

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
FEBRUARY 3, 2005**

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Chair Lori Sablas at 9:10 a.m., Thursday, February 3, 2005, Planning Conference Room, Kalana Pakui Building, 1st Floor, 250 South High Street, Wailuku, Maui, Hawai'i.

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

Ms. Lori Sablas: Good morning everyone, and welcome to our Cultural Resources Commission meeting for February. I'd like to get the meeting started by calling the meeting to order. Okay, first item on the agenda is our public testimony. If we have any members from the public who wish to testify here on agenda items that perhaps need to leave for whatever reasons, we're giving you the opportunity, at this moment, to come up and testify. You need to identify yourself, and identify the topic of the agenda you'll be speaking on, and then we'll be allowing three minutes for your testimony. Okay, none. We do have? Okay.

Mr. Rory Frampton: Question. Can they testify after the project is discussed as well?

Ms. Sablas: Yes. Yes, they will also be able to testify. At this time, we just open the public testimony because we do realize many people have busy schedules so this gives the opportunity for people who are in a tight schedule to come up and speak, but, of course, when you come up, and you can what the agenda is, you'll be able to testify at that time also so -- yeah, I do need to clarify though, if you do testify, it's just one time. Okay? Everybody understand? Mahalo. Okay, I'd like, again, move on to Item B, approval of the minutes of the special January 4 meeting that we had held regarding our bridges. If our commissioners have had an opportunity to read that and have any comments to make at this time, corrections, additions, etcetera, now is our time. Okay, Dawn has some.

B. APPROVAL OF THE MINUTES OF THE JANUARY 4, 2005 SPECIAL MEETING

Ms. Dawn Duensing: Thank you, Madam Chair, I do have some. First of all, I'd like to say that Suzie did a really good job on this. There were a lot of technical terms in there that a lot of people didn't understand and she went through a lot of trouble to make sure that she got everything in here. Just the few things to be corrected, the National Park Service, "Parks" should be "Park", singular, it's National Park Service, and that starts on Page 1 in the first paragraph where I speak, and it needs to be corrected several times. On Page 4 of the draft minutes, second paragraph from the bottom, "A.P. Lo was our county engineer," and he spelled his name L-o-w, and Porche is also misspelled there, no big deal. On Page

9, towards the bottom, it says, "there's a coffer-dam around it." "Cofferdam" is one word, not hyphenated. Page 11, second paragraph, "For more information, Curt Cryer, C-u-r-t C-r-y-e-r, "is the Senior Corrosion Engineer at ODOT."

Ms. Sablas: I'm sorry, can you spell that again?

Ms. Duensing: Yeah. Curt, C-u-r-t, Cryer, C-r-y-e-r. And then the only other thing, and Lori you might wanna look at this, I think it's while you're speaking, it's on Page 20, the bottom, the last paragraph where you speak, the fourth line, it says, "about the sensitivity of the **bridge** to the environment," I believe that is.

Ms. Sablas: Oh, yes, yeah. Yeah, it is the "bridge." Thank you for catching that. It's "bridge" instead of "breach."

Ms. Duensing: But, again, Suzie did a really good job on all the technical stuff for this.

Ms. Sablas: Yes. Thank you. Any other corrections, additions?

Ms. Barbara Long: I have a request, please. Could I have a list of who was here from -- who was at this from the County? It might be helpful in the future to know if issues come up and we're not in this kind of a meeting to call someone.

Ms. Duensing: Oh, our County employees that attended.

Ms. Long: Yeah, County employees.

Ms. Duensing: Yeah.

Ms. Long: Yeah, could I please have that at some --

Ms. Duensing: Sure, if you remember to ask me at the break, I can tell you who was here.

Ms. Long: Okay.

Ms. Sablas: Good point, Barbara, thank you.

Ms. Duensing: Well, actually, if you all wanna know, I can just say it now, I think Stan Solamillo was here.

Mr. Samuel Kalalau: Engineering department had one guy, yeah?

Ms. Duensing: Yeah, I don't know who the engineer was. I don't know what his name is. Do you know?

Ms. Long: Stan who?

Ms. Duensing: Solamillo. S-o-l-a-m-i-l-l-o. He's a new planner.

Ms. Long: Planner?

Ms. Duensing: Yeah. Livit, L-i-v-i-t, Callentine was here from the Planning Department. Wayne Boteilho was here as the Deputy Director. And then the mystery man from engineering.

Mr. Kalalau: And Carroll, Mele - I mean Mele Carroll.

Ms. Duensing: Mele Carroll was here from the Mayor's office, and then Pat Wong was here from Congressman Case's office as well.

Ms. Sablas: Colleen was here for a little while. Colleen.

Ms. Duensing: Colleen Suyama was here through the whole presentation too, yeah, and Clayton Yoshida.

Ms. Sablas: Yes. I think that's it.

Ms. Long: Anyone from DPW?

Ms. Duensing: DPW, we'll figure out who was the mystery man.

Ms. Long: Okay.

Ms. Duensing: I'll get back to you on that.

Ms. Long: That will be valuable. Thank you.

Ms. Sablas: Thank you. Okay, do I have a motion to approve?

Mr. Kalalau: I so move.

Ms. Sablas: Second?

Ms. Lisa Rotunno-Hazuka: Second.

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

It has been moved by Mr. Kalalau, seconded by Ms. Rotunno-Hazuka, then unanimously

VOTED: to approve the minutes of the January 4, 2005 special meeting as corrected.

Ms. Sablas: Discussion? Okay, motion carried. Mahalo. Okay, first on the agenda in the Historic District Applications, we don't have any. Item No. 2, Advisory Review.

C. PERMIT REVIEW

1. HISTORIC DISTRICT APPLICATIONS - none

2. ADVISORY REVIEW

- a. MR. SAMUEL GARCIA & MR. JON GARCIA FAMILY SUBDIVISION, requesting CRC advisory review on the Draft Environmental Assessment for the Garcia Family Subdivision, TMK 2-1-004:067, Makena, Maui, Hawaii. (Commissioners are requested to bring the Draft EA materials distributed at the last month's meeting.) Public testimony will be accepted. (K. Caigoy)**

Ms. Sablas: For the public, if you want to testify before and after, you know, it's fine, but probably you'd like to hear the presentation first by the family, and then we'll entertain testimony after that. Okay, so the floor is yours.

Mr. Samuel Garcia: Aloha and good morning, Madam Chair and committee members. My name is Sam Garcia, Jr. My brother Jon Garcia and I are the property owners for the property we're discussing this morning. I thought I'd take about two or three minutes to give you some background on our family and the property prior to turning it over to Rory who's going to talk about our development plans.

Both my brother and I were born on Maui. We attended St. Anthony High School, graduated, and graduated from college on the Mainland. I've been in the hotel industry for about 32 years and the tourism industry, and my brother Jon has been Athletic Director and a teacher at Baldwin High School for about the same time, about 32 years. Our parents were both born on Maui. My dad grew up in Wailuku right here and retired as a Police Officer. My mom was born on Lanai, her maiden name was Cockett, and she moved here

when she was a little girl. She worked in the hotel industry at the Maui Palms Hotel and then later went on to be a professional hula dancer with Aunty Emma Sharp and the Aunty Rena Ching Halau. It was through my mom's side of the family that we acquired our land in Makena about 50 years ago. Prior to that, we lived in Wailuku, and we moved down there. My dad and mom built their home about 35 years ago, and then my bother and I built our homes, which are the only three structures on the property right now, and we've been living there some 35 years now.

Within the early '60's, our property got zoned for hotel use, and then the Community Plan Designation, in the 1980's, was applied to our property. During this period, we had many offers to sell our property, but Jon and I didn't accept because it would mean that we would have to move, and our parents would have to move, and utmost in our desire was to live and to spend the rest of our lives in Makena, which we still want to do. We also thought about the community and the impact that a hotel or a condominium complex would have on the neighborhood even though we abut the Maui Prince Hotel, we also abut residential lots, primarily, and the Keawalai Church.

When we decided to develop our property, we talked to some planners, and the ones that we were impressed with the most was Chris Hart and Partners, and Rory Frampton. Their ideas were to keep the property as natural as possible with as little bulldozing and fill as possible, which is what we would like to do and what you'll see in the final plans. What you see before you represents about four years of planning and research. It's been that long that we've been involved in this process. A considerable amount of time and money was spent primarily in addressing the archeological issues. We, as I mentioned before, both want to live on the property and we want to make sure that what we do is to minimal -- to have minimal impact on the property and the community around us.

We'd like to preserve the heiau site in which would be meaningful to the community and, as you can see by our application, we hope to involve the church, Keawalai Church, in a stewardship role. We met with the Board of Directors and asked if they would help us with the heiau and, after a few couple of months, they came back and said that they were willing to assist with us and to maintain a stewardship role of the heiau.

In conclusion, before I turn it over to Rory, I'd just like to tell you I hope that you understand that Jon and I are not developers. We're kama`aina of Hawaiian blood, we respect the land, we want to make maximum possible best use of our land so that we can live and enjoy the property for the rest of our lives. We want to hold our head high in the community because what we're doing, we think, is in the best interest of the community. And now I'd like to turn this over to Rory who will tell you what the plan is all about. Mahalo.

Mr. Frampton: Thank you, Sam. Good morning. Members, I'm going to sit down so I can work this computer, and maybe we can turn off the lights, and what I'm going to do is go

over just some background information, most of this information has been presented to you in the information that was submitted to the committee, so I'm not going to go into a lot of detail; certainly, if you want to ask questions and get more detail, we will be prepared to answer any questions that you may have.

I'll go over the -- just the location. It is in Makena, across the street from Keawalai Church. This map just shows the Makena area between Puu Olai and Makena Landing, and it's situated, again, next to the Makena Prince Hotel. This is an aerial photo of the Makena area, again, with Makena Landing stretching down to Maluaka Beach and Maluaka Point. The Maui Prince Hotel is here, the property is outlined in red, as you can see, the southern property line actually abuts up to the Seibu property. There's the Makena-Keoneoio Road runs right along the front of the property where there's a turnaround and it continues on in a pedestrian form in front of the hotel. There's one parcel, Parcel, I believe it's 66, that's not owned by the Garcias that's situated between the road and the property. Again, Keawalai Church is right there. There are some single-family homes across the street from the property.

The zoning, as Sam mentioned, this map, the Kihei Land Zoning Map was adopted in 1969 and it designated the property BR Resort, so the types of uses that would be allowed there would be restaurants, and bars, and accessory services to hotel or tourist related amenities. The surrounding properties are all zoned HM Hotel. The State Land Use Districts, it's actually still -- it remains in Ag, this map might be a little bit hard to read, but this area, this is where the project site is, and in another area, just to the north, those three areas are in Ag cause they weren't part of the request that Seibu presented that designated the whole remaining area for Urban use, so it's surrounded by Urban lands but the parcel itself is still considered State Ag.

This is the Community Plan map that we have super imposed over an aerial photograph and the property is right here. Under the Community Plan, it is designated for Hotel use, so in order to do the project that we're talking about, which is a residential subdivision, we're going to have to change the State District Boundary from Ag to Urban; the County Community Plan we will change to Residential, R-3 Residential; and the Community Plan, we'll change it from Hotel to Single-Family, so this area would be changed to Single-Family in the Community Plan.

This is just some site photographs. This is looking along the road towards Wailuku or in the northerly direction; the driveway to the property is right here; Keawalai Church is on the left, you can see their walls and some of the large kiawe trees fronting the church; on the right hand side is the public parking lot and restrooms that provides parking for the people who want to go to the beach, just to the south.

This photo is looking in the opposite direction. That previous photo was taken right about from here, so now this is -- now we're looking south, towards Puu Olai; there's the driveway that would enter the project site; the sidewalk that fronts the property, and the various homes and vegetation on the makai side of the road.

Further down the road, I'm sorry, this is the access intersection, this is the road that would service the project, and I'll get into the project plans a little bit later. This is further on down the road with the beach access to the back of us and looking right up at the old house, this was the Sam Senior's house, the original family house, and Sam Junior's is off to the left, and Jon's is off in the back.

This is up in the middle of the property looking towards the Maui Prince Hotel, and this is on the southern portion of the property looking across Parcel 66, that one piece that's between the road and the subject property, looking at the ocean again.

In terms of the site topography and existing conditions, here's the site ...(inaudible)... basically goes along the Parcel 66 that is not owned by the Garcias, so the Garcia's property goes around that parcel over to the Prince and back down to the road. The three homes are in the front of the property, and you can kinda make them out here with the original family home, the one that we saw the picture of, Sam's house or Sam Junior's house, and Jon's in the back, so the front portion of the property is developed in residential use right now. There's a lava ridge that, basically, comes down the property and goes down into the ocean actually, and with two pronounced knolls. There's a rear knoll that has more of a steep face on the north side and it's upper elevation is about 46 feet above sea level. The larger knoll, down around the center of the property, which is where the heiau has been constructed, the elevation on this knoll is about 40 feet at the top. On the south side, the knoll has a lot -- there's a significant amount of rock that was used for the construction of the heiau, and the face is, again, a lot more pronounced on the north side. This upper plateau area ranges from about 40 feet down to about 34 feet, so from this side of the property, these knolls are not as pronounced as they are from the north side of the property.

There are a number of archeological sites. Now this photo's tilted a little bit compared to the other ones that we were looking at. The road is right here and you can see the three house sites. There are a number of sites on the property; they've all been documented in a Archeological Inventory Survey as well as an Addendum Report. The most pronounced sites that you see in this photo are these various ranching walls, and they were all interpreted as ranching walls, and have been adequately documented according to the State Historic Preservation Division. There were other sites along the front portion of the property, in and around where the house sites are, some of which -- one site, Site 5079, is a deposit, it's a subsurface deposit that was interpreted as a habitation, former habitation deposit. There were some cultural remains there. We've done additional testing in that

area to document those finds, and there are some other walls scattered around the property, and terraces.

The most, well, let me go to the back knoll. There's a knoll, the back knoll, or the mauka knoll does have some modifications on the surface of that knoll. There were some lava rock platforms and some `ili`ili stones indicating that, at one time, it was probably paved.

The most significant site, which I'll do a blowup on, is the Site 196, which is the Kalani Heiau. This is Kalani Heiau and this is a cattle ranching wall, which goes right over the top. Just a few things about Kalani Heiau. It was first discovered or first studied in 1932 by Walker, Winslow Walker, who had done a survey of sites around the island of Maui and back then, in 1932, he described it as being a shapeless pile of rocks, and it had really been substantially altered at that time, and there's been a number of studies since then. The name "Kalani" refers to a family in the area, so it's David Lono, some of you may remember, was a person who lived in that area and so it's a family, unfortunately, not unfortunately, but it is -- the name really doesn't tell us what type of function the heiau may have been used for because it was, again, named after a family in the area. The top of the knoll is this area that I'm, basically, tracing out right now. The sides, basically, fall off and the perimeter, of what we think was the heiau, was actually down along the sides of the knoll and that's demarcated by these, where I'm tracing right now, and there's a number of foundation stones that are still embedded in the soil in these areas, and it's interesting that this has a -- it's referred to a notched heiau, which is a peculiar type of heiau that is, I guess, particular to Maui, found in Maui, and I guess there's been a few on the Big Island, but it was referred to this notch, or it's rather than being a straight rectangle, they do this inverted notch. To my knowledge, no one really knows why they did the notch but it's just something that was indicative or unique to some Maui heiau.

There's not much left of what would have been the architecture of this structure. It is imagined that these or speculated that these foundation stones were the foundations of a terraced wall and that on this -- on the front face or the makai face there were probably two terraces, you can see another corner stone here and a wall alignment here, so it was probably a stepped face with terraces and there would have been a substantial wall constructed along, especially along the makai and the north sides. None of those stones, of those wall stones are at that site right now, and I'll get into that just a little bit later. On the side that's on the hotel side of heiau, it is a raised lava rock platform, and a lot of these stones are still there, they're like fist size, you know, four to six to eight inch diameter stones on the south side, and then this area it's mostly bare dirt with some platforms and remnants of paving. Along the sides or the slopes of the knoll, there's a lot of waterworn coral and `ili`ili paver stones that have, basically, sloughed off the sides and the archeologist presumes that it's -- that's just happened over time due to either weather or to cattle and because the retaining walls have been largely dismantled.

When we were out at the site, and the archeologist was describing to the Garcias and to us what the structure may have looked like, he kept referring to stones that would have been used to build the face of the walls, and he kept saying they'd be about, oh, this big, and there would have been a lot of them, and there would have been a considerable amount of stone and they must have been taken out of here and used for some purpose. We then walked across the street and went to Keawalai Church, and met with Kahu Ilika, and they had just started a project where they were taking off the stucco off their walls and they were exposing the old walls of the church, and it's interesting that all the -- the archeologist's jaw kinda dropped and he said, "Well, I think we found where your stones went," and that's, again, speculative, we don't have any proof of that, but it's very likely that the stones from the heiau were used for the construction of the church, and this is what the church looks like now after the remodeling efforts and I just -- it was rather interesting to us to see the church after the stucco had been removed, and you can see that all the types of stones that would have been used here would have been -- could have been used for the terracing face of -- the face of the terraced walls along the heiau structure.

Ms. Long: When was the church built?

Mr. Frampton: 1832, about 170 years ago. We did take some photographs from the top of the heiau looking out in various directions, and I'll flip through these cause with all the vegetation, you can't see much, but this is -- we took some photos from the top looking towards the ocean, in two locations, towards the hotel, mauka towards Haleakala, towards the church, and then along the road frontage, and I'll flip through there -- those real quickly.

This is from, and I have a key over here, which might be hard to read, but this from the top of the heiau looking out towards Sam's house and that's a portion of his driveway with the church out over to the right. This, you can't see, this is looking towards the ocean looking right down the boundary between Parcel 66 and the Garcia property. This is over -- you can see in this photo the pile of rocks that are essentially the southern portion of the heiau where it's been built up above the land on the south side, that's the Makena -- the Maui Prince Hotel in the background. This is looking towards that back knoll looking towards Ulupalakua.

This is a photo of Haleakala; when there's no clouds up there, you do see portions of Haleakala, however, it's -- the views are primarily blocked by vegetation at present. I went off to the side of the heiau in order to try to get a look at the church and you can't really see it because of the vegetation that's on the parking lot property as well as on the vegetation of the -- I mean the vegetation on the church property as well, but that's looking out towards Keawalai Church.

This photo is down right on the edge of the property, right in front of Sam's house, looking across. There's one area where you can sort of see the ocean across the Makua property,

and that fence is right along the Makua property, and there are large mango and kiawe trees on that property. This is further along the road frontage looking back towards Makua's showing the vegetation and structures on the makai side of the road. Again, looking at the makai side of the road from, basically, the front of the family house, looking towards the King property.

This is -- we're going to -- this is along the property boundary between Property 66 and 67, and we -- I call it down here it says, "The view towards the ocean along the future visual corridor." We've chosen this area between Parcel 66 and 67 because, on the makai side of the road, it's the best opportunity to see the ocean, I mean, in other words, on the makai side of the road, there's no vegetation and there's no structures, it's right where you access the beach, and I'll give you a little bit better shot of that.

This is Jon's house right here to the right so we're standing at the base of the heiau, looking down, and you can kinda see the ocean right through those trees. This is standing in the yard along that visual corridor and you can see here, this is the King property, and then this is the start of the beach in front of the hotel, and there's a big berm to the south which comes -- tapers down to almost, you know, I'd say about seven or eight feet above sea level and at this point is the best point where you can actually see the ocean on the makai side of the road, so that's why we chose this area as the view corridor, and a lot of the vegetation on the Garcia's property as well as the neighboring property, on Property 66, will be removed so that this view corridor could be enhanced. This is -- I did a, from that same position, I did a zoom on the camera so you can see here where it does provide a visual access to the ocean and you can actually see the waves breaking on the beach at this area.

Okay, this is a site plan and when we turn the lights back on, I can refer to the color drawing over here on my right. The project site is five-and-a-half acres and they're going to do 11 lots, so it's a density of about one house per half-acre. The access roach is the road that I showed you in the photos. It would be an easement over a parcel that Seibu owns. We'd use that as a primary access road that would service 11 lots; there's four in the front, two near where the, well, three of them right around where the Garcia houses are right now and an additional one along this side of the ridge; two others on the north side of the ridge as you go up the road; and then we'd have a driveway leading into two lots on this access road, and then another three lots off of this access road. So there's five lots on this upper plateau, two on the north side of the ridge, and then four down on this makai section.

This is the heiau site and we've included a large buffer area around it, that area is approximately 25,000 square feet, so a little over a half-acre, and I'll do a blow up of that area to show you how we came up with that area and how it's going to be treated. We've

also made some adjustments to the plan so that we won't -- we'll be -- we'll have a no-build zone around the knoll that's in the back of the property as well.

This is a blow-up of the Preservation Plan. The limits of the heiau structure, again, you can see the notch right here but those are defined by these imbedded stones that are still there and appear to be foundation stones and that is -- that outline is down the slope, this is basically the top of the knoll, so it is down the sides of the slope of the knoll. Anything around, well, let me start off with the site itself. We're not proposing any treatment on the site itself except for removal of weeds and various forms of vegetation. Around the perimeter of the site, in order to create a buffer where people could visually have a cue to where, you know, they're not supposed to be walking, we would be planting a ilima papa as a ground cover. Along the makai side, we've defined the buffer area along an existing ranch wall that will be preserved in place, and then that ranch wall then goes up in a mauka direction and that establishes the boundary to the south. Along the north side, the boundary would be this driveway that comes in and it essentially follows around the base of the knoll in this area and it goes out to the access easement area. There would be a provision for a path for pedestrian access to get to the site along this area. And then along the east and south sides, we've gone 30 feet from the site with the ilima papa to create the buffer area, again, along the south and the east sides of the structure. That concludes my presentation right now and we can turn the lights back on. Yeah, the -- just to reiterate again, I guess as part of the Preservation Plan, there will be a visual corridor running down the property line and ...(inaudible)... the neighbor's property ...(inaudible)... as part of the ...(inaudible)... we have proposed ...(inaudible)...

Ms. Duensing: Excuse me, Rory, can you use the microphone please.

Mr. Rory: Yeah, I'm sorry, for a number of milo trees to be placed in that area in the buffer area where the ilima papa is and so we propose some milo trees to the south, to the east, and on the makai side to sort of enhance the character of that area. I think that's about it. There was one last thought that was in my head that I -- it's not in my head right now. Oh, just about the project itself, I'm sorry. One of the things that we did when we were trying to design the project is to preserve the character along Makena-Keoneoio Road. Right now -- and so there's only two homes that are proposed there. There's two homes right now. There would be generous setbacks from the road especially right along that corner and along the corner when we get to that nice green lawn area that we showed on the picture looking up at the old Garcia house. Sam and Jon would, basically, live in those same areas that they live today or where their homes are today. There wouldn't be any significant grading along this area, along the road frontage. There will be architectural design guidelines to encourage contemporary Hawaiian design with the large roof overhangs and the Hawaiian roofs and materials that are more earth tone rather than reflective and shiny materials, and, again, it's to try to keep more of a rural quality towards the area. When we designed the roadways, we didn't want to have 40 foot roadways with large amounts of

pavement and curbs and gutters within the project, so they're going to be private roads, and we've broken up the roads to serve these two area rather than have one large cul-de-sac that's a little bit more urban, we wanted to keep the roads small and keep the pavement widths as minimal as possible, so these pavement widths are 20 feet for those two roads as well as for the road that provides access into the subdivision. So, again, the idea was to not have something that's urban in character, and the Kihei-Makena Community Plan talks about preserving the character of Makena-Keoneoio Road and not develop it into urban standards and so the road, as we showed it in the plans or what we're hoping to achieve not have to do any improvements to it and Public Works has indicated general support for that up to this point because of the language that's in the Kihei-Makena Community Plan that calls for the preservation of the character of the road in that area.

That's about all I have for now and I'm open to any questions and I know there are people here that wanna speak.

Ms. Sablas: Yes, thank you, Rory. We'll just, at this time, entertain public testimony and then we'll go into discussions. So the floor is open now for anyone in the public who would like to testify on this project.

Mr. Dugal Milne: Good morning. My name's Dugal Milne. I'm a neighbor of Sam Garcia's. I live just up the road just north of it and I just came to give my support to the project. I think they've done an excellent job in their planning and all things considered, both environment and community. It looks to me as though they're giving more preservation to this heiau than has been given up to now, at least in recent years. So I do think it would fit well with the Community Plan much more so than a hotel as it was originally zoned, and I like the fact that they're all fairly, well, they're all small residential places and not a big apartment building or anything like that. So I just came to give my support to them.

Ms. Sablas: Thank you. Okay, uncle?

Mr. Kealohou Alika: Aloha . . . My name is Kealahou Alika. I was called to serve as the Pastor of Keawalai Congressional Church in Makena in 1991, but I was born and raised in Kealakekua, Kona, on the island of Hawaii. I'm here to speak in support of the decision of the Garcia family to preserve Site 196, identified as Kalani Heiau in Makena, as well as the site that Rory Frampton referred to as -- it's identified as Site 5036 as a knoll. Almost a year ago, on February 29, 2004, Sam Garcia and Rory Frampton made a presentation to the Board of Trustees of Keawalai Congressional Church. At that time, the board was provided with the revised Addendum of the Archeological Inventory Survey of that area but, more importantly, during our visit, Mr. Garcia extended the invitation to the church to be in partnership with him and his family as stewards of the heiau. Over the course of the months that followed, our board discussed the invitation and made a recommendation that the invitation be accepted and a partnership be established, so on April 18, 2004, action

was taken by our board to approve the recommendation that we be in partnership with Mr. Sam Garcia and family in the care and stewardship of Kalani Heiau. A letter of the board's action was forwarded to Mr. Garcia on April 27, and in July, Mr. Garcia responded to our decision with a letter outlining the proposed subdivision, background information on the heiau, and the Preservation Plan for the site, so much of what the information you received today was given to us.

I must tell you though the conversation over the details for this stewardship role of the church is an ongoing discussion, so we still have to talk to each other, talk with the family, and with the members of our church family. But I will tell you as the Kahu or Pastor of the church, I am grateful for the invitation that has been extended to us by the family and also the decision that was made by our Board of Trustees to be in partnership in the care of that heiau. My sense is that the partnership will ensure that the site will be maintained and preserved so that future generations may know the history, religious tradition, and cultural practices of our kupuna. So I'm here to support the family. Mahalo.

Ms. Sablas: Mahalo.

Mr. Charles Pili Keau: Good morning. I'm a little bit haalulu --

Ms. Sablas: That's okay.

Mr. Keau: Cause I haven't done this for a long time. Sam and Uncle Sol, they know me so well, so the rest of you I'm so proud that you're still here and trying to do the best you can.

Ms. Sablas: E kala mai, uncle, can you just identify yourself for the record, your name?

Mr. Keau: Oh, I'm Charles Pili Keau. I think we are friends with Sol, but, anyway, thank you very much for being here and trying to take care of our kupuna's things. I don't know how Sam or Rory Frampton found me but when told me about -- Rory asked me, "Uncle Charlie, can you -- do you know anything about the Kalani Heiau?" I said, "That's in Makena." And he said, "Yes." I said, "That's next to Lono, David -- Uncle Lono's place, David?" He said, "Yes." "That's Sammy heiau's place now -- I mean Sammy Garcia's place?" He said, "Yeah." "Sure I know about that place." As of today, I think it was 31 years ago, when I first stepped on that land, looking at 31 years and last year when I had to go back again and look at the site with Sam, it's changed a lot. In the '70's, it was nice, you know, I could see more things than that. But when I went back there again last year, 2004, everything fell down, stones were taken away from the Kalani Heiau, and things that I saw many years ago is not there any -- but what I was interested in, at that time when we did the walk through in that area there for the State of Hawaii Historic Preservation group, we didn't do extensive research work, we just walked through, identifying Kalani Heiau and

these remaining areas around, all the stone walls that you see are probably the pig pen and things like that, where the cattle would be. Then after getting to know the kupunas in that area there, I was fortunate enough that during those times, we had kupunas, you know, the -- Aunty Anna, yeah, she's Mrs. Wong, they were living at that time and they could talk to me, Uncle David Lono, and they understood what I was doing there, and Sam's father and mother was there living too, and so they knew what I was doing, they knew that I was out doing the Makena research work and identifying different archeological sites in that area. So they was willing to help me and make me understand more about the heiaus that I find in that whole area. You folks were very interested in the, a years ago back of few months ago of the Palauea, Palauea sites, you know, you were very interested in that. Well, that's where we started -- I started to work too, in that area there, we talked to Kenneth Emery, and so, you know, all that thing went down. I was fortunate enough the old people was still there and I was the one that gave ear to them and understood and tried to give it to Sammy and his family being that their dad and I are very close, close friends. We're all from Wailuku, and we know each other, we're kamaaina. Maybe the mama and I are ohana, you know, so I don't know. But when they asked me to do this for them, I said, "Yes. I will." And I took Sam go look around the place and explained to him what it is.

I like the way what they're going to do for AA. I think Site AA is a place where they identified as a knoll. So Sam asked me the people asked to preserve that site. I said, "Well, what do I think?" And I said, "Well, when we walked through here, it was much better than what I'm seeing now," but I couldn't identify that -- we couldn't identify, David Lono couldn't -- David Lono could only identify Kalani, the heiau, and so for me to say, well, this is a ko`a or a shrine and things like that, I don't want to do that. So I said whatever the recommendation is and whatever the archeologist do and find this identification things over there, artifacts and stuff, they can identify this thing, whatever the recommendation is on this, don't give it a name, just save the knoll, you know, just save it so everybody get something to look at, and so he told me, "Well, the thing we can do, Uncle Charlie," that's Sammy telling me, "we could keep this and plant something around." I said, "Yeah, just save the thing so that everybody no more pilikia." So that's what I'm very interested in and when Sammy and I met with Rory last year and he told me what's going to happen to the knoll, I said, "Eh, good for you guys. Bless you guys. Take care the knoll, you know." ...*(inaudible)*... never mind, we no can identify it, that's okay. If they ask you what is this, you tell them beautiful hill, or something, you know, just so that people no ask questions cause you cannot give -- identify things which you don't know. So since it's a nice little knoll and it's right next to the heiau, let's call it a beautiful hill. See, and Sammy said, "Okay, Uncle Charlie. If that's you wanna do, go ahead." I said, "Not what I wanna do, what we gotta do so that you guys get peace when you stay here."

So that's my testimony about mostly to look at the area of AA, Site AA, yeah, that knoll, see that they keep the knoll ...*(inaudible)*... Thank you very much. Yes, you have a question?

Ms. Long: Yes, thanks for coming, Uncle Charlie. I've read your letter or interview --

Mr. Keau: Yes.

Ms. Long: That was revised back in last April --

Mr. Keau: Yeah.

Ms. Long: And I have two questions.

Mr. Keau: Yes?

Ms. Long: The Garcias are planning a view corridor to the ocean. Are you satisfied that views to Haleakala will be also clear and not ...(inaudible)...

Mr. Keau: I think it is. I think it is but you --

Ms. Long: Even if there are house built?

Mr. Keau: Yeah. Depending where you're at, you know, where you're at, like if you're staying in the hotel, you stay upstairs, you can see everything, but when you stay first floor --

Ms. Long: No, no, I mean from the heiau. Is it not important to have a view, not only makai --

Mr. Keau: For the ocean.

Ms. Long: But mauka --

Mr. Keau: Mauka, yeah.

Ms. Long: From the heiau?

Mr. Keau: Sure.

Ms. Long: So are you satisfied?

Mr. Keau: I'm satisfied with it, yes.

Ms. Long: Okay. And there's a comment in your letter that says, "The entire regional setting would have been important."

Mr. Keau: Yeah.

Ms. Long: Can you explain that a little more?

Mr. Keau: Yeah, the regional setting I was discussing to Rory is the situation of where everything is combined one place. Maybe it wasn't -- in the olden days, there was -- no more houses down the beach and things like that, the heiau outstood everything else, you know, there were no churches, there was nothing. But it --

Ms. Long: Is this, excuse me, so then is this site then a part of a complex that extends?

Mr. Keau: Sure, yeah, because get other houses alongside the beach, yeah.

Ms. Long: So is that one that is listed in the Community Plan? What would that complex have been?

Mr. Keau: If we're talking about the olden days, well, that would be --

Ms. Long: Yeah, or the names that are listed in here --

Mr. Keau: The ahupua`a?

Ms. Long: Like the Palauea Complex and the Makena Complex and so --

Mr. Keau: Yeah, you could call it the Kalani Complex because they already gave a name. You understand?

Ms. Long: Okay, so --

Mr. Keau: You know, that would also be something that you could identify a place with, that whole complex.

Ms. Long: So it's possible that on adjacent parcels, there would have been other significant sites that would have been part of this complex?

Mr. Keau: Oh, in all those places down there, there's many more things that look like heiaus and ko'a and shrines that has been lost, you know, so something that you -- that's a good question you get.

Ms. Long: Yeah, well, that -- I'm leading up to the Preservation Plan and to the stewardship, which is wonderful, but I hope that, as we come in with these modern parcels

that separate and they get developed at different times by different people, that that whole continuity of meaning of the complex is lost.

Mr. Keau: Well, if you keep it identified as a Kalani Complex, put it down, yeah, then the whole thing will become one community, or the Keawalai, see. Whatever the people decide that they would like to identify that particular structure right there, we lost the old name of places, even Kalani is not the true name of the heiau.

Ms. Long: Yeah.

Mr. Keau: You understand?

Ms. Long: I understand.

Mr. Keau: Okay. But the Kalani people owned the property there; they identify this. We do a lot of stuff like that too, when we worked for Bishop Museum. If we don't know the name, we call it the ahupua`a's name, you know, like in Kaupo when the Popoiwi, the heiau, it's a place of refuge, a city of refuge. We don't know the name and so we call it Popiwi, you see what I mean?

Ms. Long: Yep.

Mr. Keau: Then later on they found the name is about three or four Hawaiian different names through the legends, yeah, oli suggest.

Ms. Long: I hope that something can be done with this particular location that would include the adjacent sites when they --

Mr. Keau: I hope so too. If you guys can do it that way, that's a blessing for me, for you folks.

Ms. Long: Well we're going to work -- thank you, Uncle Charlie.

Mr. Keau: Thank you very much. Anybody else, question? Thank you.

Ms. Sablas: Thank you, Uncle Charlie. Any other public testimony at this time?

Mr. Keau: Oh, I have one more thing. Since the Kahu came up here and you asked me that question, yeah, when we did the survey in, in A&B property, the new golf course, I don't know what they call it, the Orange or the Blue, the Orange? Wailea? The new one. The last one they built. We found a lady in a canoe. Uncle Sol, I think you hear me tell this long time ago. She was dug up in, well, we didn't know where she came from, we just were

doing archeological research work and then the second phase was to do an extensive research and we had to go and do some test pits. There was an ahu there, a stone pile, and myself and Dr. Kirch, not Dr. Kirch, but Cleghorn, and I and some other people, we took it apart and we found the lady in a canoe, yeah, in the canoe, beautiful lady, long hair. Underneath her head was the pillow of the fern tree, the huluhulu of the ferns, you know, they made pillow into that. There were two turtle back combs on her hair, but she's all in skeleton, but then her hair is still growing, yeah, and we took all of this out Keawalai Church, we took all of that out with the blessings of A&B, they went and asked Keawalai if we could -- I would like to have it buried there. You talk about ahupua`a or the community, that's where she came from, yeah, so you see, we put everybody back in by Keawalai Church. So that whole Makena area could be called the Kalani Complex or whatever you guys want to call it cause they all belong together, see, and that's what's good about doing research work. I wish we could make - hemo some of the ones that we got down in Palauea and bring them over there, but Palauea is way from Makena so we left it there, yeah. Thank you.

Ms. Dana Naone Hall: Good morning, commissioners, my name is Dana Naone Hall. I understand that this item is before you today to approve or to comment upon a Draft Environmental Assessment for the proposed Garcia family subdivision, and I wanted to let the Commission know, right off the top, that I don't believe that the EA is adequate. I believe that there will be significant adverse impacts to cultural and archeological resources on the property. I believe that the alternative section of the EA is inadequate as well because it does not discuss the alternative of fewer lots in any meaningful fashion and I hope that, as I testify, you will, you know, you'll understand what I mean by that. I will also note that the EA significance criteria, which is listed beginning on Page 42 of this document, list as Item No. 1, the proposed action will not result in an irrevocable commitment to loss or destruction of natural or cultural resources, and I believe that there will be an irrevocable commitment to loss or destruction of natural or cultural resources if this project, as presented, is allowed to be approved, and I will detail my reasons for that opinion. In other words, I hope that this Commission, after reviewing the testimony and the documents presented, will decide not to approve this Draft Environmental Assessment because it in fact will create adverse impacts and, therefore, an EIS is necessary.

Conservatively, oh, and before I get into the body of my testimony, I just wanna make two other comments. Rory described that big berm on the Seibu property. The big berm is a sand dune, it's not a manmade berm, it's a sand dune that backs Maluaka Beach, it's a very beautiful sand dune, in fact, so I think that was a very bad mis-characterization of that feature. And Rory, during his powerpoint presentation, showed you a figure which he called a blowup of a Preservation Plan. There is no such thing as a one-page graphic Preservation Plan. SHPD rules are very clear about what needs to be included in the Preservation Plan and it, certainly, is not reduced to a one-page graphic, and I think that's

one of the problems with approving this EA because you would be appearing to approve all of the documents within it and I believe that some of the documents are very deficient.

Conservatively, the archeological and historical record indicates that the project area for the proposed 11-lot subdivision has been used and occupied for at least 500 years. The one and only charcoal sample submitted for radiocarbon analysis produced a date of A.D. 1420 to 1490. It is highly likely that the use and occupation of this particular project area is even earlier than that 15th Century range of dates. We know that the project area was used in the 1800's since at least one kuleana that was awarded during the time of the mahele and the kuleana act is located within this 5.47 acre parcel, and Theresa Donham, I believe, has done some research that indicates that a second kuleana may also be present within the parcel although the Archeological Inventory Survey makes no note of the second kuleana. The rest of the project area was part of a large grant to Mahoe, the konahiki of Ka`eo ahupua`a, and it's kind of interesting because Mahoe means twin and on this parcel, the two prominent knolls are like twin knolls, they wouldn't be identical twins, but they're certainly paternal twins. We also know that ranching activities occurred on the parcel during the last century and perhaps, as part of -- for part of the 19th Century as well. I mean this parcel has quite a history, including serving as a post office, so there was, you know, there was a lot -- there were a lot of people coming and going either residing there or coming to this parcel for particular reasons over time. Historic artifacts dating to the 1800's and 1900's were found. In fact, one test unit, from which a square headed nail was recovered, also contained charcoal; however, no charcoal sample from this unit was submitted for radiocarbon analysis. Again, in a project area this important, to submit only one charcoal sample is questionable. The inventory survey says that there wasn't much charcoal found, nevertheless, there were other charcoal samples that might have been available for radiocarbon testing.

Most recently, the parcel was conveyed to the Garcia family in the 1960's in exchange for a claim to upland parcel located within Ulupalakua Ranch lands that was inherited by the mother of the applicants. Various documents in the EA state that the first house was constructed in the 1970's and, as Rory noted, this parcel was in State Agricultural District.

Before I speak about Kalani Heiau, I just wanted to note that Site 5079, which is a traditional habitation site, is not slated for preservation, and I think this needs to be reviewed, again, because we barely have a grasp of what's going on on this property in terms of the archeological resources. Furthermore, the size and horizontal extent of Site 5079 has not been determined and that is a principle requirement in an inventory survey. And if we're looking at all these different temporal periods, I mean, you know, there needs to be a really conscientious effort to understand how the -- what kind of occupation occurred, what the uses were during these different periods, and we have that opportunity, but I don't believe the archeological consultant took his responsibility seriously enough. And the issue about the -- I do take a little bit of -- have a different opinion about the

naming of the heiau as Kalani Heiau. I think Les Kuloloio will speak more to that matter, but I will just say that David Kailua, who was mentioned, lived on the property adjacent to the parcel that we're discussing and they, apparently, in their family Kalani family members as Bock Lono Kalani members, but I don't believe that Kalani is the root family name, so it seems highly unlikely that the heiau would have been named Kalani Heiau because the people who were known, most recently, to have lived there, before David Lono, it was his father, Lono Kailua, and we know where Lono Kailua is buried, but Lono Kailua, Aunty Ellas Kuloloio, who was in Makena in the early part of the 20th Century, said that Lono Kailua was the last man in Makena to wear, as his ordinary clothing, a malo and he was a well-known fisherman in the area. So, if anything, it would have been named Lono Heiau, but it was not. This name was already passed on to Winslow Walker in 1931 when he did his -- the initial inventory survey of significant sites around Maui.

I understand -- okay, one real deficiency with the EA is that the main text of the EA does not discuss grading for the project and, in particular, the significant amount of fill that will be imported and placed on the property. This is going to radically affect the setting and the context, for not only Kalani Heiau, but for the companion knoll. A concept grading plan, Figure 13, is listed in the Table of Contents, but is missing from my copy of the EA. There is, however, some fill information shown on Figure 11 site plan. Now the reason why the concept grading plan is important is it's going to show us what the affects might be on the historic properties that are slated for preservation. A concept grading plan was included in the earlier EA, and it was identified as Figure 12 in that EA, and just to give you an idea of why it's important, I commented on the earlier EA and in the earlier EA, under the description of the property and proposed action and a subsection, description of proposed action, I'm quoting from the earlier EA, "Lots 10 and 11 will be limited to one story in order to preserve views for Lots 7, 8, and 9." So the idea is to make sure that the buildings don't get in the way of each other's view of the ocean because, as you know, the first thing that happens in development projects like this is all the vegetation and most of it gets cleared out so all these restricted views that are being talked about for Kalani Heiau won't exist the moment the grading and grubbing start, everything will come down and then the panoramic views that existed before will be restored, only thing is that the next thing that's going to happen is all these buildings will then create a solid obstruction to those views that it's even compromising then the current views obstructions caused by the intermittent placement of trees. And I have to say that when Les Kuloloio and I went out to this site, two years ago, it wasn't nearly as vegetated as it is now and we could, certainly, see much more and I believe even today you could see much more than the photographs you viewed indicate.

And, again, under visual resources, the EA is again deficient because it doesn't talk about the impact of the houses on the visual site lines for the heiau. And, for instance, I'm talking now, again, about the earlier EA, to give you an idea. "Residences constructed on Lots 10 and 11 will result in significant visual obstructions, for example, houses built at the 30 to 32 foot elevation on Lots 10 and 11 will result in roof lines at approximately the 45 to 47 foot

elevation," that is 30 to 32 feet plus 15 feet for a single-family residence, and that's if we're talking about a one-story single-family residence.

So in order to really analyze the impacts of this project, you've got to have a grading plan so that you can figure out how tall the building pads are going to be and how tall the structures are going to be in relation to both knolls, the knoll on which Kalani Heiau is located and the other knoll, which we feel, has a ceremonial purpose in part because the other knoll, although smaller, was six to eight feet higher and so it would not make sense, in Hawaiian cultural thinking, often heiau were placed on high points in the land, so if you have another -- and these two features are very interesting because they're the only high knolls or knoll features within this coastal area. So you have one knoll that has a broad enough top to build a large heiau feature, and you have a second knoll nearby that's taller but smaller in terms of it's spread, so there would likely have been some ceremonial use of that knoll as well because if you think about the kapu, the more important the personage was, the greater the mana, the higher the kapu, the lower the individual approaching that person with the higher mana had to be, so you had the sitting kapu; you had the kapu where people could only crawl into the presence of the ali`i, they couldn't even sit up; same thing in terms of natural features when you look at these features from the traditional point of view; that's why it's one of the reasons why it's important to preserve that second knoll because, again, you talking about the siting, the spacial relationship of these features, both natural and manmade, and the context in which they occur.

I understand that the Commission receives copies of the SHPD historic preservation review letters. Two relatively recent letters are of pertinent interest. In a September 1, 2004 letter to Archeological Services Hawaii, SHPD approved the site Preservation Plan for Site 2701 as part of a Draft Environmental Assessment for the proposed Kualono Subdivision. Site 2701 is an unnamed heiau located in Pukalani, at Makaeha ahupua`a. Short-term for preservation protection measures require the installation of orange construction fencing around the perimeter of the heiau or the distance of a hundred feet from the edge, all edges of the structure. Long-term measures include a permanent buffer zone of 100 feet from the tumbled stones of the heiau site. More recently, a December 10, 2004 letter to Scientific Consultant Services, in a December 10 letter to Scientific Consultant Services, SHPD approved an archeological Preservation Plan for Site 5533 also an unnamed heiau located in Omaopio. A permanent buffer boundary for this heiau was set at a distance of 75 feet from the outer edges of the site.

Now it's interesting to note that Walker stated that Kalani Heiau was said to be of the sacrificial class. So in Walker's estimation, and based apparently on informant information at the time, this heiau had a certain amount of significance, quite probably, a regional significance.

Okay, one of the important issues in choosing to preserve a site is what kind of buffer area is going to be established; that's why I referred to those two SHPD letters. Now, there we were talking about two unnamed heiau, now we're talking about one of the earliest sites recorded in the SHPD register inventory, inventory register. And if you look at the site plan that's displayed up there, there's a minimum buffer of 30 feet. Why is Kalani Heiau given such a small buffer in comparison to these two other recent examples? Also, in both of these other examples, I don't believe that fill is going to be placed within the near perimeter of the heiau to affect it's siting.

The other thing that strikes me as being very problematic is that if you look at the site plan, well, actually you can see it up there, I mean probably better in your books, look at both Figures 11 and Figure 12, start with the site plan on Figure 12, you'll notice that the subdivision lines have been drawn through Kalani Heiau so that Kalani Heiau is divided up between three lots, which is a terrible way to try to preserve a site, all it does is complicate preservation and access issues, so you have Kalani Heiau, a portion of it on Lot 11, a portion on Lot 4, and portion on Lot 5. When access is granted to this heiau feature, does that mean that the person, the individual or organization requesting access has to apply to three different property owners? Or is access only going to be afforded through Lot 5, in which case other portions of the heiau may not be available to an individual or organization choosing to visit? It complicates preservation, because you have three different owners maybe with three different ideas about how and if they're going to comply with preservation measures. It makes no sense. And, again, these are subdivision lines; they can redrawn; this is the beginning of the process. There's no community plan amendment, there's no change in zoning, there's no district boundary amendment, and there's no SMA permit. We're right at the beginning. This is where these issues need to be engaged.

And if you look at Figure 11 the site plan, you will see that the companion knoll is divided between two lots, Lot 7 and Lot 6, and based on the limited grading information available on Figure 11, it appears that fill will be brought in so that although the feature is now at about the 46-foot elevation, there will be fill -- fill will raise level up to at least the 44-foot elevation, so all you've got is a little nipple or something sticking out of a filled area at the top; that's not preserving the knoll. You don't even understand that it's a knoll anymore. It's gone. And, again, the spacial relationship to the other -- the knoll on which Kalani Heiau is located has been completely disturbed and destroyed. I can't tell whether or not there are going to be -- whether or not there's going to be fill placed within the buffer area that's shown on Figure 12 that's displayed on the screen. I mean that's the kind of information that comes in a Preservation Plan and actually should be discussed in this EA document because, again, we're talking about judging whether or not a project is going to have an adverse environmental impact, which includes historic impacts on archeological and cultural resources. Even if there's not going to be any fill within the 30-foot buffer, query whether the 30-foot buffer is adequate and is fill going to be placed immediately adjacent to buffer, which would require -- which would mean that the area around the heiau

buffer would be raised in height and then how is that material going to be retained and what is that affect is going to have on the buffer and the heiau feature itself.

So there are a number of unanswered important questions that I hope this Commission will look at very hard and ask for some complete and thorough answers to so that we can really make sure that when this project goes forward, it has the least amount of affect on Kalani Heiau and the other important archeological and cultural resources located within the property. And I should just state that I'm not against the property being subdivided, I just think that the way the lines are drawn now does not serve the purposes of preserving these important features and, well, I guess that's it for now. Thank you.

Ms. Sablas: Thank you very much, Dana. Any questions from the commissioners?

Ms. Hall: Chairperson? I think it's -- Chairperson, may I make one other comment?

Ms. Sablas: Oh, sure.

Ms. Hall: Since the copy I have of the Draft Environmental Assessment does not contain Figure 13, which is the concept grading plan, I'm wondering if other copies of this document also did not contain that figure, which would make it very difficult for a review or to properly assess the impacts of this project, in which case, I would think that the comment period should be extended and this figure should be placed in all of the copies of the document so it can be distributed.

Ms. Sablas: So noted. Thank you.

Mr. Leslie Kuloloio: Aloha awakea, commissioners. My name is Leslie Kuloloio and I'm here to testify on the -- on the project that's been presented by you by testimony before me. I would like to just ask the commissioners that I will be including and adding more to what Dana Hall, your recent testifier, been sharing. I too had been in the area for many years. My attachment to the area goes back to 1947. In 1947, everything was, in Makena, was just about during the changes of the recent 1800's. What I'm trying to do this morning is to try to bring more light and more information to this place that is located at, what you call, people been saying the Kalani Heiau on the premises of the Garcia area. And I've seen many of the structural changes during my time and the passed-on stories and so forth that now, as Makena become a place where its been encroached and encumbered by many changes, heavily impacted, I think I'd like to bring the attention about this place, this site, so we can have a clear focus.

Like Dana said, much of the work had been done in this area but I too am familiar with the area, on my mom's side. My mom's side comes from one of the ownership of Ulupalakua Ranch. She held about 2300 acres, her grandmother, so you can see how close I am from

mauka to makai, okay, before the Raymond Ranch bought it, okay. And her name was, my grandmother's name was Puka Ilima, married to a Chinese from China. The Chinese she married was Mr. Goo Tung, alias name is G. Akuna Goo Tung, and so he went to hide his name because he had another wife in China. Okay, and so when he came to Makena and met my great grandmother, he was the founder and the owner of the Makena Store at the Makena Landing. Okay, you will see references to him at the place called Waihee Oceanfront, the Kapoho area where he was the -- he was the person individual who studied the rice plant from the south, he moved to Waihee to start off the rice mill at Waihee.

So as I'm talking about this, I wanted to bring you folks the kinda testimony I think this place deserves. One, I think this area needs more -- more, what you call, more information than what I've heard, the previous testimonies who came forward. You just don't give away my culture like that. You just don't come up here and say, okay, it deserve approval, period, and sit down. It needs to be challenged and I'm here, not to challenge it, but to say about this area. This area here is right next to my, one of my tutu man's place, called the John Aueloa, he was married to Mary Poepoe, once owned by George Ferreira, my cousin, who picked up the interest next to the Prince Hotel, next to the launching side which is right makai of this site. In between, Kihei side is what you call the Bock Kalani family and we are familiar with this area because we walked this area in 1947 all the way down pass the Prince Hotel to my tutu's place called Kealohaaina Poepoe, sister for Mary Poepoe, we all included. Well, what I'm trying to say is we all need to get some sense of history and ...(inaudible)... that road there, where the present Garcia house is at, and I'm going to go really, really important to know this to what has -- what kind of history are we talking about, what kind of history do we need, what kind of cultural resources do we need to bring to this kind of meetings in front you, as commissioners, we need to bring as much information that will become either factual, make up, or fairytales. I like to bring information that is factual, storytelling at least; if not, then lets go forward and investigate.

The only area that has been -- has any work, archeology wise, has been a recent work at the Keawalai Church at Makena, makai side, nothing so far has been done on the makai area of the Garcia property. On the south side, sand dunes, we have the Prince Hotel, some of the work has been done in regards to burials, on the sand dune for preservation, and on the Poepoe side, where George Ferreira was, there was another structure there that was destroyed at the corner of the Prince Hotel, that area there was also -- also part of a study during the Prince Hotel archeology, and what I'm trying to do is making sure that we all know what was done and what wasn't done in that area. Then we had recently the Kalani house that another Kalani area that a little bit was done. If you look at the structure that Dana mentioned about, and it surprised me because I've been on that area when we was young and didn't, you know, it didn't mean anything to me, but now, as we begin to get into cultural resources, this is what I do know. The ranch used to send their cattle all over the place in the back of the Garcia's area, yeah, and the ranch heavily used that area but after that period in 1965, the ranch started to deteriorate and the activities in ranching

became decreasingly poor, and poor, and poor because of the food property, food properties called the kiawi. So all the cattle started to migrate mauka, and now we have this area left with fences, stone walls, crossing all the family kuleanas that will attach themselves to the royal patents and grants.

I think that when I seen this plan appear to my left, I think it's, you know, I seen many plans that -- but so many times the -- we find the plan for development just compacts the feature of a site. Well, I think this site is very, very significant, and the reason why I look at it, there's another ...(inaudible)... or hill in the back of this site mauka, I think it's to the right or to the left, but when you look at the use of a place like this, not too many places have the word "heiau" and we need to kinda focus, yeah, not too many places come out with this. I didn't give my name of heiau, the archeologist did, whoever did, yeah. Now I gotta find out if this is a heiau, but I do know that let's say if you erase all the buildings makai to the left, erase the hotel, the Prince Hotel, take away everything here and leave just the church, you going see this pu`u, it's significance is so unique because without the use of the kiawe trees, you could see the ocean direct from its elevation, straight down to what we call Maluaka Bay. Maluaka Bay is one of the best, if we know that there were many, many similar landings of the old wa`a from the Big Island when kalaniopuu started to land, but this is one of the beaches he landed, we believe, with his thousand canoes all the way to Big Beach, and so, you know, we just gotta add these things, yeah, we gotta add these things, it's all in Kamakao Kapalino and David Malo. But when we come to this area here, finally, the view is so spectacular, I believe that we're going to find burials underneath the Garcia property; that's my call, and I could be wrong, hundred percent, because that site is so different and so unique. As Theresa Donham worked on the property, she shared to me some of the mana`o that sometimes she and I have worked together at the Ritz-Carlton, working with different places, and at Palauea, that this area deserves more than just allowing it to fly overnight and put homes around it, and that's it.

I think that as we look at this area, I think there's more stuff; I don't know how to put them across, and that's not the way to do testifying over here, but I think there's more stuff on the Garcia property. I don't know, I get one hunch because I've been around plenty of these sites, and I'm not here to become political, but I'm not against the development, yeah, but I wanna find out what do we save and what do we build on this area. That's all. That's all. To give them fair -- fair essence on both sides, yeah, but I think this area need -- there's more stuff because the roadway in front the Garcia house used to be this small, in the '60's, it was the County of Maui that made them this big because I know when we used to walk to the -- to the -- to my aunty guys house, it was this small, and this small is just jeep size, okay, now the road, the County went buss `em up with their graders, came out this big because people were starting to live down there and now the family was going all the way to Big Beach, so -- and I don't know when the Garcias moved down there, but I know I was down there before the Garcias, yeah.

So I just wanted to share that story and it looks as though that high ridge used to come right over makai, I'm going to close, makai to the Makua lot. Why I'm telling that site is connected to the Makua lot to Keawalai Lai or Keawalai the point of Keawalai, well, that's where the Lono family used to feed the mano, the old man Lono used to feed the mano, the shark, with his son, David Kalailua, whose was married also, the Kalani into the Kukuhiko family, and so you can see all this information now beginning, we didn't have this information before, I going be honest. But now as science start moving into this area, we're beginning to make sense, puzzles at a time, yeah. I'm trying to be honest on this one here. But as you see the whole area now becoming expanded, wow, look what happened on the Keawalai Church, one of the biggest unique sites were ever found below the floor of Makena church, read that report and you'll find out how it's going to connect it, yeah. We cannot separate all these things far, we have to look at that whole complex, give me about two to three hundred feet, you connect this whole area together in a circle. You cannot come western way of looking at things and say, oh, this is this, this is this, if that is that, then my culture have no chance of being alive. And that's how I feel, this site deserves more then what it is presented today, and I don't know the answer, I'm not against the -- anti-not building, I'm for this does this site deserve a little bigger space? Do we know enough? I think it goes down to the toe of the dunes, toe of this site, I visited there, not square them off like this, it doesn't show me the toe, where's the toe? Where's the bottom of the dune? It's not like that, it's more, you know how dunes, they don't look square, dunes look all different shapes, okay, and so I know that it's more extensive.

In closing, I just wanted to say I'm not fighting the Kahu of the church or what he experience, I'm not going against people that been in Makena, I'm not going against the Garcias, and I don't think so anybody knew what it is to take care of a site like this because it's the first time we're beginning to get information of what we think was the Kalani Heiau. I too do not believe that this is to be called the Kalani Heiau cause during my time with the old folks, noone in the Kalani family said to kapu the place, but we know that the kupuna before the Kalani went make already, yeah, yeah. It wasn't a Makena family that called it the Kalani Heiau cause there's the Kuhaulua family, yeah, the old Lono family, and the old -- if it's supposed to be Kalani, then it deserve the right to be called the Lono family, yeah, because that's the name, Lono, yeah, the Lono, the fisherman. They come from the lines so there's a mix up inside here. So let's get the work together straight. I'm going to close. I'm going to just say I thank -- I thank our King, I think it was Kalaukaua and 80 torch bearers that landed at Apuukihau, just makai of that place, at the fishpond, and so a lot of history is in this area, so e kala mai if I'm talking to long, but a lot of more stuff is happening here, yeah, just like Lahaina, Front Street, a lot of more stuff still continues. Thank you.

Ms. Sablas: Mahalo for sharing, uncle. Questions? I have a question. You know, what is the highest point of elevation at the heiau, uncle?

Mr. Kuloloio: That's -- that's -- that's the part I don't know. I don't know. It's pretty high.

Ms. Sablas: Is that -- would you say, just off hand, is that the highest point of elevation in the entire property complex?

Mr. Kuloloio: I think if you walk on top that -- that knoll and just, not looking at the blocking of the Garcia house, you're going to see that the knoll is like this, the knoll and there's a high ridge where the -- the Garcia house is at, it's like a ridge, that ridge used to come straight makai hitting the point of Makena, it used to be stone over there, but somehow the County went buss `em, it's a continuous stone. You know what I mean? That's why we get caves over there. That's why I think from on top this heiau, if you dig down, you going see the kind cavities or caves come all the way down to the lai, that's how they take care of the sharks, the sharks like to come up in the cave, yeah. But the elevation, I don't if it is 100 or 75 feet. I would say between 30 --

Ms. Lisa Rotunno-Hazuka: There's 40, the lower one is 40, and 46.

Mr. Kuloloio: 30? 40? 40 and 46?

Ms. Rotunno-Hazuka: 46 is the higher knoll in the back.

Mr. Kuloloio: Yeah. Yeah.

Ms. Sablas: 46?

Mr. Kuloloio: Yeah.

Ms. Rotunno-Hazuka: And then the smaller one -- I mean the larger knoll, in the front, it's lower, it's 40.

Mr. Kuloloio: Cause it's all sand level.

Ms. Rotunno-Hazuka: The heiau is on 40 feet. The little small knoll at the back that they're going to preserve is at 46.

Ms. Sablas: Oh, so there's other areas that are higher in elevation?

Mr. Kuloloio: Oh, yeah, in the back -- in the back as you go --

Ms. Rotunno-Hazuka: That's why that knoll became important.

Ms. Sablas: Okay.

Mr. Kuloloio: That's all on one place, yeah.

Ms. Sablas: You had some, again, comments about Preservation Plans, uncle, what would you recommend, you know, this is what you see, I mean if you were to advise them, what would be some advice to better preserve this area? I understand, you know, the concern for preservation, so from your knowledge and your, again, your wisdom, how should we, you know, better recommend then what they're saying, if you have your -- you can share your mana`o?

Mr. Kuloloio: Right now, in front the commissioners, no I don't because but right now -- because like I say there's more stuff down there I think that need to be found out and I hate to use the word but I think there's more -- more to it then just what has been shown because sometimes what I see and what an archeologist see is not the correct boundaries. I kinda look the Hawaiian way, yeah, yeah, rather then from the scientific way, yeah, with buffers, yeah. But when it come to a preservation, I thought I heard somebody saying that or at least what they going give a 20 and 20 feet, 40 foot corridor so that the spirits or -- I don't know why that corridor, yeah, to say that, oh, is this enough so that everybody can see the view. It's not for the view of the heiau or the spirituality, it's going to be the view of those living down there when you really look at it, yeah, it has nothing to do with the spirituality of us Hawaiians. So many times we've been overpowered by this kinda mentality and we need to stop, stop this kind stuff, yeah, using that kind of view point, yeah, for some of the rich man to look down the beach then, we not over there, but in spirit we are, but we're not over there. I'm not going to enjoy that so don't use that; that's why I hate that corridor stuff. If I would go they move five homes so as I can see all the way down and to respect to the area.

Ms. Sablas: Mahalo.

Mr. Kuloloio: Thank you.

Ms. Sablas: Thank you very much.

Mr. Kuloloio: But I hope I answered your question.

Ms. Sablas: Yes.

Mr. Kuloloio: I cannot answer too much on that right now. Mahalo.

Ms. Sablas: Thank you very much.

Mr. Kuloloio: Thank you.

Ms. Rotunno-Hazuka: I have several comments. First of all, one of things that I noticed too was I don't think the inventory survey was thorough enough and I don't think it's, you

know, to your advantage either. I think he could have done a lot more testing. I'm, in particular, worried about there was some of the modified outcrops and there were some mounds that weren't tested. There's two mounds on the description, to me, it sounds more ceremonial, not just a clearing mound, I think he called them agricultural clearing mounds and I don't think, based on his description, which was pretty good, that they are clearing mounds, I'll have to find which ones they are, I think it's Z and something else, I'll find that, but -- and the same point that Dana brought up, which I had in my notes, during an inventory survey you try to find the site boundaries so, you know, if you find a little deposit of cultural material, you expand your test units around that and then you say, oh, this site is 10 by 30, this site is 5 by 2, and for Site 5079, which was a deposit, we don't have the site boundaries, and what happens for the landowner is if you don't have a good picture of what's on your property, then during monitoring, you find more, you stop during monitoring, you have to, you know, assess the sites. It always happens. We find a lot more sites during monitoring, but you really need to have a good grasp of the sites, you know, before you get into that phase.

The Feature Z, that site they did test but they only tested to the surface of the soil and based on the description, it's faced, I believe this is the one that's faced, it has some coral around it, usually the coral is an indication to us that it's an offering, it's a ceremonial site, so I would like to see more testing of those mounds and, again, only for your benefit. It was Z and S; S sounded a little bit, oh no, that's not S, let's see, oh, U; U is a roughly rectangular shape, the surface of the mound is uneven and irregular. It is piled of a pebbles and cobbles. Several pieces of waterworn basalt and coral were noted on the surface. And I believe that these mounds were in the same area as when Schilt talked about ahu and I'm not sure, usually when we think of ahu, we think of like an upright stone, and I believe she was meaning mounds, but ahu still, you know, catches your eye when an archeologist uses that term.

Ms. Duensing: Lisa, excuse me, which page were you just referring to? Could you let me --

Ms. Rotunno-Hazuka: Let's see, that was in the original inventory survey on Page 28, sorry, Page 34 is U, and Z on Page 36, but, again, you have 10 mounds or 10 modified outcrops kind of in mounds, you have 4 mounds, and I believe only 3 of those were tested and I don't think that's enough testing. Also on Page 29, if you look at Figure 19, I know that I've been to the Bock, is that -- I forget what they call that, the Bock North or the Bock South that's it's next your property, but they had several pre-contact walls on that property and Figure 19, well, I guess, yeah, it's debatable. Some people -- they were recorded as historic but I -- a lot of people have been out there and they think some of them are pre-contact. When I saw on Page 29 Figure 19, that reminded me of those pre-contact walls and I believe this was the wall that they interpreted as a possible pigpen, and maybe that's true, but the walls look at pre-contact.

With the heiau, you know, 30 feet is a minimum that we ever use as a buffer. We start with 30, sometimes on burials. It's really been, I'm not sure if it's the right word, trend or what have you to provide heiaus with a larger buffer, I mean 50, I would think, is a good place to start for this heiau. The Lot 4 house, I was wondering if it was possible that that could be situated a little differently or if it could be, I think that might be somebody's house no doubt, but the first thought I had was that Lot 4 house was too close to the heiau and perhaps it either could be shifted or the square footage reduced so it doesn't encroach as much onto the heiau, I think that's it, yeah. So that was another item to do with the heiau and buffer. Again, I think Dana mentioned that Omaopio, originally, the archeological consultant had asked for a 30 or 10-foot buffer and both OHA and someone else wrote and then SHPD agreed to a 75-foot buffer. And then at Palauea, on the heiau, we have anywhere from a 60 to a 70-foot buffer and then we have an additional 20-foot on one side where the houses are so it gives it an even larger buffer of 80 feet where no structures would intrude. So I just, you know, I'm not sure if you came up with 30 because the archeological consultant said, yeah, use 30, but, just so that you know, it's not unlikely for us to recommend 50 and 75.

Again, I'm glad they did extra testing after the first inventory survey because that definitely -- there wasn't enough testing done for there. Maybe, Rory, you can answer, I didn't catch how the heiau is in three different lots and do you think it would be possible to subdivide out the heiau and it's buffers once it's agreed upon instead of having it part of those three lots? Is that something that could happen? I think that's most of the items I have right now. I mean and one thing I would like to say is I'm glad that you're going to preserve that other knoll in the back, the higher knoll. I think clearly it would have had a relationship to the heiau and I think that it's good. It sounded like maybe in the beginning proposals that wasn't going to be preserved so I'm glad that's going to be preserved. I guess too, what was brought up was the grading, and maybe when you come up, Rory, you can explain more about the grading.

Ms. Sablas: Thank you very much, Lisa, for your comments. We really appreciate your knowledge in this area.

Ms. Long: I'd, yeah, those were two very important things for me among some others, and I would like to hear the applicants answers.

Ms. Sablas: Okay, and I think Dawn had some comments or you wanna wait for the applicant? Okay, so, Rory, you wanna address some of the comments that were raised?

Mr. Frampton: Thank you, commissioners. Rory Frampton again from Chris Hart and Partners. I think I'll just go through some of the points as they came up and then I will -- if you have any other questions, we can discuss them. The grading plans, the copy that Dana has is an advanced copy. I don't know why 13 wasn't located in there. She could

have called and asked if -- this is the first time I gave it to her I think in December, but it was an advanced copy of the Draft Environmental Assessment --

Ms. Long: We don't have it.

Ms. Duensing: I don't think we have it either, Rory.

Ms. Long: We don't have it.

Ms. Sablas: We don't have it either.

Mr. Kalalau: Yeah, we don't have it either.

Mr. Frampton: The draft -- I did drop a Draft Environmental Assessment by your office I thought.

Ms. Hall: ...(inaudible)...

Mr. Frampton: This week? Okay, cause the ones I thought we had at the County were blue covered.

Ms. Hall: ...(inaudible)...

Mr. Frampton: Okay, we'll check with the Planning Department to see if the grading plan, the specific grading plan was included.

Ms. Rotunno-Hazuka: Should we have had that, Rory? We don't -- we just go up to Figure 12, is that how it works?

Mr. Frampton: What you have is part of what -- those are the figures that were part of the Cultural Impact Assessment.

Ms. Rotunno-Hazuka: Okay.

Mr. Frampton: And I believe you have the site plan which does have the grading lines on them and I can refer --

Ms. Rotunno-Hazuka: That's 11, okay.

Mr. Frampton: And on this board -- on this board over here we show the grading lines as the dark lines with the numbers on them and, basically, it involves -- it does involve fill around the back of the knoll, up to the knoll, the knoll -- the top of the knoll would stick out

about four or five feet above the back side of the property. The front side of the knoll would remain unchanged, and the view of the knoll from the heiau would be relatively unchanged except for the right side which the grade would be brought up a little bit closer to the top of the knoll, but it still would be a pronounced knoll, especially from the north side as it is today, and that's where you have a lot of the elevation change coming from the north side. On the back side, the natural topography, it's fairly close, well, it's actually about six feet less over here; we're going to raise that up for this house pad. This area of the property will be raised about anywhere from four to six feet, and then this portion on Lot 10 will be raised. There won't be any fill around the area of the heiau itself; there won't be any fill on Lot 11. One of the main reasons that we're filling the back properties over here is because of the proposed development on the Bock, the former Bock property. By the way, the archeological inventory on this property reference no prehistoric sites, as I recall, and that was never challenged, it was never commented on, and the people here in this room are very -- are associated with the people who are doing this project. So this project involves construction of four dwellings with roof heights that will be somewhere in the 40's, I forget exactly what the top height of those roofs will be; that's one of the main reasons why these house pads are being elevated in the back to be able to see over the property that's going to be developed here. That's a proposal; it's still going through the County review process; it hasn't received its approval.

Ms. Duensing: Can I make one suggestion as long as you're talking about that knoll area?

Mr. Frampton: Yeah.

Ms. Duensing: I know you addressed the narrow width of the roads to preserve Makena's rural --

Mr. Frampton: Yes.

Ms. Duensing: Nature, and I agree with that, but when I first saw that I thought that it's kind of a lot of pavement because you have, you know, the main access road, the two cul-de-sacs. You might give some consideration to just doing the one cul-de-sac in the middle, focusing on the narrow width, but if you didn't have the cul-de-sac at the back, you might have more latitude to reconfigure the lots or fill or house sites to better protect that knoll; that's a possible suggestion as to being more creative in that treatment.

Mr. Frampton: We did look at that but if you did bring a road into this area, it would have to be -- it would end up servicing more than three lots, it would have to be increased substantially.

Ms. Duensing: How much?

Mr. Frampton: I want to say 40 feet of right-of-way and -- I could get back on that.

Ms. Duensing: Forth feet for a residential road?

Mr. Frampton: That's minimum and they require a minimum of 28 feet of pavement if it's a public street.

Ms. Duensing: Yeah.

Mr. Frampton: Or -- and now, lately, the Fire Department is requiring up to 30 something feet of pavement, so it's rather excessive.

Ms. Duensing: Kind of excessive. I agree with you on that.

Mr. Frampton: So we're not trying to obliterate the knoll, we are trying to create house pads up in this upper tier for the proposed residences so that -- and then so that they could have views out into this area. There would be no fill within the buffer area. The -- it's kinda disturbing to hear the comment that the view corridor is being done only for the purposes of the private residences. I don't know which residence that would benefit. It's clearly been done just for the heiau itself and it's because that's the area, across the street is the area where you can most -- it's the best vantage point to see the ocean and when I mentioned the berm across the street, it's a sand berm, it's a sand dune is probably the more accurate language, that dune is large and it tapers down to a -- it, basically, is not there at that point right where we created this view corridor and that was where we thought was the best opportunity to create a line of site from the heiau to the ocean considering the development that's occurring on the neighboring property as well. So the -- that's the purpose of the corridor. It's not for anybody. I don't know which project -- over here, this -- the house pad over here is at about 24 feet, the top of the structure over here is 40 feet, you're going to have to be looking through the heiau to look at the ocean down here, so it was not done for a private purpose.

Ms. Rotunno-Hazuka: While you're there, Rory, can you address about Lot 4 and that structure, I mean is it possible --

Mr. Frampton: That, well, we've put that -- that's about where the structures exist today, where Jon lives, and these Lots 4 and 1 are going to be where Jon and Sam live, these are conceptual house pads, but we really -- when we set the buffer on the makai side, we used an existing lava rock wall, cattle rock wall that's there, and it's because we felt comfortable having it there because of the substantial vertical change between the top of the heiau and that wall, and the presence of the wall itself provided for a nice demarcation between the buffer area and the -- any of the potential house sites.

Mr. Rotunno-Hazuka: But, you know, if you were going to try to obtain a 50-foot, could you see scooting that house more makai?

Mr. Frampton: If, yeah, again, we weren't -- we didn't look at coming up with an actual number, you know, we really tried to do it where, you know, it felt good and where there were natural physical demarcations, that's what we came up with.

Ms. Rotunno-Hazuka: What's the toe of the slope because, you know, there's times when a feature, when it's part of a topographic or geologic feature, the entire feature, not just the site, gets preserved, so you would preserve your whole toe?

Mr. Frampton: Right, so we've done basically the toe of the slope is demarcated on this plan, it's hard to see --

Ms. Rotunno-Hazuka: Okay.

Mr. Frampton: But it falls right along the side of that driveway and the toe of the slope comes right along there and it, basically, follows that rock retaining wall and along that property line so that's what we definitely tried to achieve along the north and the makai side of the property. And then as you come up the hill, we follow the old historic ranch wall up this way and then once we got on this flat plateau, there's really no -- it's a flat plateau all the way till you reach the mound of rocks, and the mound of rocks is three, four, five feet, it sort of varies in this area, and that's where we establish the 30 feet from the perimeter of what the archeological site was. You know, I do want to mention that, you know, that a lot of your comments, Lisa, I think pertain to the archeological work. There was the original inventory survey, there was an additional addendum survey in which he did 18 additional test units, and there has been quite a substantial amount of work, and that addendum survey is currently before the State Historic Preservation Division and their commenting on that, and I think those comments really relate to the archeologist work and --

Ms. Rotunno-Hazuka: Yeah, you're right, and I didn't realize -- so Melissa hasn't approved this addendum yet cause I think there could have been more work?

Mr. Frampton: Yeah, I don't think, well, we -- when the first letter came back and commented on the fact that they wanted to do more testing around the perimeter of the site to define, to determine what the limits were and to get more information on the back knoll, he also went in and did the data recovery portion of the work that was suggested around --

Ms. Rotunno-Hazuka: That Site 5079.

Mr. Frampton: Yeah, the habitation site. You know, before we started that work, we went to the State and we talked to them about the scope and we said, "We want to be clear.

This is what we plan on doing, “ or I should say the archeologist did, he said, “This is what I plan on doing. Is that an acceptable scope?” They said, “Yes.”

Ms. Rotunno-Hazuka: Yeah.

Mr. Frampton: He went out and did the work. The subsequent letter came back and it centered primarily around the interpretation of the function of the knoll and they asked for additional consultation with members of the community that were knowledgeable, and that’s when we sought out Uncle Charlie as well as Marie Olsen, Aunty Marie Olsen from the area down there, but in that second letter that commented on the addendum survey, I shouldn’t say second letter, there were more letters than that, but the letter that commented on the addendum survey, I believe they accepted the additional work that was done around the site.

Ms. Rotunno-Hazuka: Okay. Yeah, I mean if, you know, State Historic Preservation Division signs off on it, then that’s your regulatory agency; it’s just that --

Mr. Frampton: They still haven’t -- but they still have not signed off on the --

Ms. Rotunno-Hazuka: The whole --

Mr. Frampton: Completely on the whole addendum survey.

Ms. Rotunno-Hazuka: Okay.

Mr. Frampton: And just -- people have mentioned where we are in the process, this is the early part of the public review process, although we’ve been in the agency review process for over two years.

Ms. Rotunno-Hazuka: Wow.

Mr. Frampton: The first Draft EA went in in October of 2002, we received agency comments regarding the subdivision, which, for the most part, the subdivision and the land use issues are fairly straightforward, the major issues came up with regards to the archeology as well as the preservation of the heiau and the knoll, and we took about two years doing the additional archeological studies, going back and forth, and doing the additional interviews with the people in the community. So now we’re at the Draft EA stage. The Draft EA is going to go to the Planning Commission for review and comment, it’s out to all the agencies right now for review and comment, we’ll have to go back and have the Planning Commission accept the Final EA, if that’s what they deem to do, but that would be another step, they’d have to accept the Final EA, and then we’d go to the Planning Commission for a public hearing on the community plan amendment, the change in zoning,

and the district boundary amendment as well as the SMA permit, and then we'd go up to the County Council for action on the community plan amendment, district boundary, the change in zoning, and we'd come back to the Planning Commission for the SMA, so there's --

Ms. Rotunno-Hazuka: A lot more to be done.

Mr. Frampton: Yes. And my understanding is that this board is going to provide advisory comments to the Planning Commission on the Draft Environmental Assessment.

Ms. Rotunno-Hazuka: Okay. I just wanted the applicant to know that, I mean we definitely -- I can see why you would want to do a subdivision, I've been to this place, it's beautiful, but we have -- we've been able to work this out where you preserve part of the culture and you still get what you want and really you can do the minimum that's required, you can go overboard and, like you said, you want to hold your head up high, you want to be in the community, and I think what's being offered here, and maybe not to your knowledge, but this is like the minimum that someone would put out there and that's why we're asking for bigger buffers and stuff and I think that it can work.

Mr. Frampton: Yeah, let me just comment on that. I think, you know, well, two things. One, this preservation area is going to be documented in terms of an easement, preservation easement that will be recorded with the land, it does overlay other properties, but the person or the entity that will be in charge in overseeing that would be the homeowners association for the entire subdivision --

Ms. Rotunno-Hazuka: Right.

Mr. Frampton: And they're going to be the -- and that's mentioned in the report and it's talked about that if people want to have access, they would either go through the homeowners association or, we hope, through the church, and I think one of the things, at least that I've experienced in the past that people have developed their private property, they've done their buffers, they've done their sites, and they've set it aside, they don't provide for access, they don't provide for future research or interpretive opportunities, I think the idea with this property and working with the church, the idea is, hey, let's do more than just what the standard preservation area was going to be. They've never ever talked about not preserving the heiau site. When the issue of the knoll came up, we decided to set aside the knoll, we've adjusted the plan to not have homes on the knoll. We're working with the church and we're providing access to the site, which is above and beyond what the minimum requirements are, and that's rather significant if you're looking at a development of a private property and if you look at what traditionally occurs on private properties, and I think in working with the church, you know, they're going to be doing a program, hopefully, in the future on the other side of the street from the church, just up from here, well, they're

going to have a classroom building and an interpretive center and sort of a cultural learning center, and they really want to try to teach their members about the past, as Kahu Alike mentioned, and I think the -- to me, to have this as a place where you provide for opportunities for the keikis to come, and to learn, and maybe, you know, walk up there and kinda see what the site may have been like and maybe to do some interpretive work, you know, any of that stuff would, of course, have to be done, if they're going to touch the site, they're going to have to -- it's going to have to be done through SHPD and with qualified archeologists, but just to preserve it and to provide access to the church, I think, is above and beyond what traditionally occurs and --

Ms. Rotunno-Hazuka: Well, like I said, look at Palauaea, look at Kualono, I mean the same thing, they're providing access --

Mr. Frampton: There's a heiau right down the street that had a ten-foot buffer.

Ms. Rotunno-Hazuka: And that was -- that was bad because it --

Mr. Frampton: Well, it was done and it was done apparently with --

Ms. Rotunno-Hazuka: Yeah, not with an archeologist consulting on it.

Mr. Frampton: Well, anyways --

Ms. Rotunno-Hazuka: I agree with you. That one was not a good project; you don't want to emulate that so -- okay.

Ms. Duensing: How long ago was that project done, Lisa?

Ms. Rotunno-Hazuka: What you're talking about Na Hale O Makena, over there?

Mr. Frampton: Yeah, well, it was originally the Chang property have traded the --

Ms. Rotunno-Hazuka: Yeah, they carved out part of it, right. I don't know, two years, three years.

Ms. Duensing: That recently?

Ms. Rotunno-Hazuka: Yeah. But what Rory's talking about is the people that owned the property, they carved out a section to sell and when they carved out the section, it only provided a certain amount of buffer for the property line so --

Mr. Frampton: Ten feet.

Ms. Rotunno-Hazuka: And it didn't work out during development I can tell you. Okay.

Ms. Long: Rory?

Mr. Frampton: Yes?

Ms. Long: Will there be any access to the mauka knoll?

Mr. Frampton: No, just visual access. You would be able to look up and see the face of the knoll and the elevation change. There's really not a lot of -- there's no real indication that there was a lot of structure or archeology up there.

Ms. Long: And I haven't heard a response yet to the issue that this heiau is carved into three lots.

Mr. Frampton: Well, I tried to address that that there would be an overlay, there would be an easement that would go -- we never really looked at carving that out as a separate lot. We're trying to achieve --

Ms. Long: Why not?

Mr. Frampton: Cause we're trying to achieve certain geometric for the lots themselves, and there's certain standards when you go through Public Works for lot widths, lots depths, and, basically, what would happen is there would be an easement that would be placed over that and it would run with the deeds of all the properties and the control, with regards to access of that, would rest in the hands of the homeowners association. So, in other words, it couldn't be -- and it would all be set out straightforward, it would be in writing, it's going to have be contained in a detailed overall Preservation Plan that goes to the State Historic Preservation, they'll review the language, and it'll be recorded against the deeds of the property.

Ms. Long: Well, it's just that it's, in my experience, difficult to enforce homeowner association and CC&R language and where, I understand where you're coming from, I'm just wondering if there's a better way to do this.

Mr. Frampton: We can -- we'll explore that to see if it is possible to carve it out as a separate lot but I remember, when we did it, well, we never really thought of it as an issue because we knew that there was going to be see this overlay easement that will be placed on top of the buffer area.

Ms. Long: Well it's kind of an issue to me if there's going to be formal stewardship. I would think that there needs to be an appropriate description so you're going to need metes and bounds or something.

Mr. Frampton: Correct. Correct.

Ms. Long: So as --

Mr. Frampton: And that's what I've been saying, that there is going to be a formal easement --

Ms. Long: As that entity, yeah --

Mr. Frampton: With the metes and bounds description that runs with the land.

Ms. Long: What's the comment period based on and how -- what's -- what are we looking at here because Dana was saying that certain things which we have not been able to take a look at might impact our comments, and I'm kinda feeling that way about one or two things? What is the comment period that's left here?

Mr. Frampton: I believe the formal comment period ends February 8, if I'm not mistaken. February 7, okay, cause it started on January 8, as I recall. There's a 30-day public review period that started January 8, runs through February 7. The Planning Commission is going to be considering the Draft EA after that period.

Ms. Long: Yeah.

Mr. Frampton: The agency comments that are coming in, not all of them are going to come in during that period so there is still an opportunity to comment. I would think after we receive the Planning Commission's comments on the, I want to say the 22nd, which is their regularly scheduled on the Tuesday in February, I think it's the 22nd, you know, we'll, at that point, we'll be wrapping all the comments up and putting them into -- addressing the comments and putting them into a Final EA that we'll take to the Planning Commission. But the formal comment period ends on the 7th.

Ms. Long: I'm disappointed, first of all, the letters that -- Theresa Donham's letter and the second SHPD letter were not included in our material. I am disappointed that we didn't have a grading plan, and in light of this, and maybe I expect too much but we are dealing with serious issues here, and I've seen other subdivisions come before, for instance the Planning Commission, with three dimensional plans, with an actual three dimensional site plan that shows the topo dimensions and what the grading's going to be and that sort of thing. I understand that you're saying that the 30-foot buffer is most likely based on either

natural features or the ranch wall, but I'd really like to see a really good original contour map and then the proposed contours after grading and filling so that we would have a better understanding of what's going to disappear and what's going to be under another five or ten feet of fill and with houses on top. And I think that that's something I'd like to see before I'm done with you.

Mr. Frampton: Do you have Figure 4?

Ms. Long: Yeah.

Ms. Rotunno-Hazuka: The existing topo?

Mr. Frampton: Yeah. That's a detail map of the existing topo and physical features.

Ms. Long: That's existing?

Mr. Frampton: Right. And then if you look at --

Ms. Long: It's really hard to read these numbers on here, Rory. I see 40 and I'm assuming they're at what? How many intervals?

Mr. Frampton: They're two-foot contours. If you look at the heiau mounds, you can see the 20 and the 30.

Ms. Long: Yeah, I see that.

Mr. Frampton: And at the back knoll in the back, you can see the 40's.

Ms. Long: Okay.

Mr. Frampton: If you looked out to the right, there's 30's. They're fairly clear lines and then if you look at your -- the site plan on Figure 11, it has the underlying topo and then the grades, the darker lines with the boxes around them, that's off to the right by Lots 8, 9, and 10, those are the areas -- that's the area with the fill.

Ms. Rotunno-Hazuka: And so it needs to be --

Mr. Frampton: I mean so the information's there. It was included.

Ms. Long: Well, excuse me, but it's -- I don't know.

Mr. Frampton: Well, I look at these things all the time so, for me, it's fairly clear.

Ms. Long: Yeah.

Mr. Frampton: The, you know, I think we could have added more verbiage to describe that and we can certainly do that when we -- when we revise the Environmental Assessment so that the information in front of the Planning Commission is clear so that they can understand the amount of fill that's occurring on those lots, and I think that comment is well taken, and we can certainly amend the EA. And what we're talking about right now is amending a document that's going to be used for the Planning Commission to base their decision on and to be used by the County Council to make their decision on the change in zoning, so I think, you know, the point about, you know, making sure, and I don't know why the copy that Dana has doesn't have 13, we'll make sure that that gets in there, but the grading plans are shown on the plans for the agencies that are reviewing this, most of those people are familiar with reading grading plans, and project plans, and they can see what's going on on the property. But we will make sure that certainly in our presentation to the Planning Commission and in the Final EA that that'll be all clear. And these comments, the comments about the letters from SHPD and from Dana and Theresa Donham, those were supposed to have been included and that was inadvertent, it certainly wasn't on purpose, and we're going to make sure that the Planning Commissioners get those copies so that they have those letters when they're reviewing this Draft EA at their meeting on the 22nd.

Ms. Rotunno-Hazuka: Is that the two in this letter -- in a letter from Melissa to Alan Haun, October 23, 2003, she says, "We have two members of the public," that's that?

Mr. Frampton: Yes. Yes.

Ms. Rotunno-Hazuka: Okay, I was wondering what that was. Alright.

Ms. Long: Yeah, I'd really appreciate something that's more user-friendly for us in the future, for the Planning Commission that --

Mr. Frampton: Well that's one of the reasons why we have the presentations too so that we can come up here and kinda use our hands and point and talk and describe to you what's exactly occurring.

Ms. Long: But, on the other hand, you could have done a computer rendering of the views from the heiau towards the mountains and toward the ocean showing structures in various locations because one of the issues is going to be placement of roof lines and height of roof lines and that sort of thing and it's impossible for me to know if I am standing at that heiau, whether I will be able to see up hill from what you've given us.

Mr. Frampton: And two comments there: one is that what, well, first of all, this isn't your typical developer where we have loads and loads of resources where we can go out and hire experts to do the computer renderings and the modelings, and I'll just make that point, initially, and, secondly, what I've done is to go out and look at -- estimate the height of the trees in these areas and look at the tops of those trees in relationship to where the tops of the structures are going to be, and the structures are going to be lower than the trees, for the most part, and so with the elimination of the trees and the construction of the structures, the trees right now cover that whole area; when the trees are taken down and the structures built, they'll have some structures, which won't be quite as high as the trees are right now and you'll have the elimination of the trees, so, for the most part, your views of Haleakala will be expanded.

Ms. Duensing: This project has pretty significant size structures though, I mean you're talking about, you know, 4900 and 5000 square feet and that's -- that will show.

Mr. Frampton: And we did that, yeah, and we did those -- we put these -- these structures are conceptual and we did it so that people can sort of try to visualize what the project might look like when it's developed, but the individual lot purchases -- purchasers will be developing and designing their own homes.

Ms. Sablas: So they could make it bigger?

Mr. Frampton: They can make it bigger; they can make it smaller, yes.

Ms. Sablas: You know in the -- I saw a lot of in the photos that you have heavy vegetation there, a lot of kiawe trees --

Mr. Frampton: Yes.

Ms. Sablas: And the grading is really I mean you have roots there so what happens are you going to, you know, you graded, you uproot all of those old kiawe trees and you're going to be disturbing things?

Mr. Frampton: Yes, and then we'll have monitors on -- in place but, yes, that's correct.

Ms. Sablas: Cause is that the plan is to really grade most of the heavy vegetation?

Mr. Frampton: That would probably be the method of getting rid of most of the trees, yes. In the sensitive areas, like on top of the site itself, I would imagine that what would be done would be the -- we'd cut the trees at its base rather than disrupting the, you know, the knoll and having the --

Ms. Sablas: The root system and things like that, yeah.

Mr. Frampton: And I don't think -- we're not going to get heavy equipment up on the top of that knoll, we're going to preserve that as is.

Ms. Rotunno-Hazuka: Right.

Mr. Frampton: So within -- within the immediate area of the heiau structure itself, there won't be heavy equipment going in and ripping trees out.

Ms. Rotunno-Hazuka: In the discussion about the homes and that it's conceptual, a lot of times when you're not going to build the home around the sensitive site, we designate a building pad for houses that are going to be abutting or adjacent to a preserve -- a significant site, and we did that at Palauea and I believe they're going to do it at Kualono too, so I would think that if like Lot 11, maybe 4 we have some play with because it's within the family, but 11 and, what's the one up there? Five?

Mr. Frampton: Five.

Ms. Rotunno-Hazuka: I think those two maybe should have some designated building pad if we don't know what people will do with that.

Mr. Frampton: We'll take that into consideration.

Mr. Lon Whelchel: If you could produce a building envelope, meaning a -- the building area from front to rear --

Mr. Frampton: Right.

Mr. Whelchel: Showing a section through the buildings, have the building height designated on the property, relate it with natural grade cut and fill, it would be easier for my fellow commissioners to see what you're doing.

Ms. Long: Thank you.

Mr. Kalalau: Rory, you know, Figure 4 and Figure 11, you know, we're going back to the elevation lines again, is Figure 11 the modified elevation lines or is it the same as Figure 4, the existing elevations?

Mr. Frampton: For the most part, they're existing elevation lines and the area where it's modified, where we propose to modify as part of this subdivision, is on -- in these areas and

this is the same figure in areas -- part of 7, these dark lines that come across this way, those would be the new grades, so it goes part of 7, 8, 9, and 10 would have the fill.

Mr. Kalalau: Yeah, this is what I'm saying, this would be the fill elevation lines?

Mr. Frampton: Correct. Correct.

Mr. Whelchel: They show me that you're going to pretty much eliminate that knoll except the front profile; it's going to be about three feet above that plateau that you're creating.

Mr. Frampton: On this back portion --

Mr. Whelchel: Yeah.

Mr. Frampton: And then it falls off on the front, it'll be graded area, but then it'll fall off between four to six, eight feet on this side, and, of course, it'll be the natural grade on that side.

Mr. Whelchel: The top of the knoll is about three feet above your plateau? Right there.

Mr. Frampton: Approximately in this portion of the plateau, yes.

Mr. Whelchel: Six months of pedestrian traffic will have that knocked down flat.

Mr. Frampton: Well, it's going to be in the -- it's going to be landscaped and preserved. I don't know if -- anyways.

Ms. Rotunno-Hazuka: Well, are they going to access it?

Mr. Frampton: It's a lava knoll.

Mr. Whelchel: Maybe it'll stay.

Mr. Frampton: Yeah.

Ms. Rotunno-Hazuka: But will they access it, Rory? I mean are they not supposed to access that like is it going to be restricted access? I mean didn't we -- you said nobody would access it but I guess if it's in a --

Mr. Frampton: They wouldn't -- it's not going to be like a public access for, you know, like we have over here for the church.

Ms. Rotunno-Hazuka: Right, but would the people be climbing on it and everything? They shouldn't.

Mr. Frampton: Well, we have it as a landscaped easement area so we're going to --

Ms. Rotunno-Hazuka: Okay.

Mr. Frampton: Landscape it in a way where it's not going to be an active like yard area or play area.

Mr. Kalalau: Rory, you know on that entire property, what is your minimum lot size that you guys are going to have there?

Mr. Frampton: The minimum lot size would be 10,000 square feet.

Mr. Kalalau: And right now you guys ...(inaudible)... about 12,000?

Mr. Frampton: Well it ranges from the smallest being about 14 up to the largest being 33,000, with the overall, I mean it's 5-1/2 acres, and we have 11 lots, so it's, on average, it's 1 lot per 1/2 acre but the sizes really vary.

Ms. Rotunno-Hazuka: Oh, we have just the floor square foot areas.

Mr. Kalalau: And the main road that's going to go into that project is it -- is it going to be a government road or a private road?

Mr. Frampton: It's on land owned by Seibu, and it'll be an easement, and it'll be a private road, but there won't be any gates on the road. It won't be a gated subdivision.

Mr. Kalalau: But it's a private road?

Mr. Frampton: Yes.

Mr. Kalalau: Is any of the lots decided to be for affordable housing?

Mr. Frampton: No, not at this point, although a few lots will be for members of the Garcia family so, in terms of long-term residents living on the island, they plan to retain ownership of those two lots.

Mr. Kalalau: You know, on Lot 4 there's a pump house, what is --

Mr. Rotunno-Hazuka: Well that's the -- that's where the existing --

Mr. Kalalau: And the little symbols, what is it? Existing ...(inaudible)...

Mr. Frampton: Yeah, it's right near the border of 4 and 5, near the old main house, and I believe that structure is no longer there, it shows up on the topo. Let me just show Sam. That's the cover of an old well that was on the property but it's not a big structure. When you go out there, you wouldn't see it, and that well is no longer in use.

Mr. Kalalau: So, in actuality, there's dwellings on 1, 2, 3, and 4 right now?

Mr. Frampton: 1, 2 and 4, and probably a little bit on 3, yeah. It's hard to see without the lines being superimposed here. On 3? Yeah, so the garage is on 3, Sam's house is on 2, the original family house is on 1, and Jon's house is on 4.

Mr. Kalalau: Oh, I see, okay.

Mr. Sablas: So are the brothers rebuilding then, is that what the plans show, both Sam and -- rebuilding bigger homes as part of the plan?

Mr. Garcia: Jon lives in a 500 square foot ...(inaudible)...

Ms. Sablas: More to clean.

Mr. Whelchel: This is a textbook example of how to improve on the site. It's zoned for a resort and they would have more problems than you could imagine going through residential has, reduce the problem, reduce the height line, there's no restrictive building, big mass on the skyline, it still has a few problems, but this is -- this is so much nicer than if they stayed resort, and their property is a lot less, I don't understand.

Ms. Sablas: Yeah, I agree with that and I think we all, you know, appreciate the sensitivity of the family to keep it that way and I think the concern here is to really preserve and to take every means possible to preserve what we -- are fast disappearing, and we really encourage you not to do the minimum but, you know, try to do, you know, keep the integrity of the place, and I agree with Lisa that we may, you know, look into a bigger buffer in that sensitive areas, and the grading, again, is really a major concern for us here. So are we ready to wrap up or you need more time cause we've been on this subject for over three hours and there's others in the audience? But I did want to deliberate as much as possible because it is important that we address things like this. So staff, Dawn, are you ready to --

Mr. Frampton: I'm sorry, just one other thing.

Ms. Sablas: Sure.

Mr. Frampton: There was a letter here that was handed to me, it was from Eddie Chang, he couldn't make it today, but it's a handwritten letter supporting the request.

Ms. Duensing: Do you wanna just read it into the record quickly?

Mr. Frampton: Yeah, this is to the Cultural Resources Commission, County of Maui, Concerning the Preservation Plan for the Kalani Heiau, Garcia property, Makena, Maui. Hello Commission members, I received the Preservation Plan for the Garcia property and I support the plan as proposed. The Garcia family has been longtime residents of the Makena area. They have always shown to have excellent community sensitivity and passion for Makena. Sincerely, Edward Chang, Jr., Makena property and home owner. I am part of the Makena Kukahiko family for over five generations at Makena.

Ms. Sablas: Thank you.

Ms. Duensing: Okay, thank you, Madam Chair. I'd like to just go over what I have in my notes that we'll include in your letter, which will also be passed on to the Maui Planning Commission so that they have this when they review the project.

Ms. Sablas: And then it's clear that we are here in an advisory capacity.

Ms. Duensing: Yes, this is in advisory capacity. The first issue would be the buffer zone. We would encourage the developer to go beyond the minimum requirements. Second concern was the grading plan.

Ms. Rotunno-Hazuka: Wait, Dawn, I just wanted to say there is no, in the world of historic preservation, there is no set standard, so do we want to say what we would ask just to increase it or do we -- because, you know, I mean --

Ms. Duensing: That's up to the Commission. Generally, I, as I understand it, you know, buffer zones are subject to site significance as well as to topographic features, they may not always be constant, you know --

Ms. Rotunno-Hazuka: Right.

Ms. Duensing: Thirty feet, they may vary --

Ms. Rotunno-Hazuka: Okay. I just wanted make sure that --

Ms. Duensing: What is the Commission's desire? Do you have a proposed --

Ms. Sablas: You proposed 50 to 75.

Ms. Rotunno-Hazuka: I think we should -- that they should try for at least 50, but I just wanted you to know that 30 is not in the community considered minimum, I mean --

Ms. Duensing: Right. Right. I was using your language --

Ms. Rotunno-Hazuka: I know.

Ms. Duensing: As going beyond the minimum.

Ms. Rotunno-Hazuka: I know.

Ms. Long: Yeah, and being aware too that setbacks of structures on the adjacent properties may not be sufficient to provide that kind of --

Ms. Duensing: No, well, one of the other comments I had was --

Ms. Rotunno-Hazuka: Building pads.

Ms. Duensing: Consider designating building pads for houses adjoining the heiau, especially on Lots 11 and 5, and that would cover that. Another comment that's related was the discussion over reconfiguring the lot so 3 don't have the heiau on it; this would -- also it might possibly mean less lots to better preservation efforts. The grading, this will impact the project and especially its cultural sites. One other thing I heard commissioners talk about was the fill, and I think this is especially important to point out that the fill in the areas adjacent to the knoll will impact its visual significance and it is going to lose a great deal of its prominence should the fill start rising to just a few feet below the top of the knoll. You mentioned view sheds. I'll try to make that comment all in one. And --

Ms. Rotunno-Hazuka: Archeological monitoring during construction.

Ms. Duensing: Of course, archeological monitoring. And one of the other comments Lisa mentioned was --

Ms. Sablas: During excavation too, right? When they do the grading?

Ms. Duensing: Right. Right. During all ground altering or ground disturbing pieces of the project that's where we usually state it. Lisa also talked about more testing perhaps in the modified outcrops and the mounds, and then the recommendation she made that site boundaries be better identified, it does not present a clear picture of what's on the property so that the developers, the property owners would have a better idea of what they might run into further down the line when monitoring does start.

Ms. Long: Yeah, along those lines, I think, I guess it was Uncle Les who said we need to know what went on there, more investigation to, not only test in other locations on the parcel, but to try to determine what the original name of the heiau was, and whether on contiguous lots there are related features that are known so that a better history and prehistory of whatever that complex is called can be given to the stewards so that when they interpret the site, it'll not just be this parcel, but the whole regional aspect of it.

Ms. Duensing: And then I think the other comment you would want to make is that you appreciate the developer's attempts to work with Keawalai Church in developing a stewardship plan with the sites on the property.

Ms. Long: Yeah, would that be incorporated as part of the Preservation Plan?

Ms. Rotunno-Hazuka: Yes.

Ms. Long: Okay.

Ms. Duensing: Yeah.

Ms. Long: And I know that the Preservation Plan goes to SHPD, and this has come up before, could we please at least concurrently, if not before it goes to SHPD, have a look at the Preservation Plan? At a minimum, concurrently.

Ms. Duensing: Okay, and then, Lisa, do you still believe that more testing needs to be done then? Is that still your professional opinion?

Ms. Rotunno-Hazuka: Well, let's put it this way, it's a gray area on how much you test. I think it would help them, but I don't think -- I'm not sure that SHPD would require it.

Ms. Duensing: Right, and that kinda goes in line with your comments on the site boundaries, correct? It's all part of the same thing.

Ms. Rotunno-Hazuka: Yeah.

Ms. Duensing: You have a better idea of what going on.

Ms. Rotunno-Hazuka: Yeah, they have to determine the site boundaries in an inventory --

Ms. Duensing: Right.

Ms. Rotunno-Hazuka: So if that one, in particular, isn't determined, again, it's the mounds interpretations, I don't particularly agree with all of them, but that doesn't mean I'm, you know, I'm the expert either so --

Ms. Duensing: Okay, well, again, this is only advisory.

Ms. Rotunno-Hazuka: Yeah, I think that they could test a little bit more.

Ms. Duensing: Okay, and maybe you can help me with the language of this letter.

Ms. Rotunno-Hazuka: Okay.

Ms. Sablas: Okay, anybody else?

Mr. Kalalau: That was -- that was -- no, I just want to support what Barbara said about the historical aspect of the whole area.

Ms. Duensing: Yeah, it's so noted.

Mr. Kalalau: Right. Okay.

Ms. Rotunno-Hazuka: And that we are very happy to see that it's not a hotel and that it's structures that are nice size for Makena.

Mr. Whelchel: And as Uncle Les said, be on the lookout for more stuff.

Ms. Sablas: More stuff; that's what I was talking about the grading and the digging.

Ms. Rotunno-Hazuka: Which is why you have monitoring, that's what monitoring is for.

Ms. Sablas: Yeah, the monitoring is all about.

Ms. Duensing: And I think that's why Lisa's caution regarding site boundaries and testing is very appropriate.

Ms. Long: Yeah.

Ms. Sablas: Yeah, but the family, I mean again, to the brothers, I know you put a lot of time and effort and sensitivity, and it's good to see that you're keeping it, you know, in the family, but we all need to make livelihood, we all need to be able to live on our land, and just know where we're coming from. We're supportive. I think I see you for the community members, but I think there's really strong concerns about the sensitivity of the area that I think you

guys also agree that we want to do it for -- do it the right way because you're going to be there for a long time and, yeah, and the generations, I don't know about that other brother, but, Sam, I don't know about you, you gotta get keikis to get -- carry on. Okay, yeah, so thank you very much for your patience and good luck and mahalo.

Ms. Rotunno-Hazuka: Thank you.

Ms. Sablas: Aloha. You know what guys, it's been a long time so we're going to take a ten-minute break and, again, to those who've waited in the audience, e kala mai, sorry, but we have to do what we have to do, so we'll take a ten-minute break.

(A recess was called at 11:45 a.m., and reconvened at 12:04 p.m.)

Ms. Sablas: Okay, we are reconvening and we are moving on to item -- we don't have an demolition permits so Item D, Communications, Item 1. Any public testimony? Hearing none. Oh, you're going to go after? Okay. So, Theo, you can come on up.

3. DEMOLITION PERMITS - none

D. COMMUNICATIONS

1. MS. THEO MORRISON, LAHAINA TOWN ACTION COMMITTEE, January 15, 2005 letter regarding CRC meetings in other locations. Public testimony will be accepted.

Ms. Theo Morrison: Good afternoon, my name is Theo Morrison, Director of Lahaina Town Action Committee, and I'm here today to really strongly, strongly encourage the Commission to bring some of these hearings to Lahaina, more then has been done. I -- I think you got my -- I went through last year's agenda, 2004, and there was 30 -- there was a total of 42 agenda items, I just took the major agenda items, 31 of those dealt with Lahaina, so that's 74 percent of the items on the agenda, and there were only 2 of 12 scheduled public hearings in Lahaina, which is 16 percent. So last night I also went through the year 2003, and I have that up here, there was 37 total items on the agenda, 17 of those items were Lahaina items, there was 1 Lahaina meeting, so that was almost half, and this is not a new subject for me. In July of 2000, part of my newsletter that I send out to the members, was about this same issue and, in 1999, three-fourths of all CRC agenda items pertained to Lahaina. Lahaina issues, in 1999, were on every single agenda and were also the clear majority at every hearing, yet only 2 of the 12 scheduled meetings were held in Lahaina. In 2000, the year this newsletter was written, both the May and June agenda were dominated by Lahaina items that included 7 hours of Lahaina testimony at the May meetings. These meetings were all scheduled in Wailuku.

Now years ago, like in 1999 and 2000, it was more difficult to hold a public hearing in Lahaina cause you had to go to a County or a government building, that meant the only real place you could go was the civic center. But that was changed in the last election when public hearings can now be held on private property. So I've talked to the Pioneer Inn, and I've talked to 505 Front Street, and also Waiola Church is available, so those are - - plus the civic center, so those are 4 spaces in Lahaina that are available for public hearing. The Pioneer Inn and the 505 Front Street spot, and the 505 Front Street spot is above Pacifico but there is elevators for ADA, they're free. There's totally no charge. And I understand that previously Waiola Church charged a fee to the County. I'm pretty sure I could change that but if there is a fee, both Lahaina Restoration and Lahaina Town Action Committee would pay that fee, so there would be no fee to the County.

I just, I mean I could have brought 20 people with me today but they -- but I've been here since 9:00 and left at 8:00 this morning. You cannot ask business people, and this is where the Historic District is located in Lahaina, to spend half their day at a public hearing. These people -- you're making decisions that affect these people's lives, that affect their livelihood, and they have a lot to say but they can't come out here.

Also, we all of us, you guys, us guys, everybody that complains about the lack of commitment on the part of the merchants to abide by the Historic District, the, you know, the blatant disregard for the rules and on and on, we, as an organization, continually educate them, we're always giving them economic reasons and all the kinds of reasons of why they should comply, but I think a big part of it is the entire process is removed from the Historic District. I mean I get calls all the time and people think it's the historic society, and the something this, and the something that; they have no idea, even though, you know, the Lahaina handbook and everything that I've published where I always talk about the CRC, it's a completely foreign concept to them, and you are completely foreign to them. If we brought that hearing into Lahaina, we would promote that hearing, we would make sure people knew about, encourage them to come and sit in the audience and listen to how decisions are made. You would have a much higher rate of voluntary, voluntary --

Ms. Long: Compliance.

Ms. Morrison: Yeah, agreement with a, you know, people would follow -- they'd start to get it. Right now, it's just foreign, it's separated, they don't get it, they don't know, they don't know about this entity, they don't know how it's done, and I think that's a big part of why the Historic Districts are in the very, very sad shape they're in today, and I've been on this job for 15 years. Probably, individually, I've come to this hearing, to this office, to this, I mean this podium, more often than any other person on this island. And I can, honestly, tell you the Historic Districts in Lahaina, right now, are in the worse shape I've seen them in 15 years and it's because of the complete lack of connection to the Planning Department, to the CRC, and to enforcement. But I think, today, we can at least talk about bringing the

decision-making process there so these people can participate in decisions that are affecting their lives. I think it would make a huge difference. I would, you know, if -- if -- you know, I understand that sometimes big issues come up and there's lots of issues, you know, like if this Makena thing got really big and maybe you two or three meetings on that or whatever, I also am -- you know, I'm not just saying Lahaina, I mean if there's issues on the other sides of the island that become really big, I would encourage the Commission to go there, but it's -- it will never fail that Lahaina will always be your predominant location having issues since we're the Historic District and you guys make all the rules, you're not advisory, you actually make the rules.

The other thing I would like to remind you that, as a Commission, you can tell the Planning Department that you want to move. You have that power, it's humbug for the Planning Department to go out there, however, it's humbug for us guys to come out here, so you, as a Commission, you do have, as the decision-making body, in order to make decisions in the best way possible, it seems like you would really want to hear from all those people who cannot come out here today and base your decision on, you know, more fully rounded testimony than just people like Keoki and me that are paid to do this kind of stuff. So that's my testimony and thank you very much.

Ms. Sablas: Thank you, Theo. Comments?

Ms. Rotunno-Hazuka: Well, I think Theo makes a good point and perhaps we can, you know, so we get in a rhythm, why don't we do every other --

Ms. Sablas: Every other month in Lahaina?

Ms. Rotunno-Hazuka: I know, I know it's a pain, it's a pain, I know, but, okay.

Ms. Duensing: Can I make a comment? There's somewhere in your rules, and I can't find it right now, but it says we're supposed to go to Lanai and Molokai once a year too, and we tried to do it, you know, I put it in the CLG funding, and it's very difficult to do, and, quite frankly, in the five years I was on the Commission when we did that, a lot of people were no shows. As for Lahaina, I mean, yeah, it's a lot of extra work and, you know, it's a lot of running around for the commissioners, and I think every other month would be too much, and if we're going to do that, I want some kind of promotion cause I remember having a meeting in the courtroom when, I think it was in the courtroom, when we were having a public hearing on design guidelines for the signs and everybody screamed and yelled and begged us to redo those Sign Design Guidelines and I'll bet only -- I bet four people showed up, I don't even know if it was that. I know you were there, Theo, I'm sure Keoki was there, and you guys are always there, but, you know, if this is a way to get the merchants involved, it's great, but we're going to need some help in getting them involved because, you know, the sign guidelines, and that's their number one gripe all the time, I

mean I get people screaming on me -- on the phone at me about these and then they didn't, you know, where were they when we had the public hearing for them to give their testimony? Nobody showed up.

Ms. Morrison: Well, we would, as I said, I would be happy to do that. We have a blast fax we can send out, I'll walk around to every single merchant and hand them flyers, and if we had a regular scheduled, you know, quarterly --

Ms. Duensing: Quarterly.

Ms. Sablas: Quarterly, yeah.

Ms. Morrison: We get quarterly with regularly scheduled so people knew I might get a sign, well, I'm gonna wait until -- I'm gonna request that that sign or whatever issue is put on the Lahaina -- when the Commission's in Lahaina.

Ms. Sablas: I agree a lot with what you're saying and I apologize on behalf of the Commission that we haven't really had more meetings there. In my time here, the more participation we've ever had from the community is when we had meetings in Lahaina Town, and your points are well taken, and I would like to, again, strongly recommend -- cause I thought we were going to have the meeting in Lahaina this time too, but, sure, I think we're going to have next month's meeting there.

Ms. Duensing: I don't have a Lahaina issue.

Ms. Sablas: Yeah, but, again, the point is, you know, try to bring it in the historic town, so I would strongly recommend that we do look at quarterly meetings there. The major concern is financial, you know, I know Waiola Church charge, so if we can get a commitment from you and Lahaina Restoration Foundation that the Planning Department doesn't have to incur additional charges and we have public meetings there, I'm all for it if we do it on a quarterly basis.

Ms. Duensing: I mean we went there in and it was in September cause we combined that with the meeting in Lanai and it was \$300 for the Commission to hold the meeting and, again, I'll bet 10 people didn't show up and we were reviewing the Lahaina Design Guidelines and nobody even bothered to come.

Ms. Long: That's right, there was no one.

Ms. Duensing: Barbara drove all the way out from Keokea. I know she was there and the Maui Pine project was on the agenda --

Ms. Sablas: Right.

Ms. Duensing: And I don't think any Lahaina merchants came and that directly affects them.

Ms. Rotunno-Hazuka: Well what's the 300, that's what they're charging to go in there?

Ms. Duensing: That's the meeting room use, yeah.

Ms. Rotunno-Hazuka: Why don't we check then on all the ones that are free?

Ms. Sablas: No, Theo just offered.

Ms. Rotunno-Hazuka: No, I know, I know but, you know --

Ms. Morrison: Waiola Church -- but that's a great place. The Waiola meeting hall has got parking --

Ms. Long: It has good parking.

Ms. Morrison: It's actually a beautiful building --

Ms. Rotunno-Hazuka: Okay.

Ms. Long: If we could do that, I --

Ms. Duensing: But it does cost \$300.

Ms. Morrison: Well, no, we'll pay for it.

Ms. Long: May I, please, make a suggestion, and I agree with you, and I agree that it is helpful to us to have testimony from people with varied points of view and specifically Lahaina, however, I have never seen a reporter from the *Lahaina News* here. I do not know whether notices of our meetings that include Lahaina things on our agenda are noticed prior to the meeting in the *Lahaina News*. If you really want to get the community to be aware of what we're doing and the results of that, it's way less expensive then trying to shift us all the way over there with all the other stuff that has to go with us, to get it covered in the newspaper. So I'd be happy to work with you on that if we could establish a relationship with somebody at *Lahaina News* so that they would get our agendas, and they probably need them the week before we put them out, but Dawn knows if there's a Lahaina ...(inaudible)...

Ms. Morrison: Well, I mean, we could do that, but I don't think that's the issue. The issue is when there's an agenda item, the people who are affected by the item, who have an opinion on that item, who's livelihood is affected, especially in the Historic District, need to be able to testify and they can't do that ...(inaudible)...

Ms. Long: But they can fax us if they can't ...(inaudible)...

Ms. Morrison: It's not the same thing.

Ms. Rotunno-Hazuka: Well, like I said, let's try it.

Ms. Duensing: Can I make one suggestion though, I mean I need to speak to the Planning Director and the Deputy Director because this would be an additional expense for the County and it's a tremendous amount of work in time and effort if we're talking about -- that's, basically, one of every four meetings in Lahaina, you know, Suzie's gotta hull stuff out there, plus we've got to consider --

Ms. Long: You gotta pay me for driving.

Ms. Duensing: Well, you gotta pay the commissioners for driving, but we also need to remember that we have a Hana community with a bunch of bridges that they want to blow up, we have Lanai, and we also have Molokai, which we are required, by ordinance, and James found it for me, thank you, to go to once a year and we need to do that too. So it's a balancing act.

Ms. Rotunno-Hazuka: That's true but --

Ms. Duensing: There's 12 meetings a year.

Ms. Rotunno-Hazuka: I agree with that but also, again, our main purview is what goes on in Lahaina, you know, that's the main place we have power and I can see, I mean, hey, I hate driving to Lahaina, I mean I drive all over this island, sorry --

Ms. Duensing: We all hate driving to Lahaina.

Ms. Sablas: I commute every day so --

Ms. Rotunno-Hazuka: I just, you know, most of my jobs are in Makena and Wailuku so -- I like the drive, it's a beautiful drive, I shouldn't say that but I --

Ms. Duensing: It's too much traffic.

Ms. Rotunno-Hazuka: But that's -- that's life and we're on here to do that so --

Ms. Sablas: Okay.

Mr. James Giroux: Lori, did you want me to read the rule?

Ms. Sablas: Yes, can you please read the rule?

Mr. Giroux: I'll just read this into the record for your guys' convenience, it's Rule 12-5-39 Regarding Meetings, Subsection C: Regular meetings shall be held at least once a month on the first Thursday of each month at the Planning Department hearing room, Kalana Pakui Building, Wailuku, Maui. This schedule may be altered by vote of the Commission, and the regular meeting held elsewhere, and on a different day or time, when necessary, to enable the commission to effectively conduct its business. Meetings should be held on each island within the county at least once a year. So that's the rule we're kinda talking about today.

Ms. Sablas: So there's two things, I mean we do have on our agenda every month meetings in other locations but, oftentimes, when we have that at discussion, we're not sure of what's coming up the month after as far as on the agenda items, and then it comes in Lahaina and then we find out like after the fact when we haven't had an opportunity to discuss it fully, so I think it's deserving of a try, I mean at least quarterly, that's going to be, you know, it's a big improvement toward trying to make a difference with that district officer that we're trying to get there. Lahaina is changing, I know that, and we need to spend time there, so I'm, it's my last plea to the Commission, you know, try to dedicate more time in Lahaina. So should we put it up -- can we do it in a motion form now or do it meeting at a time?

Mr. Kalalau: I just had a question. Dawn, did you guys try quarterly or you guys just tried to have a more down there?

Ms. Duensing: We usually tried to do it when we, like Theo says, got a agenda full of Lahaina issues, and sometimes it works and sometimes it doesn't. You know, in this case, issues coming up that I know of we should try to do the next, whenever they come back for the what I refer to as the million dollar comfort station and the ferry stuff, we should try to have a Lahaina meeting for that. We've got one great big thing that'll go on that affects Hana right now and we need to get a meeting out in Hana in the next couple months some time and we need to publicize that and get the Hana people involved, and this is kind of it coincides with the Legislative Sessions, so it's under a time deadline, and we need to get out there, and I'll address that when I address the Hana issues for that, but, yeah, I think quarterly might even be stretching it. I don't know. And Lori's got a point because, you know, a lot of times we don't know what's going to be on the agenda like when we were

talking about having this meeting in Lahaina, at that time I thought we were going to have a sign thing on the agenda, actually, we were going to have two signs that needed your review and approval, one guy said, "Well never mind, I'll just go by the book." So I did it administratively. And another lady never turned in the stuff I asked her for so I wrote a letter and told her I'm taking you off the agenda, you know, so that's why we don't have any Lahaina issues this month even though I said we probably would so --

Ms. Sablas: But I think it's worth a try for us to try to do it and Lahaina is changing and, again, I make that point, and if we go into the new year with trying to and if it doesn't work, at least we tried it.

Ms. Rotunno-Hazuka: Yeah.

Ms. Sablas: And if comes out too expensive, you know what? Everything is raising. Lahaina is bringing in more revenue to the County because it's a successful year so let that pay off some of the expenses that's involved.

Mr. Whelchel: What would be better for Lahaina if we had three meetings three months in a row or quarterly?

Ms. Sablas: I think quarterly because we spread it out, yeah.

Ms. Duensing: Maybe three times a year or -- yeah.

Ms. Sablas: A minimum of three times a year.

Ms. Duensing: Cause if you look at four meetings for quarterly, and you got 12 meetings a year, right?

Ms. Sablas: And we have to do one on --

Ms. Duensing: And you got four, you got Lanai, and Molokai; that's half of the year --

Ms. Sablas: And then Hana.

Ms. Duensing: Plus Hana if you, I mean we don't have to go there but we should, you know, so --

Ms. Rotunno-Hazuka: Well, yeah, let's say we're going to Lanai and Molokai that year, if we are, then yeah --

Ms. Duensing: Well it's in our budget to do Molokai this year but now we don't have a member so --

Ms. Rotunno-Hazuka: So we're not going.

Ms. Duensing: That kinda, you know, knocked the wind out that plan.

Mr. Kalalau: But we're going to talk about that later on, right?

Ms. Duensing: Yeah, right, we can go recruit somebody if they don't show up. How is it for our Hana representative?

Ms. Sablas: It would make it easier for him, certainly. Uncle has to come by the boat and --

Mr. Kalalau: I think we should hold one in there.

Ms. Duensing: Yeah, I mean is it extra trouble for you to get all the way out to Lahaina?

Mr. Kalalau: No.

Ms. Duensing: Okay.

Ms. Sablas: If he comes from Hana?

Ms. Duensing: For uncle, it's easier, yeah.

Ms. Sablas: But he comes by boat so it's more convenient.

Ms. Duensing: It's easier.

Ms. Rotunno-Hazuka: And then Keeaumoku would show up.

Ms. Duensing: Yeah, but, you know, the last time we had a meeting in Lahaina, Keeaumoku came here.

Ms. Rotunno-Hazuka: Yeah, what should we do? Vote? Make a motion? What do we do? It says to vote.

Ms. Sablas: Yeah.

Ms. Rotunno-Hazuka: Okay.

Ms. Sablas: Make a motion.

Ms. Long: I think we could maybe vote that, yes, we would like to aim for this but it seems kinda silly to go there if there are no Lahaina items on the agenda. One thing I'd like to mention though, and I'd like our Counsel's advice whether this is possible, if there are Lahaina items on an agenda, I would very much like to make a day of it and set aside on the agenda, either lunch with the public or an opportunity for the public to have an open mike and come up and either ask us questions or let us know what their concerns are. It's awfully open-ended and I don't know if that's even feasible. But if part of the reason is to communicate with the people of Lahaina and to understand what their concerns are, you're shaking your head.

Ms. Rotunno-Hazuka: Well, what's the difference between that and having a meeting there?

Ms. Duensing: Why can't they just submit us a letter and say, I know you guys are going to be here next month but, you know, I want this on the agenda and we'll talk about it cause we --

Ms. Long: Cause people don't work that way.

Ms. Duensing: But then we -- we have to establish an agenda on what we're going to talk about, otherwise, you get under these --

Mr. Kalalau: We'll be there all night.

Ms. Long: Yeah, I understand that.

Ms. Duensing: Well, not only the all night thing, but you got the Sunshine Law to contend with and you are supposed to inform the public.

Ms. Long: Yeah. I know, that's why I'm wanting advice here on how we could handle something that would raise the level of conscientiousness in the Lahaina Historic District that we exist and we deal with these issues and we want to involve you guys and --

Ms. Morrison: Well, we used to have workshops. You know, we used to have workshops with the Planning Department, they came over, and that would be great. I don't know if you guys can conduct them or be part of them where they go through the different -- why it's important. I mean have a meeting and then have a workshop.

Ms. Duensing: Here's another idea, if and when you guys get your historic district officer, it might be better to work with whoever that person is going to be --

Ms. Long: Oh yeah.

Ms. Duensing: And establish something at that time too, you know, that could be part of their job.

Ms. Rotunno-Hazuka: Yep.

Ms. Long: I mean according to the Sunshine Law, we can't even have an introductory lunch for that person, if and when there is a person, that we all go to if it's not agendaized and the whole thing and that's why I'm --

Ms. Sablas: And I think that's why we're in the situation we're in. We make too many rules that we really are not accomplishing what we were really set out to do.

Ms. Long: Yeah.

Ms. Sablas: And I really wanna go where Barbara is going and think about it cause, you know what? We all spend a lot of time, our time here, and I would just hate to think we keep wasting our time by having a meeting, going through all the rules, but not getting action done, and I believe strongly in getting community input, I believe strongly in going to the area and Theo is right, a lot of the issues that come before us have to do with Lahaina so, you know what? Let's just bite the bullet and get the job done because it hasn't been working in the past so why go down the same path?

Ms. Rotunno-Hazuka: Yeah, and so maybe we -- okay, let's say next month we're going to Lahaina, okay, what do we want to do if for some reason none of our items are Lahaina? Do we not want to go? Can we switch? Can we say, okay, the -- you know, how do we do that? How are we going to say if we're going to go four times a year, let's just say four times a year, and we don't have anything for Lahaina, can you think of a reason why we should go?

Ms. Morrison: No, that's fine. I have no problem with that.

Ms. Rotunno-Hazuka: So we'll cancel and then -- okay.

Ms. Sablas: Have two consecutive meetings. I think maybe the motion should be that we would really try to have at least a minimum of four meetings in Lahaina or even three meetings and then -- and it's subject to the agenda item because then --

Ms. Morrison: If we had a regular schedule though, that would really help in the promotion, it would help people to be able to plan, whatever they were planning to do around the Lahaina meeting, it would help.

Mr. Giroux: Can I make a suggestion since somebody did ask for Corp. Counsel?

Ms. Long: I did.

Mr. Giroux: About 20 minutes ago.

Ms. Long: Thank you, James.

Mr. Giroux: Anyway, I'm used to keeping my mouth shut. Well, first of all, what I've seen other commissions do is they put on the agenda a workshop but it's carefully tailored to a specific item, such as are signs a problem, okay, is enforcement of building codes a problem; those kinds of things, and you just have to, in the agenda, it just has to be narrowly tailored to that so you can know that there is going to be a Lahaina issue because it's about signs, where else are we going to have sign enforcement problems is in Lahaina, so you can have a few, you know, things, permitting reviews, whatever, that we think are going to be Lahaina stuff. If it's cancelled, then we just show up but we do that workshop. And if merchants show up and they've got questions about why can't I have three signs instead of two; well, according our guidelines, and these are our guidelines, and this is what we're trying to accomplish here, we want uniformity, we want to keep, you know, gaudiness out of Lahaina, we're trying to improve your economic, you know, we can have that dialogue because it has been properly agendaed as the subject is signs, so we can educate while the public comes up for public testimony, like I want the sign law changed; well, this is what our law is and, you know, so you can have that dialogue if the intent is to educate and then also have a guarantee reason to be in the region.

Ms. Long: Phantom parking.

Mr. Giroux: Right, I mean, yeah, you can -- that could be an item, you know, that solving phantom parking in Lahaina and so that will be, you know, people will come up and say you'll never find a solution or some people will say, you know, build a, you know, build something in the harbor, you know, I mean so the dialogue is open.

Mr. Solomon Kaopuiki: I suggest we go eat mango.

Mr. Giroux: But the only restriction is that the agenda item has to be specific enough to notify the public about what we're talking about at that meeting and the Chairman will keep the testifier limited to that subject.

Ms. Duensing: And you also have to keep in mind that you do have items of business that you will also have to attend to --

Ms. Long: Right.

Ms. Duensing: You know, you cannot just do ad hoc, well, we'll talk about this this month because other people need to have their permits and whatnot addressed.

Ms. Long: Okay, two suggestions on that. When the Planning Commission has specific things that specific people need to come and testify on, they say we will deal with this at 1 p.m., so that we could do that even if we have something that's going to run over, we can recess, we can go into this workshop, it could be a brown bag workshop, people want to come and eat their lunch and participate in the workshop, fine, it's on for 45 minutes, and then they're out of there, and we continue with the rest of our agenda. And my second suggestion is that Theo provide our leader with a list of things that we could do workshops on and then we would decide or Dawn would decide, so that's -- that would give people the opportunity to come, they could do lunch, they could participate, and then get out there, and we'll go on with our business and limit it to that one subject. I like that. Make sense to me.

Ms. Sablas: So are you ready to put that in a motion or --

Ms. Rotunno-Hazuka: Okay, so we put that for every time we want to go to Lahaina we're going to have some kind of a caveat to discuss or is that just like for one meeting what James suggested?

Ms. Sablas: I think what Theo is suggesting makes sense that if we establish like the first of every quarter that we would have it in Lahaina --

Ms. Rotunno-Hazuka: Okay.

Ms. Sablas: Then it's up to us to have come up with agenda items that would be specific --

Ms. Rotunno-Hazuka: Oh, I see, okay.

Ms. Sablas: Like sign enforcement, like whatever, and that it could be geared to Lahaina, so we would never have a meeting that doesn't have anything to do with Lahaina, and then we could accomplish our goal of having at least four meetings during the year.

Ms. Rotunno-Hazuka: Okay.

Ms. Sablas: Okay, and then is -- Barbara, you --

Ms. Long: I think two or three is enough cause four is --

Ms. Duensing: And I wouldn't do it on the first month -- the first meeting of every quarter because you get your new members in April and that would be the first or the second quarter and that's not a good idea.

Ms. Sablas: But I guess what we need to do is a determination of what day, what quarter, so that she can get that out into the, you know, the Lahaina --

Ms. Long: Say a minimum of twice a year.

Ms. Sablas: Which we did last year, we had it twice, we did in March and we did in August.

Ms. Long: But if we do this and if it's appropriately noticed to everybody and people, and you can get the word out with the fax thing, I think two or three times a year would -- three?

Ms. Rotunno-Hazuka: I think three.

Ms. Long: Definitely two, let's try for three. I mean it's --

Ms. Rotunno-Hazuka: I would have said four.

Ms. Sablas: I would have said four too, yeah.

Ms. Long: Well, yeah, but there's so much -- so many other things that relate to other areas of the island and --

Ms. Morrison: Well, what I think will happen is you will actually get -- I mean people will --

Ms. Rotunno-Hazuka: Start coming.

Ms. Morrison: Yeah, they will start bringing their permits so they're -- you know, into the CRC instead of trying to avoid it, you know, because it's more accessible, it's more -- they'll understand it. I think that's what's going to happen so I think you'll have plenty of items.

Ms. Rotunno-Hazuka: Okay.

Ms. Long: That could be. Okay, I'll go for three times.

Ms. Sablas: Well, before we take a vote, I need to have -- I think Mr. Freeland wanted to testify to that so --

Ms. Long: How can it be quarterly?

Ms. Rotunno-Hazuka: Every four months.

Mr. Keoki Freeland: I'm Keoki Freeland, Executive Director for the Lahaina Restoration Foundation. I do concur with everything that's been said so far as far as meetings in Lahaina. I just wanna add a couple of things. One is that it's my opinion that you folks do a real thorough job of examining what's brought forth to you. The problems that I see is what's not brought forth to you and, you know, that's the reason why we've been talking about the historic district officer, and thanks to Lori and Barbara, they've been a great help although we hit a snag at the present time but we're working on that.

Ms. Long: We're working.

Mr. Freeland: But I think it would be also a benefit for the commissioners just the mere fact that you're in Lahaina, you can see some things that are maybe going on, that's not being brought forth in front of you that might be -- help you out in your decision-making on some of the items that are brought forth to you, you know, instead of only seeing one side of it all the time, it would be a benefit if you get to see the whole picture, it might help you out. It, certainly, I know it will help out the people and businesses of Lahaina, especially if everybody is put on the plane, which they're not at the present time, and that's very unfortunate, but we're working on that so that's my opinion and it's --

Ms. Long: That's a good --

Ms. Sablas: So what would you recommend? How many times a year?

Mr. Freeland: Well, I'd like to see it quarterly, no doubt about that, but if we don't have anything on the agenda, fine, go someplace else. But if it were scheduled on a regular basis, like Theo says, people know ahead of time, okay, we can -- man, there's plenty stuff out there.

Ms. Sablas: I know.

Mr. Freeland: If we can't find an agenda item, we ought to work on that.

Ms. Sablas: Okay, thank you very much.

Ms. Rotunno-Hazuka: Thank you.

Ms. Sablas: Okay, who's the brave soul that's going to make the motion?

Ms. Long: Go on, Lisa.

Ms. Rotunno-Hazuka: I make a motion that the CRC hold meetings in Lahaina at least three times a year and --

Ms. Long: Incorporate in the agenda a workshop dealing with a specific Lahaina Historic District issue that is specified for start and end time on the agenda.

Ms. Sablas: Okay, do I hear a second?

Mr. Kalalau: Second.

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

It has been moved by Ms. Rotunno-Hazuka, seconded by Mr. Kalalau, then unanimously

VOTED: that the CRC hold meetings in Lahaina at least three times a year and incorporate in the agenda a workshop dealing with a specific Lahaina Historic District issue that is specified for start and end time on the agenda.

Ms. Sablas: Any discussion? Okay, motion carried, so we got three, one better, so we'll try.

Ms. Rotunno-Hazuka: Schedule them?

Ms. Sablas: Oh, you know, yes, I'm sorry. We need to talk about, you know, we'll let administration handle that as far as the timing, four times a year, so we need to get a notice -- three times, I'm sorry, see I still wanted four -- three times a year so that they have ample time, I mean you can work out the logistics, what makes sense, what meeting.

Ms. Rotunno-Hazuka: Okay, are we starting ...(inaudible)... okay, January is the beginning of our year, I mean we don't have like a --

Ms. Duensing: Well, April is when the new members come on.

Ms. Sablas: April is the new members so we'll start April.

Ms. Duensing: And like I said, we need a Hana meeting because we have something big going on for -- that could really help Hana out ...(inaudible)...

Ms. Rotunno-Hazuka: And where is our -- who is our new member and what district do they come from? We don't know?

Ms. Long: Not a clue.

Ms. Sablas: This is all part of our discussion on that --

Mr. Kalalau: Later on, yeah, later on.

Ms. Sablas: That's the motion that's on the floor, yeah.

Ms. Rotunno-Hazuka: Well then how about April for our first -- cannot?

Ms. Duensing: Cause we have new members.

Ms. Sablas: New members.

Ms. Duensing: They have to come here, you guys gotta do your paperwork and get sworn in.

Mr. Kalalau: Orientation and all that.

Ms. Duensing: Yeah, all that other stuff. We have to have orientation so the Deputy Director comes in --

Ms. Rotunno-Hazuka: March?

Ms. Sablas: No, no. Well --

Ms. Duensing: Let's do it after our new members come on.

Ms. Sablas: I think we'd at least try to get our March meeting there in Lahaina; that's the last meeting coming up so we can go for that, and then look June and probably --

Ms. Duensing: Can we really wait to see what we have for the agenda and get organized.

Ms. Rotunno-Hazuka: Well they wanted to put the word out so --

Mr. Long: Well, we can do that two weeks ahead.

Ms. Rotunno-Hazuka: Let's shoot for March.

Ms. Duensing: You guys really have an important Hana thing that we need to do soon.

Ms. Rotunno-Hazuka: So February for Hana or April -- we can't do April for Hana either?

Ms. Duensing: This is February.

Ms. Rotunno-Hazuka: Okay, March then is Hana.

Mr. Kalalau: No, March is the new guys?

Ms. Duensing: April.

Ms. Long: No, April is the new guys.

Mr. Kalalau: Oh, okay.

Ms. Duensing: Let's discuss it ...(inaudible)...

Ms. Sablas: Okay, again, the motion was passed. At least we know we're going to have three meetings and then we'll try to work out and I'll get involved as far as the dates so we can let Theo know in advance when the meetings are going to be scheduled in Lahaina, ample notice. I know you would like to get, you know, but if we cannot get it, at least we're trying to -- you can have a whole month's notice ahead of time on what the subject is.

Ms. Rotunno-Hazuka: Okay, that's the best that we can do.

Ms. Sablas: Yeah.

Ms. Rotunno-Hazuka: Okay.

Ms. Sablas: That's right, it's an agenda item, anyway, the schedule, you now, the meetings at different locations so -- okay.

Ms. Rotunno-Hazuka: Thank you.

Ms. Sablas: Thank you. Okay, you've been so patient. I bet you learned. See you were going to come educate us, but I think you learned too. Okay, next we have Claire Miyasato, Focus Maui Nui. So, thank you. I would accept public testimony except we don't have any public members so you're on, Claire.

2. **MS. CLAIRE MIYASATO, FOCUS MAUI NUI, providing an overview of the Focus Maui Nui Project, including key findings and recommendations. Maui County Council requested that this presentation be made to all boards and commissions. Public testimony will be accepted.**

Ms. Claire Miyasato: Okay, good afternoon. I'm really glad to be here. I'm with the Maui Economic Development Board and I would like to thank the Planning Department as well as the Commission for giving me the opportunity to speak to you today. I will be doing a slide presentation and so, if it's okay, I'd like some of the lights to be turned off, and if it's also okay with you if I sit so I can kinda ...(inaudible)... slides. And, actually, after sitting here for the past, what, three hours, I actually think the presentation I'm about to do is actually more appropriate then ever. I was sharing with Dawn that I had never really been in a commission meeting, and so this has been very enlightening, and I hope that what I am going to share with you today, you also will feel is very appropriate.

I'm going to be talking about Focus Maui Nui, which is a community visioning project that began almost two years ago in 2003, and to give you some history about the project, the Maui Economic Development Board hosted a conference to explore economic options back in the summer of 2002, and the participants of this conference were asked to do some planning and to make some decisions about the future, but many of the participants expressed frustration that they couldn't really do that because we didn't really have consensus about the future direction for Maui. And as a direct result of this feedback, the Maui Economic Development Board partnered with the County to launch a visioning -- community visioning process to better define a vision for Maui County.

The process was actually developed by an advisory committee made up of an array of community based leaders from a variety of businesses and organizations as well as people who -- well people with varied viewpoints, and that was very critical in this committee, we wanted to make sure that many interests were part of this team that was going to be shaping the whole process. This advisory team played a key role in shaping the process but not in shaping the content of the outcomes of the process. And, at the outset, it was very clear that to be considered successful and to have valid outcomes that we really needed to engage a broad cross-section of residents, including many people who typically are not involved in civic forums.

Focus Maui Nui has been made possible due to support of these organizations and we are particularly pleased by the array of foundation support that we have.

And so Focus Maui Nui, Phase I, began really in the summer of 2003 and it took place over a course of 14 weeks. And during these 14 weeks, we have 165 small group sessions

involving almost 1700 residents. And Maui Nui refers to all four islands so it was very important that we reached into Molokai and Lanai as well as remote communities like Hana. Here are some photos of our sessions. Trained facilitators, who led the group sessions, were invited to people's work places, to their homes, to the schools, and the photo on the upper right shows we actually did a couple sessions on the beach, I think that might have been Molokai. I was very fortunate to be one of the 15 trained facilitators and I can share with you one experience I had. I did a session at a very large upscale hotel and the participants though were not the typical maybe front-end employees, they were actually the behind the scene employees, the housekeepers and the maintenance workers. And when I started the session, I could sense that they were almost -- they were tentative, they were almost maybe intimidated by why they were being asked to be part of this session. But I can tell you, after an hour and a half session, they were talking up a storm, I think every single person was able to express their opinion. It was amazing.

Now, as I mentioned, demographics was going to be a critical part of the process and to ensure the validity of our outcomes. And the breath of people that we reached is really best shown by looking at the demographics. So this slide here shows the population distribution by island, and we compared our numbers with to the Census 2000 numbers, and we were able to hit or exceed the Census 2000 numbers on each island, and you will event note, on Molokai and Lanai, we actually exceeded Census 2000 numbers cause we wanted to be able to create a specific report for Molokai and Lanai cause they often feel that they're lost, they're voice is lost, that everything's lumped into Maui island, so we were able to generate a specific report to them as well as the aggregate full report, which I am leaving a copy if you guys are interested in looking at.

This slide here shows the age distribution of our participants, a wide range, as young as 16 and as well as our senior population over 60. During the 14 weeks, we tracked demographics on a weekly, if not more frequent, basis because we wanted to make sure we were hitting all groups. And about midway through, we noticed that the 16 to 20 year age group, we were very short, and so then we made a concerted effort to tap into our youth to be part of our sessions, and those sessions, alone, were very dynamic with our youth. It was interesting what they felt was important as main issues for our County.

This slide here shows the length of permanent residency of our participants. You know, if we're going to look at what the core values of our community are, we really need to involve those that have practically lived all their lives here, but also the newcomers who have recently arrived. In this slide, what's interesting is that the two bars on the very right, so those who have lived almost their entire lives here or their entire life here, was substantially higher than all the other groups, and we were pleased with that because those two groups tend not to be involved in public dialogue, so we were glad that, again, we were able to reach out to that age group, excuse me, not age group, but those residency on the island.

Next slide looks at ratio and ethnic affiliation of our participants. We were very pleased at the numbers. We were able to engage in the Hispanic or Latino population as well as the Asian population and, again, these two groups tend to be not as vocal and not as involved in civic forums. I should also note that in the Hawaiian Pacific Islander group, that also included Tongan and Samoan.

Ms. Rotunno-Hazuka: What's Hispanic and what's Latino? What would you consider --

Ms. Miyasato: You know, we would just ask them to identify --

Ms. Rotunno-Hazuka: What they thought they were?

Ms. Miyasato: What they consider -- right. Similar to the Census 2000 survey where you were asked to delineate or indicate which ethnic group you were part of. Now so your numbers will not add up to a hundred because some people might have said, you know, Hawaiian and Chinese, so there might have been more than one ethnic affiliation, but, again, I think you can see we had a broad range of ethnic backgrounds in the participants.

This is the population distribution according the planning districts, and so, again, we made a concerted effort to hit as many areas as possible and for them to be represented.

And as a measure to see whether or not our outreach efforts were successful, we asked each participant the question, "How many public meetings have you attended in the past year?" Over a third of our participants said they have never participated in a civic forum or a public meeting. Another third said one, two, three times. So if you add those two groups together, you've got 75 percent of our participants saying that they're somewhat marginally involved and so, again, we felt that again we did reach out to those who just tend to let others maybe speak for them, and so we were pleased with that.

And so, at the end of our 14 weeks, we worked really hard in analyzing all the input that we had gotten and to create a vision for our community. Now this vision statement is in the information that each of you should have gotten, the Executive Summary of Focus Maui Nui, so I'm not going to read this vision and -- but what I'm going to do is just highlight the most important themes, and keep in mind that these themes are probably not new, they're probably recurring, and that's not unusual for community to have same issues to come up over and over again.

But the concept, sustainable island living, that we will build a community of sustaining value that will be lasting without depleting our resources was very important. There was also a strong sense or need for balance in the decisions we make, balance between competing or perceived needs, such as between environment and infrastructure. Education came up very, very high in our feedback from the participants, and education as a means for a

rewarding life so that our children can, if they choose, so they have that option, that they can spend their whole lives here. That we would be good stewards of our local treasure, and that's referring to our natural and cultural assets. That we would create responsible, self-sufficient communities, again, the whole issue of being sustainable and environmentally sound, economic development. And, lastly, this would be for generations to come, so whatever we decide to do that we need to think long-term and not just for the current generation or maybe even the generation after, but much longer term than that. So that was the vision that culminated as a result of our sessions. Of course, the core values is what -- are what drives our vision and we hope that these core values would drive our -- the decisions we make for our community and, again, that should be in your handout.

So we have this vision of where we want to be but how do we get to the vision. Well, five key strategies emerged in our sessions and the strategies need to be thought of as coming in a package of five so that you wouldn't do one strategy at the expense of another. And so the first strategy was improving education and education was seen broadly, beyond the classroom, as a way to improve our economy and as a means to a rewarding life. And some specific recommendations that came from our sessions that I think you might be interested in is that there was a strong need for incorporating our local cultural and traditions in the classroom, they would actually weave our traditions and culture in the teachings in a classroom, and that came out very loud and clear. Also, the need for more internships and apprenticeships. When you think about an internship and an apprenticeship, we're talking about having a role model shadowing as a method for learning. And also that we need to not only improve education in K to 12 but also higher education as a way for -- to improve our economy for those who would like to stay in Maui be able to do so.

Second strategy was preserving the natural environment and address water needs. Many participants said that natural beauty is our greatest assets and that all of us need to become more educated as to what our individual role is as well as our collective role in preserving the natural environment. People talked about enacting laws and incentives that would help conserve water, land, and other natural resources. Some specific suggestions included expanding agriculture and that we're promoting more locally grown food.

Another strategy was improving infrastructure, particularly housing and transportation. You know, that housing and transportation came up as a major issue was not surprising, but I think some of the solutions that the participants generated were. They included working more with government to provide incentives to businesses to protect our environment, to work with developers to balance the needs between the environment and the needs of the people for housing and for transportation. Some suggested planning more people-friendly communities so you can work and live in a close area. And then when it came to public transportation, looking at both the needs of residents and visitors. And, lastly, recycling. Recycling came out a lot and that's something we can do right away.

Another strategy was adopt targeted economic development strategies and they felt that Maui Nui could be a model for sustainable living striking a balance between economic development priorities with environmental concerns. People wanted more support for local businesses to support agriculture and food production, aquiculture, high technology, and alternative and renewable energy sources. They also talked about cultural tourism, which is a niched tourism, and to provide authentic experiences that respect our culture and environment.

And, lastly, preserving local culture and traditions, address human needs. When you think about our island culture, there is a great sense of need to take care of each other, so we were not surprised that addressing human social needs would be lumped with preserving our local culture and traditions. People talked about infusing our local culture and traditions into our schools, work places, and areas of recreation. They recognize the significance of substance abuse, the impact on the quality of life, and they advocated that we increase community involvement by everyone, it's not just government, it's not just certain people, everyone needs to become more involved. And they also mentioned that recreation for both visitors and residents that we sustain access to recreational sites and pursuits.

So Focus Maui Nui now is in Phase 2 and our intent was never to stop what we're doing with the report that you have in hand but actually to take action and that the report would serve as a guiding document for all because if we want a community to live by the report findings, then they need to know about Focus Maui Nui, and so during the past year we focused our efforts on getting the word out through presentations, such as this one, we're trying to get the opportunity to present to as many boards and commissions as possible, we've done it through Maui County ads, Akaku television, radio, and being at community events to spread the word, such as the County Fair and Senior Fair. We want this report to serve as a guidepost for strategic planning and decision-making for all in the community. We are working towards putting together a step-forward report, which is like a progress report of where we are to date, and included in the report will be specific actions people in our community have taken so that if you pick up the report, you can say, hey, someone in Molokai is doing this, why can't we do it here in Maui; in fact, I probably could do this and start it, so it would be a reference document.

Mayor Arakawa has been extremely supportive of Focus Maui Nui and some of the actions that the Maui County government has taken include the Mayor's Economic Summit, which took place in January of '04. The report findings of Focus Maui Nui was used as the framework for the conference. The findings from this report will feed into the vision part of the new General Plan update, which is a required document, and the County Council Economic Development Committee has also endorsed the report findings.

And our community, as well, has been very involved in taking action. We've presented to a number of private businesses and they're planning to incorporate the report findings in their strategic planning process. This morning, we talked about Keawalai Church. Well, that's a good example of historic restoration of a church and taking action as a way to preserve our cultural and natural assets. One item that of interest is an Environmental Fair at Grand Wailea. An employee, I think, was part of a session and she decided to spearhead having an Environmental Fair at Grand Wailea, not for the visitors, but for the 800 plus employees at the hotel and there the workers were exposed to greening practices, what are ways they can preserve our environment, so she was very creative.

So now, now that you've heard of Focus Maui Nui, I'd like to ask you what you think Focus Maui Nui means to you, personally, and as a member of this Commission, you know, do you have any thoughts about what you could do on this Commission in taking action? You're in an ideal position in many ways to have a lasting impact or decision-making on this Commission. And I know Chair Sablas was even part of a Focus Maui Nui session. I would be interested to see if you have any feedback.

Ms. Sablas: Yeah, we hosted a session with Jeanne Skog at my home because I wanted to get -- I invited all members of my family and my neighbor, and I think we probably had about, I don't know, 12 people, but it was interesting because we had my dad, who's 90 plus years old, nieces and nephews who are -- didn't realize how involved they were, but these were all people who don't go to community meetings, and we also had a teacher also, so we covered a lot of the basis that you had here. So I, personally, I like to be involved in what happens in my community so I encouraged to come because without participating, then you just -- cannot just, to me, no grumble if you don't participate. So I like the way it was done because you get the people who normally don't say a thing and that's showed in your numbers there. I think what we can do now is really take a look at it and, as we did this morning, I think, you know, each commission has a major responsibility of, you know, while we have the Community Plan, I think this is really more the people's plan, and I would like to be able to, you know, and I keep it on my desk because I refer to it when we have to make decisions, you know, I mean what is our community saying? What do they want in a particular area? And it's, again, all good and well, but I'd be really -- what I can do, I mean for preserving the culture and I, personally, am involved in many, many organizations, including my job, to do whatever I can to preserve the Hawaiian culture so, you know, I take action on my own, I encourage others to do it, and I'm going to continue to do that, and I kinda almost feel sad that this is going to be my second to my last meeting here cause I'm really enjoying myself now, but it doesn't mean I'm going to stop because I, personally, believe that as a human being, we're here just for ...(inaudible)... on earth, what do we do with that time is more important to me as I was sharing with my friend, Mr. Garcia, it's not all about making money, Maui is too precious for us just to think about the almighty dollar, it's for us to think about the generations to come, and that's really the native Hawaiian way of thinking, you don't think of just next generation, you think five, seven

generations, and if you keep that thought in mind, you really have to be serious about what your decisions are because modern day mankind make decisions just for next generation, I think, and I would like us to be able to think more for future generations and that's the Hawaiian way of thinking, seven generations down the line cause I've seen more change on my island, I was born and raised here, in my one generation, and I'm 61 years old, and my mom, her mom, her mother, three generations, so as an island born resident, you damn right that I'm concerned about the direction that this island is going and I try to encourage other, the locals who were born and raised here, to get more involved and be passionate. So, at my job, my primary responsibility is to educate all our employees about the environment, to take care of the aina. We've done 54 classes. I'm challenging my staff now. We're going to go to Kahoolawe next and my boss said, "It was never done." I like to do things that's never been done because, you know, that's stretching and the more you know about the sensitivity of this island, I think the more individuals don't have to worry, but the group, if you get an army of people really caring about it. We go to the beach, we talk about how it is when you get the limu, that you just don't pick it up because that's the roots in there and how do you harvest? What do you harvest when you go to the ocean? So we take all our employees. We've done a thing on fishing where we actually went to a neighborhood family, just eight minutes away from our hotel, who actually subsidize on fishing, but they're still doing it, five generations, so we asked how they're doing it and how are they taking care of the aina? You know, hands-on real experiences that they, as individuals, can carry out because our belief is that if we put one passion and one of the employees and they go out and then when they go to the beach be sensitive about not throwing the plastic down or not throwing the cigarette butt out of their car. We're doing our job, so this kinda thing means a lot to me and thank you for what you're doing. I didn't mean to go on my soap opera but, you know --

Ms. Miyasato: No and I applaud you for taking that active role, and some questions I'd like to pose to the Commission is, you know, how can we incorporate more of a culture in the education setting? You know, what are some ways we could do that? Or, you know, how could we foster internships and apprenticeships having to do with cultural resources? But, again, these are just some questions that we came up with as a way to kinda foster some of the themes from our vision but -- and, again, if I leave here and all of you just give it some thought, that will be a huge positive as we step forward in promoting this and making people more aware of this project; it's getting people to think about it.

Ms. Rotunno-Hazuka: Yeah, I mean one of my -- one thing that I'm worried about is how to implement, you know, my -- what I feel that I do for the community and through my business is kind of along the same lines as Lori is. What I try to do is encourage each developer that I work for that, you know, the past is very important and we -- in order to preserve a culture and help the Hawaiian people to get back their identity and, you know, there's such a huge amount of drug problem right now and a lot of it is the Hawaiian, part-Hawaiian people that are losing their life by that and I feel like if I can preserve a burial, or

a site, and, therefore, preserving part of the culture, then this person can come back and see what their ancestors did, I mean, you know, you look at some of these heiau, not the one today that we talked about, but some of them or some of the things that the native Hawaiian people built were phenomenal and if they can get that sense of pride and learn more about their culture, and they become a better person and then, you know, the Mainlanders that come over, the project that came before us, if they have real appreciation of culture and, you know, the eco-tourism is a big thing now, and, you know, location, location, location, hey, the Hawaiians were here at this spot in Makena forever, it's still a good place and if they can learn to appreciate and really care about the host culture, you know, it's just going to, I'm not sure of the right word, but one of my, I don't know who said this, but he said, "The whole the greater than the sum of its parts," and it's -- I just think it's such a great statement because you don't look at each community and carve it up; everybody is interrelated and if this community here is suffering and people just look at them and, yeah, whatever, but if they become involved, then your whole community is better. But my fear is the implementation, I mean the affordable housing and the drug problem we have right now is gross. How can we be -- we are the highest for the ice in all of the United States, I mean Maui County, we're not talking other, you know, not Statewide, Maui County has the highest rate, so what is that and how can we, you know, take care of that? And affordable housing, they always say, oh yeah, it's affordable, well, it's not affordable. If you may \$60,000 a year, that's a lot of money and you can't afford a house.

Ms. Miyasato: Did you feel any surprises in our vision statement what came out as what we want to be? Any feedback on that?

Ms. Duensing: Sounds like, from what your report said here, it's pretty consistent with what's been done in the past, not really any big surprises there.

Ms. Miyasato: Right, but I think it's now been, you know, articulated and at least we can say that we had a good cross-section of residents who actually fed into that vision. And this whole process did build upon prior processes; that they actually studied all the past processes before they even came up with this one so we certainly tried to capitalize on what had been done in the past.

Ms. Sablas: I'm glad that, I'm sorry, that transportation is up there too because I've served on couple of the Mayor's transportation committees and that's, you know, we've gone to all the neighborhoods too and that's a real key issue. I'm a daily commuter. I fight with the traffic everyday and things like that, and yet, you know, I appreciate what we have and, you know, I just have to share, I just took my 97 year old dad to Las Vegas, I took him on the monorail, and this is what he described it as, "The bus in the sky," and I thought, "What a wonderful to describe it." A bus in the sky that had little impact on the environment, but that's what he described the monorail as so --

Ms. Long: Claire, I went through the training session at the Cameron Center and the process itself if worthy, the results are worthwhile, but I see the results very similar to the General Plan even to the Community Plans in that they are non-specific, they are, and forgive me for saying this, but they're what's been said for years, it's pretty much pie in the sky unless there are specifics, and I would hope that you guys would find a way to take this to the next step in the General Plan update process and as they're working on policies and objectives for that, and they're pretty much going to be the same as what you've got in here, get specific with numbers, with percentages, with, you know, x-number of houses that shall be such and such, supplied with water, hospitals, schools -- get specific, otherwise, this really does not have any relevance cause you're going to have people like Jim Smith proposing affordable housing near Lahaina, the Mayor and the Planning Director saying, "No way. There's no infrastructure." And you're going to have a community that's really angry at the County which is trying to maintain sustainability and smart growth, but despite Focus Maui Nui saying we want smart growth and sustainability, people are being -- so you've got to get specific, and I'm sure you know that.

Ms. Miyasato: Right, and thank you for that feedback and that's our challenge right now is how to implement the action part and we noticed that as we've done our presentations, there's been some struggle with that, but we agree with this, but not for sure what action to take next, so I appreciate that feedback.

Ms. Long: It would be really wonderful if we had a document that said all cultural sites, such as heiau, should have a minimum buffer zone of 50 feet, you know, that kind of guidance would be way cool, so that's where I'm coming from. Please try to be specific cause what you did was valuable, it gave voice to a lot people that didn't have voices before, so --

Ms. Sablas: But can that be done though? Take action as Barbara said and introduce it to, you know, as a new ...(inaudible)...

Ms. Long: I don't know. Have you talked about it?

Ms. Miyasato: The -- have we presented it to -- I'm sorry, I didn't get that.

Ms. Long: What the next step would be? How you would get specific?

Ms. Miyasato: Well, what we're hoping is that, their intent was that this would be a guide more than someone saying, okay, you now need to do this, and that people would be creative in implementing that vision, but, as I mentioned, that's the challenge right now is that, okay, people are more aware but struggling with taking that action, and so, you know, we've gone to the County Council, we've done all the presentations to those in the government who can make -- who can have an impact and they pretty much endorsed the

findings but it still would take the breath of the community to implement, and that's where we're at.

Ms. Long: Have you read this?

Ms. Miyasato: No, I have not specifically read that ...(inaudible)...

Ms. Long: I would suggest that you, personally, since you're very much involved with it, take a look at the General Plan, look at your Executive Summary of Focus Maui Nui, draw the parallels because I'd say 90 percent of what's in the General Plan, and this is already 15 years old --

Ms. Miyasato: Right.

Ms. Long: Is in here. I mean it's a no-brainer what this island should be.

Ms. Miyasato: Right.

Ms. Sablas: But it's just we need action.

Ms. Long: The brainer is how do you get there beyond generalities and ordinance don't necessarily do it, rules don't necessarily do it, political will helps to do it, but if you can just provide specifics in one tiny area that's used in the update, it would be helpful, so this is going to be key to implementing Focus Maui Nui.

Ms. Miyasato: Right, especially with the new update that's occurring as we speak.

Ms. Long: Yeah, and that's what I mean. Well, I don't know if it's happening as we speak.

Ms. Miyasato: It's supposed to be.

Ms. Long: Well, what's happening is that the County hired Plan Pacific and they're trying to figure out what the carrying capacity is. But once they figured out who's going to be on the citizens advisory committee, and once they start having hearings, you guys need to go to every meeting and wave this up there and say, hey, this is what Focus Maui Nui said should be happening.

Ms. Miyasato: Right.

Ms. Long: So I assume you're going to do that?

Ms. Miyasato: Yes. Actually, we are very involved with the Planning Department as well -- I'm not exactly sure what our role will be with that consulting company updating the plan, but we are very much in communication with the Planning Department, which is why I'm actually here today because they've been very supportive of us.

Ms. Long: Good. Go for it.

Ms. Sablas: Any other comments? If not, well, thank you very much, Claire.

Ms. Miyasato: Thank you.

Ms. Sablas: And thank you for your patience all morning and afternoon.

Ms. Miyasato: No problem. I enjoyed it. Thank you.

Ms. Sablas: Thank you. Okay, if we can have the lights and continue. Thank you for getting our lunch, Suzette. Next on the agenda, Unfinished Business, Hana Belt Road Preservation Program, Dawn?

E. UNFINISHED BUSINESS

- 1. HANA BELT ROAD PRESERVATION PROGRAM. Dawn Duensing will provide a progress report on her follow-ups to the bridge preservation workshops held in January.**

Ms. Duensing: Okay, thank you, Madam Chair. I compiled a memo for all of you so that you know what has been the follow-up to Mr. Nelson's presentation on the bridges that we had here January 4. I've been extremely busy, been on the phone with a lot of people trying to make contacts on how we might be able to proceed. The first thing and the biggest thing, I think, to announce is that we have in the Legislature a bill for flexibility in road and high design so --

Ms. Long: Is this the same bill she submitted before?

Ms. Duensing: Pretty much, yeah, and it gives the DOT until November 2005 to do something, so after Frank left, I basically got on the phone with just about everybody I knew and everywhere and --

Ms. Sablas: Good job.

Ms. Duensing: Poor Mina Morita was getting phone calls and emails from everybody saying submit this bill. This morning I got an email from Representative Morita and I'll just read that for you into the record: Marilyn Lee, Vice-Chair of the House Transportation Committee called me to let me know that Representative Souki is planning on hearing the bill, although it has not been scheduled yet, I suggest you get your testimony ready so it can be sent in as soon as the notice comes out. She also states that if someone wants to compile a list of supporters, my staff will monitor the status of the bill and send out an email blast as soon as we get the notice. So some of the people I've contacted is the Hanalei Road Committee that I did some work for on Kauai couple years ago, they'll be very active working with us; my co-advisor on the National Trust and also Mary Coochoo, who's a Trustee for the National Trust, has been making some phone calls, and then I will also be contacting the folks in Holualoa and on the Hamakua Coast who have Heritage Roads, so what we're trying to do is get this neighbor island hit from all side to the Transportation Committee so they realize how important it is.

Ms. Long: Do you know the number of this bill or anything?

Mr. Kalalau: Yeah, for the bill.

Ms. Duensing: It's on the web.

Mr. Kalalau: It looks like a House Bill.

Ms. Duensing: It's a House Bill. It's co-sponsored by, I think, three other Representatives along with Ms. Morita.

Mr. Kalalau: And Joe going introduce it?

Ms. Duensing: Yeah. Yeah. So I just got that word this morning. I've also contacted the National Trust office in San Francisco and let them know about this so I'm hoping we can get some support from them because right now Historic Hawaii Foundation, which should be supporting this, is leaderless so we get no help from them whatsoever, so I would like to see the CRC take the lead on this. I spoke to Mike Foley about this and he's supportive of, you know, me spending time as needed on this, of course I can't spend --

Ms. Sablas: Can you personally go down there to lobby?

Ms. Duensing: Well, yeah, that's what I'm going to try to do; that was my next thing is I'm going to try to organize people to write letters, we definitely want a letter from this Commission, and then I plan to try to be able to attend that committee session and it would be nice to have another member who could go with me, if that's possible, so that we can testify in person and really push this because the way I look at it is if this does not happen,

we might as well just throw the whole thing out the window and just forget about it and let the road engineers do whatever they want. This is kinda like the last thing and if it doesn't happen, I don't know what's going to happen. Carl Lindquist, I've been talking to him regularly, he's on the Governor's Maui Advisory Committee, and they will have this on their March agenda, and I will attend to testify in favor then as well.

Ms. Rotunno-Hazuka: March?

Ms. Duensing: I think he said March 17. The February 17 agenda is full. He said March 17, that would be better.

Ms. Rotunno-Hazuka: Is that here or Honolulu?

Ms. Duensing: I haven't found out yet. I'm assuming it be here.

Ms. Sablas: They usually have their meetings at the community college and you'll see it in the paper.

Ms. Duensing: Yeah, but I'll let you know, Lisa, cause I know you were really interested in Frank's presentation and any help you can give me is appreciated. So I'll just go through what I've been doing and then maybe we can, you know --

Ms. Sablas: Get a plan of action.

Ms. Duensing: Make a plan of work for me to do for the next month. And then if you notice 1.D., I've also been talking to a few people on if we run into trouble with this bill, on how we might restrict it to assure that it gets passed in some other way and what I mean by that is we would in certain language to the effect that only designated roads or those -- and those roads listed on the National Register of Historic Places, so at least we would have a place to start from, you know, our Heritage Roads on the Big Island, and our National Historic Roads elsewhere in the State. Number two, meetings, I did have a follow-up meeting when Gil was still Public Works Director, I met with Gil, Milton, who is now Public Works Director, and the new Senior Engineer, who is Cary Yamashita, he replaced Lloyd Lee. Gil was really positive on this. He thought it was a really great idea; unfortunately, he's gone. So, anyway, this is going to be up to us to now follow through with Milton and also Cary. I notified Milton that we got the bill introduced to the Legislature. One of the things that was mentioned is he was kind of bugged that, you know, we got *Maui News* coverage and he was really irritated because the people that were interviewed in the *Maui News* seemed to be suggesting that we should start all over from scratch, which I, personally, think is a fine idea. I did ask him whether they would at least consider scuttling some of the bridge replacements in favor of fixing it and the reaction was, well, two of them are ready to go; they're almost finished with the design stage; they spent a ton of money. Numbers three

and four, Cary figures, I'm not sure if he was talking about a quarter of a million dollars each, but I think he was, on just the design phase alone, so now it's become a money issue.

Ms. Rotunno-Hazuka: Well, they shouldn't have done it.

Ms. Long: They shouldn't have done it.

Ms. Duensing: Well, I agree.

Ms. Rotunno-Hazuka: It's stupid.

Ms. Long: Yeah ...(inaudible)...

Ms. Duensing: I agree. So if we skip down to No. 4.A. or No. 4.B., one of the letters I would like send to the DPW from this Commission is that they reconsider their, I put preservation in parenthesis cause they're Preservation Plan is really a bridge replacement plan and I've always said that, it's a demolition plan, and I've been saying that for five years.

Ms. Rotunno-Hazuka: And just real quick, Dawn, isn't this where Frank said you start with asking them to relook at what their plan was --

Ms. Duensing: Exactly.

Ms. Rotunno-Hazuka: And identify -- okay.

Ms. Duensing: Right. Exactly. And that's the kind of letter I would like your motion to direct me to do and, you know, I'll work on all the technical things of it as well as the wording of it. So I think Public Works is interested; they remain interested. Milton asked me to -- I said, "Well, can I contact Frank and find out when you can send your engineers cause he still wants to send a couple of guys over there?" Frank responded that he would be happy to show them around sometime in March, passed it along to Milton, I guess I'm going to need to keep following up with them because I don't think this is anything that they're going to take the initiative on.

Ms. Rotunno-Hazuka: No.

Ms. Duensing: So I'm becoming kind of a public pest this last month.

Ms. Long: Good.

Ms. Duensing: Yeah, but I don't want to get Mrs. Morita mad at me. Then the other meetings I held were with Mele Carroll and I think she's --she's been pretty sick lately and also very tied up in, well not sick, but she's, you know, not been feeling well, missed a lot of work days, and also tied up with being interviewed for the Hana Representatives position, so she hasn't gotten back to me, but I copied, you know, the preservation/demolition plan for her, gave her a copy of Frank's powerpoint, and, you know, the EA stuff for the bridge replacements, you know, sent a whole stack up there, and I've spoken to her several times. I think, you know, she would like to be committed to do this, convince the Mayor that it's the right thing, and one of the important things now is we gotta convince the Governor to at least appoint somebody to fill the vacant Hana seat because we need that person to help us get this Legislation passed, so, hopefully, we'll be hearing about that in a few days.

Ms. Sablas: The 7th.

Ms. Duensing: The 7th, yeah, well it shouldn't have taken this long but that's my own opinion. Anyway, number three, letters to the Mayor and Council were sent. You guys should have received copies of these. The one thing I probably should have put in those letters and didn't was please consider the -- reconsider the status of these four bridges, but when we do that letter to Milton at Public Works, we'll cc it to the Council and Mayor so they'll know we're asking for that anyway. And, again, I don't think Milton's going to be pleased but I mentioned it to Mike and his thing is, well, is -- what's more important is it the bridges or whether we're pleasing Milton and is this the right thing to do, and I convinced him, yes, it's the right thing to do.

Ms. Long: Mike Foley?

Ms. Duensing: Right.

Ms. Long: Who's the Chair of Public Works this year?

Mr. Kalalau: Milton Arakawa.

Ms. Long: No, no, Council Chair.

Ms. Duensing: Well, no, his the director. Council Chair is Pontanilla.

Mr. Kalalau: Yeah, Pontanilla this year? This time?

Ms. Duensing: Yeah. Yeah.

Ms. Long: Okay, have lunch with him.

Ms. Duensing: Anyway, No. 5, follow ups with Frank Nelson. He sent a draft recommendation letter to me and that should be coming soon and, again, he restated his offer to host our Maui engineers on Oregon bridge inspections.

Ms. Rotunno-Hazuka: Good.

Ms. Duensing: So I'll follow-up on that. No. 6, we have National Trust meetings scheduled in Washington at the end of February. I'll be going to that and I've asked the National Trust to put road issues on the agenda and it is, and Lani Lapilio, who is the other Hawaii advisors scheduling meetings for us to speak to our Representation in Congress so they'll know what we want like money for bridges.

Ms. Rotunno-Hazuka: Okay, say this again. So you're going to Washington --

Ms. Duensing: National Trust, right, National Trust has two meetings a year. We have two advisory from each state. I'm one from Hawaii and Lani Lapilio is the other. We're going to Washington at the end of February, and we usually meet in Washington once every other year, and one of the reasons is to bring preservation issues to the attention of Congress, and enough of us asked for road preservation issues to be on the agenda, so we'll be doing that and so, hopefully, those meetings might bring this issue to their attention so that, you know, they'll be more willing to give us Federal money to fix the road and its bridges, right? That's the idea.

I also got a call from the National Park Service recently. You probably all remember that I worked for the Historic American Engineering Record and that's how I get involved in historic roads and bridges is by doing their program and they're interested in possibly documenting the Hana Road this summer, so one of their architects is going to be coming out here in mid-February to do a tour of the road and talk to County and State officials trying to drum up money in support for the project. And that can only help us because I think that would be, you know, good public relations to participate in something like that.

And then the last thing is part of our CLG funding, I put in money for Hana Belt Road Historic District signs so that when you drive to Hana, either from the Kaupo side or from this side, you'll be greeted by nice signs welcoming you to the Hana Belt Road Historic District.

Ms. Long: Flashing neon.

Ms. Duensing: Flashing neon is the way to go, right.

Ms. Long: Good.

Ms. Duensing: So, anyway, I'm going to try to get some, I hope this can happen by next month, can get a design so that we can put it on our agenda, you guys can approve it, and we can get going on it. Of course, once we get the signs made, it'll probably take DOT and DPW, you know, five million years to approve the location for it or something, but maybe Sam can help with that, right. Okay, so I have a lot of things to do, but I think what we need to really get down to business and decide now is we need to do these letters, so we need a motion on that; we need letters to the Legislature regarding the flexible road bill; we need that letter to DPW to reconsider the plans for these four County bridges and, in general, the entire plan, and then other thing, I guess I skipped over 4.A. is we need a letter to the State Bridge Engineer, who is Paul Santo, and the DOT Director on Waikani Bridge, which is one of the ones that Frank talked about. I got a email from Paul Chung a week after Frank was here, some other dumb driver, for lack of a better term, hit the wall and did more damage to it, yeah? The rebar is still in good shape though.

Mr. Kalalau: That's what saved him.

Ms. Duensing: Yeah, otherwise, he would have gone over. So, basically,

Mr. Kalalau: ...(inaudible)...

Ms. Long: Really?

Ms. Duensing: Yeah, so Paul said --

Ms. Rotunno-Hazuka: Director of DOT and who?

Ms. Duensing: The State Bridge Engineer and the DOT Director, but I spoke, you know, I've been emailing back and forth with Paul, you know, I get this letter, guess what, our favorite bridge got hit, so I said, "Well, wouldn't this be a good time to just fix it right and have it over with once and for all?" And, you know, I get the humming and huing because it's not in the right place and STIP and everything else, so let's just write a proactive letter and ask them to do it right and address this.

Mr. Kalalau: So far they got somebody working on it and it seems like they're trying to do it as closely as --

Ms. Duensing: He did tell me it was going to be an in-kind repair. How's it going? In-kind being replace it with what was there.

Mr. Kalalau: Yeah, that's why I said, it looks like they're trying to do it as the rest of the bridge.

Ms. Duensing: Okay.

Mr. Kalalau: You remember the photo that you and Frank had --

Ms. Duensing: Yeah.

Mr. Kalalau: Was on the left-hand corner.

Ms. Duensing: Yeah, now the other one matches, right?

Mr. Kalalau: ...(inaudible)... yeah, it's damaged because it was on the Wailuku side.

Ms. Duensing: That's what I thought, yeah.

Mr. Kalalau: Oh man, but was ...(inaudible)... but they're doing both of them.

Ms. Duensing: Yeah, they have to fix it. They can't let it go.

Mr. Kalalau: Yeah, and it was just that you know how he said those steel in those bridges are way stronger than the ones they used today.

Ms. Duensing: Right. He proved it, right?

Mr. Kalalau: Yeah, that was the one that held the car back.

Ms. Duensing: Cause it must have been a big truck, I heard it was a big truck.

Mr. Kalalau: No, it --

Ms. Duensing: Was it a car?

Mr. Kalalau: It wasn't a big one. I think the guy fell asleep I think.

Ms. Duensing: Oh really?

Mr. Kalalau: Yeah.

Ms. Duensing: Okay. Well, anyway, so it would be worth a letter. I'm sure it'll just get filed in the circular file. The big thing though is how can, you know, if you can give me a motion to do those letters to the State and the DPW as we discussed, but the big thing is how are we going to proceed with trying to get this bill passed in the House so that we can get

flexible design standards and do what's right for our Hana Road instead of what the engineers want or feel compelled to do.

Ms. Sablas: So, wait, why don't we just get the letters off first. Make a motion for that, we have two, three letters?

Ms. Rotunno-Hazuka: Three letters?

Ms. Duensing: Three letters as specified in 4.A. and B of the memo.

Ms. Rotunno-Hazuka: I make a motion that we have Dawn write letters to the State Bridge Engineer and to DPW, and was there another one? Okay, and then --

Ms. Sablas: It's been moved, and discussed at the second -- do I hear a second?

Mr. Kalalau: Second.

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

It has been moved by Ms. Rotunno-Hazuka, seconded by Mr. Kalalau, then unanimously

VOTED: that Dawn write letters to the State Bridge Engineer and to DPW.

Ms. Sablas: Discussion? Motion carried. Okay, now we go to that Legislature and what we do.

Ms. Duensing: Yeah, and I think this is the big thing and I think this is what this Commission should really take the lead on and work hard to do everything we can to try to get this passed. So I'm talking to people, I'm not much of a lobbyist, but --

Ms. Sablas: Who's the lobbyist amongst us?

Ms. Duensing: Yeah.

Ms. Rotunno-Hazuka: I don't even understand the process that's why I'm --

Ms. Sablas: Have you been to lobby before? Have you been?

Ms. Duensing: Well, the process is we get it --

Mr. Kalalau: I've been to many.

Ms. Sablas: Okay. and then Hana Road so Hana so it makes sense you be our ...(inaudible)...

Ms. Duensing: I think it would be good it if --

Mr. Kalalau: I can communicate with Mina.

Ms. Duensing: Yeah, I think it would be good to have Sam do this because he is our Hana representative and I think that we also need to drum up a lot of support within Hana to write letters and do stuff.

Mr. Kalalau: And, as far as the bill, we can pull up a copy on the ...(inaudible)...

Ms. Duensing: I have a copy of the bill.

Mr. Kalalau: You have a copy?

Ms. Duensing: Yeah.

Ms. Long: Yeah, Dawn, if you can give to me the specific --

Mr. Kalalau: Cause we gotta make sure that bill is -- have some really strong, you know, words in it to -- so that --

Ms. Sablas: That's really exciting that we can ...(inaudible)...

Ms. Long: We have an Upcountry Highway Task Force.

Ms. Rotunno-Hazuka: I think too. I don't understand, you know, a lot about it so I was like --

Ms. Duensing: Okay, well, the thing is it's a flexibility in road design bill, and it doesn't specify any roads in particular, but it starts off with the premise that Hawaii is a place of tremendous scenic, natural, and cultural beauty, and we shouldn't be, you know, the gist of it is let's not design H-4 standards for rural roads.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: You know, let's --

Ms. Rotunno-Hazuka: Right.

Ms. Duensing: Do context instead of design is basically what it's all about.

Ms. Long: Yeah, I know. If it's like the last one --

Ms. Duensing: It's pretty much a restate of the last one.

Ms. Long: Yeah, it's a good bill.

Ms. Rotunno-Hazuka: But getting the bill --

Ms. Duensing: In getting the bill passed --

Ms. Rotunno-Hazuka: Or even brought to the floor, that's Joe Souki?

Ms. Duensing: It's, right, Joe Souki is House Transportation Chair.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: Okay, so we need to meet with Joe Souki, so maybe two of your guy and me can meet with Joe Souki, you know, I'll try to find out when he's going to be on Maui, you can sit down and have a talk with him, and maybe we can draft people from outside of this Commission to go with us. I'm sure Carl Lindquist is one who would go with us. If you guys have any other suggestions, I'd appreciate that.

Ms. Sablas: Yeah, I'd like to be there too.

Ms. Duensing: Okay, so maybe Sam and Lori and, again, we'll have to find out when the time's right, and maybe one of you guys can't come, we'll get somebody else.

Ms. Long: Let me know because Dave Jenkins is on our Upcountry Highway Task Force and he and I have worked on this.

Ms. Duensing: Okay, so maybe he can go too.

Ms. Long: I will, if you give me a time and a day far enough in advance, I'm sure he'd like to.

Ms. Duensing: Alright, so, number one, I think it's important to meet with Joe Souki. I think we should also --

Ms. Rotunno-Hazuka: Do we have a Sunshine Law on that?

Ms. Duensing: Yeah.

Mr. Giroux: We'll just take a vote and as long as the names are, you know, you just designate who's going, and then when you do go, you come back and give a full report.

Ms. Duensing: Right, and then can we do an alternate too in case one of the two commissioners can't make the meeting?

Mr. Giroux: Yeah, that's fine, just do a motion and then ...(inaudible)...

Ms. Duensing: Okay, so should we do that?

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: In general, just not just Joe Souki that we'll need to meet with, whoever the new Hana representative is, when that person comes on board, and then if it gets passed by the House and gets out to the Senate, we need to meet with Kalani English and some other people. I also know that, not Halford, but who else is the person over there in Kihei --

Mr. Kalalau: Baker, Roz Baker.

Ms. Duensing: No, not Roz Baker. The guy that represents Kihei in the House?

Ms. Sablas: Chris Halford?

Ms. Long: That's Chris Halford.

Mr. Kalalau: Yeah, in the House.

Ms. Duensing: No. No, no, no. Who else is there?

Mr. Kalalau: Tanaka is West Maui.

Ms. Duensing: Maybe it was Tanaka, anyway, one of these other guys was willing to co-sponsor the bill so we got their support too.

Mr. Kalalau: I think it's Shane.

Mr. Giroux: Tsutsui?

Ms. Duensing: Is it. Tsutsui, yeah, I think so, yeah. And I'll follow up because Mele talked to him so, anyway, we may have multiple meetings with these people and I think that, you know --

Ms. Sablas: It's worthwhile.

Ms. Duensing: Two commissioners, I'll go, and then if we can get somebody from upcountry.

Ms. Long: As an alternate, yeah, I'd be happy to cause we really need this so --

Ms. Duensing: So maybe if we can just go with this one step at a time, let's make a motion to designate who the representatives and who the alternate will be for any meetings needed regarding this.

Ms. Rotunno-Hazuka: Now, can we only send the two? Can we send three? Or is that --

Mr. Giroux: Yeah.

Ms. Rotunno-Hazuka: As long as we designate them?

Mr. Giroux: Yeah, as long as the people are designated.

Ms. Duensing: That doesn't violate Sunshine Law?

Mr. Giroux: No, as long you take a vote --

Ms. Rotunno-Hazuka: You can designate them.

Mr. Giroux: And those people come back and give a full report.

Ms. Duensing: Oh, okay.

Ms. Rotunno-Hazuka: Oh, I thought -- okay, cause I'd like -- maybe I could be the alternate or a third cause I'd like to be involved as much as possible. Can I make that motion?

Ms. Long: Yeah, I don't know if I'm going to be available, you know, for each --

Ms. Duensing: Well, why don't we just --

Ms. Long: Or let's say any at all.

Ms. Duensing: Sam's guy number one --

Ms. Rotunno-Hazuka: Two.

Ms. Sablas: But my commission expires in March.

Ms. Duensing: You can still stay involved though.

Ms. Long: Oh yeah.

Ms. Duensing: Yeah, and then Lori --

Ms. Rotunno-Hazuka: Can we reappoint you?

Ms. Duensing: No, we can't.

Ms. Rotunno-Hazuka: God, they did that on the Burial Council for years.

Ms. Duensing: They're desperate.

Ms. Rotunno-Hazuka: So are we for good.

Ms. Duensing: I know.

Ms. Rotunno-Hazuka: We need a woman.

Ms. Duensing: Let's get finish with this stuff.

Ms. Rotunno-Hazuka: Okay, I make a motion that Sam, and Lori, along with Dawn, well, Sam, and Lori, and myself can attend meetings, in particular, with Joe Souki --

Ms. Duensing: And any other representatives as needed.

Ms. Rotunno-Hazuka: And any other representatives. And then Barbara also could --

Ms. Sablas: We have a committee of four.

Ms. Rotunno-Hazuka: We have a committee of four and with the alternate or something.

Ms. Long: The gang of four.

Ms. Rotunno-Hazuka: Wait, okay, redo the motion. I make a motion that Barbara, Lori, Sam, and myself, along with Dawn, be able to attend meetings with Joe Souki and any other representatives for the legislative bill for flexibility in road and highway designs.

Ms. Long: Beautiful. Second.

Ms. Sablas: Okay, it's been moved and seconded.

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

It has been moved by Ms. Rotunno-Hazuka, seconded by Ms. Long, then unanimously

VOTED: that Commissioners Barbara, Lori, Sam, and Lisa, along with Dawn, be able to attend meetings with Joe Souki and any other representatives for the legislative bill for flexibility in road and highway designs.

Ms. Sablas: Discussion? Motion carried. Thank you.

Ms. Duensing: Okay, so I think, secondly, is we need these meetings but we should also have a letter written to the Transportation Committee urging them to, not only hear this, but pass it on to the Full House for consideration.

Ms. Sablas: So that would be to Joe Souki?

Ms. Duensing: Yeah, that would be the Transportation Committee and that would be from the Commission.

Ms. Long: So moved.

Ms. Sablas: Second?

Ms. Rotunno-Hazuka: Second.

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

It has been moved by Ms. Long, seconded by Mr. Rotunno-Hazuka, then unanimously

VOTED: that a letter be written to Joe Souki, Chair of the Transportation Committee urging them to, not only hear this, but to pass it on to the Full House for consideration.

Ms. Sablas: Okay, motion carried. Discussion? None, okay. Kinda backwards but motion carried.

Ms. Duensing: Then, thirdly, when it gets its public hearing, does anybody else want to go to Honolulu if I go, go with me? Sam would you be able to go?

Ms. Sablas: Depending on date and time, yeah?

Mr. Kalalau: Yeah. I think so.

Ms. Rotunno-Hazuka: And I could be an alternate or something as long as I have enough notice.

Ms. Duensing: Yeah, alright.

Ms. Rotunno-Hazuka: And then just one quick question, I think that if we're going to try to get the Hana community involved as far as writing letters, you think we should have like a blanket letter that he can be able to send out to people to sign, or do they have to write their own, or is that --

Ms. Duensing: We can add an example letter, yeah?

Mr. Kalalau: Yeah, you can have one example letter but it's better that --

Ms. Rotunno-Hazuka: They write their own?

Mr. Kalalau: Yeah, you have the individuals write ...(inaudible)...

Ms. Duensing: Yeah, cause you don't wanna just mass mail a letter.

Mr. Kalalau: Right, just the names and numbers different.

Ms. Rotunno-Hazuka: No, but I know if people have an example, they're more likely to write.

Ms. Duensing: Yeah, the example, yeah, but not the just sign below thing, right.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: And I know Carl --

Ms. Rotunno-Hazuka: You can get that to ...(inaudible)...

Ms. Duensing: Yeah, I'll get that and I'll that -- get it to Sam somehow, and I know Carl Lindquist is already working on his letter

Mr. Kalalau: Yeah, Carl's good too.

Ms. Duensing: Yeah, he's already sent it to me for proofreading.

Ms. Rotunno-Hazuka: Oh good.

Ms. Duensing: Yeah, there was one more other thing, what was it? Oh, so then following through with this, do we think that it's necessary to go to Hana as a Commission with this?

Ms. Long: For what purpose?

Ms. Sablas: To have this on the agenda to have our meeting in Hana?

Ms. Duensing: Do we wanna have a Hana meeting for Hana Road issues sometime soon?

Ms. Sablas: I think it'd be good because this is, you know, they get the Hana community behind this, this is something that is going to make a big difference for them, and I don't know about timing wise, it's the only thing, if it's going to be able to do it -- have a meeting --

Ms. Duensing: It has to be March or April because by May it's all over with.

Ms. Rotunno-Hazuka: Can we make it on a weekend, I mean on a Friday so we can stay over if we want? I'm there and back in one day but --

Mr. Kalalau: Well we gotta see we is --

Ms. Duensing: Well out next meeting is March 3. We haven't been to Hana for at least a couple of years.

Mr. Kalalau: And when is the -- the advisory one is two weeks later, yeah?

Ms. Rotunno-Hazuka: Where do we have them at?

Ms. Duensing: Right.

Ms. Rotunno-Hazuka: And where do we have our meetings held?

Mr. Kalalau: So you wanna have them before then. Oh, but it'll be the first week of the month, right?

Ms. Duensing: Well, the other thing we could do, Suzie, maybe -- can we get that on the Hana Advisory Committee agenda? Would that be better? What? Clayton?

Mr. Kalalau: Yeah, because there's one coming up pretty soon too, yeah?

Ms. Duensing: Oh, that's right, you already talked to him about that, yeah, so that might not be a good idea.

Ms. Rotunno-Hazuka: Where do we have it in Hana when we go?

Mr. Kalalau: Helene Hall at the bay.

Ms. Duensing: Yeah, last time we did at Helene Hall --

Mr. Kalalau: Or the school library.

Ms. Duensing: Or the school, yeah. The big thing is would we get -- would we get people to come to the meeting, Sam?

Mr. Kalalau: That's why in the morning kind of meetings is --

Ms. Sablas: That's why have to be afternoon for Hana. We've had our meetings in the afternoon.

Ms. Rotunno-Hazuka: Well, is Friday afternoon is pau hana ...(inaudible)...

Ms. Long: And if it's -- if it's the advisory committee, that gives another entity to support besides just us.

Ms. Duensing: Yeah.

Mr. Kalalau: Yeah, I mean, like what you was saying, would be good but I know the issue of that coming down with the advisory guys going to be -- I think going to be too heavy duty for us to be in there.

Ms. Duensing: Yeah, the meeting's already full.

Mr. Kalalau: Yeah, if was some other kind of meeting then I think would be better that way too.

Ms. Duensing: How else would we bring this to the Hana folks' attention besides you handing out example letters?

Mr. Kalalau: What a lot of the guys do they put posters up at the stores and post office and stuff like that, you know, like what community meetings and stuff like that, just one flyer, yeah. The *Maui News* is alright too but the majority of the people would attend meetings if it's posted at the stores and the service station and the post office.

Ms. Duensing: Do you think they would come to a CRC meeting if we went there next month or not?

Mr. Kalalau: Yeah, you know, especially if we push the issue.

Ms. Duensing: If we did it in the afternoon.

Mr. Kalalau: You know, if we really broadcast, advertise the issue on it, I think we would get a crowd.

Mr. Giroux: Bridge bombing meeting.

Ms. Sablas: No, no, no. No, a toll road. Turn Hana into a toll road.

Ms. Long: Yeah, that's a good one.

Mr. Giroux: New highway to Hana.

Mr. Kalalau: They tried to do that even during Hannibal's time as Mayor here, develop a toll road system, you know, it just never went.

Ms. Duensing: Well, how do you feel about the bridges, Sam? Cause I remember when Frank was talking, you were saying some comments and reread the minutes about --

Mr. Kalalau: Yeah, right, right, right, you know, I believe the four or five bridges that he was talking about or that get some, you know, most of them is arch bridges and some of them were the step stone ones and the Koukouai and the Waikani Bridges are, you know, those bridges is, you know, it needs to be preserved, that's the way I look at it, because even if you're going to replace the other bridges, as you drive on that highway, that's -- the bridges that Frank is talking about is the most beautiful bridges throughout the State. You know, if you drive down Interstate 5, I guess on the West Coast, you know you go through Oregon and you're on all this historical bridges and stuff and then, you know, you're going to drive by and find some other new ones that they replaced and stuff, but what really makes the whole drive is seeing those old bridges still there. You know what I mean?

Ms. Rotunno-Hazuka: But wasn't there some things that --

Ms. Duensing: But that's true in Hana too though because if we take out the four bridges that they've scheduled to take out, it's going to -- I mean --

Ms. Rotunno-Hazuka: It's significant.

Ms. Duensing: Like they have Kaholopoo out by Kawaila's house, you know, there's not much of a bridge left there, right?

Mr. Kalalau: Right. Right.

Ms. Duensing: Okay, I think it's okay to replace that if it's done right.

Mr. Kalalau: Yeah, that bridge -- that bridge, yeah, I mean --

Ms. Duensing: Right?

Mr. Kalalau: You know, like Frank was saying, that in some of the County plans they have the rock walls and stuff like that, you know, for those bridges, the replacement; that's why I said, if they can look at their plans and kinda redo their designs to look more like those old bridges, and not make monstrous bridges, it will fit atmosphere.

Ms. Duensing: But what I'm saying, and what I think that some of the commissioners as you go a little bit back when we were listening to all those humongous bridge plans, is that Kaholopoo I think it's probably okay to replace, not much there, but we got Papaahawahawa and Waiohonu and Paihi, and Paihi and Waiohonu are actually nice bridges in their own right; Papaahawahawa is also nice, and I think they should reconsider, and I think they should repair those rather than knock them down and build new ones.

Ms. Rotunno-Hazuka: And I thought you felt differently.

Mr. Kalalau: Papaahawahawa Bridge and -- that bridge has been extended because it was way smaller before --

Ms. Duensing: Right. Right.

Mr. Kalalau: And it was extended because the water went over that bridge. Kaholopoo Bridge is, that bridge has to go --

Ms. Duensing: It's gone, yeah.

Mr. Kalalau: Because it's not serving a purpose over there. That is one of the bridges that every time we get our regular flooding, you can't even go across it, you can't even use it; it's, you know -- a lot of people had concerns about that bridge because they were talking about the historical make man bridge, which is the one right in the bushes over there, you know, you still can see the walls, you see some of the ...(inaudible)...

Ms. Duensing: Well, if they cleaned up there, if they cleaned up there, the water would flow better too though.

Mr. Kalalau: Yeah, but --

Ms. Duensing: But getting pass Kaholopoo, that's --

Mr. Kalalau: Right.

Ms. Duensing: You know, that one can go, but what about the other three?

Mr. Kalalau: Okay, you get -- but if you go Kaholopoo, in between you have Kapia Bridge and then you have Waiohonu Bridge.

Ms. Duensing: Right, Waiohonu is scheduled for replacement.

Mr. Kalalau: I thought only Kaholopoo, Papaahawahawa, and --

Ms. Duensing: Waiohonu and Paihi.

Mr. Kalalau: Yeah.

Ms. Duensing: Those four. Papaahawahawa, Kaholopoo are already done and designed, ready to bomb, right?

Mr. Kalalau: Right.

Ms. Duensing: Okay, my point is. is that based on what Frank told us, that these bridges are, and I quote him, "easily repairable." What we would like to do is convince DPW and the County to fix those bridges, Waiohonu and Paihi, and perhaps Papaahawahawa, fix them, don't tear them down and spend a million and a half dollars to replaces them. And what my question to you is what do you think because that's not quite it sounded like you thought when we had Frank here that Tuesday night?

Mr. Kalalau: Right, right. I didn't know Waiohonu was involved in that whole thing. I thought that bridge was going to stay there forever.

Ms. Duensing: Yeah, there's nothing wrong with -- no, they want to tear it down.

Mr. Kalalau: But as far as Kaholopoo and Papaahawahawa is the bridges that we have all the problems with, you know, from the natural rain season but I don't think they should make monster bridges; that's the whole point.

Ms. Duensing: Right.

Mr. Kalalau: I'm thinking they should change their designs and make it look like the original bridge.

Ms. Duensing: But the thing is, the point is though is why tear them down and replace them if you can fix them? We should try to keep the old original bridges if we can.

Mr. Kalalau: See with Papaahawahawa you probably could keep the original abutments and stuff, but you're going to have to lift that bridge up.

Ms. Duensing: But then you change the whole historic nature of the Hana Road if you do that.

Ms. Rotunno-Hazuka: So, in other words, if they say they can repair and keep that historic bridge, you don't really think they can and you --

Mr. Kalalau: I think it will cost just as much money as restoring then putting one new one there.

Ms. Long: Is that why we need to meet in Hana --

Mr. Whelchel: I think Sam is --

Ms. Long: To see if the community --

Ms. Rotunno-Hazuka: No, that's not -- that's what Frank tells us. Frank told us it can be repaired.

Ms. Long: Yeah, but, okay, but who's decision is it?

Ms. Rotunno-Hazuka: Oh cause we're listening to a Hana person.

Ms. Long: Whose decision is it?

Ms. Duensing: That's why I'm asking him this question; that's the point.

Ms. Long: Yeah, well, yeah but Sam is one out of -- I don't know who else would have an opinion so it seems to me --

Mr. Kalalau: I mean, yeah, there's --

Ms. Duensing: But that's my question is how many people are going to come to this meeting to discuss this issue?

Ms. Long: I think you gotta have a meeting and if nobody shows up, so be it, you can always point at Hana if there's a problem and say you had an opportunity to come to this meeting.

Ms. Sablas: And your point about the meeting is because it's, I mean that bridge, it's too low and it tends to flood?

Mr. Kalalau: Yeah, and that is why they extended it, it got wiped out.

Ms. Duensing: When was that?

Mr. Kalalau: I think was in '60, early '60's, I think, that's when they extended that Papaahawahawa.

Ms. Long: Extended, you mean they raised it?

Mr. Kalalau: No, they just made it longer so you can have more water going underneath.

Ms. Duensing: Right, and so --

Ms. Long: I see. I see.

Mr. Kalalau: They never raise that and right --

Ms. Long: So instead of making the stream more narrow.

Mr. Kalalau: Right. Right. They made it wider but it still comes over.

Ms. Duensing: Right, but what they're proposing to do now is they're, basically, taking all the piers out from underneath and replacing the whole thing because modern girders you just --

Ms. Long: With just a girder thing?

Ms. Duensing: Yeah, it's just going to have girders under there and, theoretically, then the waters all going to flow ...(inaudible)...

Ms. Long: And they're going to scream, "safety, safety, safety," unless you have enough voices from Hana saying fix it but make it look like it did or repair or something -- figure it out. Think outside the box.

Ms. Duensing: But the question is whether it's worth it to go to Hana. I mean we may go out there, we may put this on our agenda and talk amongst ourselves, get in the car and leave at the end of the day.

Mr. Kalalau: Right.

Ms. Long: Or we can not go to Hana, keep it on our agenda, and see who shows up here.

Ms. Rotunno-Hazuka: And Sam is saying that you can't -- we can't do a meeting like this; it can't be in the morning; it's gotta be in the afternoon.

Ms. Duensing: Well, it would be afternoon anyway by the time we got out there --

Mr. Kalalau: Yeah.

Ms. Duensing: Because like last time we went out to Hana, we did site visits along the way, we stopped at Waikani and, you know, I basically gave a tour because it was when we were trying to get the road on the register. Did you go to that meeting?

Ms. Sablas: Oh, yeah.

Ms. Duensing: Yeah.

Ms. Sablas: It was during that ...(inaudible)...

Ms. Duensing: That's right.

Ms. Rotunno-Hazuka: I have to go in like two minutes.

Ms. Long: Yeah, I do too.

Ms. Rotunno-Hazuka: Okay, so do we believe that going to Hana is going to conflict with something that you're talking about over here so why are we even discussing it? Didn't you guys just say ...(inaudible)... do you think that there might be something that --

Ms. Duensing: No.

Ms. Rotunno-Hazuka: That hasn't nothing to do with it?

Ms. Duensing: That's the Hana Advisory Committee is a different --

Mr. Kalalau: Yeah, they're a different ...(inaudible)...

Ms. Duensing: They -- that's the Hana Advisory Committee to the Planning Commission.

Ms. Rotunno-Hazuka: Okay, that has nothing to do with whether we go or not?

Mr. Kalalau: No.

Ms. Duensing: Right. Do we want to have our meeting in Hana is the question.

Ms. Sablas: When was the last time we had a meeting?

Ms. Duensing: The last time we were in Hana, I actually remember that, it's because we had the indigenous architecture bill on the agenda and --

Ms. Rotunno-Hazuka: Two years ago.

Ms. Sablas: Probably two or three years ago.

Ms. Duensing: And it was after Lyons Naone stepped down and I got elected chair cause that was in Hana, or vice-chair I mean, so that's been like a year or two-and-a-half ago. It's been a long time ago.

Mr. Kalalau: About two, I think, couple -- two, yeah.

Ms. Rotunno-Hazuka: Then we should.

Ms. Duensing: Two-and-a-half years, yeah, cause that's when I became vice-chair and that was --

Ms. Rotunno-Hazuka: Then we should try.

Ms. Sablas: For our March meeting there?

Ms. Rotunno-Hazuka: Yeah.

Ms. Duensing: And if it's a short meeting, we'll just -- like if we went at 1:00, Sam, would anybody come?

Ms. Rotunno-Hazuka: ...(inaudible)... after work.

Mr. Kalalau: I think we're going to get people but it will be the, probably the same five or six people that comes to the meetings all the time, so the people that we know.

Ms. Long: Yeah.

Ms. Duensing: Yeah, all the people that count, huh?

Mr. Kalalau: Right.

Ms. Long: Send a van for them to come up here.

Ms. Rotunno-Hazuka: Okay, if we did it at a later time, would it still be the same five people? Doesn't really matter then?

Ms. Duensing: Or should we just put it on the agenda here and hope somebody shows up?

Mr. Kalalau: Yeah, I think it would be better that --

Ms. Duensing: Better here?

Mr. Kalalau: Yeah.

Ms. Duensing: Okay, let's put Hana on the agenda here.

Ms. Long: Maybe we can still put posters on the bulletin boards saying the meeting's here and if morning doesn't -- could we put it on like at 1:00 in the afternoon on our regular meeting day? Would that be better for Hana folks?

Mr. Kalalau: At least they no need drive out early and stuff like that, yeah, just put it later on the agenda.

Ms. Duensing: Okay, why don't we just schedule it for 1:00 and if we have to, we take a lunch break and we, like the Planning Commission does, and we come back and we start at 1:00 with the Hana items and we'll do it here.

Ms. Long: Okay.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: Okay. Alright, well that's keeping us busy on --

Mr. Kalalau: Yeah, you know why, on that bridge issue is like after the County came down with the, and the State guys, came down with their revised ...(inaudible)... you know what I mean with the new bridges and stuff like that? The meetings on the bridges got smaller --

Ms. Duensing: I know. I know.

Mr. Kalalau: You know the turnout, everybody just went, it's like everybody thought, oh well, it's defeated, that's the way it's going to be, you know, so --

Ms. Duensing: But see what they don't -- what they don't realize is even if you replace the bridges with things that look like the old bridges, they're going to be putting so much other junk up on the road, it's going to be like driving through a concrete tunnel because they're going to have hundreds of feet of guard wall and rails on those new bridges, and that's why we need this road legislation.

Ms. Rotunno-Hazuka: Right.

Ms. Sablas: But, you know, I know you have to leave and Barbara have to leave so do we have other items that would need to have quorum? I don't want to lose a quorum if we had some. I think we all -- we've taken care of all the action items, right?

Ms. Long: Why are we bothering to do this when we still got all those illegal fruit stands?

Mr. Kalalau: There's more --

Ms. Sablas: We can take one thing at a time.

Ms. Long: Well, it's not our kuleana.

Mr. Kalalau: Yeah, it's been brought up in some of the Mayor's meetings in Hana and stuff.

2. **After-the-fact Historic District permits and penalties. At the Commission's request, this item remains on the agenda for discussion.**

F. NEW BUSINESS

G. SIGN ENFORCEMENT PROGRAM IN THE LAHAINA HISTORIC DISTRICTS

H. DIRECTOR'S REPORT

1. **FHWA/DOT MOA for Mokulele Highway Project**
2. **CLG funding, project status update.**
3. **Selection of Molokai Member.**
4. **March 3, 2005 meeting agenda.**
5. **Administrative Permit Reports**
 - a. **Demolition Permits**
 - b. **Historic District Approvals Report**

Ms. Sablas: Okay, so we're going to defer Item No. 2, After-the-fact Historic District permits and penalties; that, you know, deserves a lot of discussion if we can, you know, so we're going to defer that; Sign Enforcement Program, that's -- Director's Report, can we make it really --

Ms. Duensing: I can finish this in a couple minutes. No. 1, we have, from the Mokulele Highway Project, there was the two old well houses and two bunkers, we got the MOA for the recording and documentation of those historic structures, and Lori signed that today, I double-checked in our minutes from a couple of years ago and, you know, they did everything according to plan, so that was signed; that's just, you know, for your notification. CLG funding, I'm trying to get started on some of the projects that we applied for. The State SHPD has still not gotten our contract to us, it's supposed to go to the Board of Land and Natural Resources on their February 11 agenda for approval, and, you know, I don't know how we're going to finish all the projects because they really wasted a half a year of our time. I think we've already discussed the March 3 meeting agenda. Your Administrative Permit Reports are attached.

Ms. Sablas: What about selection of Molokai member?

Ms. Duensing: Oh, yeah, we got a Molokai member, it was approved by the Council, her name is Kauai Kapuni, I think, I don't know who she is, but that's the name, so she should be joining us soon I hope. Okay, so that's the Director's Report.

I. COMMISSIONER'S ANNOUNCEMENTS

Ms. Sablas: Okay, Commissioner's Announcements, anything?

Ms. Duensing: Can I make one announcement?

Ms. Sablas: Sure.

Ms. Duensing: Erik Fredericksen's father died last week, I'm sure you're all aware of that, and Sunday, at 3:00, at the Bailey House, there's going to be a celebration of life service so --

Ms. Rotunno-Hazuka: So it's this Thursday ...(inaudible)...

Ms. Duensing: It's Sunday afternoon at 3:00 at the Bailey House.

Ms. Rotunno-Hazuka: I know, poor guy. Three months ago his mother.

Ms. Duensing: He's doing good. He called me the other day and he's doing well but if you guys, you know, it'd be nice to show Erik some support.

Ms. Sablas: Is it this Sunday?

Ms. Duensing: Sunday, at 3:00, at the Bailey House Museum, and they have established a Dee and Walter Fredericksen Scholarship Fund through the U.H. Foundation, and that's where they ask the donations be made.

Ms. Rotunno-Hazuka: Okay, say that again.

Ms. Duensing: There's a scholarship fund being established in Dee and Walter Fredericksen's name.

Ms. Rotunno-Hazuka: Oh good.

Ms. Duensing: And the donations are going to the U.H. Foundation. It's in this morning's *Mau'i News* under the obituaries.

Ms. Rotunno-Hazuka: Okay.

Ms. Duensing: But 3:00, Bailey House, on Sunday.

Ms. Sablas: Okay, no other announcement then meeting is adjourned, 2:00, thank you very much everybody.

J. NEXT MEETING DATE: March 3, 2005

K. ADJOURNMENT

There being no further business brought before the Commission, the meeting was adjourned at 2:00 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions I

RECORD OF ATTENDANCE

Present

Lori Sablas, Chair
Lon Whelchel
Barbara Long
Solomon Kaopuiki
Samuel Kalalau, III
Lisa Rotunno-Hazuka

Excused

Perry Artates
Keeaumoku Kapu, Vice-Chair

Others

Dawn Duensing, Planning Staff
James Giroux, Deputy Corporation Counsel