

CULTURAL RESOURCES COMMISSION
REGULAR MEETING
JANUARY 8, 2004

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Vice-Chairperson Erik Fredericksen at 9:08 a.m., Thursday, January 8, 2004, 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.)

Mr. Fredericksen: Happy New Year. Happy 2004 to everybody. I hope everybody had a good end of 2003 and look forward to 2004 being a good one. Let's see, what do we got on tap first? If there's anybody from the public that needs to testify about anything on the agenda and need to take off, you can go ahead and come up and be sure to state your name and what it's about. Anybody have anything they need to talk about because they have to take off? No. Okay, first thing, let's take a look at the minutes from November 14. Does any of the Commissioners have any corrections? I got my packet just the day before yesterday, it was mailed on the 30th, it's just, I guess, the mail was kinda jammed up or something but -- so I haven't had a whole lot of chance to look through everything from the, you know, November agenda. Does anybody have any corrections? No corrections. Okay, I don't have much or anything in the textual format. I would just ask that we be careful with name spelling, my name in particular, which is one that is repeatedly butchered, not just -- not in the Planning Department, but it does get -- tend to lose letters, consonants usually, but it's F R E D E R I C K S E N, the E at the last part, that's the Danish, if it's been Americanized, it's usually O, but my name's with an E. Anyways, anybody have anything? Okay, anybody have a motion to accept the minutes.

B. APPROVAL OF THE MINUTES OF THE NOVEMBER 14, 2003 MEETING

Mr. Whelchel: I make a motion that we accept the minutes as read.

Mr. Kaopuiki: Second.

The minutes of the November 14, 2003 meeting has been approved.

C. PERMIT REVIEW

- 1. HISTORIC DISTRICT APPLICATIONS**
- 2. ADVISORY REVIEW**
- 3. DEMOLITION PERMITS**

D. UNFINISHED BUSINESS - None

Mr. Fredericksen: Let's see, Item C, Permit Review: Historic District Applications; Advisory Review; Demolition Permits, Dawn, are you going to be talking about any of those?

Ms. Duensing: No, there's nothing on the agenda for Permit Review.

Mr. Fredericksen: There's zilcho. Okay, and so nothing under Item C. Item D, Unfinished Business, oh, I like that, none. Okay, Item E, Nominations to the National and State Registers of Historic Places, and Kula Sanitorium nomination update is on that.

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

1. Kula Sanitorium nomination update.

Ms. Duensing: Yeah, I just wanted to bring to the Commissioners' attention that this was considered at your November meeting and we did receive a letter from Peter Young, who's the Chairman at the DLNR, recommending that this property be placed on the State Historic Register of Places and it will now move onto the National for consideration for the National Register.

Mr. Fredericksen: Dawn, I know you've had a lot of experience with this process, how long at that level you think this is going to take? Less than a year? Six months?

Ms. Duensing: Yeah, it should take less than a year, and there's several nominations I've done, sometimes it's as quick as a three-month turnaround if there's no problems with the nomination. But I could also point out that I think we had a different official in Washington reviewing these and so she requested some changes on other items that have come to her. I don't know. If there's changes, it takes longer. But I would say it's reasonable to expect three to six months.

Mr. Fredericksen: Well, yeah, I'd just like to say that I'm, personally, real happy that this is moving forward because it really is a neat facility, a lot of history there, and I'm glad that it's in process anyway.

Ms. Rotunno-Hazuka: Does it have a State Site Number?

Ms. Duensing: It should, yeah.

Ms. Rotunno-Hazuka: I just haven't seen it in --

Mr. Fredericksen: Yeah, I didn't see it in that packet.

Ms. Duensing: Well, it's probably been assigned a State Site Number but for the purposes of how the register works and the nomination papers, they just go by TMK.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: But I'm sure it's go a State number too.

Mr. Fredericksen: Could, when you do get a chance, when you're talking with somebody from SHPD, could you ask them in passing about it?

Ms. Duensing: Yeah.

Mr. Fredericksen: Cause it wouldn't absolutely surprise me if, for some reason, it doesn't have a site number, I mean stranger things have happened, just to make sure that little loose end is not -- doesn't remain loose if it is.

Ms. Duensing: Okay.

Mr. Fredericksen: Thanks. Let's see, Item E, oh excuse me, we just finished Item E. Item F, Discussion on Preservation Planning. Okay, let's see, first item, Status on the conservation easement at Kanepu`u, that's correct, yeah? Lanai, Hawaii. We got anything on that?

F. DISCUSSION ON PRESERVATION PLANNING

- 1. Status on the conservation easement at Kanepu`u, Lanai, Hawaii**
- 4. Letter to Castle & Cooke on the importance of stewardship.**

Mr. Kaopuiki: The young lady there is representing Lanai Company.

Mr. Fredericksen: Okay, well, come on up and introduce yourself. Don't worry. Don't be shy.

Ms. Mikilani Ambey: Good morning everyone. My name is Mililani Ambey. I'm from the Island of Lanai. I'm currently working with Lanai Developers through Castle & Cooke Resorts, and we are fortunate enough, in November of 2003, we were approached by Kamakakehau Cultural Foundation, which is a non-profit foundation working under the guys of Ike `Aina, which is a Hawaiian Land Trust, and it's all a non-profit organization, and they

want to come in, and it's purely volunteerism, which we've got a lot of committed volunteers from the Island of Lanai itself, we also have a lot of professional consultants available as their resources, and they are wanting to come and take over Kanepu`u, the lease agreement and the easement, the perpetual easement. Coming from the Company's standpoint, we did have a final meeting with Ike `Aina and Honest Lions, from the Nature Conservancy, just about two weeks ago in December, and we've come to the conclusion that Honest Lions and Nature Conservancy is not a viable source anymore because of monetary funds. They've acknowledged that.

Mr. Fredericksen: That's what was the issue?

Ms. Ambey: Yes. They've -- TNC has actually written Castle & Cooke Resorts a letter stating that they are no longer able to fulfill all of the requirements on the perpetual easement, and they only have certain limited funds, which only allows them to come to Lanai quarterly and that is only to check the fencing in only two zones instead of the five zones that they are supposed to be taking care of. So Ike `Aina came to us, and they are a great resource that we are looking forward with working with them, and part of that source is also Uncle Sol here, and the only thing that is holding this up is we are just waiting for the final numbers. We need a business plan to present to Mr. Murdock and then we'll get the ball rolling with our legal issues moving the perpetual easement from TNC over to Ike `Aina.

Mr. Fredericksen: Well, that's positive news. One, I just want to make sure that you don't feel like you got put on the spot or something. I'm glad that you folks, you know, that you came over because there are a lot of, you know, concerns. The Commission has spoken about them, and we're going to talk about them, and we'll probably ask, you know, ask your opinion or to comment, if you can, or at least take some of the, you know, the stuff that we're going to be talking about back with you. But I just wanted to say thanks, and I wasn't trying to put you on the spot, but I'm glad that -- what's the official name of it? The Lanai, what is it? Company now? No, it changed.

Ms. Ambey: Well, actually, it's Castle & Cooke Resorts, and we are a small subdivision, we're the development part of it, so they've actually segregated us and put us as Lanai Developers.

Mr. Fredericksen: Okay. Are you folks -- is that portion of the Company or Division, is that going to be in charge, if you will, of looking at other cultural resources on Lanai? Everything on Lanai? Or just certain spots or the, you know, the whole island?

Ms. Ambey: Actually the whole island. What it is is, I'm rather new to the development side. I actually just started this, well, July 2003, but I used to be a Hawaiian Cultural Coordinator for Castle & Cooke Resorts, under Sol Kahoolalahala, so we work extensively

with Bishop Museum, Betty Taltar, so we know where everything's at. I was fortunate enough to come over to Lanai Developers, and part of the whole, I guess, development process and permitting process, we were given certain permits to go ahead and build units, housing, luxury housing, if we promised to take care of certain aspects, archeological wise, Lanai committee as well as other MOA's that -- agreements that we have with other groups on the island, and part of my responsibility now, because we're in the interim of finding a cultural resource director, is to take over a lot of this, pick up the ball and kind of move on with it and start fulfilling the Company's promises on all of the arch sites, perpetuating easements, and just getting things moving and start for the future.

Mr. Fredericksen: Once again, I'll say that I'm glad that this is, you know, the issue of cultural resources, I guess, management, for lack of a better term, is something that's real, you know, very important on Lanai and I bet you're aware of some sites that are in need of being taken care of, specifically, I have one question, and I can't remember the name of the site, but it's just out of Lanai City with all the petroglyphs that everybody --

Ms. Ambey: Luahia.

Mr. Fredericksen: Yeah, that everyone goes to see that's advertised.

Ms. Ambey: Yes.

Mr. Fredericksen: Is the Company aware of, cause there are a lot of, from what I could gather, community concerns for the, you know, welfare, if you will, of the site because it's basically right now, and this happened in Olowalu and it's happened in a lot of different places on Maui and elsewhere in the State and also on Lanai as well, but does the Company acknowledge that there, you know, there is really does appear to be a problem as it were?

Ms. Ambey: Oh yeah.

Mr. Fredericksen: And does the Company have any plans to, you know, deal with it because it's something that's, you know, let's just get down to the nitty-gritty, it's basically -- it's a tourist attraction and some of the draw is to the high-end just because it's kind of semi-exclusive and it's being marketed that way and a lot of other sites on Lanai and so, you know, it's not a question of only backpackers cause Lanai, you know, most of the resort, you know, accommodation there is not low-end, I think, that's pretty fair to say and so that's fine, it's just the thing is, you know, there are a lot of funds coming in and these cultural resources are real valuable and, I mean, in a lot of different ways, and it seems to me it would behoove the Company, one, just in terms of public relations, doing the right thing as it were, being stewards of the cultural resources to really start looking at how are these resources get dealt with so they don't get jammed up.

Ms. Ambey: Well, actually, that's a really good point.

Mr. Fredericksen: And I'm not, like I said --

Ms. Ambey: Oh, no, not at all.

Mr. Fredericksen: I'm not trying to put you on the spot, but I just want to alert you to some of our concerns and really -- cause this is how stuff happens, like get in and talk story about it, and then figure it out.

Ms. Ambey: Well, actually, we had a cultural resource director, which was Sol Kahooalahala, which was one of our biggest supporters and one of our biggest movers on Lanai. When he left, the whole ball just dropped and we kinda was open game for everyone. Now that they brought me in, because of what I now know and because of the other resources that have been given to me, now we're looking at a plan at how we can better facilitate preservation education before we let these people run ramped through the island. We've actually gathered up a lot of the brochures, from the entire island and what's been said about these specific areas --

Mr. Fredericksen: The stuff's on the Web too.

Ms. Ambey: Oh, yeah, and Channel 7.

Mr. Fredericksen: Yeah.

Ms. Ambey: Oh yeah. We're actually facilitating a meeting in February with all of these areas, Trilogy, which they have maps --

Mr. Fredericksen: Sure.

Ms. Ambey: You know, specifically stating the areas, the mileage, and how long it would get you out there. Lanai Eco Adventure, Expeditions, all of the other areas that actually come in and help promote this area, and we actually want to start the orientation program with them, the education of them with these areas, taking them out to these areas and just letting them know that, you know, this is an area that we hold, you know, dearly because of, you know, such and such, and give them all of the background education that they need to know and let them know the things that are bothering us now, like the Luahiwa area, the erosion process there is so bad, it's gotten actually worse with the eight inches of rain we had dropped.

Mr. Fredericksen: Yeah, we got 12 in Pukalani.

Ms. Ambey: That one area, to get out there, I had to bring out my quad just to get me through the pineapple fields. They have all of that, remember when we out there it was the soft dirt?

Mr. Fredericksen: Yeah.

Ms. Ambey: So now we're dropping in the mud maybe about 10 to 12 inches, the tire itself goes down, so we're using that right now and, hopefully, the mud will stay out there for a while and we're just asking all of these Dollar Rent-a-Car and Lanai Eco Adventures, you know, to kind of keep your people away from there because the boulders are so exposed, more than three-fourths of the boulder is exposed. We are bringing in Cultural Services Hawaii to come and take a look and kinda give us some kind of help, let us know what we can do to help, you know, with the whole erosion, or just what kind of preservation would be the best solution for that areas. We're not quite sure what the Company wants to do because they are recognizing the big liabilities that was just kinda neglected for quite a long time. They're now realizing the liabilities that they have and that's part of the reason why they choose not to fix some of the really bad roadways getting out to these areas because they don't want the flow of traffic out there. That's kind of where the status is right now. We are putting together an orientation package for all of our brand new hotel workers. We are going to start them through this whole orientation program once again with the Hawaiian cultural aspect to it. That, we hope, to facilitate come February. We have a new cultural resource director coming on in about two weeks.

Mr. Fredricksen: Do you have a pen with you?

Ms. Ambey: Yes.

Mr. Fredericksen: Let me give you the State Archeologist, she does Maui and Lanai.

Ms. Ambey: Is that Melissa?

Mr. Fredericksen: Melissa Kirkendall. Have you spoken with her?

Ms. Ambey: Yes.

Mr. Fredericksen: She been out there?

Ms. Ambey: Yes. We actually saw her maybe about a month ago. She actually helped us with a grave site that we recently found.

Mr. Fredericksen: Okay. Because some of these sites that, you know, the Company has, you know, stewardship over are, you know, there does need to be something done and the

State, you know, the neutral, if you will, body is the State Historic Preservation Division and they're also, you know, the body that, of course, would approve --

Ms. Ambey: The permitting process?

Mr. Fredericksen: Yeah, the whatever permit that was needed but, yeah, she's an important resource. But I am glad that the Company is, you know --

Ms. Ambey: It took them a while.

Mr. Fredericksen: Behaving in a, just in a, you know, in a good broad manner because, you know, a lot of the landscape, if you will, on Lanai has directly resulted from --

Ms. Ambey: Neglect.

Mr. Fredericksen: From past pineapple cultivation and everything, and there are a lot of cultural resources there, so I'm glad -- I kind of rambled a bit folks, I'm sorry. Do any of the other Commission members have any questions or comments?

Ms. Duensing: Excuse me, Erik, can I make a comment? Excuse me, Commissioner Fredericksen. Just a reminder then on your agenda, you were talking about the conservation easement at Kanepu`u --

Mr. Fredericksen: I know and a I went beyond --

Ms. Duensing: And for everybody who's following the agenda, we've also, by default, considered Item No. 4, which was our letter to Castle & Cooke on the importance of stewardship, and I believe that's really what her -- she has been answering right now.

Mr. Fredericksen: Yeah.

Ms. Duensing: So we're kind of handling two agenda items at the same time.

Mr. Fredericksen: But they're, you know, interrelated in a lot of ways.

Ms. Duensing: I just wanted to point that out that we're --

Mr. Fredericksen: Thank you. Everything is interrelated.

Ms. Duensing: True. I agree.

Mr. Fredericksen: I'm not a good only talk about one little thing but thank you, Dawn.

Ms. Duensing: I just wanted to point that out in case somebody thinks we're getting off of our agenda.

Mr. Fredericksen: Okay.

Ms. Sablas: Well, first I wanted to say thank you for coming. It really is important that we continue this dialogue because the island of Lanai is a very, very important cultural resource for our County. I just wanted to ask, I think you said Ike `Aina is the volunteer group that is now, you know, going to be taking over the stewardship of Kanepu`u?

Ms. Ambey: Yes.

Ms. Sablas: Is that the group that was originally -- who did the original work to fence in or is that a different group?

Ms. Ambey: No.

Ms. Sablas: Can you tell me a little bit about this? Wasn't there another group earlier that did the original fencing, another volunteer? Was it Malama Aina or something or am I --

Ms. Ambey: Actually it was in conjunction with Hui Malama Pono.

Ms. Sablas: Okay, that's the group I was thinking of.

Ms. Ambey: That is actually a grassroots Lanai group. Unfortunately, we had -- we were all sort of led to believe that when TNC pulled out, that Hui Malama Pono would step up to the plate and kind of malama the island.

Ms. Sablas: That's what I thought; that's what was discussed earlier, yes.

Ms. Ambey: Right. Unfortunately, Hui Malama Pono is an aging group, so it's not where they're facilitating a lot of the younger group. It's not a big membership, enough to take care of what we need to take care of, the five zones.

Ms. Sablas: So is this Ike `Aina a younger group? Is it a newly formed group or --

Ms. Ambey: Actually, it's not a newly formed group, it is a, well, you know I have a brochure, and I'll actually pass it out for you folks to take a look at it, but I must say a lot of the board members are very big heavy hitters here in Hawaii, so we are looking at monies, great monies where Ike `Aina, Kamakakehau Cultural Committee is not looking for any money from anyone. They've got a lot of resources: Kamehameha, KSBE --

Ms. Sablas: So it's a State group or it's not a Lanai group?

Ms. Ambey: It's all a non-profit organization.

Ms. Sablas: Statewide?

Ms. Ambey: Yes. Kamakakehau, you might know him, Paulo "Pops" Fujishiro?

Ms. Sablas: Yes. Yeah.

Ms. Ambey: He's actually one of the staunch supporters for Uncle Sol and Bob Hera. We've actually got a lot of our great resources, older resources, from Lanai, that are there, and Bob Hera is a big push for volunteerism on Lanai, especially a lot of the younger people. And Kamakakehau, it's foundation start with a lot of rehabilitation.

Ms. Sablas: So, in your opinion, this is a good step forward then to move on with this group?

Ms. Ambey: It is a wonderful step forward.

Ms. Sablas: There's no conflict with the local group?

Ms. Ambey: No.

Ms. Sablas: I'm just saying that because when someone on the grassroots have taken care and malama that area, then you have another group come in, is that going to cause -- cause the island is small?

Ms. Ambey: Friction? No. We actually had some words with Hui Malama Pono, Jackie Holsey, and she was in agreement that Hui Malama Pono is just not up to par to take care of that type of responsibility.

Ms. Sablas: How many acres, again, was Kanepu`u?

Ms. Ambey: You know, I'm not quite sure.

Mr. Fredericksen: It's pretty big.

Ms. Ambey: I believe five hundred and some odd acres but it's spread out in five different zones. TNC, itself, was only able to take care of two zones, so they were going to let the other three zones go. Bob Hera was the first Nature Conservancy person on the island. He took care of all five zones. He eradicated all deer in those zones. When TNC came in,

they only focused their responsibilities, their kuleana, in the two zones and we still had deer running ramped in those areas. So Bob Hera is a really big shaker and mover on the island, especially with a lot of volunteerism.

Ms. Sablas: Well then that's good news then, from our meeting on Lanai, that something is being done.

Ms. Ambey: Very good.

Ms. Sablas: I would like to hear from our Lanai kupuna about his, you know, what you think about it because you're there?

Mr. Fredericksen: Yeah, Sol.

Mr. Kaopuiki: What?

Ms. Sablas: About that Kanepu`u and the Ike `Aina, you know, being the steward, if I may say, for Kanepu`u.

Mr. Kaopuiki: That's a good question. You know I, myself, I found out that I was on the Board of Directors of Ike `Aina, nobody ever told me that if I wanted to join the organization, it was a railroad job, so I don't know what I'm doing on that board. But I know it's unfortunate that Miki, I guess, got thrown this thing at her without going through the process with knowing Ike `Aina, Kamakakehau, and Hui Malama Pono. Now they gotta jun-ken-po who's going to take over. Personally, I talked to the big boys at Lanai Company, everything is not settled so, unfortunately, Miki took over at a time when there's this different organization trying to get in, and I didn't want to commit myself because it's -- I'm with this organization here. I think my status is probably not be very -- be good for this committee if I say what that -- happened in prior meetings with the people in the Company, so I wanted Miki to present what she have this morning as a testimony and see where we go from there. But everyone is coming to me because I got involved with that Kanepu`u area when I was 12 years old.

Mr. Fredericksen: Well, yeah, you're the resource, Sol.

Mr. Kaopuiki: And I cared less about trees and what the heck, kiawe trees was more important to me in kalua pig or firewood, you can sell them and make money, but the native plants, I wasn't very much -- and, yet, when I saw those trees, I figured if nobody is going to go and take care of it, it's just going to go. So by volunteer labor, we managed to keep the area going. And the Japanese people knew the serenity of that area apprized to their church, so they had a park there, a beautiful park. And prior to that, every three months they'd go up and they take care all that area. But since World War II, everything that the

Japanese do was a no, no, so from that time on, that area, the non-native plants took over and nobody bothered to take care of it except when I get a bunch of voluntary people who want to go out and do some work, they go out and do it.

Mr. Fredericksen: I think, you know, I don't know because I'm not -- I haven't gone to volunteer there, but it seems to me that, if it's possible to get a larger group of people together, you know, for resources in terms of, you know, and a lot of it is going to be done, you know, on a volunteer basis, it's good to get, I mean you know, basically, as many people as you can.

Mr. Kaopuiki: I took out, I forgot her name, but she was key personnel of packard and hewlett?

Mr. Fredericksen: I don't know who but, yeah, Hewlett Packard, HP.

Mr. Kaopuiki: She went with me and she just got carried away seeing all of these things here. She told me, "Is anybody doing anything for it?" I said the Company set aside 482 acres of land to be taken care of by the Nature Conservancy people, but I said, "I seen only two people and most of the time they are raising plants, nobody cared about taking care of the place." So I'm scheduled to, next month, I'm scheduled to take out a bunch of guys to voluntarily work to get rid of the Christmas Berries and the whatever Lantana we can get rid of. But I seek permit from the people running the organization there, they told me, "sure, go ahead." But then I saw the job is going to be big so I told ...(inaudible)... to present it to groups ...(inaudible)...

Mr. Fredericksen: I've got one more question, this is about Item 1, Kanepu`u. What -- do you know of any funding avenues that have been pursued or that could be pursued? Because, I mean, volunteerism is great, but sometimes there does need to be a little bit of money for whatever it happens to be.

Ms. Ambey: What needs to be funded.

Mr. Fredericksen: Yeah, it's just a nuts and bolts thing.

Ms. Ambey: Well, actually, still in talking plans, but the group has actually come to me, specifically, and asked me about this one particular area and they'd like to help lobby for monies. Pops Fujishiro, he was actually cornered by Lieutenant Governor Duke Aiona. He has pledged that if Mr. Fujishiro starts a whole rehab center, kind of cultural based, starting with Kanepu`u, and Ike `Aina group is actually going a little bit further in trying to put through a plan for Club Lanai, which is Kahalepalaoa on the Keomuku area of Lanai, they'd also like to take that area over, he is willing to dedicate 1.7 million towards the rehab for Ice, especially Lanai has such a major problem with Ice, and just the rehabilitation of all

these people that have been on Ice, they have no where to go, you know, there's only one employer, you're blackballed, you're almost blackballed for years, you know; if not, forever. And also, the Carpenters Union has actually approached us and would like to be a bigger player, a bigger part of the rehabilitation on Lanai since a lot of their work force has had some drug related problems as well.

Mr. Fredericksen: So this rehab center, I mean trying to, you know, talk about it and, you know, at least in the partial context of the Kanepu`u management area, if you will, some of those folks who are in that program would potentially be going out to help out as well. Is that what I'm understanding?

Ms. Ambey: Right now, well, we are, right now, waiting for the solid business plan with monies involved. Once they come across with that, then we'll go ahead and start the perpetual easement with them but until that is done and finalized --

Mr. Fredericksen: Yeah, any ideas how long that's going to take them?

Ms. Ambey: We are hoping, we gave them a deadline July, well, January 31.

Mr. Fredericksen: Okay, so coming up right around the corner, basically.

Ms. Ambey: Yes. Yes. They are wanting to move forward really quickly, especially with a lot of our rains, they want to start the whole erosion control out there, which the Company has never heard of such thing out there.

Mr. Fredericksen: Yeah.

Ms. Ambey: But they are very positive that they can do it so --

Mr. Fredericksen: Any other questions?

Ms. Sablas: While she's up there can we, I mean we seem to be talking about Lanai, I just wanted to bring up again about the stewardship part because we were on Lanai recently, in fact, we had taken a group of my employees to do cultural, a whole day ho`okele class on Lanai, and it was wonderful because more than 50 percent of our employees, who work here, have never been to your island and it's, in our belief, it's the best way to preserve is to educate, and we started our employees, so we had done about 200 employees that we had taken over, 5 trips to your island over December, so I got very familiar with the cultural sites of the island and realized the importance of preservation over there and, again, I'm glad that the Company is taking the direction they're doing in hiring a new cultural resources director. Is that person a Lanai person or is that an outside person or --

Ms. Ambey: Actually she's going to be a Lanai person. We've actually had three very strong applicants. Unfortunately, I wasn't privy to which one of them got it. But the three of them are Lanai residents and they are native to the island. And since I was the one who started out with Sol in his whole endeavor of educating the island at one point, I still will be on that committee helping them, steering them to kind of what Sol did which, you know, took care of everything: the education, the malama, and just sharing the knowledge out there. And we are actually putting together a documentary footage so the draw wouldn't have to be you have to get out there to see it. You don't have to get out there to see it. We'll have it available for you for viewing.

Mr. Fredericksen: But still, people being people, you know --

Ms. Ambey: Oh yeah.

Mr. Fredericksen: The majority of folks are going to want to go to especially the accessible sites.

Ms. Ambey: That's why we're, the Company has recognized a lot of the liability and the neglect, especially out at Luahiwa, and they just weren't aware at just how much of these boulders were exposed, so they're looking into several different options. I think one of their quick fixes is just erecting a fence line all the way up but, you know, it's great, but it's not so great, so it's now my job to hurry up and push and find these resources to help me make a more viable, accessible, responsible decision on what we want to do for long-term basis.

Ms. Sablas: I had my line of questions, so I'm so sorry, but, again, I commend the idea of having someone in charge, that's been my position at my job for 14 years at the Kaanapali Beach Hotel, and it's nice, you know for me, I know it makes a difference to have a person there full-time --

Mr. Fredericksen: Yeah, it does.

Ms. Sablas: To take care so -- and your island is a big island, so it's very encouraging to know that the Company has recognized the importance, but they need to have the support. You can just have a token title, but without the support, it's not going to be very -- you can't accomplish much, so I'm just saying that, you know, from experience --

Ms. Ambey: Oh yeah, that's -- oh yeah, that's exactly what it is.

Ms. Sablas: You need support from the top to be able to make a difference on your island. The other thing, again, we kinda jumping around about Lanai, but one of the things that I was concerned about being on the island as I saw a lot of dirt bikes coming in on Expedition, ram-rodding out there, and I think that is going to be causing a lot of damage

because they're going to go to these sites that we are concerned about. Is there any plans to address that issue?

Ms. Ambey: Actually, come February, when we have these meetings with all of our vendors, that we are going to start laying the law of the land.

Ms. Sablas: Expeditions is the one who's bringing them over.

Ms. Ambey: Oh, yes.

Mr. Fredericksen: Yeah, cause there's no charge for the bike. You pay 25 bucks and it's --

Ms. Ambey: Oh no. Oh yeah, and the Expeditions Four boat will be running come this Sunday, which they can take up to 149 passengers. So before things get way out of hand, we are looking at the February meeting with our lawyers, the lawyers are already drawing up, taking a look at our Land Court issues and everything else, what we can and what we can't do, but one of that, definitely, is a lot of that dirt bikes and it's being pushed at a lot of the motor crosses here in Hawaii.

Mr. Fredericksen: Yeah, oh no, yeah, it's another thing.

Ms. Ambey: Oh yeah, it's a free-range area.

Ms. Sablas: Oh yeah, I saw them. They were going around that place. While they were having good fun, I didn't think it was good for the environment, but, anyway, we are in a free country so I just see, you know, that's an island that probably can -- something can be done because of the ownership.

Ms. Ambey: Yeah.

Ms. Sablas: I have one last question, and it's really for us, I mean it would be nice and encouraging to have this continual, maybe once, you know, I mean because Lanai is very much a part of Maui County so, you know, to follow-up from our meeting there, Miki, if you could at least come periodically I think to update us --

Mr. Fredericksen: That's a good suggestion, Lori.

Ms. Sablas: On what's happening there and, more importantly, what can we do in our role to help you, you know, in your job, is really my question, and think about that, you know, from planning staff, if there's anyway the Commission can help support your goals to preserve.

Ms. Ambey: Just, basically, on what you folks have seen and based on your experiences, what would be your recommendations for us on these specific areas? That way I'd have a much broader resource to pull from and I can just, you know, when I go to them and show my higher ups because this is just one thing, one minute little thing in their head versus, you know, the whole big picture. I'm like the smallest piece of that pie and, you know, their time is very valuable; I got five to ten minutes to make it work and that's it, I'm out of there, you know, so in that five to ten minutes I need something.

Ms. Sablas: But to do the things you mentioned as far as what you do and I think to pull all those brochures that are steering people to areas and sites that are going to do more damage, I think that's a big, big step in getting the community together. Following that, I think, is educational material is also important, and I think the step that you're doing is to educate the employees again, you know, cause we spent -- it was an 11-hour po'okele class to us to go over there and back, a big commitment on our part to educate our employees, but it was worth every penny because of the value of educating our employees now. But, again, my train of thought, I guess, I was thinking about how we can continue having that resource person, you know, cultural resource director there, I think that's going to be a big step too. But I know sometimes how it is with management top changing, so if there is ways we can help to, maybe even a letter to say -- I think my recommendation would be to follow-up and to write a letter to Castle & Cooke and to acknowledge, you know, the good that they've done since our last meeting and at least it's a step forward.

Mr. Fredericksen: Yeah, no, it's positive, yeah, definitely.

Ms. Sablas: Yes, and recognize the steps they have taken toward some of the issues that were addressed at the Lanai meeting.

Ms. Rotunno-Hazuka: I have one --

Mr. Fredericksen: Just one second, Lisa. The other thing, I'm glad, Lori, that you're talking about this because, in a lot of ways, it's not exactly the same position, but there are a lot of similarities in what you're doing, you know, at Kaanapali Beach Hotel, and what I think -- is it Miki?

Ms. Ambey: Yes.

Mr. Fredericksen: Okay, I just want to make sure, you know, what her position is now and then what the position whoever will be taking, you know, having that formalized position, and so there are a lot of issues to work with.

Ms. Sablas: You gotta be the voice of the cultural -- every time at any of these meetings.

Mr. Fredericksen: Yeah.

Ms. Sablas: Be the person that's going to be there to speak on behalf of the land and cultural resources.

Mr. Fredericksen: And something to put in upper-management's minds is the fact that, you know, cultural resources are a very important part of Lanai, well, in elsewhere in the State too. But, I mean, that's one of the real positives and positive experiences that people can come away with and it's something that's not going to harm the, you know, the appeal, if you will, of Lanai; it's going to encourage people more cause a lot of people don't come here to go see whatever, grass skirts or whatever, you know, the Waikiki garbage, they come here cause it's a very beautiful place but also to find out about the culture, and if there's nothing to see, then it's kinda like, well, there's other places to go to, whatever, Florida, I mean that's got it's own mess of stuff, but I mean places that have, you know, nice environments anyway. Lisa?

Ms. Rotunno-Hazuka: Yeah, I had a question for the five zones that you're talking about. Do you have like a checklist that shows all the problems and maybe a solution to them or -- it'd be nice for us to have some type of synopsis of these five zones, the problems that are going on there, and maybe we can kind of be thinking of preservation measures and --

Ms. Ambey: Actually, we don't have one and I know for a fact TNC does not have one. We probably could work with Bob Hera and kinda go through it because since he was the initial one that started out with TNC on Lanai, the first Kanepu`u caretaker, for lack of a better word --

Ms. Rotunno-Hazuka: Right.

Ms. Ambey: He would be better able to make the assumptions, you know, what is wrong in this specific zone area. I know for a fact only two zones are fenced; the other three are still left open. Probably just getting more of the high school kids more involved as well. TNC attempted to do that. The first couple of classes was great; because of those first couple of classes, we've now got a whole environmental group in the school with 29 participants ...(inaudible)...

Mr. Fredericksen: Yeah, like a club, yeah, that's neat for a high school.

Ms. Ambey: It's sort of like, yeah, so now we have 29 participants on Lanai; that's very unheard of. You can't even find 29 people on a basketball team, boys and girls combined, so that's very rare, and the interest is there; it's just we don't have anyone captivating it, grabbing at it, you know, so --

Ms. Rotunno-Hazuka: Right, but I think that would help if you could prioritize the problems and start with the ones that are most major or most costly and then, you know, we can be able to look at, as far as long-term preservation measures, and Melissa Kirkendall, she'll have some input as well as, you said, Cultural Surveys Hawaii?

Ms. Ambey: Yes, Dr. Hammatt. Okay.

Ms. Sablas: One last question. I just noticed this handout here on Ike `Aina, the email kinda got blurred, is it plants?

Mr. Fredericksen: Oh yeah. It's kinda blacked out.

Ms. Sablas: What is it? Plants?

Ms. Rotunno-Hazuka: It looks like P A L O T O.

Ms. Duensing: It's palolo@Hawaii --

Ms. Sablas: I'm sorry, what is it?

Mr. Fredericksen: Paloto?

Ms. Duensing: Palolo@Hawaii --

Mr. Fredericksen: Is it an L or a T? It's a T I think.

Ms. Rotunno-Hazuka: P A L O T O --

Mr. Fredericksen: At Hawaii --

Ms. Ambey: Is it too dark?

Ms. Duensing: It is. Yeah, I thought it was palolo.

Ms. Sablas: So what is the correct email address?

Ms. Ambey: I'm not sure cause that brochure was actually given to us by Kamakakehau.

Mr. Fredericksen: Can you read it off of that?

Ms. Ambey: We can find that out.

Ms. Rotunno-Hazuka: It's black too.

Mr. Fredericksen: Oh they blacked it out.

Ms. Rotunno-Hazuka: No it is a T; it's a little T cause it has a little -- oh well, no.

Mr. Fredericksen: Maybe they blacked it out though.

Ms. Ambey: They don't want us reaching them.

Ms. Sablas: I mean it looks impressive, the Board of Directors, you know, here.

Ms. Ambey: Let me find out and then I'll go ahead and I'll email it out.

Ms. Rotunno-Hazuka: It's @hawaii.rr.com.

Ms. Sablas: Yeah, I got that, but I didn't get this other one.

Ms. Rotunno-Hazuka: It's either P A L O T O --

Mr. Fredericksen: That's what it looks like but --

Ms. Rotunno-Hazuka: Or P A L O L O.

Mr. Fredericksen: Palolo would be easier to remember but I think it's a T. Okay, any other questions or comments?

Mr. Whelchel: I'm at the Lanai Airport three or four times a month and if I had an agenda of your events, I could stay and participate for input, and I'm hungry for input. When we went over and had the tour, that was a jewel, that was -- that really impressed me what you had and I'd like to see it further, I'd like to be part of it, I'd like to make input, so if we could get an agenda of your activities, I would appreciate it.

Ms. Ambey: Sure. Actually, we are in plans of making a community-based Lanai calendar. Right now, it's in the works, it's being developed, the website is being developed so that everyone would have access to it, putting in, you know, just what kind of meetings are going on and what it pertains to, but that shouldn't be a problem at all.

Mr. Kaopuiki: Excuse me.

Mr. Fredericksen: Yes, Sol?

Mr. Kaopuiki: May I say something? I want to make sure that there's no conflict in my participating in the discussion, but I want to help this young lady here because, funny, I saw a lot how the Company are organized, they brought in all new people, but not one of the old-timers has ever come here to testify, now she's just a young girl out of school and they threw her on this floor, you know. Bagoyo was here and Ralph Masuda, but I haven't seen them testify with what you folks are throwing the questions at her. I'm just trying because Miki, I work with her from trying to solve the problem of silt that goes in the ocean at Manele, from there it pretty much goes on discussion on the other part. This morning when I glanced there I saw her sitting there I was reading what the heck goes on, but then somehow or another looking at Coon and, unfortunately, I don't think highly of his work in getting information from the Lanai people for it, he's getting all the stuff is secondhand; new people that come there trying to make an impression with him and get a free ride, I guess. But, unfortunately, this young lady has been thrown to our committee here, and I know she's nervous as heck, but should I help her in every way I can and I would like to see you make a go of it because I seen the plans and it's a real go thing, you cannot help but look at it. But if they have a guy from Lanai that is sitting on that particular committee, it would be a real thing for Miki to be involved with these people, but I, that's why I said, I don't want to express my idea in anything to include whatever these people are doing. I don't want to jeopardize my position here, so it's just to help Miki out in making the work easier for her. Thanks.

Mr. Fredericksen: Thanks, Sol. I think we're all in agreement that, you know, this is positive that there's some movement on some of these issues.

Ms. Sablas: But, if I may just interject with Uncle Sol, you represent the island of Lanai and for us Commissioners, it's very important to get your point of view so I don't see a conflict --

Mr. Fredericksen: I don't see a conflict; that's what I was going to say.

Ms. Sablas: Because for you to, you know, that's why you sit on this Commission, Uncle, because you're there, that's where you live, and it's good to have input from the community as oppose from us just from, you know, observation from the outside. So whatever insight you can put into our discussion here, I think is really, really important so we can move in the right direction and make the right, you know again, right decisions to preserve your island so --

Mr. Kaopuiki: Let me say something humorous. People ask me why don't you come -- I talked to the State Librarians and, couple of days later, I got a letter from some of them wanted me to come to Kauai, Big Island to talk about something different, and I told them over the telephone that on the island of Lanai, I got a title, I'm know as the B.S. Champ. So, immediately, first thing that comes to those who receive that remark, right off the bat, they start laughing, so I told them it's not what you guys think, to me it's beat stress. But

the thing is, as I said, this thing is weird. I know. They see me on the road. They're thinking what the heck this guy walking around all over the island all by myself. I'm looking at native plants. I found native plants; amazing what I found. By going back and doing a study and going to the people, but they don't tell you what kind of plant, and like a damn fool you're looking all around and then you found out that it's something else, it's not the thing that I'm looking for, it's the native plants that no other island got it, and by being exposed to these kind of conditions, I kept quiet.

And while doing these things, I also got involved with native birds. And if you ever come across this magazine, not -- yeah, it's a magazine of -- written by National Geographic, the *Remains of a Rainbow*, if you look in there and read on it and you find what the girls, I took those girls who took all the pictures out in the area, they told me, "How come the rest of the people on Lanai don't know what the island has?" I said, "Nobody cares. They care less about it." But the thing is I'm also in church I offer the Bible studies. Last month, November 29, I was in church presenting my Bible studies, here comes in a bird, we have plenty birds come in there but you gotta chase them out, we chase them, but this bird didn't fly out, it circled and then landed on a sill and that bird, eventually, flew from the sill and settled ...(inaudible)... that bird was about five inches long, and I've seen pictures of that bird in the Bible studies by -- no the bird studies by somebody, and the name was ahumiki, and that bird, I was facing a audience, he was facing this was but turned around and looking at those guys, and when he looked at me, he just rose up and, till today, I'll never forget that image that he stood up and looked at me. He chirped 12 times, and all of you who are familiar with the Bible, 12 disciples, right? That bird stood there and I timed it, it went to 12 seconds, he looked, and around his eyes he has a circle, a yellow kind of -- small kind of -- and dark green, it gave me a last look and it took off. Naturally, when you see things like that, immediately you come to thinking it's a good omen or a bad omen. Three days later, the Nature Conservancy announced that they were giving up the taking care of Kanepu`u. So whether that bird came and tell me about the Nature Conservancy people closing down, is the answer or what, he was present there. To me, I didn't think that was the answer, it's what Miki and the others are trying to present now. And I also heard about the legacy, trying to get me involved, that's why I was sort of railroaded into Ike `Aina and I wanted to quit Hui Malama Ika Pono because everybody is trying to let somebody run this organization, and I wanted to get out of that, so I'm still seriously considering to get out. I want to start off organizing voluntary people, have a lot of them, to go out and clean up the area in Kanepu`u.

Mr. Fredericksen: Sol, excuse me. That is, I think, precisely the reason why you should stay on the board of directors because you know a lot of people in the community and you have a lot of connection with Kanepu`u, so I don't -- I, you know, I personally think, I mean if this is an organization that has enough resources to deal with some of these big issues, great, but, you know, you as a, you know, you've been on Lanai for quite a few decades, my friend, and you've been involved with so much there and so, I mean I think it's, you

know, completely appropriate for you to stay on the board of directors and be involved, and maybe you don't -- you might not agree with everything, but that's one of the things, you know, with any board or commission, everybody's got different opinions, but having somebody, you know, someone who's like a community resource, like you are, on a board which is trying to deal with, you know, these complex issues, preservation issues, I mean that's great.

Mr. Kaopuiki: Yeah, I thought about that too, you know. I thought about it. But it's unfortunate, when I was working for Dole, I was in a supervisory position and I used to tangle with some of those guys so, you know --

Mr. Fredericksen: Yeah but people change and, I mean everybody's got -- it's a completely different -- everybody's got a different focus. I mean you're not working anymore.

Ms. Rotunno-Hazuka: It's your voice.

Mr. Fredericksen: Yeah, you're part of the community.

Ms. Sablas: And the wisdom was from a kupuna.

Mr. Fredericksen: Yeah. No, you better not -- you know, I would hope that you'd stay on.

Ms. Sablas: That's the most I've heard him talk the entire five years.

Mr. Fredericksen: No, but serious, stay on.

Mr. Whelchel: If he leaves, they will lose more than he will gain.

Mr. Kaopuiki: It's because of that bird.

Ms. Sablas: The bird was speaking to you.

Ms. Rotunno-Hazuka: That was a confirmation. The bird was saying you're doing the right thing.

Mr. Fredericksen: The bird said, "Hey, you, stay."

Ms. Sablas: Yeah, you gotta take care of the bird.

Mr. Fredericksen: Okay, let's try to wrap this so we can move on. Oh sure.

Mr. Michael Howden: Aloha kakahiaka. My name's Michael Howden. I'm a hermaculture designer based in Ulupalakua and Kanahena and a haumana of Papa Henry Awai of the Big Island. I'm just speaking really to Uncle Sol because Pops was out at our place last week, you know, had dinner and spent the night, and we talked a lot about this project and to him, it was unthinkable to do the project without your mana`o and your kokua. I will say that this group, especially Pops, has been involved, not only Lao Valley working with so-called at-risk youth and his kuleana, and Ukumehame and mauka of Lahainaluna and, of course, with the PKO on Kahoolawe, but these are passionate people, but they would not try to do anything without the mana`o and the approval of the kupuna so --

Mr. Fredericksen: Thanks. See, Sol, you cannot. Okay, so that's that, so I look forward to hearing on the progress of -- from one of the board of directors who also happens to be on the Cultural Resources Commission. Okay, are there -- does anybody else from the public have anything to say for this? Let's go ahead and leave the issue for now of Kanepu`u. Lori, I think, did you suggest that a letter be written? I think it's a good --

Ms. Sablas: Yes, a letter, a follow-up letter to acknowledge Castle & Cooke for following-up on some of the items -- the issues that we addressed at our Lanai meeting, and commend them to at least have a representative, and encourage them.

Mr. Fredericksen: Well, yeah, and also to thank them for sending Miki.

Ms. Sablas: Yeah, to address the easement and, you know, cause it was something -- a key issue that we talked about at the meeting --

Mr. Fredericksen: Yeah.

Ms. Sablas: So I think it's -- a letter from this Commission to thank them and acknowledge them for what they've done.

Mr. Fredericksen: Dawn, how --

Ms. Duensing: So noted.

Mr. Fredericksen: Huh?

Ms. Duensing: I've got, yeah.

Mr. Fredericksen: Okay, great. And I'd just like to say, once again, I'm glad that you did come, Miki, and, you know, thank you and, hopefully, we didn't have sharp teeth. Sol thought were the den of the wolves for a little bit, but I don't think we -- I don't think we were, we're just trying to, you know, get some of our thoughts across and everything, and

we look forward to, you know, getting some updates and whatnot. Let's see, so we covered Item 1 and Item 4, and let's go ahead and look at Item 3, future presentation, or, excuse me, Item 2, Future presentation on Secretary of the Interior Guidelines. Dawn?

2. Future presentation on Secretary of the Interior Guidelines

Ms. Duensing: Yeah, this is in response, again, to the meeting we held on Lanai in September when we had requested Tonia Moi to come and speak about the Secretary of the Interior's Guidelines and many members were not present for that --

Mr. Fredericksen: Yeah, I had to leave.

Ms. Duensing: And I discussed this with Daren Suzuki, who accompanied us over there, as well as Deputy Director Boteilho, and we'd like to do that again even though Tonia is no longer with the SHPD. My suggestion, however, would be to wait until we have all our new commissioners on board after our, I guess it would be our April meeting, and then we can find somebody to do it or figure out a way to do it with or without Tonia.

Mr. Fredericksen: Well, at least get it scheduled and also, well, it'll be open, I'm assuming, to the public.

Ms. Duensing: Yeah, I'd like -- if we could manage it on a day when we don't have a heavy agenda, it'd be good to do it at a regular meeting so we get good attendance, and it would also be good to get the planners in to listen to this cause it's been a problem in the past with the Secretary's Guidelines, not with the planners.

Mr. Fredericksen: Okay, any comments on that from the Commissioners? Okay, let's look at No. 5, Federal Highways Administration, Section 4(f).

Ms. Duensing: Did you wanna --

Mr. Fredericksen: No. 3 --

Ms. Sablas: What is 3?

Mr. Fredericksen: Oh, Documentation of historic sites on Lanai prior to 1970. Did we get something?

3. Documentation of historic sites on Lanai prior to 1970.

Ms. Duensing: Kind of. We did send a letter to Holly McEldowney that, I believe, you were all cc'd on, and we requested that she update us that the sites on Lanai were still recorded

because at our September meeting on Lanai, we had found out that many of the sites on Lanai had been taken off the National Register due to some problems, and we did not get written response to our letter, but I did speak to Holly yesterday and she said that, yes, the places were listed, they were removed from the National Register, but they do maintain information on these historic sites so that the documentation is still available for future reference. And, I think, most importantly, the point that she made is that, you know, when things happen on Lanai that all of these sites are still subject to monitoring and SHPD review if there's a possibility for potential impact so --

Mr. Fredericksen: But the sites don't have -- they didn't have their site numbers removed?

Ms. Duensing: No.

Mr. Fredericksen: Okay.

Ms. Duensing: No. And I requested a written response from them.

Mr. Fredericksen: Is she or is SHPD going to do that?

Ms. Duensing: She said she had assigned it to one of the staff person, she would have to follow through on it, but at least I got some information from her.

Mr. Fredericksen: Okay, well, thank you, thank you for following through, as you know from past experience, that has to happen sometimes, unfortunately, but, you know, and I understand, you know, SHPD, I mean to some extent there, you know, there are, you know, they've got their workload and stuff, but it is appreciated especially since we, on this Commission, are all volunteers, we all pay taxes, but we don't get paid for doing, you know, the work that we do on the Commission and it's nice when a State employee responds to a voluntary County Commission's request to do something. But thanks, Dawn, for following-up with them, and I think it would be nice to get the written response from the State at some point.

Ms. Duensing: Yeah, if I don't get it sometime along, I'll try to call them.

Mr. Fredericksen: I'm sure you won't let it linger too long, from your own experiences on the Commission in the past, but once again, thanks, that's appreciated. It's nice to have someone whose very familiar with some of the shortfalls. Anyways, let's move on to 5, that's Federal Highways Administration, Section 4(f).

5. Federal Highways Administration, Section 4(f)

Ms. Duensing: Okay, at our last meeting, I had been asked to discuss some of the workshops that I had attended when I went to the National Trust Conference in Denver, and one of the workshops I attended was on Section 4(f), and I asked some information about Section 4(f) be sent to you in your agendas, and the idea was to talk about it today, make you familiar with it, and what the National Trust -- the point of their workshop was, basically, to get preservationist on board to write their Congressmen and tell them not to water down or remove Section (f) from the Federal Transportation Act.

Mr. Fredericksen: Okay, excuse me, Dawn, I'm going to interrupt you and ask you about how long this is going to take? I want to hear about it --

Ms. Duensing: I can get it done in five minutes if you can get --

Mr. Fredericksen: Okay, I just don't wanna -- I don't wanna let the folks ...(inaudible)...

Ms. Duensing: No, this is a quicky, you know, I just --

Mr. Fredericksen: Okay, that's fine. I am interested in it and we could do it afterwards or we can just go ahead and --

Ms. Duensing: Do you want to change the agenda? Should we just move the --

Mr. Fredericksen: What does the Commission members feel?

Ms. Sablas: She said she'll take five minutes.

Mr. Fredericksen: Okay, well let's do it then.

Ms. Duensing: Alright. So, basically, Section 4(f) is considered one of the strongest preservation acts in the United States. It says that the policy of the U.S. Government should be that special efforts need to be made to preserve the natural beauty of the countryside, and public park and recreation lands, wildlife and waterfall refuges, as well as historic sites. And, basically, what it really boils down to is you're all familiar with Section 106, if Federal funds are involved, you have to have historic preservation review for any action that affects a historic or archeological site, right? Well, Section 4(f) is even stronger than that because what the importance of the -- the important part of the law says that the transportation department, on transportation related projects receiving Federal funding, has to discuss whether there's a prudent and feasible alternative to using the land impacting the historic site, scenic recreational resources, whatever, and their programs and projects have to include, "all possible planning to minimize harm to the park recreation area, wildlife and waterfall refuge, or historic site resulting from the use." Okay, and this is really important, it's not really being applied in the case of our important Hana Highway

as it should be, but what the Reagan administration has suggested in the transportation act is this all gets watered down because they say it cost too much, and if you look on the National Trust website, they cite explanations for --

Mr. Fredericksen: Excuse me?

Ms. Duensing: What?

Mr. Fredericksen: Reagan administration?

Ms. Duensing: Oh, did I say Reagan? I meant Bush.

Ms. Rotunno-Hazuka: I thought you were talking about when it was --

Mr. Fredericksen: So we're talking about George W. then, right? Okay.

Ms. Duensing: Maybe I should say just the current administration.

Mr. Fredericksen: Yes, the current administration --

Ms. Duensing: Golly --

Mr. Fredericksen: Who would like to have no regulations for any --

Ms. Duensing: Did I say Reagan?

Mr. Fredericksen: Yes, but that's okay.

Ms. Rotunno-Hazuka: You must have read it when you were doing this.

Mr. Fredericksen: I was paying attention.

Ms. Duensing: That's -- I'm glad somebody listens to me, nobody else did. Anyway, the important thing is that the administration proposes to water down the Federal Transportation Act, and what the National Trust has suggested is that individuals interested in preservation as well as organizations, like ours, take the time to write a letter to our Congressmen and ask that this be kept in the legislation because it's an important preservation principle, an important law to help protect our historic and archeological sites. The House of Representatives has already voted on it and Ed Case supported that it stay in there, so we don't really need to write a letter to him. Neither one of our Senators is on the Transportation Committee but it would still be a good idea, if this Commission so

desires, to let them know the importance of 4(f) and the preservation it support, keeping it as is, rather than saying there's ways to skirt around it.

Mr. Fredericksen: Yeah. No, I agree. Do the other Commission members agree too, you know, about what Dawn was just saying, the need for, you know, write a letter? I certainly, you know, as a Commission member, feel that would be very, very good.

Ms. Rotunno-Hazuka: You wanna write the letter?

Ms. Duensing: Well, that's my job now.

Mr. Fredericksen: Yeah.

Ms. Rotunno-Hazuka: Write the letter.

Mr. Fredericksen: I'm assuming we don't need to make a -- or do we need to make a motion on this? I guess we do need to make a motion.

Mr. Kaopuiki: I'll make a motion. I support what Dawn is saying.

Ms. Rotunno-Hazuka: Second.

Mr. Fredericksen: So we have a motion to draft a letter, staff will draft a letter to the Federal Highway -- or in support of Federal Highways Administration, Section 4(f), not watering it down, which is what the current administration would just love to do.

Ms Sablas: And using the guidelines that's stated on the handout actually I think, you know, it states all the things on the back.

Mr. Fredericksen: Which one is that, Lori?

Ms. Rotunno-Hazuka: It's the one that has the Federal Highway --

Mr. Fredericksen: Oh, okay, I got it on the back, yeah. I got it.

Ms. Sablas: It outlines all the actions needed and I think we can use that, it's wonderful, and it spells out what's needed so -- thank you.

Ms. Duensing: Yeah.

Mr. Fredericksen: Yeah, and coming from the Commission, that's -- I mean that's something that I think is a good idea. Sorry, Dawn. Is that it?

Ms. Duensing: Okay, fine. And I, you know, I just wanted, as I said at our last meeting when I was participating with you, is that, you know, having experienced so many road issues here on Maui, I think it's really critical for the Commission to take a stand and so I wanted to complete this and get on with it.

Mr. Fredericksen: Oh, no, and thank you for following through on a Commission agenda item swiftly. Oh, and, thank you, Corp. Counsel just reminded me that we did -- have a motion that's been seconded but we didn't vote on it so let's --

It has been moved by Mr. Solomon Kaopuiki, seconded by Ms. Lisa Rotunno-Hazuka, then unanimously

VOTED: that staff will draft a letter in support of keeping Federal Highways Administration, Section 4(f) in place, and not water it down.

Mr. Fredericksen: Okay, motion passes. Okay, thanks, Dawn, appreciate it. Okay, let's move on to Item G, and for the folks that are in the audience, you can wake up now, but thanks for bearing with us, this is stuff that we didn't want to shortchange. First the -- the one item is an overview of Old Maui High School project and that's -- here is Barbara Long from Friends of Old Maui High School, and while Barbara's passing stuff out, I just think this is a dandy project and I'm looking forward to hearing something about it.

G. NEW BUSINESS

1. Overview of Old Maui High School project by Barbara Long, Friends of Old Maui High School

Ms. Barbara Long: And the book that Lisa's looking at now, hopefully, you'll each have a chance to look at that; it's before, during, and after. My name's Barbara Long. I'm a member of the Executive Board of the Friends of Old Maui High School and I have with me today another member of the Executive Board who is Ruth Mukai, who is an alumna from the Class of '47, and Ruth's also a cousin of Patsy Mink, who I think is probably the most famous alumna of Maui High School, she was Class of '44, and a member of our Advisory Board and he's been very, very involved in what we're doing, and my mind has just gone blank. Introduce yourself.

Mr. Jeff Reetz: Jeff Reetz.

Ms. Long: Jeff Reetz, and some of you may know him from the video that he did a number of years ago on the railroads, the old time plantation railroads of Maui, very interesting and

successful video. So what I'm here today for is to let you know the status of what's happening at the Old Maui High School, and I'm curious to know if any of you have seen the place. Would you just raise your hands and let me know if any of you have been out to Old Maui High? Yikes.

Ms. Rotunno-Hazuka: I've only seen it in the paper.

Ms. Long: We have to fix this. It's out at Hamakuapoko and you've got an invitation there for the 24th. We're doing a cleanup day. Because of the condition of the site, we have to get specific access from the County so it gives you an opportunity to come out. We don't ask that you wheel the hammer or a wheelbarrow, but we'd love to see you out there. It's a good chance to see the site.

Mr. Fredericksen: Excuse me, Barbara, before we get into this anymore, is Niftal, they're out of there?

Ms. Long: They are still a presence there --

Mr. Fredericksen: They're still there?

Ms. Long: And I will get to that.

Mr. Fredericksen: Okay.

Ms. Long: Okay, the Old Maui High School, the first structure was 1913. It was the first high school on Maui co-educational. It followed Lahainaluna but because of the status of Lahainaluna as a boy school then and that kind of thing, it was the first opportunity for kids on Maui to get an education beyond eighth grade, normally, they'd have to go off-island or go right to work. In 1921, the building that we're concerned with, the Administration Building, was constructed. It was designed by Charles W. Dickey and his partner Mr. Hart. It is, basically, a California mission structure built of mostly concrete. It's quite large. You'll see in the book, there's an aerial view of the campus from the 1950's and there's also a recent floor plan that Jeff was good enough to measure out for us, and that building has suffered from neglect. The site, technically, belongs to the State. It was given to the State by A&B many, many years ago. The State, in the 1970's, through an Executive Order from the Governor, conveyed it to Maui County to use for purposes of education, and some of you may know that over the years the old gymnasium was used for dance instruction and hippie festivals and drama and heaven knows what all else. But regardless of who technically owned or controlled the site, that building was not maintained. There are more recent buildings on the site, which you will see in the aerial view, there are some older ones that were ag buildings, there's a shot of that in the black and white photos. The gymnasium, unfortunately, burned down; that was not a Dickey building, so that what's left

is virtually a ruin. The roof has caved in. Trees: Ficus, Benjamina, whatever, have pretty much eaten portions of the building. However, because of the Advisory Board that we have, people like Hans Riecke, Muffy Gushi, Roz Lightfoot from the Historical Society, a number of people have been out to the site and have looked at it, Melissa Kirkendall's been out there as well, they seem -- them think that it is rehabilitatable.

Mr. Fredericksen: Hans does?

Ms. Long: Hans does. He also thinks it's kind of dangerous, which it is, in its present condition. The status of the campus area, which is 24 acres, is, currently, it's owned by the State, the County controls it through the Executive Order, the County has leased it, and the lease extends for umteen numbers of years to the University of Hawaii, Niftal, the Institute of Tropical Agriculture, who wants out. When they came to the County and said, "We want out," the County said, "Well you've gotta clean up the hazardous materials that are from pesticides or heaven knows what they were doing there." And they said, "Well we'd be happy to do that but we don't have any money. Plus the fact that during your stewardship, the infrastructure sort of went to pot so that the septic system doesn't work, the well is contaminated, the structures haven't been maintained that we were not in control of." The Parks Department is the agency in the County, and Tamara Horcajo was here but she left, she was here to kind of monitor what was going to go on, and I told her, "Don't worry about it, we're not going to do anything that's going to affect you," they have control over the gymnasium area, what's under it, plus the football field, which you'll see in the aerial photograph. The rest of it is, technically, leased to UH. So there is, currently, back and forth dialogue between UH, the Finance Director in Maui County, the Parks Department, and then the Friends of Old Maui High School and Community Work Day. I want to acknowledge right now the contribution of Jan Dapitan and Community Work Day who got involved in this site, yes, about a year ago recognizing that it was in danger of being bulldozed because of the debris, the vandalism, the security problems, and the fact that nobody wanted to take responsibility for it. So Community Work Day has had two or three cleanup projects out there during which they enlist, not only volunteers, but contractors like Goodfellow Brothers, who come out there with skiploaders and actually take away major stuff, parts of trees and things, they fill dumpsters, haul them away; she's had the MCCC guys from the jail down there doing heavy loading, heavy lifting, tree removal, and involve various community organizations. The unions have been there. The Carpenters Union, Herman Nascimento, who was on Planning Commission with me, has now brought the Carpenters Union into this and he is one of the Executive Board members, so that one of the pluses in this is the enormously broad-based community support.

You might have read in the paper about a Patsy T. Mink Center being proposed for out there. Because of the fact that the ownership is up in the air, the hazardous material situation, etcetera, that's kind of on a very back burner because our main concern now, for the Friends of Old Maui High School and why we're here with you today, is to protect,

secure, and preserve the Administration Building, the Dickey building, and any other parts of the campus that you folks think are deserving of attention. I, personally, have not walked the whole site, so I don't even know what's out there, but that's part of our question.

We have alumni, and I figure in the years from 1930's up until the last graduating class, which I believe was in '72, there are thousands of alumni out there of Old Maui High School, and we're hoping to get some grant money to start some sort of organizational data base, get as many of them online as we can to help in whatever way. And, of course, we have famous graduates: the Mayor is a graduate, Mike Molina, Riki Hokama, Elmer Cravalho, you name it.

Because of a number of things, the Old Maui High School Administration Building meets the criteria for listing on the National Register, which it has never been listed on, and the State register: it has historical significance; it has architectural significance; it's definitely the work of a master; it's associated with significant events in Maui's history; it's associated with many famous people, and not only the architect, but the unique style, materials, use of the building makes it extremely significant, and it breaks my heart and it will break yours to see the condition that it's in.

So, initially, there were concerns and there still are as to the hazardous nature of the building. The roof has fallen in but there are still a lot of supports that make it difficult for people to get inside and, say, paint out the graffiti or do other work inside. There were fire concerns. Ruth Mukai told me yesterday that she was told that the head of the Fire Department was thinking, oh, this is a terrible fire hazard, which it possibly could be, there's a lot of debris and stuff, but that's what our Community Work Day is for is to clean that up, to mow the lawn, to get the trees out of there, to rake up all the trash that's on the ground, and to hope that lightning doesn't strike it and it goes up in flames.

Mr. Fredericksen: Excuse me, Barbara?

Ms. Long: Yes?

Mr. Fredericksen: What's being done about the Ficus trees?

Ms. Long: Hans is working on that with Muffy to, I believe, figure out a way to get arborist or somebody in there along with crews to -- I mean they've actually grown inside the building.

Mr. Fredericksen: Oh, I know, they're providing structural support to some extent in one place ...(inaudible)...

Ms. Long: Yeah. To do appropriate -- appropriate mitigation and removal measures that aren't going to harm the building, and I will tell you before you say anything about it, you'll see shots in this book of people up on the parapets, Jeff was one of them, we know we can't do that. We cannot, we should not, and we're not going to do it. We're hoping on the 24th to have a cherry picker out there so we can get up there to remove the stuff that's on the top without actually putting ladders and damaging the concrete. Lon, you look like you've got a -- Lon, you got a question? The whole thing is fascinating. Okay, so what we're doing is Friends of Old Maui High are applying for non-profit status as a 501(c)3 organization. Presently, we are umbrellaed by Community Work Day. We have received donations; some pretty nice ones. We're getting into that status pro bono, another member of our Executive Board is Paul Ueoka, who's an alumnus also; he was on the roof too; you were not the only one.

Mr. Fredericksen: He had a waiver though.

Ms. Long: Okay, so we're trying to be pragmatic about this in the face of the ownership issues, the hazardous materials, the fact that when the school was built, there was a whole Hamakuapoko plantation community, which is visible in the area photo, of hundreds of homes where couple of thousand people lived, I assume, and I will tell you that the Haiku -- Paia Community Plan designates some 20 acres, where that original village was, as single-family residential, and also designates 10 acres of the 24-acre campus, and I'm not sure how this is going to work, as affordable housing. It's still zoned agriculture. It's still zoned, I don't know, public/quasi-public or whatever the school is zoned, but there is a thought in the future that there will be residential development there again, possibly depending on where the Paia bypass goes, when it goes in, and that sort of thing. So that the Patsy T. Mink Center, when people would say, "Well it's out in the middle of nowhere. It's surrounded by cane fields. What are you going to do there? It's far away from the center of civilization," it's not always going to be. There will be habitation around there. It's really close to Hookipa.

Mr. Fredericksen: And it doesn't matter, even if there aren't homes there, it's still a neat place for the center.

Ms. Long: Yeah, and Tamara Horcajo, who is the Recreation Director for the Parks Department, said to me as she left, "Wouldn't it be great if that could be a really major recreation facility for the County if we got somebody like Nike could get involved and do something." So we gotta think big on this one, but that's down the road. We gotta protect it. We've gotta secure it. We've gotta preserve it.

One of the things I gave you is the Secretary of the Interior Standards for Preservation, which to the Friends of Old Maui High is the doable thing now. Regardless of who owns it; regardless of what it's going to be, we don't want it to be bulldozed, we don't want it to

deteriorate further, and we want the County, the State, SHPD, everybody to recognize this is an important site and it needs to be integrated into something. Okay, any questions so far?

Ms. Rotunno-Hazuka: Does it have a State Site Number?

Ms. Long: I doubt it. No, it does not.

Ms. Rotunno-Hazuka: Okay.

Ms. Long: It does not. Okay, so the issues are access, ownership, and safety right now. What the Friends are also trying to do, and the alumni, is to create an archive and a memory bank. I discovered that all the yearbooks that go back before 1921, to the little original cottage school, are at the new Maui High School in their Library. They are not being kept under archival conditions, obviously, and they're not really accessible, and noone has started doing any oral histories or really tried to collect old photographs, memorabilia, stuff like that, so that's one of the things that we're hoping, in our initial grant go-around, that we can start working on.

We have contacted the National Trust for Historic Preservation. Holly Fiala, Jeff and I have both spoken with her, is enthusiastic about this thing to the point where she's going to come out from San Francisco in February. I told her when your next meeting is in the hope that maybe she could coordinate it with that and speak with you but, otherwise, we'll do something else. But she's going to coordinate it with David Scott, who's the Executive Director of Historic Hawaii Foundation. They're going to do a site visit out there with the idea that there are a number of ways that they could help. There are heritage teams from the National Trust that could come and evaluate, deal with consultants; there's a consultant grant program, and through Historic Hawaii Foundation, there's the Hawaii Preservation Services Fund, so we're already in the loop for applying for these kinds of things. Community Work Day, on behalf of Friends of Old Maui High, has already applied to the County, in this budget go-around, for a CDBG Community Block Development Grant because it is a blighted area, noone would dispute that, to see what funding we can get to work on that. We're meeting with the Hawaii Counsel for the Humanities; Hawaii Community Foundation; Maui Historical Society, I'm going to talk to their board about getting them a little bit proactive and possibly using them as the archival repository for this, and, of course, we're meeting with you and if you -- okay, and that's about it with my presentation and I've got three questions that I wanted to put to you, but do you have any other questions for me ...(inaudible)...

Mr. Fredericksen: I've got a question/comment, well, actually a comment then a question. The thing with the hazardous material from Niftal, that's not, you know, that's not an acceptable response for them to just go, "Oh, too bad."

Ms. Long: I'm sure the County agrees with you.

Mr. Fredericksen: Well and that's a, I mean, correct me if I'm wrong, but I believe that State funds are used for Niftal. It is State cause it's a branch of U.H..

Ms. Long: Right.

Mr. Fredericksen: And it's not --

Ms. Long: You're right.

Mr. Fredericksen: So that's not acceptable, and I won't get into anymore of my thoughts about what the State does sometimes, but what sort of solutions have been fielded? What kind of, one, what of kind of, I mean, does anybody know how much stuff there is? Is it just all over the place or is it centralized?

Ms. Long: There's been -- there was a survey, paid for by the State through U.H. called the Clayton Report, the Clayton guys are environmental whatever, some of you know this --

Ms. Rotunno-Hazuka: Geologists.

Ms. Long: Whatever. They assessed the risk, they didn't assess the damage, they assessed the risk and made recommendations as to what the next steps should be. The State and the County have applied for EPA grants to do, yeah, this is going to take ten years, hazardous material evaluations and my understanding, and I don't know if it's correct, is that U.H. has said, "Yes, we will do a soil sample evaluation." As far as the clean up, we could be getting into brown fields. I don't know how bad it is. That was where Senator Inouye and this Patsy T. Mink Center thing peripherally kind of got involved as maybe this is a solution if we can do a something that's socially responsible with the site that commemorates Patsy Mink and then it got politicized, so -- and I don't know how bad the damage is and, at this point, I don't think anyone knows.

Mr. Fredericksen: Has it -- what has been the reply from whoever is in charge of Niftal? Cause they're the one's, presumably, that furnished the hazardous material to the place.

Ms. Long: They are communicating with Keith Regan. I believe the dialogue is between Keith Regan, who's the County Finance Director who is the lessor in this case, and I'm not sure, specifically, who the person is at U.H. that he is corresponding with, there a number of people, so whoever Niftal is sub to UH. There is dialogue going on. In Corp. Counsel, Tracy Villarosa is handling this. I had brief talks with her. We're also checking to see what the potential is for A&B to get the site back. So, you know, all of that stuff is on hold, but we can go forward. I don't see that there's a significant problem in doing some initial

stabilization, consultant investigation, planning that kind of thing that wouldn't involve huge expenditures, and it would certainly benefit whoever winds up the ownership and the use of the site.

Mr. Fredericksen: Have they, excuse me, Barbara, I just want to return to this --

Ms. Long: Sure.

Mr. Fredericksen: Hazardous waste issue because did, whatever this was, the Clayton Report, this Clayton Report, did they identify where the hazardous materials are?

Ms. Long: They have a pretty good idea just judging from where Niftal was operating, but they're not specific, that was not their job. And, of course, the other thing is the infrastructure.

Mr. Jeff Reetz: I could answer ...(inaudible)...

Ms. Long: Oh, okay, yeah, Jeff's read the report.

Mr. Fredericksen: Oh, Jeff, could you please state your name and -- thanks.

Mr. Reetz: Aloha, I'm Jeff Reetz with the Friends committee, but I've reviewed the report, and we could make it available to you for you to review, but it's written by a professional environmental engineering group that has offices around the country, including offices in Honolulu, they're professional environmental consultants, and their report identifies a number of different types of possible hazards, everything from asbestos in the classrooms that would have been there --

Mr. Fredericksen: That was before ...(inaudible)...

Ms. Rotunno-Hazuka: In the construction.

Mr. Reetz: Before Niftal got there, to other handling of pesticides and the other materials that they used in the experiments; I don't know exactly what they are. So there's a range of hazardous materials, additionally, and including a diesel storage tank.

Mr. Fredericksen: That leaked or whatever.

Mr. Reetz: So when you say hazardous waste, don't freak out. It's not hazardous waste all over the place, it's a wasteland, and it gets kind of emotional. It doesn't need to be. Our belief, my belief, is that it's manageable and there's been a report that's been prepared by a professional group that could be analyzed by other professionals and you can tackle the

problems one at a time. For instance, asbestos. There's a section in the report that shows where there could be possible asbestos materials. This was a preliminary first round report and there needs to be, you know, second round, third round types of reports. Hans Riecke looked at some of the material that were identified as possible asbestos containing material and he said, "I don't think they were even using asbestos back in those days." Therefore, that aspect of the hazardous waste could be a non-issue.

Mr. Fredericksen: Well that's with any old building you'll have things like that. I was just -- I do get excited when I hear a State agency go, oh, well, we're not going to be responsible for a problem that we, basically, created through mismanagement or very poor management. Okay, so continue. I'm sure you're on a similar zone on that one but --

Mr. Reetz: I would agree with you on that. But I think it's manageable, and we'd be happy to make the report available to you it's ...(inaudible)...

Mr. Fredericksen: How long is it?

Ms. Rotunno-Hazuka: Couple inches?

Mr. Fredericksen: Hundred plus pages? Hundred-fifty pages?

Mr. Reetz: Oh, yeah, couple hundred, but there's charts, and appendices, and references, etcetera. The point that I would make is that I believe that it's manageable and I wouldn't --

Mr. Fredericksen: It's not going to prevent taking care of the Ficus tree problem, blah, blah, blah.

Mr. Reetz: No, there's a lot of things you can go in you have, you know, damage control, and there's primary, secondary, tertiary kind of activities that you need to engage in. So we can, certainly, engage in a primary remediation of the problem, and then you'll isolate the, if there is anything that's a real problem, you know, isolate it and deal with it later.

Mr. Fredericksen: Have you folks spoken with an arborist or the -- let's say the Arborist Committee, whatever it's called, Maui County? Ernie Rezentz? He'd be somebody to just ask and he could funnel you off to someplace else or he might even be interested in talking story about it. Ernie Rezents?

Ms. Long: Well, the problem here is not so much saving the trees, it's saving the building when you remove what's growing in there.

Mr. Fredericksen: Oh, no, I know but he might know what the most effective way is to eliminate the tree.

Ms. Long: Chainsaws, I think, are about the only option.

Mr. Fredericksen: Well, I don't -- with Ficus, you gotta do some pretty freaky things to kill it too.

Ms. Long: Yeah, but you gotta get them back to the root and then kill the root for sure. No, but that's a good suggestion and it's something that maybe I could bring to the Arborist Committee, and the more the merrier, frankly.

Mr. Fredericksen: Well, down the road, there are nice trees on campus that got a little TLC.

Ms. Long: There's one that's still significant, I think, in the front on the right side that may be an original tree, not a Ficus, it's -- I'm not sure whether it's Poinciana or what it is, but, yeah, you're right, but still there are shrubs, not just trees, but a lot of shrubs, but point well taken, and I'll make the arborist aware of what the concerns are. No problem. Okay, and I do agree with Jeff that the hazmats are dealable with and that very few, if any, are in the Administration Building that we're, right now, concerned with.

Mr. Fredericksen: Well that's not where they're set up.

Ms. Long: Right. They were in the cafeteria and the classrooms.

Mr. Fredericksen: They were in the classroom or the yard, yeah.

Ms. Long: Okay, questions for the Cultural Resources Commission. What steps could and should be taken to protect the structure now from intentional or unintentional destruction, vandalism, disintegration, etcetera? What can we do? How can you help us to make sure that noone from the County, the State, whatever says, "Oh this building is a wreck. It's going to fall on people and then we'll get sued, let's get rid of it?"

Mr. Fredericksen: Well I think the first thing we could do, as a Commission, assuming we agree on it, is write a letter in support of the project, just supporting the project in rehabilitating the, you know, the campus, at least portions of the campus by, you know, in stages.

Ms. Long: I would appreciate that and I think the administration would appreciate the advice to at least put them in a frame of mind where they know that you folks respect the building and that it's --

Mr. Fredericksen: Well, yeah, and it's clearly --

Ms. Long: It still has it's integrity.

Mr. Fredericksen: It's really historically significant.

Ms. Long: Right.

Ms. Duensing: Mr. Chair, may I make a comment?

Ms. Long: I'd love to hear it.

Ms. Duensing: I want to make a comment before you spend a whole lot more time on it is I think rehabilitation is really the wrong word to use because, in my opinion, you know, as a professional, there's so much of that historic structure gone --

Ms. Long: Yeah.

Ms. Duensing: That this would amount to a reconstruction, and I think it's very important to note that there is a difference because there's not enough of the original material left to rehabilitate or renovate.

Mr. Fredericksen: Yeah, the rafters and everything are toast.

Ms. Duensing: I mean, you know, a lot of the walls are gone.

Ms. Long: Is there a specific percentage, Dawn? What is the --

Ms. Duensing: I don't there's a -- I don't know if there's a percentage but, you know, I really hesitate to use the term rehabilitation because --

Ms. Long: Well, we're using preservation.

Ms. Duensing: But you're preserving what's left of it, not the building.

Ms. Long: Right, for now.

Ms. Duensing: Yeah.

Ms. Long: For now, this is not going to be permanent.

Mr. Fredericksen: So stabilization?

Ms. Long: But for now.

Ms. Duensing: Yeah. I guess the point I'm making is that, you know, the terms are important --

Ms. Long: Oh yeah.

Ms. Duensing: And it is matter of semantics and I would emphasize, you know, there might be other professionals that disagree strongly, moderately, whatever with me, but, to me, there's so little of the original materials left that it would be a reconstruction.

Ms. Long: I might disagree with you on that.

Mr. Fredericksen: But using the term reconstruction, I think, is gonna withdraw -- I think it would give an impression that it might not be that positive. I think what the goal on all of this is to preserve, you know, it's a very unique, it's a historically significant building and, you know, whatever term can be come up with, you know, preservation of what's left of the building with accurate reconstruction or something along those lines --

Mr. Whelchel: Put all the words in, put ands, preserve and reconstruct.

Mr. Fredericksen: Yeah because I do agree with what Dawn says, I mean --

Ms. Long: Oh, that's the goal, definitely.

Mr. Fredericksen: There's no -- the roof has gotta go, I mean put back what was there, but it does have to go, and I mean a lot of the windows are, well, there are some paint outline of where the wood was where the termites haven't been and rot ...(inaudible)... there's some places that are pretty intact.

Ms. Long: Oh, no, there are still in -- some of them are still pretty intact and they're definitely reproduceable, yeah. Does, okay, which is the one with adaptive reuse? Isn't that rehabilitation?

Ms. Duensing: Rehabilitation.

Mr. Fredericksen: Rehab.

Ms. Long: That's the one that I was thinking would be appropriate.

Ms. Duensing: But what I'm saying, Barbara, is that rehabilitate indicates that there's enough left there to rehabilitate, and the last time I was there, you know, I would, you know, I think Hans is right, I would -- and, you know, from my last visit there, there's just not that much there to rehabilitate. You would have the facade, which is possibly --

Ms. Long: You have a shell more than a facade. There's a concrete shell.

Ms. Rotunno-Hazuka: Aren't you --

Mr. Fredericksen: Does Hans think the -- the walls, to me, I'm an archeologist, I'm certainly not an architect, but the walls, to me, look like they're in decent shape, I mean the roof's gone.

Ms. Long: Come on out on the 24th.

Mr. Fredericksen: I've been out there.

Ms. Long: We'll get Hans there, we'll get everybody there, and you guys can, I mean you're the experts, and that is why we are here today is to stimulate this kind of discussion. When Holly and David Scott come out, I'd love for some of you to be there as well, but we gotta be pragmatic about this thing.

Mr. Fredericksen: Yeah, get it done.

Ms. Long: What can we do now just to make sure it doesn't further deteriorate or get bulldozed.

Ms. Duensing: May I make a recommendation?

Ms. Long: Please.

Ms. Duensing: Erik was mentioning a letter of support of the project, which is fine, and I guess maybe the most practical manner for the CRC in which to act is, you know, the item needs to be studied, and we support the interest in the project, and maybe not say, I mean until we have these studies, it's hard to recommend what's going to happen in the future with it because we don't know what could be done.

Ms. Rotunno-Hazuka: Yeah but that we would encourage the stabilization process now so nothing is further --

Mr. Fredericksen: Yeah, so it doesn't have to get bulldozed.

Ms. Rotunno-Hazuka: And just to comment on the rehab versus reconstruction, I mean I understand what you're saying, Dawn, and you're the expert, but I guess what we usually deal with is rehabilitate what's there and you reconstruct what's not there.

Ms. Duensing: That's, basically, what I said.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: Yeah.

Ms. Rotunno-Hazuka: Okay, I mean so we --

Ms. Duensing: For instance, the facade with Dickey's arches is still enough there to rehabilitate.

Ms. Rotunno-Hazuka: We can rehabilitate.

Ms. Duensing: To rehabilitate. But the building, as functioning structure, is debatable I think.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: Does that make it more clear?

Ms. Rotunno-Hazuka: Yeah, I was just trying to use both terms so --

Ms. Long: I'm thinking of --

Mr. Fredericksen: Creative ambiguity is the --

Ms. Long: If in the next 10 or 15 years there is no decision as to ownership, there's no money, there's no nothing, if we don't do something now, it will be gone.

Ms. Duensing: It won't take 10 or 15 years.

Ms. Rotunno-Hazuka: No, five --

Ms. Long: But what I'm thinking of are structures like the Parthenon; the Acropolis; whatever; the Coliseum; the ruins. It's a ruin, technically, but it's a beautiful, significant ruin that could have some use, there are many other structures on the site that could be used as support structures, and just to let it sit there and not do anything, would be really criminal; preservationists would just be weeping. We can't have that happen.

Ms. Rotunno-Hazuka: What was your last -- you had three questions for us?

Ms. Long: Okay, so that was what steps can be taken now to prevent that.

Mr. Whelchel: ...(inaudible)... on that.

Ms. Long: Yeah?

Mr. Whelchel: Do I understand right that it's not on the Register?

Ms. Long: It is not on the Register. Muffy Gushi has volunteered to apply for the listing, the State and National.

Mr. Whelchel: Wouldn't that protect it?

Ms. Long: No.

Mr. Fredericksen: But it would lend it some --

Ms. Rotunno-Hazuka: Significance.

Ms. Long: It would --

Mr. Fredericksen: Well deserved status.

Ms. Long: Give a little status, yeah, but, no, unfortunately, that wouldn't protect it. Money is what's going to protect it.

Mr. Fredericksen: Well, and having it on the Register isn't going to hurt --

Ms. Long: No.

Mr. Fredericksen: In that, you know, along those lines.

Ms. Long: No. And, you know, what we heard initially from Senator Inouye, as far as help, when we met with his primary staffing person, she came out to the site and met with us, was that, well, yeah, but it'll probably be HUD money and it'll probably be tied to affordable housing, and the Senator doesn't have that immediate access to the kinds of monies that we need in the next year or so to stabilize this thing and, I guess, to get it some status so --

Mr. Fredericksen: No matter what, excuse me, Barbara --

Ms. Long: Yeah.

Mr. Fredericksen: No matter what, getting, you know, whether it's the campus, the building, whatever onto the National Register, is going to provide some appeal, if you will, for people that are looking at it from a different point of view, well, you know, for funding, or the response will be different, whatever.

Ms. Long: It will help us. Definitely. It will help us get funding.

Mr. Fredericksen: Yeah, so it's good to get it just started now so that process gets done so it's not a year down the road trying to think, oh well, gosh, if we just had X, we could get some funding maybe because it's the sort of interest that's kind of waffling.

Ms. Long: Well that's -- that's where we're at and we're looking for those planning funds to do those things and any of you who would like to jump on board on our advisory board, we would love to have you. Next question was how can the Cultural Resources Commission help with this? And you've already given me those thoughts and anything that comes up in the future. And then looking for suggestions from you for other organizations, groups, whatever, that we could seek support from now besides those that we've already talked about.

Mr. Fredericksen: And you mentioned Maui Historical Society. You're going to be talking with them.

Ms. Long: Right. Roz has already been out there with a wheelbarrow.

Ms. Rotunno-Hazuka: When you said you're trying to get a cherry picker out there, are you doing that through one of the tree contractors or is Goodfellow --

Ms. Long: I'm not sure how Jan is going to do that. She has access to tree people and contractors and what have you.

Ms. Rotunno-Hazuka: That's her kuleana.

Ms. Long: Yeah, she's the volunteerism person and, hopefully, we tell her what we need and it happens. We'll see. So that's --

Mr. Fredericksen: I've got a comment/question. Security. What, okay, it seems like a portion of the campus anyway is kind of the County's kuleana, and then the portion that Niftal is kind of managing that's, supposedly, their kuleana. Just looking at the paint jobs that are there every so often, when I've been out there I, you know, there is, basically, no security there. Does the police even drive by there?

Ms. Long: That's -- I don't know. There are presently people who live there in one or two of the small cottages; that will be gone when Niftal goes. The graffiti we are hoping to paint out on the 24th. We're getting donations of rollers, we already have that generic recycled paint, which should pretty well match it. As far as the police going by it, I don't think that would do a bit of good. Even putting a fence around it wouldn't do a bit of good. I think if you remove the evidences of vandalism, you have less potential for vandalism so

that if we can keep it looking clean and cared for, there will be less impetuous for the bad guys to get in there and do things. So that's --

Ms. Rotunno-Hazuka: Hopefully they won't see a nice white wall and come back with the graffiti.

Ms. Long: Well, if they do, we'll just get down there and paint it out right away.

Ms. Rotunno-Hazuka: Do it again. Yeah. Okay.

Ms. Long: Other than that, there's not much they can set fire to there and --

Ms. Sablas: Is there any kind of signage up there?

Mr. Fredericksen: Oh yeah, but that's like --

Ms. Long: All over the place. Do not go here. It's, yeah --

Mr. Fredericksen: Yeah, there's not a shortage of no trespassing ...(inaudible)...

Ms. Long: It doesn't mean a thing, unfortunately. I don't think the people who do the vandalism can read.

Ms. Rotunno-Hazuka: Probably a good assumption.

Ms. Long: So if you have future ideas, I'm sure we'll be back to you. You know where to find me. I thank you very, very much for listening and contributing and --

Ms. Rotunno-Hazuka: Thank you.

Ms. Long: Hope to see you on the 24th, and I will be in touch with Dawn as to what's happening with Holly Fiala and David Scott, and she can maybe let you guys know if they're going to do a site visit if any of you would like to come out while they are there. Thanks again.

Ms. Duensing: Please do let me know about that, Barbara.

Mr. Fredericksen: Thank, Barbara. Okay, let's, while we're still on this agenda item, let's go ahead and we need to make a motion for a letter in support of, I guess, stabilization, preservation efforts out at the Old Maui High School Campus at H'poko. Anybody --

Ms. Sablas: I move that we write a letter in support of the members of Friends of Old Maui High School to support their mission of protecting, preserving, and securing the Administration Building.

Ms. Rotunno-Hazuka: Second.

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

It has been moved by Ms. Lori Sablas, seconded by Ms. Lisa Rotunno-Hazuka, then unanimously

VOTED: that a letter be written from the Commission in support of the members of Friends of Old Maui High School to support their mission of protecting, preserving, and securing the Administration Building.

Mr. Fredericksen: Alrighty, so motion passes. And, once again, good luck and thank you for coming in. It's a good project. Now, let's see, what is next on our agenda? I seem to have shuffled mine, oh, there it is. Okay, Item H. Does anybody need to take a break? Okay, Item H, Hana Belt Road, Status of Bill for road design standards. Any news?

H. HANA BELT ROAD

- 1. Status of Bill for road design standards.**
- 2. Status of letter to the Hana Advisory Committee on the Waiohonu Bridge and other bridges replacements along the Hana Belt Road**

Ms. Duensing: No. One of the things I did, since I've been a County employee, is I've been asked to or I asked if I could take over on the Hana Belt Road issue since that's my number one pet project in life, and I will be picking up where Robyn is leaving off and I be doing some research on that Bill because I think we really need to get it done, and we've talked about it for too long and now it's time to really do something about it. The status of the letter for Hana Advisory Committee regarding Waiohonu Bridge. I did work on that and the letter was sent out asking them to reconsider that condition that they had.

Mr. Fredericksen: For the dual date thing.

Ms. Duensing: Yeah, the dual date thing, right, and the letter asked them to reconsider that and told them that the Cultural Resources Commission would be happy to come up with an appropriate way of preserving the memory of the bridge.

Mr. Fredericksen: You know when the letter went out? I don't if I --

Ms. Rotunno-Hazuka: Oh, we got it.

Mr. Fredericksen: I missed the date on it anyway. Okay, so couple weeks back.

Ms. Rotunno-Hazuka: Yeah, December 1. Is that it?

Ms. Duensing: December 11.

Mr. Fredericksen: Yeah, the 11th.

Ms. Duensing: It was regarding deletion of Condition No. 12 of the SMA Area Use Permit for the replacement of the bridge.

Mr. Fredericksen: Right.

Ms. Rotunno-Hazuka: So we haven't really voted as far as like the type of plaque to put on these --

Ms. Duensing: No, that would be something we would need to work on, yeah. But the process, you know, I discussed this with Daren Suzuki pretty much before this letter went out because he says, "Well, isn't there a way you can work around this because you're going to have to go to the Maui Planning Commission and Hana Advisory Commission to get all of this removed because they have to reconsider it." And I told him that I thought it was just right to go ahead and work through these commissions to do it the right way so that, at the same time, we can plan for the rest of the bridges on the road too.

Mr. Fredericksen: Yeah, because there needs to be some level of interpretation for the ones that are going to be eliminated.

Ms. Duensing: Yeah. So I guess we'll be keeping this item on the agenda for how, you know, we might want to proceed with the interpretation and recognition of the old bridges.

Ms. Rotunno-Hazuka: Yeah, because they can be applying the plaque as they redo the bridges, I mean --

Ms. Duensing: And that was the idea.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: Yeah.

Mr. Fredericksen: Okay, anything else on Hana Belt Road?

Ms. Duensing: No.

Mr. Fredericksen: How about, let's see, my favorite one, I, Sign Enforcement Program in the Lanai Historic Districts. An update.

I. SIGN ENFORCEMENT PROGRAM IN THE LAHAINA HISTORIC DISTRICTS

1. Update

Ms. Duensing: An update. I thought you'd be thrilled to hear about this. I asked Ann to come down and, you know, give you guys some information just to refresh our memory of what's not going on out in Lahaina, signs and everything, but I'd also like to add a couple comments because I've been doing some permit processing in the last months and I've had two opportunities to go out to Lahaina, and the last opportunity I took an extra half-hour, before I met with Theo regarding their signs, and looked at the absolute monstrosity of what's going on out there. It's just the sign situation in Lahaina, in my opinion, is really out of control. I think it's worse than we think it is. You know, some of the Commissioners were, well I know Erik was, I don't remember who else, but when we reviewed the plans for the Matsumoto Service Station adaptive reuse project, I know we asked them to do this and that and what the things on that were, and these guys have just got signs falling out of the building, most of the windows are painted, which is a violation of the Sign Design Guidelines. And so I want to bring this up at the next Planning Staff Meeting, which is tomorrow morning, and try to figure something out cause the Commission has been, you know, going for sign enforcement for so long and it's, you know, time the County did something about it. Good morning, Ann.

Mr. Fredericksen: Good morning, Ann.

Ms. Rotunno-Hazuka: Hello.

Mr. Fredericksen: Happy 2004. Let's see, Ann, what we were just talking about is one of my favorite subjects the Item I, the Sign Enforcement Program in the Lahaina Historic Districts and what -- anything to let us know about what's happening?

Ms. Cua: Well, I think most of you are familiar with that program we had started where we had help from the Lahaina Town Action Committee and the Lahaina Town Restoration Foundation and what they would do is they would photograph each sign, one block at a time, and fill out an inventory sheet and when they do, like a good section, a chunk of it, they'd submit back -- they'd submit it to the Department, Colleen, Simone, and I would meet, we'd go through each one, we'd make a ruling on each one, divi it up, write the

letters, issue the decals, and that was it. I think we've had two or three batches of those that came in. But since Theo had come before the Commission and said that they just can't do it anymore, nothing's happened. And then I think at the time we informed the Commission that, as we did from the very beginning, that going out there and doing the pictures and all that, that was not something that the Department had the manpower to do and now we're even in a worse situation, we just lost three planners. So, you know, other than people coming in on an individual basis for their sign approval, nothing else has been happening. I cannot really speak too much to the enforcement part, I can just speak to that process that we had established that was supposed to take place one block at a time.

Mr. Fredericksen: How much would you say, and I may have asked this question before, but about how much would you say has been -- how many signs, as it were, have been documented? Let's just say there's a -- let's just term, qualitative, in terms of we're talking hundred percent, so in terms of a hundred percent and, obviously, that hasn't --

Ms. Cua: Probably not even, you know, not even 20 percent maybe.

Mr. Fredericksen: How about --

Ms. Cua: When we started this process I think cause, you know, Theo was a bit upset when she came before you, you know, indicating the problem and how long it was taking and, you know, part of what had happened was, you know, some of this stuff was coming in at the time when we were moving.

Mr. Fredericksen: Yeah.

Ms. Cua: We moved out of this building and then we moved back into this building.

Mr. Fredericksen: Yeah, I know you had to play jumping jacks and everything.

Ms. Cua: But, you know, I had said, when she had come before you, we were back, you know, we were ready to receive any more. We were up to date when we last addressed you. And, you know, we have a system in place, it's just we don't have, and we never did, we always told you from the beginning, we never -- we wouldn't have the manpower to commit the staff to go down there, do the photograph, the inventory sheet for every one of these signs, we didn't have it, and the only way, we felt, it was going to work was with this cooperative effort. Now that has fallen through so --

Mr. Fredericksen: Well, what do you see as a solution? I mean I'm talking nuts and bolts, I mean but -- I'm not trying to dump it on you, Ann, believe me, I'm just trying to --

Ms. Cua: Right. Right. Well, one of two things have to happen. It's either -- either the Director has to say, "we're going to do this, and we're going to pull a staff person, and we're going to do it." I just can't see him saying that right now because we are really -- we're probably, you know, the worst -- these are one of the worst times we've been in terms of staffing, so I do not see it happening. You know, another thing is to get some other community group or that same community group to recommit. That's the only way I think it's going to work. And to be really honest, that's the only way I think it's going to work is to have an outside community force to drive this where the Department is, basically, the reviewing agency that the research has been done, once it comes in, we commit, and that was already committing three staff people; when it came in, we'd get our schedules, we'd sit there, we'd powwow for an hour or two, divi up all the work, and we'd, you know, bang those all out.

Ms. Rotunno-Hazuka: And I actually think that you guys accomplished what I would think you would based on the circumstances and having a way on them, I mean I know it takes long but at least we're getting the process down.

Ms. Cua: We have the process established, I mean it's there. We have all the decals, you know, when the signs come in, when we issue approvals, we give them the decals, whether they're getting put on the signs or not, I don't know.

Mr. Fredericksen: Okay, that's my next question. How many violations have come in? Cause I'm assuming -- cause you folks don't go out there, it's the enforcement side, which is what department is that?

Ms. Cua: It's our same Department but it's the zoning --

Mr. Fredericksen: The inspector in the zoning side?

Ms. Cua: Yeah, the zoning. And we are getting three more inspectors.

Mr. Fredericksen: Have there been any citations given out?

Ms. Cua: I don't know. I don't know.

Mr. Fredericksen: Who would know in the Planning Department?

Ms. Cua: Aaron. Aaron Shinmoto. You could probably, at your next meeting, ask him to address you on the enforcement.

Ms. Rotunno-Hazuka: Yeah, to see if it's even working.

Mr. Fredericksen: Yeah, just to see --

Ms. Cua: They respond to complaints, and I'm sure they've responded to whatever complaints they've received, and I believe that's all he's going to be able to tell you. There's no active enforcement to walk down the street and, you know, say your signs are not, you know, in conformance, and we agreed from the beginning that's not the way to go because we did that under Mayor Hannibal Tavares' time, you know, we did a sweep of the town and it didn't work, you know, we had a public --

Mr. Fredericksen: What happened?

Ms. Cua: Well, we had a public meeting. I mean it was a process too. We had a public meeting; we had the Mayor there; it was at the Kamehameha III School; we told the public that this is what was happening; these were the guidelines; that we were going to do this sweep; we went, and we, basically, went door-to-door, several planners went door-to-door passing out paper saying, okay, for your business this sign is not in conformance, we don't have permits for you, yada, yada, yada --

Mr. Fredericksen: They just went --

Ms. Cua: And, you know, some people, very few, came in; majority of the people did not bother, however, they called the Mayor's office, they felt it was just harassment and, basically, what happened was we told to stop. So after all that work, that's what happened and that's why this go-around, being involved in that, I said, you know, that was just a waste of time to go through the whole process to get that result and we just don't -- if we had that kind of staffing, that wouldn't be so bad, but we just don't have the resources to commit to something like that to have it go nowhere. So we felt the one thing that had to be different this time was to have the community involvement, and which we did, except, you know, that's not a part of it anymore.

Ms. Sablas: But, you know, Lahaina is one of Maui's greatest visitor attractions. It generates a heck of a lot of money for our County, and, to me, I think that the County should take that as a responsibility. On one hand, you're collecting the revenue from that area that is a very important part and we need to be able to put back some of that resources in enforcement because, I agree with you ideally, if we can have the Lahaina Town Action or other community do it, you know, it would be great, but if it's not working, then we need to take responsibility as a Government and be it fines, you know, people react to if you don't comply, you get fines everyday and it's going to cost them money. I don't know if that's possible.

Ms. Rotunno-Hazuka: That's more revenue to hire a person.

Ms. Sablas: But, you know, Lahaina is deteriorating, and it's sad, and, to me, we have the responsibility to take action.

Ms. Cua: Well, you know, it can be argued that we have a lot of other special design districts in Maui County. You know, we have our country towns, we have our redevelopment area. I mean --

Mr. Fredericksen: Yeah, I know but Lahaina's, I mean that's the historic district and it's --

Ms. Rotunno-Hazuka: Yeah, but revenue, you're right, revenue, it's --

Ms. Sablas: It's there. It provides the County with a good, you know, so --

Mr. Fredericksen: Yeah, no, Lahaina is arguably --

Ms. Cua: Well, that's definitely a question that you need to pose to someone higher than me because, you know, obviously a decision would have to be made by the administration that, you know, this is going to be a priority, and we're going to pull staff, and we're going to get this done.

Ms. Sablas: Cause I remember when we first talked about the guidelines and one of my positions back then was it's good and well to have and put all the effort in the guideline, and staff put tremendous time, the Resource Commission put in a lot of time, but I remember requesting, at that time, that we consider putting in a budget item for enforcement because it's not going to go anywhere if we don't have someone solely responsible, because it's that important to me, and if we have to lobby, you know, the economic situation is improving in our island now; if that's the time to lobby, if it means, you know, to push it ahead to get, even if it's like whatever, a consultant you would call, it's not a long-term, you know, but whoever you hire and that's that person's primary job is to clean up and enforce, and it's not a long-term, maybe you can just have someone to be on a contract basis for the County to get it done, and you know how that is, there's always ways to find money here and there especially when you have a better economic year, you're going to have revenue come in that we probably could use. But I just think it's that important for Lahaina that for us to, I understanding where you're coming, but I don't think that's acceptable for us to say we don't have the manpower, not for as an important area as Lahaina to, you know, Maui County.

Mr. Fredericksen: I think it would be a good idea to write a letter, basically, articulating, assuming that's the rest of the Commission's, you know, feelings, a letter articulating that, you know, the importance to get this enforcement issue going and getting the full inventory, if you will, of the signs so it's possible to enforce too, but also see what the enforcement's doing.

Ms. Rotunno-Hazuka: I mean what Lori's saying is right. If you can get the County to understand a contract, you know, contract it out, say it's a two-year period, I mean what can it cost for one person a year? Thirty-thousand? Twenty-five thousand? I mean that's manini compared to what they're taking in.

Mr. Fredericksen: Yeah, you wouldn't have a benefit package or anything.

Ms. Rotunno-Hazuka: You put out a thing --

Mr. Fredericksen: It would be a -- and it wouldn't be -- that wouldn't -- it wouldn't be -- I don't even think it would be full-time if -- cause what you do is record the sign, take a photograph of it, it's of this building . . . and move on to the next one.

Ms. Rotunno-Hazuka: Well they could make it full-time. They could work eight hours a day and get the job done.

Ms. Sablas: But with a contract, you know, you have -- you specifically outline the objectives and that person --

Mr. Fredericksen: Yeah, do it in this amount of time.

Ms. Sablas: Whoever needs to be able to do all these objectives basically --

Ms. Rotunno-Hazuka: It's like I said before, that policeman in Wailuku, that's all he does is drive around in circles.

Mr. Fredericksen: And gives tickets.

Ms. Sablas: And I see that person getting in and, specifically, just being out there, being a pest to everybody else, with the County's support, but that person is there everyday in the face and getting it all cleaned up --

Ms. Rotunno-Hazuka: I agree with you.

Ms. Sablas: Because I think that would be well worth the, you know --

Mr. Fredericksen: Yeah, cause Lahaina, you know, I've actually, every time I go to Lahaina anymore, I mean I just feel -- I grew up there and it makes me, I won't say sick, but almost, I mean it's got so much beauty but it's just -- it's being trampled.

Ms. Sablas: You know, what about all that extra, I would think, there's extra revenue that's coming in from all of the cruise ships staying there and docking in Lahaina and, you know --

Ms. Rotunno-Hazuka: And the merchants.

Ms. Sablas: Where's, you know, why can't we tap into some of those funding to be able to say this is an area that we need to be able to give back? If they're coming in and utilizing Lahaina as an area for their stop, then certainly there should be some charges attached to maintain the quaintness of the area and it has to do with, you know, again enforcement and signage because it is really getting worse and we're not getting any better, so I just think action should be done.

Ms. Cua: What we probably need to do is, at your next meeting, have our Director here --

Mr. Fredericksen: Yeah, have an agenda item.

Ms. Cua: And have Aaron here, and you can -- and in the meantime, we'll relay your concerns to them, but we'll have them here to address you, specifically, because it's not, you know, what you're asking is not something that Dawn or I can address, but we can relay it.

Mr. Fredericksen: No, and that's -- and we understand that fact, Ann, and like I said earlier, not trying to dump stuff on you but just trying to, you know, that's how I am, I got a question, I just ask, and I know the other Commissioners feel the same way, just trying to figure out what's going on and, you know, how can it get dealt with.

Ms. Duensing: And I just want to make a comment from now being on both sides of the fence because, you know, we dealt with this issue and we spent so much time on it and so did the planners and, you know, working with the planners, I see how much work they do and how hard they try to do the right thing. You process a permit; you go out and you look at a building; you say, "Well where did this sign come from?" And then, you know, you go out and you try to do the right thing and all of that, but, you know, without what you guys are talking about, that enforcement and, you know, it's something that the administration has to deal with because the planners are doing everything they can in most cases and, you know, I've seen that in the last three weeks. You know, they've done a tremendous amount of work on it, just like the Commission has done, but I think Ann's suggestion for the Director as well as the zoning director and the enforcement guy to be here is really important, and I know Mike's gotten letter from us before, but, you know, we need to take those concerns to him because -- and, you know, if it doesn't get done, then you guys can do other action, but it's a good start, I think.

Mr. Fredericksen: Okay, yeah, let's have that on as an agenda item for next meeting, please.

Ms. Duensing: For next month.

Mr. Fredericksen: And, you know, request that the Director and the what was it? Director of enforcement? Or zoning?

Ms. Cua: Zoning and enforcement.

Mr. Fredericksen: Okay, director to come as well.

Ms. Cua: Not director, Administrator.

Mr. Fredericksen: Administrator.

Ms. Sablas: Would it make sense to have Lahaina Town Action here at that time too as to just see, you know --

Ms. Cua: We could.

Ms. Sablas: Cause they're the entity that's the most -- that's visible in Lahaina ...(inaudible)...

Mr. Fredericksen: Okay, well, thanks once again. It's not an overly satisfying one just because, you know, cause there's -- there are these loose ends and, you know, it's like, okay, we've got whatever, 20 percent of it, but now how to get the rest, and that's frustrating from your folks end too because, like Dawn mentioned earlier, there was a lot of work put in from the staff side, you know. I, unfortunately, know from personal experience, there was a lot of work from the Commission side too, but we'd just like to get a solution.

Ms. Rotunno-Hazuka: If we sent a letter like to the merchants, you think they'll just blow it off if we said something very strong from the Commission, you think they'd say -- yeah? Okay.

Ms. Duensing: I think they'd say, "What sign guidelines?"

Ms. Rotunno-Hazuka: Send them a letter saying fines or making ...(inaudible)... we're pushing for fines.

Mr. Fredericksen: No, I think -- let's get -- let's get the Director in and talk story with him and see what -- see if there is some way to like have an outside entity coming in to deal with it for a year, or six-month contract that's renewable after six months that way it wouldn't necessarily have to be constant because once there's an inventory there, then it would seem to me, you know, logically, that enforcement could deal with it, this would be like --

Ms. Rotunno-Hazuka: If they got more people but --

Ms. Sablas: There's a process in place.

Mr. Fredericksen: Yeah.

Ms. Sablas: You just need a body to make sure it's processed in time.

Mr. Fredericksen: And people in -- the merchants know that, you know what, we gotta do this and, yeah, what -- there's going to be a couple bad apples but it's not like, right now, there's like bushels, and bushels, and bushels of bad apples. Just about every other sign is just like a joke. And that property that Dawn mentioned earlier on the corner of Front and Prison Street, I mean that's -- they've got stuff all over the place, those the damn brochures, or those -- whatever those things are, kiosks or -- they're out there, yeah, right out on the street and everything else.

Ms. Duensing: Yeah, the brochure racks that we specifically said not to have that.

Mr. Fredericksen: And there's other places too, it's not just that place, but that place is kind of rankling because they're were, again, before us about some stuff and said they were going to do whatever and then that didn't happen. Anyway, that's enough about that for now. Let's go ahead and go to the Director's Report. Thanks, Ann.

Ms. Cua: Okay, thanks.

Ms. Rotunno-Hazuka: Thank you very much.

Mr. Fredericksen: Director's Report, Dawn, take it away.

J. DIRECTOR'S REPORT

1. Plan Review Waiver, County Code 16.26.106, Section 106 Amended

Ms. Duensing: Okay, the Director's Report. The Item No. 1, well, first of all, I put Item No. 1 on here because when I started this job, the first thing I did was make a list of everything that we asked for and voted upon that never got done, and now I'm taking it on and I'm going to do it. And the thing that stuck out in my head, after the Hana Design Standards that we need so badly, was the Plan Review Waiver. Let me refresh your memory on this. This was from last year. I did some research through our old minutes and everything, and we discussed this in March 7, 2002, as a result of February agenda item last year, and you might remember Mr. Suzuki who had his house worked on in Lahaina? And his architect had a Plan Review Waiver and just went out and remodeled the house and did whatever he wanted. Mr. Suzuki came back to the building department for his certificate of occupancy and was told, "Well, you can't have that because you didn't do your building to meet the design standards for Lahaina." So he came to us because he needed to, you know, get his house conforming somehow so he could get his certificate of occupancy. What came out of that was, next month, we had asked Brian Moto, who was our Corp. Counsel at the time, to write new language to the ordinance to amend it because what the ordinance says is that, you know, they can get an architect to sign off that he'll follow all the County Codes and he doesn't need to get a -- his plans reviewed. Are you familiar with this, Lon?

Mr. Whelchel: Yes.

Ms. Duensing: Okay, and it's, I think, Section 106 of the County Code, and it has an exemption for shorelines, you can't apply here, and what we asked Mr. Moto to do was to write the language in so this was not applicable or doable in his historic districts as well, which would be our two in Lahaina and the one here in Wailuku. And Brian did that, he followed up on it, he gave us all the language the next month at our meeting, and it should've been prepared for transmittal to go up to the Mayor's office so that it got to Council and got considered, and none of that ever happened. I don't know what happened to it here in the Planning Department so I've asked Mr. Moto to have his staff resurrect it for us, find it for us, and get that going again.

Ms. Rotunno-Hazuka: Great. You're hired.

Ms. Duensing: So I'm on a mission to make, you know, we at least need to get the Council to consider it cause our historic districts are just as vital as our shoreline --

Mr. Fredericksen: Yeah.

Ms. Duensing: And it's important so I picked up on that again, and I don't know, you have anymore questions on it or need additional review?

Mr. Fredericksen: No, it's just other than I'm glad that you're chasing it, chasing it down. This was in -- this was before the present administration came in, as I recall.

Ms. Duensing: Right. Yeah. It was -- it's in our minutes of March 7, 2002.

Mr. Fredericksen: Okay, so yeah, there was a number of months.

Ms. Duensing: And they came in --

Mr. Fredericksen: Six, seven, eight months earlier.

Ms. Duensing: Yeah.

Mr. Fredericksen: Yeah, cause March, yeah.

Ms. Duensing: It was before Wayne started --

Mr. Fredericksen: Yeah, well before.

Ms. Duensing: Being the director at our meetings, yeah.

Mr. Fredericksen: Six, eight months, plenty of time for something to have happened, but it didn't.

Ms. Duensing: Yeah, and it's kind of, you know, disappeared off the radar screen so --

Mr. Fredericksen: Yeah, okay.

Ms. Duensing: Corp. Counsel is working to -- I hoped to have it here to give it to you today but it didn't happen.

Mr. Fredericksen: Okay. But try, if you can, at least have a -- so we'll know what's going on ...(inaudible)...

Ms. Duensing: Well, it'll at least get up to the Mayor's office. I can't guarantee what'll happen to it after that, but --

Mr. Fredericksen: Oh no, I'm just talking just so we know where it is.

Ms. Duensing: You know, the Commission took action on it so there's no need for further discussion, it just needs to get carried out.

Mr. Fredericksen: Okay, well great, I'm glad to hear that that's in process. Let's see, what's Item 2? You're going to handle these?

2. Cultural Resources Commission Meetings in other locations - Lahaina, Moloka`i, Hana, etc.

Ms. Duensing: Cultural Resources Commission meetings in other locations. We may have some Lahaina agenda items coming up so it might be a good idea to go to Lahaina.

Ms. Sablas: Sign enforcement.

Ms. Duensing: Sign enforcement would be one. We've just put that on our agenda for next month, and also, I don't know if anybody's heard, but the Banyan Tree has -- that dispute is kind of coming to the floor again and that may come before us.

Mr. Fredericksen: Is it coming this next month that it could be on the agenda?

Ms. Duensing: It was -- there was a letter in the paper this weekend or this morning saying that they're going to -- it sounds like they're going to ask to be on the February agenda, yeah.

Ms. Sablas: When you say they, the arts society?

Ms. Duensing: I think it's Lahaina Arts Society, yeah, and I --

Ms. Rotunno-Hazuka: In February, what would be our meeting?

Ms. Duensing: I know that -- I think Erik and I are the only Commissioners, maybe Milton also, that were on the Commission when that --

Mr. Fredericksen: Milton, I think, was on the Commission.

Ms. Duensing: Yeah, cause he started when I did so, yeah, we all started together.

Mr. Fredericksen: I'm not -- do we want to commit to being in Lahaina if we don't know? I think we should probably wait. The sign enforcement thing, I think, would be good to have it out there.

Ms. Duensing: I don't know. Would we get the Director and Mr. Shinmoto out to Lahaina if we do that, Suzie? Do you know? Cause she's been -- we can ask, yeah. Well, it's a

possibility, okay. I guess we'll just have to wait and see what happens in the next couple weeks.

Mr. Fredericksen: Okay.

Ms. Sablas: I think this is an important Lahaina issue, those two items --

Mr. Fredericksen: I agree, Lori.

Ms. Sablas: Sign enforcement and the Banyan Tree so that if the Director cannot make it in February, let's plan for it in March --

Mr. Fredericksen: Do it in March. Yeah, that's a good suggestion.

Ms. Sablas: And plan for it and I think, you know, we should have enough notice so that the Lahaina community can be involved especially --

Mr. Fredericksen: And maybe it'd be better in March.

Ms. Sablas: Especially the businesses because we're talking about -- about --

Ms. Rotunno-Hazuka: Those businesses.

Ms. Sablas: Yeah. And sometimes, you know, we don't have enough notices or people are busy, but I think if we plan and make, say, March meeting is going to be in Lahaina, then put it out that we'd like to have, you know, as many Lahaina items come before us and plan it that way so it's proactive, not reactive.

Mr. Fredericksen: Yeah. How, in terms of nuts and bolts, Dawn, though how -- cause the agenda is supposed to be posted just what it is? A week?

Ms. Duensing: A week early.

Mr. Fredericksen: Yeah, is it -- is it legit to let people know, you know, two months ahead of time that that's probably, you know, these are probably going to be agenda items? I don't know if that's something you can do. I don't --

Ms. Duensing: I don't know. I think Lori's suggestion is probably a good one. Let's wait and --

Ms. Rotunno-Hazuka: February's a short month.

Ms. Duensing: You know, see what we can do to, if we have these two Lahaina items on our February meeting, see what we can do to have the meeting in Lahaina and if people can't make it, then reschedule those items for March; that is if the members of the public who are asking to be on the agenda will wait. Right, Lori?

Ms. Sablas: Yeah.

Mr. Fredericksen: Yeah, well we're not quite halfway through this month, so we'll see -- we'll see what happens.

Ms. Duensing: Yeah, but there was a letter, I think it was in this morning's paper, one of the people that's been involved with the Banyan Tree.

3. Cultural Resources Commission Correspondence

Ms. Duensing: Okay, so Cultural Resources Commission correspondence. I've been trying to follow up on that. We sent a letter, well, we've already mentioned several letters, another letter that went out was regarding the Kahekili culvert project that we had reviewed. I already mentioned the Hana Advisory Committee letter regarding the bridge dates. And, in addition, there was a letter sent to Mayor Arakawa regarding follow-up for the letter we sent last January 2003 to Councilmember Carroll regarding the rehabilitation of Hana bridges, and still no response from that. That letter was dated December 1.

Ms. Sablas: I also have, you know, a copy of a March 18, 2003 letter sent to Mr. Foley from Kimo Falconer and --

Ms. Duensing: Regarding the signs?

Ms. Sablas: Sign historic district sign -- Lahaina Historic Districts Sign Enforcement and five recommendations, and I think it'd be, again, I don't think, to my knowledge, we have had any response but these are issues that we talked about again, it's outlined in this letter, and --

Ms. Duensing: I think we did get a response to that. Didn't he come to our meeting the next month and talk about it? I'll check on it though. I will check on that.

Ms. Sablas: Because I mean we're asking him to come back and he might say, well, you know this --

Mr. Fredericksen: I guess the dynamic that's changed is the rules are out but there's now, okay, we've got the whatever, what Ann said, 20 percent or a little less of the signs that

have been documented with businesses and we got -- what do we do about the other 80 percent? I guess something's gotta get done.

Ms. Duensing: Well, those rules go back all the way till 2001.

Mr. Fredericksen: Oh no, I know, but this documentation process I don't think was going at that point was it? In March? I don't think it was.

Ms. Rotunno-Hazuka: Oh, in this March 2003?

Ms. Sablas: Yeah, March 18.

Mr. Fredericksen: I don't think it was but it's just that -- cause that March is getting back a ways, that's coming on close to a year, a year ago.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: One other thing I wanted to mention before I move on to the correspondence received from the State Historic Preservation Division is just a friendly reminder on the need for regular attendance at the meetings. We got a complaint from a community group that was rather upset when they brought consultants over from Oahu for the November meeting and it was cancelled due to quorum, so the earlier you can give Suzie notice on whether you have to miss the meeting the better. Of course, there's always going to be circumstances beyond someone's control, but if we can prevent this from happening to these community groups, who spend a lot of money to bring over consultants, it is, you know, part of our responsibilities to be here or to let somebody know when we can't be here.

Mr. Fredericksen: Point very well taken. I totally agree. Be on the Commission. Do everything you can to show up.

Ms. Duensing: And, again you know, we know there's times when you can't make it but the sooner you can let Suzie know, the better.

- 4. Correspondence received from the State Historic Preservation Division**
- 5. Administrative Permit Reports**
 - a. Demolition Permits - None**
 - b. Historic District Approvals Report**

Ms. Duensing: On the correspondence received from the State Historic Preservation Division, we talked about this a little bit in September, and I had mentioned that I thought

it was really, you know, wasteful of our clerk's time and wasteful of a couple of trees to mail us this much correspondence, so Suzie does give this to me to review and do we want to continue giving it to the Vice-Chair for his review, or --

Mr. Fredericksen: I'd like to see this stuff.

Ms. Duensing: Okay. Alright, and I went through the pile and there was not a whole lot in there so -- Administrative Permit Reports. There's no Demolition Permits that we've reviewed or Historic District Approvals to report for the last month. So, I think that's the Director's Report unless you have any other questions.

K. NEXT MEETING DATE: FEBRUARY 5, 2004

Mr. Fredericksen: Alright, well, thanks, Dawn. So we'll, just depending on what comes in, we potentially could have a February meeting in Lahaina, potentially?

Ms. Duensing: Yes.

Mr. Fredericksen: But we're shooting for one, February or March, one of those months just given on what we have possibly coming up. Okay, well, I think that's about it. Now, what's the correct parliamentary procedure, Lon?

Mr. Whelchel: Chair will entertain a motion to adjourn. Move that we adjourn.

Ms. Sablas: Second.

Mr. Whelchel: If there are no objections, meeting is adjourned.

Mr. Fredericksen: Alright, I'll see everybody in a month. Okay, we're done.

There being no further business brought before the Commission, the meeting was adjourned.

L. ADJOURNMENT

The meeting was adjourned at 11:45 a.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Commission Support Clerk

RECORD OF ATTENDANCE

Present

Erik Fredericksen, Vice-Chairperson
Lori Sablas
Solomon Kaopuiki
Lon Whelchel
Lisa Rotunno-Hazuka

Excused

Kuulei Haina
Milton Pa
Keeaumoku Kapu

Others

Dawn Duensing, Planning Staff
Cindy Young, Deputy Corporation Counsel
Ann Cua