but if you read the whole book, there's more pictures, but that portion of what they said that they've been all over the world but they haven't seen anything like what they saw in the State and I was, you know, was mentioned because we got some of the rare stuff there and we don't want to see anything -- because somebody already stole about --

Mr. Fredericksen: That's what I was just going to say.

Mr. Kaopuiki: Two hundred something gardenia seeds and -- but anyway, I'm sure the younger people realize what we got in our backyard so the willingness to produce and go out there and clean the place was amazing. When we -- it was about two weeks ago we went out in the rain but we did a lot of work.

Ms. Duensing: I'm glad to hear the younger people are involved too because that's one thing you do get when you get over to Lanai, like Sol Kahoohalahala said, a lot of the Hawaiian involvement ...(inaudible)...

Mr. Kaopuiki: Sometimes it's good, you know, because then like I get phone calls, "Can you help us talk about the island?" "No, no, you got the wrong guy, you gotta go get Sol Kahoohalahala."

Ms. Duensing: You get the wrong phone calls, huh? We can't even call you Sol K. because you both got the same initial.

Mr. Suzuki: So, Chair, you want to place Kanepuu as maybe under Discussion of Preservation Planning since we're there already, we'll just add a subsection a. --

Ms. Duensing: Okay.

Mr. Suzuki: To continue the follow up on Kanepuu.

Ms. Duensing: Yeah.

Mr. Suzuki: Okay. Another comment that was brought up when we had site visit on Lanai was having comments on the importance on the history of Lanai and having it done by a qualified historian. What we in turn did is that we found in our library this interpretive plan of Lanai of which all of the Commissioners were circulated copies. I see some --

Ms. Duensing: I'm not sure I got anything in the last month I was gone. I'll have to double check.

Mr. Suzuki: We can follow up, yeah.

Ms. Duensing: It might be the post office's fault.

Mr. Suzuki: Maybe. Okay, and also as part of that discussion, it was the issue when we had our public testimony portion on Lanai on the submittal of historical plantation photos that Lanai Company said that they submitted, so I did some poking around and found out that Lanai or, I'm sorry, Castle & Cooke now, they did submit their historical photos, black and white historical plantation photos, to both DLNR, Historic Preservation Division and Planning Department in June of this year, so we do have it. Other follow-ups was we also had a presentation by Tonia Moi. I think it was a very informative presentation on preservation planning versus restoration versus all these other categories that she gave. Some of the comments that were brought up by the Commissioners was that -- some of the Commissioners, of course, couldn't attend Lanai, some of the Commissioners had to leave, and just by reading the transcripts of Ms. Moi, just really didn't do the presentation justice because you didn't the slides to accompany the presentation, so there was kind of talk whether we want to -- oh, in addition to that, the front line, the people that review projects first, which is our staff, which is Robyn, which is Colleen, Ann, they didn't have a chance to also review or have the opportunity to listen to Ms. Moi's presentation, so there was discussion on whether we want to bring Tonia back.

Ms. Duensing: Could I add something to that?

Mr. Suzuki: Sure.

Ms. Duensing: Bad news. Tonia Moi is leaving SHPD effective the 16th, it'll be her last day.

Mr. Fredericksen: Of December? This month?

Ms. Duensing: Yeah, I just talked to her last week. We're working on another project that I've been doing. I mentioned this to her and, basically, I guess we have a couple options is that if her new employer will allow her to come over and do this for us cause I think it's really important and she did a really good job, or Option 2 would be to have somebody else. I mean the whole focus of her talk was supposed to be on the Secretary of Interior Standards, which is supposed to be our guidelines and, you know, we could get her slides and ask somebody else to do it, I have a couple of people in mind, or you know I could muddle through it myself, if you trusted me. But, you know, I did ask Tonia if she would be willing to consider possibly coming back after the first of the year to do this even if she's not an SHPD employee, but she will be leaving after the middle of this month. And I don't think they've had anybody else advertise for her job, and I know that Susan, who's the other architect over there, has, you know, she's pretty new on the job too --

Mr. Fredericksen: She hasn't been there very long.

Ms. Duensing: Because she replaced Carol Ogata who was there for ages, so there's a lot of changes coming to the architecture branch.

Mr. Suzuki: So would you like, maybe as part of this discussion too, we can just list it so there's follow up however it falls through whether it's Tonia coming back, or whether it's a new person, or whether it's our new cultural resources planner?

Mr. Fredericksen: I think that might be the ...(inaudible)...

Mr. Suzuki: Maybe that's something we can still -- so we just don't forget about it cause I think it's very important.

Ms. Duensing: I would like it to be a follow up cause I think it's important because, you know, I think the Commissioners that were there -- I got a lot out of it, and I pretend like I know this stuff, you know, I think we all got a lot out of it and I think the other Planning staff would too, so if not Tonia, you know, there's a few other people in Honolulu that would be very qualified also, private practice people that might be willing to come over for just the day if we would give them a coupon.

Mr. Suzuki: What would be an appropriate heading for this? Department of the Interior Design Standards or --

Ms. Duensing: Secretary of the Interior Guidelines Presentation.

Mr. Suzuki: Got it.

Ms. Duensing: Yeah, cause Spencer ...(inaudible)... Webber, or somebody like that, might be good as well. But, yeah, let's follow up on that and try to do it sometime in the next, let's say, first quarter or something like that.

Mr. Suzuki: Lastly was -- there was discussion on the status on historic sites that were recorded prior 1970 or something.

Ms. Duensing: The late '60's - early '70's --

Mr. Suzuki: Yeah.

Ms. Duensing: And then subsequently ...(inaudible)...

Mr. Suzuki: Somehow, because of some technicality or something, these sites got taken off the register. I think that was the issue.

Ms. Duensing: Yeah, I think the issue was, as I remember, you know, it was all foggy because I don't anybody knew about it, we were all surprised to hear that, but it might have been they were de-listed because they're all private property but it doesn't make any sense because there's hundreds of historic sites and archeological sites throughout the Country and they're listed, it doesn't matter --

Mr. Suzuki: Right. Right. So that's --

Ms. Duensing: Yeah, a list of records -- but we need to find out, you know, what --

Mr. Pa: What was the reason for that?

Mr. Suzuki: It was a technicality because Lanai is just one whole big tax map key, generally, one owner and there wasn't a proper notification or something when they listed something on the National Register. So, anyway, to follow up on that issue, since I was driving Tonia around I just kind of informally talked to her and said, "So, you know, what's up with this? Should we be concerned if it's taken off the register?" And granted this was done informally, just our conversation, I don't know, Chair, if you were there too, she did state that, you know, although it's not technically on the register, it's still recorded as a site.

Mr. Fredericksen: Yeah, cause the site numbers you can't ...(inaudible)...

Mr. Suzuki: Yeah, so it's still there in preservation, just not technically on the National Register.

Ms. Duensing: Could we maybe send a letter to Holly McEldowney, as Acting SHPD Administrator, requesting her to explain that situation to us so that we have some kind of official documentation that answers our question?

Mr. Fredericksen: Well, yeah, and that's SHPD's kuleana to explain that.

Ms. Duensing: Yeah, because they're in charge of the sites list, to maintain that for the State, so she could explain what the status of the Lanai sites are to us, and it would probably be best to just ask her.

Mr. Fredericksen: Yeah, no that's appropriate.

Mr. Suzuki: What's her name?

Ms. Duensing: Holly McEldowney. She signs all these letters we get from SHPD; she's the acting administrator.

Mr. Fredericksen: The one that we did today, she's on that for the Kahakuloa, just about anything.

Ms. Duensing: Yeah, and Erik's point about, you know, sites having site numbers is an important one, I mean even Kahekili Highway, when they got something on that, the first thing they did, SHPD was on top of this one, Susan did a good job, you know, she made sure they --

Mr. Fredericksen: Cause that's a new site number.

Ms. Duensing: She gave a new site number to it because, you know, they never gave site numbers to roads before, this is something completely new, but she called me and she says, "Isn't that an old road?" And then the next thing we know we got a site number so that was good.

Mr. Suzuki: That pretty much wraps the highlights of Lanai. This may be a good time if Chair has anything to say about her conference in Denver.

Mr. Fredericksen: Could I just interject one more thing about Lanai, and it's a concern, and maybe this could be under preservation planning too? The status of various archeological sites that are, basically, being advertised for public viewing but without any sort of, you know, interpretive work or stabilization work occurring on them, and I'm thinking about all the petroglyphs just out of Lanai City, and there's lots of other examples too. But I think that's something that, and here we go back again to the landowner, you know, the stewards, the importance of stewardship, and, you know, they, Castle & Cooke Company

tourist come in there and these sites are on their property and tourist are coming, not exclusively, but definitely that's an attraction to go see these sites, and it's something that really the landowner really needs to be made aware of and encourage to do something responsible about it. So you can distill that down, Daren, into a very short title, but I think that is something that really is an important issue especially on Lanai because the one landowner has a lot of land.

Ms. Sablas: Could we make that as a follow-up to our Lanai trip and send a letter to Castle & Cooke and list some of our concerns? I know we had talked about it at the meeting but I think it'd be good to be in a letter, in the form of a letter from our Commission as a follow-up so that goes on record.

Ms. Duensing: Yeah, I agree with that.

Mr. Fredericksen: Yeah, I think we need to do something because it was very evident when you're out there --

Ms. Sablas: I agree too, yes, on the petroglyphs.

Mr. Fredericksen: I mean some of these places are kind of being loved to death and it's not because people are actively trying to do something that's negatively impacting the sites, but it doesn't matter, the net result is the same, the sites are going to get jammed up; they're getting jammed up, and it's only going to continue.

Mr. Kaopuiki: See what's happening is a lot of these guys bringing in their four-wheel stuff and they go down ...(inaudible)...

Mr. Fredericksen: The quad --

Mr. Kaopuiki: They load it and they go over there, and they find out that they cannot use it, so they gotta push that thing all the way until they get to the dirt road, and we banned any of the stuff that is sent out on the barge because some of these Honolulu guys send out about 23 and then they run out on the island and they create --

Mr. Fredericksen: A bad erosion problem.

Mr. Kaopuiki: Yeah, that becomes a ditch when there's a big rain so, you know, they're trying to -- we told them, hey, you know, don't send anything like that. I went to the motorcycle people and stated to them so, you know, they don't have any place to runaround so I told them, "Don't come up here," I said, "shucks." So we banned them, but we didn't tell the boat guys not to send anybody.

Ms. Sablas: There was some motorcycles, I noticed, that were coming over on the Expedition.

Mr. Fredericksen: Yeah. Yeah, when we were coming over there were -- yeah.

Ms. Sablas: Yes. Yeah.

Mr. Fredericksen: And, you know, 20 whatever it is, 20-25 dollars come over and go over for the day --

Ms. Sablas: And go ride and --

Mr. Fredericksen: Yeah, it's a great deal but it's not a great deal for the island and, you know, the environment and the archeological resources.

Ms. Duensing: Hey, Lon, why don't you first inform the Commissioners what you thought about the conference cause you went too. This was really nice because I went to a conference and I actually had somebody from Maui to go there with me, well, not with me, but he was there too, so he can make a report in addition to me.

Mr. Welchel: I was pleasantly impressed with Denver. It had a lot of new ideas, actually, they're old ideas, they're just implemented -- they were --

Mr. Fredericksen: Implemented ideas.

Ms. Duensing: Well there's a change.

Mr. Welchel: Yeah, the pedestrian traffic, the vehicular traffic, the bus traffic all work together, and they all had a purpose, and it was like an orchestrated traffic pattern. And then we went to Boulder and found that Boulder had grown to their outer limits, they just specified this is as far as it's going to go, and it stopped, and now they're just renovating interior or replacing their existing construction, and we have building limits although like, I think, Mr. Dover said, "our limits is our coastline but we have a lot of growing space," but Boulder limited theirs so that their site line would be established and it was a beautiful thing. I'd prefer Denver because of it's growth, as an architect, I have to have growth to survive.

Ms. Duensing: I'd like to make an additional comment to what Lon --

Mr. Welchel: Okay, I'll give you back the floor. I'm done.

Ms. Duensing: Oh, you're done? Okay, well I thought you were -- anyway, his comment on Denver and Boulder, I was there when my husband went to school in the '80's, and what surprised me is, you know, at that time, Boulder was really on this plan growth movement, and I met with Nory Winter because instead of going a day early, I stayed the extra day and I met with Nory and he gave me a tour of Boulder, which was really neat, he came down and picked me up, and what Boulder's planned growth has done has just put all of the development on along other freeway areas that were completely empty when we lived there in the '80's. So there's a lot of pros and cons on this planned growth and, you know, saying, "well, we're going to control growth" because, you know, you don't control growth, you just move it elsewhere. And I think the important thing to get out of this is not to criticize Denver and the Boulder plans, but to realize that we have a good opportunity to do this on Maui because, as Lon said, we can't go beyond our ocean beaches so we gotta do what we do right here because we have this limited space within which to work. So, yeah, it was really interesting. I saw a lot of Denver that I never saw when I lived there so it was a good conference. I had an opportunity to participate in a full-day workshop on historic structures assessment and how we assess what is original, what is worth preserving, and how we write up these reports, so I hope I can put that to good use for the County in the future. There were a lot of good historic road and bridge workshops, well not a lot, but about four and, actually, I wish Daren wouldn't have left because one of the workshops was on chapter or Section 4(f) of the Federal Highways Law and it's going through Congress now to try to get rid of that, and what we should do, as a Commission, is write Senator Inouye and the rest of the bunch saying that we object to this because what Section 4(f) is, basically, a clause in the Federal Highway Law that says that if a highway project impacts a historic structure, you have to review it and, basically, if it impacts a historic structure, it's not supposed to happen. It's even stronger language than Section 106 is because it pertains to any --

Ms. Loudermilk: ...(inaudible)... structures, parkways ...(inaudible)...

Ms. Duensing: Right, any, you know, scenic, historic, whatever site, so we should probably put this on our future agenda so that we can find out what the current situation --

Mr. Suzuki: What was that? Put what on our future agenda?

Ms. Duensing: Yeah, 4(f), Section 4(f). They had a workshop on this in Denver and Congress is going to try to repeal this from Federal Highway Transportation Act.

Mr. Pa: Why is that not a surprise to me?

Ms. Duensing: Oh, I don't know, let's not get into Congress. But, anyway, it would be appropriate for this Commission to understand what Section 4(f) is and to write a letter, as

a Commission, to Inouye, Akaka, and Representative Case saying that we do not support the elimination of 4(f) from transportation law. So can we put this on our future agenda?

Mr. Suzuki: Yeah, sorry I missed the beginning of the discussion.

Ms. Duensing: Section 4(f) for the Federal Highway Transportation Act, or whatever it's called, says that if any transportation project --

Mr. Fredericksen: That was Federally funded.

Ms. Duensing: Federally funded impacts scenic sites, historical sites, archaeological sites, park lands, it's really wide ranging, and it's not the impact, it's the use of, for instance, I'm thinking of Hanalei on Kauai is a good example because that beautiful northshore road runs right through it, or even Hana Highway, you know, there's a lot of historical sites along the road, and you need a review of this, so it's kind of like a more wide-ranging thing than Section 106 is. Okay, but if we put this on the agenda --

Mr. Suzuki: Section 4(f).

Ms. Duensing: Right, Section 4(f).

Mr. Suzuki: Federal Highways Administration.

Ms. Duensing: Yeah, if we could get a copy of this rule to our members, put it on the agenda, and then discuss it, and write a letter to our Representatives saying that we would like this to remain a part -- because Congress wants to take it out and it would -- it's a lot of protection for historic preservation. I have a few items I can bring in that I got at the conference too that would be helpful for Commissioners to better understand it. So that was a particularly informative workshop that I attended and I think it would be worth better discussing. And then the other thing was I attended a bridge presentation by Oregon, which has a fabulous bridge renovation program, and I almost said to Joe Krueger earlier but I didn't because there's nothing he can do about it but there's a lot our State DOT can do about it, is that you know there's ways to not always have to stick to AASHTO standards and our State here isn't doing anything about that, which includes not having to bring a bridge up to safety standards. We need to make reasonable accommodations and work within the law of our State, but the State of Hawaii is not making that apparent to us. And as I said when I came back from the Historic Hawaii Foundation Conference was I had talked to Mina Morita about the law she tried to get, well, it got passed, but it got vetoed by Cayetano about, you know, making rural road standards and, you know, our own set of, you know, highway standards so that we don't have to have freeway standards on the Hana Road, and I know I made this report and I think I had asked for a copy of Ms. Morita's Bill and we never got it, so --

Ms. Loudermilk: I did some research with the date that you gave me and it was the year 2000 and there was no Bill that passed to get vetoed, it got stuck in Senate Transportation, Cal Kawamoto would not let it out.

Ms. Duensing: Well maybe if we could work with her and see what it would take to get this resurrected ...(inaudible)...

Ms. Loudermilk: Yeah. Yeah.

Ms. Duensing: Cause it's the only way we're going to get to, you know, protect our roads and not get these guardrail tunnels they're going to build in Hana.

Ms. Loudermilk: Yeah, because if -- because I've looked under the year 2000 for the Legislative Reference Bureau, that was the only year that I could find from 2003 and back that had indicated anything related to this, and it passed out of the House and crossed over to the Senate, after first reading, it was sent to the Transportation and Government Affairs Committee, which is headed by Cal Kawamoto and he didn't even schedule a hearing for it.

Ms. Duensing: Cause I thought it went through two years and that's what happened the first year and then it ...(inaudible)...

Ms. Loudermilk: I can double-check 2001 but I did not find anything in 2001.

Ms. Duensing: Well we could always contact her and ask because I think now that we have a Maui person as a Governor we might have a better chance of getting it passed to it, it's not going to be easy, but, you know, it might be worth the ...(inaudible)...

Ms. Loudermilk: Yeah, so I can follow up on what passed in 2001 cause I did not see anything in the data base there to indicate that it had come out of committee and had actually gone up to the Governor.

Mr. Fredericksen: Well, I think maybe it might be appropriate -- I mean let's start that process but write a letter to the Governor. I mean, like Dawn said, I mean she was -- she does have some attachments to Maui and we might be able to do something.

Ms. Duensing: You know and I think the other thing is she's not a lawyer and I think that's really the problem with getting State standards set is that most of our Representatives, pardon me, Corp. Counsel, don't take offense, but a lot of them are tort lawyers and they don't want to see these laws passed because, you know, that's how their former buddies and you know where they used to work that's how they made their money and Cayetano was a lawyer too. And, you know, that's a lot of what's driving all of our highway policies

is these lawsuits and these things that come down from the Supreme Court and, you know, it doesn't necessarily make them right. But, anyway, moving on. Throughout the conference, I got some good information, but I think the 4(f) thing was one thing that I picked up at the conference that's really worth, you know, the guy that was the presenter said, "you know, this is a good law for historic preservation and, you know, go home and write your Congressman about this," so let's put it on our agenda and maybe we can convince ourselves to write a letter too. And then the last day I was in Denver, I didn't take free time off, but I met with Nori Winter and got a nice personalized tour of all -- probably the same things that Lon saw in Boulder, and we talked about the Lahaina Design Guidelines and, you know, we went through a few items on that so that was very beneficial. But one of the interesting things I thought that was very different in Boulder, from when I used to live there when we went to school there, was they're building, and this is a Maui issue too, is the use of parking garages in the downtown to not look like parking garages and you know we reviewed that Wailuku project, and you know he had some really good ideas on a better way to do this than some of the things that we liked and we all didn't, or we were presented but a lot of us didn't like, so you know if that comes forward in the future, you know, some of the things that Boulder have done might be able to help us on Maui too. It was a good conference.

Mr. Whelchel: There were many things -- excuse me, go ahead.

Mr. Pa: No, you go first.

Mr. Whelchel: There were many things that Denver did to renovate Downtown Denver. One of them was the traffic, the other was renovating old historic buildings that were being demolished, and they stopped that, and started renovating, and they made the first lower level commercial, for commercial use, and the upper level for rental and sales of living space --

Ms. Duensing: Lots.

Mr. Whelchel: And it brought people back in; there were huge amounts of traffic, and they're the ones who are using this foot traffic and the bus service, but it impacted Denver to where they were a success.

Ms. Duensing: Yeah, and then there was one other thing that I thought was really impressive in Colorado that was dearly, you know, really badly missing when I was there, gosh it's been nearly 20 years ago, I guess I'm getting old, but anyway Colorado has a Historic Preservation Fund and there's so many jobs for historians. I was just amazed at all the money going into preservation. In fact, you know, I brought home a couple of job announcements with me and I was going to put my, you know, resume in too and decided, nah, I don't want to go back there, but, you know, I don't agree with how they're funding

it but, you know, the point being is that you gotta not just always work on, you know, volunteers and what the community can do but you gotta have a source of funding for it too and it's kind of encouraging because I hope that in future we can use our CLG money for the same, you know, appropriate purposes. But, yeah, they're just doing phenomenal things out there in preservation; it's really impressive. Milton?

Mr. Pa: Yeah, since we're making comments about conferences, I wanted to say something about the Hawaii planners conference that I went to in Lahaina in October. The Maui Planning Department did an excellent job in the conference and, you know, facilitating it. And talking to those, especially those that were there that were not from Maui, one of the, I think, outstanding thing about that conference is that the site visits, you know, the field trips to the different sites, they were outstanding. We went, well, first of all, there were so many site visits that it was hard to choose, you know. I mean I wanted to go on all of them but you only can go on, you know, because it all happened about the same time. But, anyway, I had the opportunity to go on a field -- for example, we went to visit the Kapu ohana lands in Lahaina, that was excellent, I also went on the field trip to Kimo Falconer's project in Lahaina, and then on Friday, the Land Use Commission had a site visit, is that Honokowai or --

Ms. Loudermilk: The whole Kaanapali 2020 planning area; the whole region.

Mr. Pa: Right, and what was really interesting is that, you know, we were told don't ask the Planning Commission any questions, the land commission rather, any questions because, you know, we're not supposed to do that, but there were a number of questions, I think, that those of us that went on that site visit wanted to ask but we couldn't. But, anyway, I just wanted to say that I really enjoyed the conference, and I learned a lot, and I'd like to thank the Maui Planning Department for giving us the opportunity to attend that conference. Lori was there for a while and, you know, I just wanted to make that comment.

Ms. Sablas: And I echo your sentiments. I think they did an outstanding job and I notice you got everyone involved, so good job. Everybody had to have a speaking part or to have panelist.

Ms. Duensing: It really was a good conference.

Ms. Sablas: Yeah, I think the only thing is that there was a lot to do and hard to choose.

Mr. Pa: Right. Right.

Ms. Duensing: Yeah, but that's true of any conference.

Ms. Sabals: That's always -- yeah.

Ms. Duensing: Otherwise half of it would have to be bad, right?

Ms. Sablas: And you got the numbers out there, so congratulations.

Ms. Duensing: It was very well done. Very worthwhile. Gives you hope for some of the mistakes that have been made in past that maybe it won't be made in the future too.

Ms. Sablas: Well I liked the tone of environment and I hope that we really do follow-up in that.

Ms. Duensing: But that one speaker that worked on, you know, how to redevelop your -- the community you already have rather than have all the sprawl, and I saw Mike Foley couple days after I got back from China and he came up and said, "Welcome back," and he says, "Well, what'd you learn?" And I said, "Oh, you know, all we do is, you know, make planning and, you know, condemn them for everything they did, and say everything doesn't work. Well, all you need is to go to China and see how well it works here or at least we have the opportunity to make it work if we want."

Mr. Fredericksen: Yeah.

Ms. Duensing: Yeah, but it was a good conference and I appreciate the opportunity to have attended. Should we discuss the Hana Belt Road stuff with that or Preservation Planning? Doesn't matter?

Mr. Suzuki: Let's move on.

Mr. Duensing: Yeah.

D. NEW BUSINESS - None

E. HANA BELT ROAD

Mr. Suzuki: I don't think there's any new business, moving on, so --

Ms. Duensing: I guess the things on the Hana Belt Road would be this Waiohonu Bridge date thing that maybe we can express in a letter, if you guys agree, with, you know, what we discussed before, express in a letter that we think there's a better way to preserve the history of the old Waiohonu Bridge then to put the, what is it? 1915 or something --

Ms. Sablas: 1911.

Ms. Duensing: The 1911 was Paihi --

Ms. Loudermilk: The original date and then --

Ms. Duensing: The original date and new date is not an appropriate way to do historic preservation for a new bridge in trying to preserve a piece of history. It would be better to do it in a separate thing, like a plaque, explaining, you know, with a picture of the old bridge, the date, who built it, if we know, I don't recall, and explain why we had to replace these, you know, maybe a little bit of the process; that would be a more appropriate interpretive way than the confusion that will ensue in 1911/2003 or whatever.

Ms. Sablas: As you were talking, I just remembered I met, I was on a trip in Denver too, and I met the granddaughter of the engineer of the Hana bridges, and so she had said that they have -- she has in their family collections, some of his old, I guess, records and things like that so --

Ms. Duensing: Really?

Ms. Sablas: Yeah, I would like to be able to put, you know, I mean continue -- yeah, I mean she -- yeah, it's Howell -- Pam Howell Lims, and so the name Howell, that was her grandfather, County engineer.

Ms. Duensing: Yeah, Bill Howell. Really?

Ms. Sablas: Yes. Yes.

Ms. Duensing: And you're still in contact with her?

Ms. Sablas: Oh, yes. Yes. So we got to talking about the bridges.

Mr. Fredericksen: That was, obviously, supposed to happen, right?

Ms. Sablas: Yes. Yeah.

Ms. Duensing: I wish I would have known.

Ms. Sablas: Yeah, I just thought about that now when you had mentioned that, yeah.

Ms. Duensing: No, I've been doing so much research on this, you know.

Ms. Sablas: Well I can put you in touch with her, yeah, she lives in San Francisco now but, you know, originally from Oahu, and has vivid memories and, you know --

Ms. Duensing: Yeah, he was one of the important names on --

Ms. Sablas: Well she asked me she would want to come back and, you know, actually go back and look at some of, you know, again, oral recollections from her grandfather about when he was here. He was responsible for the road, I thought she said, at the pali too, which to me is amazing, you know, engineering to have done at the time.

Ms. Duensing: Well depends on which part of the pali cause it's got early 1900's --

Ms. Sablas: The older one.

Ms. Duensing: And 1950's. Okay, so I guess in this letter, regarding Waiohono Bridge, we should also state that we understand the reasons why they did this, we just feel it could be better, more appropriately done.

Mr. Fredericksen: But we gotta get some direction on that though.

Ms. Duensing: Yeah.

Mr. Pa: You know rather than concentrating on just that one bridge, shouldn't we set guidelines for all of the bridges so that it's consistent?

Mr. Fredericksen: Yeah.

Mr. Whelchel: I'll go along with that.

Mr. Fredericksen: Yeah, and it needs to be broad ...(inaudible)...

Mr. Pa: Right.

Ms. Sablas: It should be part of the plan that they presented because they have a plan of what they're going to be doing for all of the bridges so --

Mr. Fredericksen: Yeah, that's where it's supposed to be.

Ms. Sablas: Yes.

Mr. Fredericksen: And there's this gray area that ...(inaudible)...

Ms. Duensing: It really should have been part of the Preservation Plan for the bridges.

Mr. Fredericksen: Yeah, cause there needs to be some -- I mean that's what you typically do. If something's preserved, there's interpretation, you have some sort of interpretive plaque or something that's --

Ms. Duensing: And I think one other reason why this would be important in the future too is, not only has the advisory commission pointed out, is we're trying to preserve these remnants of the past, but four of those bridges they want to rehabilitate, and that term is being used very loosely because, you know, they're talking about major changes to these bridges and I think it would be an important part of preserving history in the future to talk about how they went about doing this, like Koukouai, you know, we ...(inaudible)... sprayed it to reinforce the arches and, you know, took care of the rest of the rebar, but on the top, you know, we put this new deck on and blah, blah, blah -- cause one of the important things in preservation is always you wanna, you don't want to try and fool people into making everybody think it's historic. One of the points Tonia made in her presentation is distinguishing the old from the new, and this is a good way to do that and important to do. So I think it's important for the bridges that we're going to lose completely but also for the bridges that we're talking about changing very dramatically.

Mr. Kaopuiki: So whoever works on any bridges like that will they evaluate later on what they did?

Ms. Duensing: No.

Mr. Kaopuiki: Or someplace where they can get the information?

Ms. Duensing: No, and that's why this is important because they're just going to go and, you know, they're going to blow up a bridge, they've got a few pictures leftover, they're just going to build the new bridge, but we won't have any record of what the procedure was and why we did it.

Mr. Fredericksen: Yeah, that's right.

Ms. Duensing: And remember David Goode came in one day and he says, "Well, I want you guys to be here, you know, a hundred years from now cause these are going to be historic bridges, " and, you know, in some respect they will be, I don't necessarily agree with why he said it, but --

Mr. Fredericksen: No, yeah, but it is a point.

Ms. Duensing: So I guess the first thing is we should point out Waiohonu Bridge, we agree with the concept, but not the way they're doing it, and then make some suggestions as to how we would like to handle preserving the Hana Highway history in the future as more of these bridges are scheduled to be replaced.

Mr. Fredericksen: Well and I think we should also make sure that, you know, anything that's happened already they get a retro, do some retro whatever you would call it, but make sure that that is documented, I mean with a plaque on site.

Ms. Duensing: Well I guess we could just make the third point to make a recommendation that all the replacement bridges have some kind of a plaque marking the previous historic structure and what took place at this site.

Mr. Fredericksen: And as part of the -- that's something that could be developed, it wouldn't take that long, but, you know, the -- like a phrase about it, this is part of the Hana Belt, whatever it is, Hana -- what's it --

Ms. Duensing: Hana Belt Road Historic District.

Mr. Fredericksen: Historic District, yes, and this bridge was built in blah, and it was designed by blah, and that might be enough and then say, you know, that's when the original bridge was built and demolished and --

Mr. Pa: Should we say anything about the fact that the dates of the original bridges should go onto the plaque ...(inaudible)...

Mr. Fredericksen: Yeah, on the plaque.

Ms. Duensing: Yeah.

Mr. Fredericksen: That's what I was, you know, the language would be on the plaque and have it set in an area -- cause almost all these bridges, basically, people stop somewhere and wherever it's the place where they seem to congregate most, basically, where you could get the car off the road.

Ms. Duensing: Waiohono is kind of a problem, well, one in particular --

Mr. Fredericksen: Yeah, cause it's --

Ms. Duensing: Because it's a straightaway, there's no shoulders, and there's a bunch of private homes along the way cause usually you have to park in somebody's yard and stop.

Mr. Pa: But, you know, the public, I mean the people will find a way to do it anyway.

Ms. Duensing: Yeah. Yeah.

Mr. Fredericksen: Oh, yeah.

Mr. Pa: You know, they'll stop anyway and get off and --

Mr. Fredericksen: But that, I mean maybe a plaque, in the case there, could even be set in the bridge itself, the new bridge, if there is no other option for it.

Ms. Sablas: So how do we put this in action? Is it going to be in the form of a motion, or letter, or --

Mr. Suzuki: That was our question. I mean I think if the Commission agrees with the concept of what to do, who does this letter get generated to? Generated to the Planning Department? Then get generated to the --

Ms. Duensing: ...(inaudible)... that the Hana Advisory Commission did this and --

Mr. Suzuki: Okay.

Ms. Duensing: And should it go to the Planning Department Director or should it go directly to the Planning Commission and the Advisory Commission recommended it?

Mr. Suzuki: Yeah, it would probably -- I think the best way would be in form of a memo to the Hana Advisory Committee and then that would have to be placed as an agenda item at their next regularly scheduled meeting to discuss.

Ms. Loudermilk: And then we should cc the Maui Planning Commission because they do the final decision making authority, cc Mike Foley, and probably all the planners, and the planners just because we're the first line in terms of when the projects do come in that they're aware of this.

Mr. Fredericksen: I think we also need to tie everything together though to make sure that there's a consistent documentation for each of these bridges for interpretation.

Ms. Sablas: And who would have that ultimate responsibility? Is there a State historian, I mean someone who would have the professional --

Mr. Fredericksen: You mean for the -- I think it could be very simple. I mean we could even --

Ms. Duensing: Yeah, but Lori is right. So much is done unprofessionally here and so much bad information is spread; it needs to be handled by the appropriate agency.

Ms. Sablas: And these things going to pass on to the appropriate agency.

Mr. Fredericksen: I think Planning Department staff --

Ms. Sablas: Yeah.

Mr. Fredericksen: Could cause it doesn't need to be that much.

Ms. Duensing: No, no, I agree with you. It just needs to be done properly.

Mr. Fredericksen: It's very simple.

Ms. Sablas: Yes.

Mr. Fredericksen: But I'm talking about a plaque, and then whatever other information can be gathered that supposedly has occurred in the Preservation Plan, although I'm not --

Ms. Sablas: Well this is like -- it's why I like your idea of, you know, having it be part of our budget here cause he who pays have the say.

Ms. Duensing: Then you have the control.

Ms. Sablas: Yes. And I'd rather we because you have invested all that time in it and to be able to, because this is something that is going to be passed on to the generations, and I'd rather it be done locally than someone on the State level who's not as intimately knowledgeable about the whole belt way.

Ms. Duensing: And in a lot cases, you know, we don't know much more than the construction date.

Mr. Pa: Talking about that --

Ms. Sablas: I'll put you in touch with the granddaughter too.

Ms. Loudermilk: Daren was just asking if the conditions of the original SMA for Waiohono Bridge would have to be an amendment, and then, yes, it would. It would.

Ms. Duensing: And I think we -- shouldn't we just come right out and ask them to do that?

Mr. Suzuki: Well it's complicated. Any amendment to any Planning Commission condition would have to go back to the Commission.

Ms. Duensing: Yeah.

Mr. Suzuki: So it has to be placed on the agenda; a staff report has to be generated. I think we can see if we can work within the language. I don't know what the language was exactly.

Ms. Loudermilk: No, no, this one we would have to go back, we'd have to go back to Hana Advisory cause when we have to explain to them why, what we're trying to do, and then -- cause they could disagree and say, "No, we want this condition in." And if that's the case, then I'm not too sure where we go from there.

Mr. Suzuki: Keeping in mind, yeah, this body is advisory and Planning Commission can do whatever they want to do.

Mr. Fredericksen: Yeah.

Ms. Duensing: Which is really sad.

Mr. Suzuki: But I'm sure they respect the appropriate Commission that would recommend and in terms of preservation, I would say, practically speaking, this Commission has more expertise on preservation than Hana Advisory Committee.

Ms. Duensing: And that's why I think we need to, you know, word the letter saying that we appreciate what you're trying to do and we understand, but, you know, being the Cultural Resources Commission, we believe there's more appropriate ways for this to be done ...(inaudible)...

Ms. Loudermilk: And we're providing guidance why and then what we're proposing, at this point in time, would be plaques.

Ms. Duensing: Right, and because you guys brought it up, we're also saying let's do this for all the bridges.

Ms. Loudermilk: Yes. Yeah.

Mr. Fredericksen: Oh, yeah, it needs to be all of them and I think the problem that started this whole thing off is there was a, like I said earlier, there's a puka in the Preservation Plan. There's no, you know, there's no provision for, okay, if a bridge gets torn down, what happens?

Ms. Loudermilk: That's true because the purpose of the Preservation Plan was to provide assistance in the design exceptions.

Ms. Duensing: But we should never call it a Preservation Plan because it's not preserving a darn thing on the roadway.

Mr. Fredericksen: Well, I'm just referring to the document and what it's called; that's all.

Ms. Duensing: I know.

Mr. Fredericksen: But, no, I tend to agree.

Ms. Loudermilk: So we'll do the memo and we'll explain why, we'll be very tactful, and we could ask them to reconsider.

Ms. Duensing: And I think that another thing is that, in the past, you know, the Council and other commissions have asked one of us to come and explain and, you know, why, and I won't be on the Commission, but I'd be happy to explain ...(inaudible)...

Ms. Loudermilk: Layout with us, yeah.

Ms. Duensing: You know, lay it out for them or work with one of the other Commissioners to better explain it.

Ms. Loudermilk: Sure.

Ms. Duensing: Cause as a preservation, it's just not working.

Mr. Pa: No, you know, talking about sending this memo to who?

Ms. Loudermilk: The Hana Advisory Committee.

Mr. Pa: Yeah, what is the latest status, you know, the Planning Department was supposed to hire a historian?

Ms. Duensing: No, they hired a cultural resources --

Mr. Pa: Oh, cultural resource specialist?

Ms. Duensing: I accepted.

Mr. Pa: Oh, so you are?

Ms. Duensing: Yeah.

Mr. Pa: Then a copy of the memo should go to you?

Ms. Loudermilk: We would have it in-house. A copy would be going to Dawn, yes.

Ms. Sablas: A memo to yourself.

Ms. Loudermilk: No, no, because this letter --

Mr. Pa: You would be stepping down so --

Ms. Duensing: That's why I'm resigning though.

Mr. Pa: Yeah.

Ms. Duensing: I guess that wasn't made clear.

Mr. Pa: So, it wouldn't be a conflict if you're stepping, right?

Ms. Duensing: No.

Ms. Loudermilk: No, but, technically, I'll be writing the letter. Mike Foley will be signing. But in terms of the cc's, Dawn would definitely get a copy of the memo.

Ms. Sablas: So, Robyn, if they were to agree with our recommendation, does that, again, nullify the -- that condition?

Ms. Loudermilk: No, it's -- it gets transmitted to the Maui Planning Commission cause the role of the Hana Advisory Commission is to conduct the public hearing out in Hana and they make the recommendations to the Maui Planning Commission. The other technical thing though that I would have to check on would be the permit is technically issued to the Department of Public Works and Environmental Management.

Ms. Duensing: They would be brought in on the ...(inaudible)...

Ms. Loudermilk: Yeah, I mean they will be brought in but just in terms of if we -- what procedural things would need to be required for us to, you know, once the memo goes out. We will be scheduling because we have other projects. If there's any other technical thing that we cannot think of, at this point in time, yeah, we'll bring in Public Works and so forth, but then the final decision would be with the Maui Planning Commission, you know. So the simple matter is, basically, yes, we would ask the Hana Advisory Commission to consider deleting the specific condition and --

Ms. Sablas: And, hopefully, the Planning Commission --

Ms. Loudermilk: And making this a recommendation to the Maui Planning Commission that based upon this additional information, we concur with the recommendation to delete this condition. So it can be done. It's just, like Daren had indicated earlier, that it's not just a memo, the memo is just the beginning.

Ms. Duensing: It needs to be for this but there's plenty of time to do it so ...(inaudible)...

Ms. Loudermilk: Yeah, yeah. As Joe indicated, you know, they haven't gone out to bid or anything like that so in terms of design elements and the bid, the cost, that's very manini compared to the other portion of the project.

Mr. Fredericksen: Yeah.

Ms. Duensing: Yeah, and I might point out one other thing, on Waiohonu, because that's an open value straight bridge, it's not a solid wall, it'd be easier to hide that double date if we get stuck with it so, I mean, it's not a tragedy, but as long as we're doing this, like I said earlier, we should try to do it right, but I don't think --

Ms. Sablas: That's why we have you on the Commission because with your background, you know, as an historian and that's what -- I appreciate your knowledge about that so --

Ms. Duensing: Thank you, Lori.

Ms. Loudermilk: So I'll work through the memo with Dawn.

Ms. Duensing: Okay.

Ms. Loudermilk: And we'll get started on this. Thank you.

Ms. Duensing: And then the other thing with the Hana Belt Road is if we can continue to work on what the status and, you know, get a copy of that Bill, I'd like to see it, and maybe start talking to Mina Morita and Joe Souki and a few other people to see what our chances would be if we tried to resurrect that.

Ms. Loudermilk: Yeah because usually when they veto, there's a message from the Governor explaining why he's vetoing it so that will give us an idea if it was just more philosophical or if there was something, one or two things very specific that we can work on, so I'll do that.

Ms. Duensing: I think it's good if the CRC, you know, I'm not going to be on it, but I'd like to see this happen because as Lloyd Lee and Joe Krueger and all the DPW guys say, "you know, we can't do anything unless the State does it's part."

Mr. Fredericksen: Yeah.

Ms. Duensing: It's gotta come from the bottom up because, you know, the State's been telling us they're going to be doing this for the five years I've been here and they haven't done a darn thing, so if we get this legislation, then we force them to do it and then we can protect the historic rural roads.

Ms. Loudermilk: Yeah, cause I'd just like to note that in terms of the committee reports, from the previous sessions, that the DOT has always testified that they support the intent of the measure, you know, so that's usually half the battle and if we need to network, Historic Hawaii Foundation is right there in Honolulu and closer to the Capitol than we are, but there are other organizations that provided input from islands other than Oahu, so it's not a Maui thing, it's a off-Oahu issue.

Ms. Duensing: And that's Mina Morita said, "You guys really need to do this on your own because I go there from the neighbor islands and the Oahu people don't listen to me, Cal Kawamoto doesn't care." Like there's a Hanalei Roads Committee, there's --

Ms. Loudermilk: The Hanalei Heritage River, yeah.

Ms. Duensing: ...(inaudible)... in Huakolualoa on the Big Island, so there's other groups. I know Mary Cooke, she's on the National Trust Board, she's our local Hawaii representative, she supports this too.

Ms. Loudermilk: Yeah, and so it's actually a victory to get it out of Kal Kawamoto's committee because he's Oahu, Waipahu, and he cares about ferries, not roads, you know, because that's his district so if it did get out --

Ms. Duensing: But I think if we get these groups and the National Trust behind us with very good support.

Ms. Loudermilk: Yeah, because it is -- and, you know, Oahu does have some rural roadways but, geographically, they're constrained so there's very little changes that can occur, and we think that may be true of certain portions of the Hana Belt Road but we find out that's not true.

Mr. Suzuki: What Bill is this?

Ms. Duensing: There's a Bill that Mina Morita put through the House of Representative several years ago, and it was when she was representing the Hana District as well as Kauai cause she had that canoe district, you know, and it's a Bill to permit State road design standards for rural roads, which would include historic roads, so that they don't have to necessarily follow FHWA guidelines, and the ISTEA legislation at the Federal level permits that.

Mr. Suzuki: Okay.

Ms. Loudermilk: And, yeah, the State's involvement is that the State automatically adopts the AASHTO standards as the State's standards.

Ms. Duensing: Well, no, they've already done that, but this would be exceptions to AASHTO, like Vermont has.

Ms. Loudermilk: Yes, that is true. Basically, they gotta come up with their own.

Ms. Duensing: Yeah, they come up with their own standards and the FHWA approves them and then we don't have to wind up 90 miles of guardrails for 1 bridge in Hana. Okay, the Director's Report, oh, sign enforcement, we don't have anything. The Director's Report.

I. SIGN ENFORCEMENT PROGRAM IN THE LAHAINA HISTORIC DISTRICTS

J. DIRECTOR'S REPORT

- 1. Cultural Resources Commission Meetings in other locations - Lahaina, Moloka'i, Hana, etc.**
- 2. Cultural Resources Commission Correspondence**
- 3. Correspondence received from the State Historic Preservation Division**
- 4. Administrative Permit Reports**
 - a. Demolition Permits - None**
 - b. Historic District Approvals Report**

Mr. Suzuki: None, oh, sorry, none for sign enforcement. Director's Report, pretty much standard items we have on the Commission meeting in other locations, I guess if a project is located in Lahaina, a few months ago we met in Lahaina, so I'm not aware of anything pressing coming up in the next month or so to locate to another area to have the meeting so it'll continue to be an agenda item as things come up. Under correspondence, nothing aside from what was included in your packet. Administrative Permit Reports, no --

Ms. Duensing: Can I interrupt one minute?

Mr. Suzuki: Sure.

Ms. Duensing: I had a question on the SHPD correspondence and it was on a November 17 letter regarding demolition of historic structures at 1210 Uluniu Street, and I guess this letter makes it look like the State said it was okay for demolition permit of these historic structures that they had no architectural concerns, only archeological concerns. I mean how many structures were there and --

Mr. Fredericksen: It just says, "a residence."

Ms. Duensing: Yeah. Okay, I'll just go to Uluniu Road and look.

Mr. Suzuki: Right. I don't think the rest of the members have those copies, just Chair and Vice-Chair to save some trees.

Ms. Duensing: Alright.

Mr. Suzuki: I guess the purpose was to circulate to the Chair and Vice-Chair, not only to save the trees cause it could be a lot of correspondence, but as things come up and it's something that the Chair and Vice-Chair wish to bring up as a bigger matter for the Commission to consider, then we can place it on our agenda specifically on the next meeting.

Ms. Duensing: Okay, I guess my question was is that I don't remember seeing 1210 Uluniu Street on our agenda as a demolition and my question was is that if you read the letter, they express archeological concerns but no architectural concerns, so I guess the way I read this letter is that they don't think the CRC needs to be concerned with the buildings that are going to be demolished, only the land and the archeology that's there, and I'm wondering why. Only archeology is important. Okay, he answered my question.

Mr. Whelchel: How come?

Ms. Duensing: Silly me. Why didn't I know that.

Mr. Fredericksen: Maybe it's something that just slipped through for some reason, or maybe the building's totally destroyed. Yeah, cause I don't remember seeing it cause normally that comes -- it'd be like, please check, you know, go see if it's possible not to demolish.

Ms. Duensing: Okay, this is the way I'll phrase my question, Daren, can we find out if they agree that it's okay to demolish the building I guess?

Mr. Fredericksen: Cause they're asking for ...(inaudible)...

Ms. Duensing: I mean are they not asking the CRC to review that building demolition permit, huh?

Mr. Fredericksen: No, that's the problem.

Mr. Suzuki: I don't have a copy.

Ms. Duensing: You understand what I'm saying?

Mr. Fredericksen: Yeah. No I agree.

Ms. Duensing: Okay.

Mr. Suzuki: We can find out. We can certainly find out what the status is or if there's any questions here, and you want a report back to the Commission or it seems like it's something that you're just curious as? You're just curious? Cause in terms --

Ms. Duensing: Yeah, it's curiosity. The State agreeing that, I mean on this property --

Mr. Suzuki: Right.

Ms. Duensing: Granted a demolition.

Mr. Suzuki: I mean is this something that the Commission wishes to have feedback on as well or is it something that -- cause I'm just looking at consumption of time where we're going to place our resources to write a letter and ask preservation or would a --

Ms. Duensing: I'll call and ask on my own.

Mr. Suzuki: Would a phone conversation be okay or --

Mr. Fredericksen: Yeah.

Mr. Suzuki: Okay.

Ms. Duensing: A phone conversation will be fine or, if you want, I'll just call and ask as an individual. I'm just kinda curious because I know which building this is, and the way I read this letter, it looks like the State's making decisions without the CRC and that surprises me.

Mr. Pa: I was just going to ask --

Mr. Fredericksen: Yeah, going by everything that's happened before.

Mr. Pa: Has a decision been made already?

Ms. Duensing: Yeah. I mean that's my question. Do they think that the decision to demolish this building is because they're signing off on it because my point would be is that that place has a nice old beach house on it, right? So how come they're not concerned about the architecture but they're concerned about the archeology?

Mr. Fredericksen: Well, we get this stuff anyway though at the CRC but we didn't; that's normally what happens, right?

Ms. Duensing: No, cause normally what happens is when there's a building to be demolished, they ask the CRC to review it.

Mr. Fredericksen: No, I know. That's normally -- that's what I'm saying, we normally get it. This is just a review letter minus the part that asked us to check it first.

Ms. Duensing: So is that the coming future, is that what you think?

Mr. Fredericksen: No, normally that would have been here already but it didn't for some reason.

Mr. Pa: Even before that took place.

Mr. Fredericksen: Yeah. Yeah.

Ms. Duensing: Okay, well, that's what I thought; that's why I'm asking.

Mr. Fredericksen: No, and that's like I said before, it's a valid question because normally we get it, I mean, you know, there's another demolition thing, it's something over 50 years --

Ms. Duensing: Right.

Mr. Fredericksen: I mean we get them consistently and for some reason we didn't get that.

Ms. Duensing: Do you understand what the concern is then, Daren?

Mr. Suzuki: Yeah.

Ms. Duensing: I mean it's just a question.

Mr. Suzuki: Right. So, okay.

Ms. Duensing: If they didn't have the CRC review that, I would be really surprised.

Mr. Suzuki: Okay.

Mr. Fredericksen: Yeah, and I don't think we did unless I wasn't around.

Mr. Pa: No, I don't remember. I missed the last meeting.

Mr. Fredericksen: I mean nobody remembers it, yeah.

Ms. Duensing: Because one of the reasons why I'm asking is I review the building too, you know, separate from the CRC, and I was under the impression that they were gonna come to the CRC. All right --

K. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON (if necessary) from now until March 31, 2004

Due to technical difficulty, a portion of this item is not being transcribed verbatim but is being summarized as follows:

In regards to the election of chairperson and vice-chairperson to serve until March 31, 2004, Mr. Suzuki presented a couple of options for the Commissioners to consider. One was that the Commission could hold the elections and the new officers would serve until March 31, 2004. The other was that Mr. Fredericksen would continue to serve as Vice-Chairperson and preside over the meetings until March 31, 2004 at which time Mr. Fredericksen's term would expire. Upon consideration, the Commission had no objections of Mr. Fredericksen continuing to serve as Vice-Chairperson and preside over the meetings until March 31, 2004, and Mr. Fredericksen agreed to continue as Vice-Chairperson.

The meeting continued as follows:

Mr. Fredericksen: Yeah, no that's fine; that seems a lot simpler to me.

Ms. Sablas: Fine.

Ms. Duensing: And can I explain to the Commissioners that don't know why I resigned?

Mr. Suzuki: Sure, yes.

Ms. Duensing: Can I?

Mr. Suzuki: Yes.

Ms. Duensing: I thought everybody knew, but when the announcement came out for the cultural resources planner, I applied for it and I decided to take the job when I was offered it, so I'm stepping down three months before my five years is up.

Ms. Sablas: So when is your position effective?

Ms. Duensing: I start Monday.

Ms. Sablas: Oh my gosh.

Ms. Duensing: Yeah, so actually somebody asked me to start earlier but I said I wanted to sit in on one more meeting cause I didn't want to just kind of disappear without saying goodbye to our CRC ohana.

Ms. Sablas: So we'll see you the next time in a different capacity.

Ms. Duensing: I hope so.

Mr. Suzuki: Yes. Yes.

Ms. Duensing: Yeah? I think that's part of it, yeah?

Ms. Sablas: That's good.

Mr. Suzuki: She'll be sitting here.

Ms. Duensing: Let's not talk about it. But I really have enjoyed being a Commissioner and I appreciate all the confidence that everybody has expressed in my abilities and you guys have always been very supportive, and I talked to a lot of you about whether I should take this job and you guys were really helpful in making that decision too.

Mr. Pa: Your background has been very, very helpful with this Commission.

Ms. Duensing: Thank you. Thank you, Milton.

Mr. Fredericksen: I'm glad we got a support position because I think the Commission does do a lot of, you know, to me this Commission has a lot of input on, you know, growth issues in Maui County.

Ms. Sablas: And for that, really, I think we need to acknowledge our current administration because I remember when Mr. Foley first came before us, you know, he asked us what we wanted and that was one of the things we asked for so --

Mr. Fredericksen: We've been asking for that for -- since whenever, basically, Elizabeth Anderson, you know, resigned.

Ms. Duensing: Yeah, and I think it really is a good indicator of --

Ms. Sablas: Of the direction that we'd want to go.

Ms. Duensing: The direction that the people who, you know, allocate funds are willing to go too.

Mr. Kaopuiki: So what's proposed, should that be voted on to carry on until --

Ms. Duensing: I don't think we need to vote on that. No.

Mr. Fredericksen: No, cause there's no Chair so I'll just act until I'm pau.

Mr. Kaopuiki: Well I suppose everybody agreed, yeah?

Ms. Duensing: Yeah. Everybody agrees that Erik should be just Acting Chair for three months.

L. NEXT MEETING DATE: JANUARY 8, 2004

M. ADJOURNMENT

Okay, so I guess with that, the next meeting date is January 8, 2004, and if we can have a motion to adjourn.

It has been moved by Ms. Lori Sablas, seconded by Mr. Milton Pa, then unanimously

VOTED: to Adjourn.

There being no further business brought before the Commission, the meeting was adjourned at 12:45 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Commission Support Clerk

RECORD OF ATTENDANCE

Present

Dawn Duensing, Chairperson
Erik Fredericksen, Vice-Chairperson
Milton Pa
Solomon Kaopuiki
Lori Sablas
Lon Whelchel
Keeaumoku Kapu

Absent

Lisa Rotunno-Hazuka
Kuulei Haina

Others

Daren Suzuki, Planning Staff
Robyn Loudermilk, Planning Staff
Simone Bosco, Planning Staff
Dudley Akama, Deputy Corporation Counsel