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CULTURAL RESOURCES COMMISSION
COUNTY OF MAUI
THURSDAY, MAY 1, 2008

REGULAR MEETING

Held at the West Maui Senior Center Conference Room, 788
Pauoa Street, Lahaina, Maui, Hawaii, commencing at 10:00
a.m. on Thursday, May 1, 2008.

REPORTED BY: JEANNETTE W. IWADO, RPR/CSR #135

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ATTENDANCE

Cultural Resources Commission Meeting, May 1, 2008

BOARD MEMBERS PRESENT:

- SAM KALALAU III, CHAIRMAN
- ERIK FREDERICKSON, VICE-CHAIR
- VERONICA MARQUEZ
- LEE KALEI MOIKEHA
- NANI WATANABE
- RAYMOND HUTAFF

EXCUSED: PERRY ARTATES

STAFF PRESENT:

- JAMES GIROUX, DEPUTY CORPORATION COUNSEL
- SUZETTE ESMERALDA, BOARD SECRETARY
- STANLEY SOLAMILLO, CULTURAL RESOURCES PLANNER
- LIVIT CALLENTINE, STAFF PLANNER

1 CULTURAL RESOURCES COMMISSION
2 TRANSCRIPT OF PROCEEDINGS

3

4 CHAIRMAN KALALAU: Good morning, everyone. We're
5 several minutes after the hour. I apologize, because I'm
6 the last one here.

7 Anyway, let me please call the Maui County
8 Cultural Resources meeting for the month of May, 2008 will
9 please come to order. The first thing on our agenda is we
10 would like to -- will someone of the Commissioners make a
11 motion to either accept our minutes of the last meeting?

12 COMMISSIONER FREDERICKSON: I move that we accept
13 the minutes of the last meeting.

14 CHAIRMAN KALALAU: Do I hear a second?

15 COMMISSIONER WATANABE: Second.

16 CHAIRMAN KALALAU: Moved and second. Any
17 discussion before we vote on this? It seems that we have no
18 discussion. All in favor say "aye."

19 (A chorus of ayes)

20 Thank you. We are going to do I guess an
21 amendment on the agenda. We are going to move item B into
22 item A, and item A into item B.

23 MS. CALLENTINE: Actually, no. Good morning,
24 Commissioners. Excuse me. Good morning, Commissioners.
25 I'm Livit Callentine, staff planner with the County of Maui.

1 We had asked the applicant for item A if she would be able
2 to switch with hers to be second, but she cannot because she
3 has later appointments. We just found out this morning. So
4 if we could follow the order of the agenda, we would
5 appreciate that.

6 CHAIRMAN KALALAU: Okay, Commissioners. Okay,
7 thank you. Stan?

8 MR. SOLAMILLO: All right. Under historic
9 district applications the first item is Miss Rina Sampson on
10 behalf of Lahaina Town Action Committee, requesting historic
11 district approval for the 11th Annual International Festival
12 of Canoes and Ho'olaule'a to take place on May 18th through
13 31st, 2008, within Historic District Number 1 at Banyan Tree
14 Park, TMK:(2)4-6-001:009, and Kamehameha Iki Park, 525 Front
15 Street, TMK:4-6-002:010, Lahaina, Maui. The CRC may approve
16 or deny the request and provide recommendations. Public
17 testimony will be accepted.

18 MS. CALLENTINE: There will be a slide
19 presentation directly behind the Commissioners.

20 So once again, good morning, Commissioners. I'm
21 Livit Callentine, staff planner with the County of Maui
22 Planning Department. This matter arises from a Historic
23 District Application. It was filed with the Department of
24 Planning on March 24th of this year by Rina Noelani Sampson
25 on behalf of Lahaina Town Action Committee, and she's the

1 applicant, and the applicant is requesting Historic District
2 Approval for the use of Banyan Tree Park and Kamehameha Iki
3 Park, in conjunction with the 11th Annual International
4 Festival of Canoes and Ho'olaule'a to be held on May 18
5 through 31 of this year.

6 The Historic District Approval being reviewed by
7 the Cultural Resources Commission is for use of Banyan Tree
8 Park and Kamehameha Iki Park only, and the Commission may
9 approve or deny the request.

10 Also, this morning in front of you, you will see a
11 comment, a printed out email, which represents the comment
12 that was made by the Parks Department. And it was not -- I
13 did not get it into your application packet, so it was
14 handed to you this morning. I will go over it when we get
15 to that portion of the report. So the next slide, please.

16 The applicable regulations in this case are
17 starting with Chapter 2.88 of the Maui County Code
18 establishing the Commission, its purposes, powers and duties.
19 Chapter 19.48 and 19.50 of the Maui County Code for
20 establishment amendment to and description of Historic
21 Districts 1 and 2 in Lahaina, and also District 3 in
22 Wailuku.

23 Chapter 19.52 codifies regulations on buildings
24 and uses in historic districts, and Section 19.52.020(A)
25 grants the Commission the power to approve all plans within

1 any historic district, and prevent the issuance of a
2 building permit until a Certificate of Approval has been
3 issued by the Commission.

4 Section 19.52.090(E) prohibits selling in public
5 places in any location on any street, highway, sidewalk, or
6 in any park or open space owned by a government agency,
7 without the approval of the Cultural Resources Commission.

8 Also, you have guiding you Chapter 530 Rules and
9 Practices of Procedure which provide definitions and
10 guidance on your operating procedures, while Chapter 531,
11 Standards and Criteria relating to the duties and authority
12 further establishes standards and criterions to be used by
13 the Commission. Next slide, please.

14 This is a scene from the 2005 festival, and this
15 was courtesy of the Lahaina Town Action Committee. Next
16 slide, please.

17 The International Festival of Canoes and
18 Ho'olaule'a was established in 1997, and was last reviewed
19 by the Commission in 2004. As there were no changes to the
20 scope in 2005 through 2007, administrative approvals were
21 granted by the Director of Planning. Changes proposed this
22 year prompted the department to request Commission review
23 and approval.

24 During the event, master carvers and their teams
25 from Hawaii, Polynesia and Pacific nations will carve

1 canoes, tikis, drums and more from logs at Kamehameha Iki
2 Park on Front Street. Other activities include a
3 traditional Hawaiian greeting ceremony, displays of
4 Polynesian arts and performances, a parade, ancient Hawaiian
5 launching ceremony, concert, and ongoing cultural arts
6 workshops and demonstrations.

7 The Annual International Festival of Canoes and
8 Ho'olaule'a involves commercial activity within parks and
9 open space owned by the County of Maui and the State of
10 Hawaii. Because selling is prohibited in these areas,
11 script booths will be located within Kamehameha Iki Park and
12 Banyan Tree Park. Next slide, please.

13 The applicant proposes to create a village-like
14 atmosphere for the second week of the festival when the
15 participants will move to Banyan Tree Park. There would be
16 five hale set up on the grassy lawn surrounding the Banyan
17 Tree to allow the participating nation representatives to
18 hold "talk story" with the attendees and visitors. These
19 hale would be constructed during the first week, and be
20 complete by the time the canoes are transported to the park
21 beginning Friday to Saturday, May 23rd and 24th.
22 Construction would be modified from the traditional and
23 permanent style to allow set-up and break-down of each hale.
24 Digging and burying of poles would not take place, as each
25 hale would be secured above ground.

1 With completion of the permanent hale in
2 Kamehameha Iki Park, less room is now available for
3 participants and onlookers within the park. In order to
4 accommodate the oversized crowd, the Applicant has proposed
5 two options for the location of the Ho'olaule'a on the
6 closing day of the festival, which is Saturday the 31st of
7 May.

8 So the first and preferred option is to move the
9 Ho'olaule'a to Banyon Tree Park, and use the hale in place
10 of retail booths. The hale would remain, and instead of
11 putting up synthetic tent structures, the hale would be
12 used. The Parks Department has commented that they have no
13 concerns with this, and the Lahaina Arts Foundation, which
14 has the -- sorry, the Lahaina Arts Society, excuse me, which
15 has the use of the park earlier in the day until 6:00 p.m.
16 is willing to share the park with the group. And then the
17 next slide, please.

18 Okay, the second option, if the Commission is
19 concerned about that option, the second option which was
20 proposed by the applicant is closing Front Street between
21 Kamehameha Iki Park and Malu-ulu-olele Park. Closing Front
22 Street, just that section, and letting the whole festivities
23 spill out onto Front Street. So there would be a road
24 closure, traffic would come down and go, could go to the
25 right or to the left, but not -- well, actually, not to the

1 left, but it would have to clear and go down to the next
2 street, which I believe is Shaw. So That would be the
3 option number two, and that would be the second preference.

4 So this map shows the parade route in orange. The
5 Parade of Canoes starts at Kenui and ends at Kamehameha Iki
6 Park. And you can also see the other parks there too,
7 Malu-ulu-olele and Kamehameha Iki Park along with Banyon
8 park. Next slide, please. A little more detail about --
9 okay, one. More. I didn't know that was set up like that.
10 That's okay. Thanks, Stan.

11 In detail, the schedule from May 18th to the 23rd,
12 9:00 am to 5:00 pm, canoe carving will take place in
13 Kamehameha Iki Park. The canoe carving teams will rough
14 cut, shape and define the logs into full-sized canoes and
15 tikis. Three 20-foot by 20-foot then canopies will be
16 erected to provide shade for the carvers.

17 The activities at Kamehameha Iki Park will include
18 seven canoe carvers, and I actually would like confirmation
19 about that for this year. Is it seven? It's only five.
20 Okay, excuse me. Well, it's reduced then from last year,
21 it's five canoe carvers, one hale builder, six food booths,
22 one water/soda/shave ice booth, one script and T-shirt booth
23 and one County of Maui booth, "Lucky We Live Maui County."
24 That's not going to be in the docket for this year. Okay,
25 strike that last one. Throughout the two weeks of the

1 festival.

2 Then also on May 23rd the canoes will move from
3 Kamehameha Iki Park to Banyan Tree Park after the rough
4 carving is complete, and the finishing work will take place
5 in Banyan Tree Park. From May 24th through the 30th, also
6 from 9:00 to 5:00, a cultural arts and crafts festival will
7 take place in Banyan Tree Park. Activities will include
8 drum carving, paddle making and surfboard shaping, as well
9 as cultural workshops on traditional skills, and a cultural
10 arts and crafts fair.

11 Hawaiian musicians and a variety of Polynesian
12 dancers will perform on stage once a day, different
13 performances for each day. There will also be educational
14 displays of previously made canoes, drums and tikis set
15 around the park. Students from Lahainaluna High School and
16 Maui Preparatory Academy will be giving informal tours.
17 Next slide, please.

18 On May 30th, after finishing of the canoes is
19 complete, the canoes will be picked up from Banyan Tree Park
20 by the sponsors to allow time to prepare the canoes for the
21 Parade of Canoes on the following day. So they'll be off
22 getting decorated. Also on May 30th a closing ceremony and
23 luau will be held for carvers and other participants in the
24 hale in Kamehameha Iki Park. On May 31st the parade will
25 take place from 2:00 to 4:00 pm, beginning at Kenui and

1 proceeding to Kamehameha Iki Park. Front Street will be
2 closed at noon.

3 Also on May 31st the ceremonial Launch of Canoes
4 takes place from 5:00 to 6:00 pm on the beach fronting
5 Kamehameha Iki Park, and from 6:00 to 10:00 pm the
6 Ho'olaule'a occurs either in Banyon Tree Park or Kamehameha
7 Iki Park, as determined today by the Commission, and will
8 feature continuous Hawaiian music, dance and entertainment;
9 displays of the newly-carved canoes, tikis and surfboards;
10 six food booths organized primarily by nonprofit groups; one
11 water/soda/shave ice booth, real fruit ice cream cart; and
12 one festival t-shirt booth. The event ends at 10:00 pm on
13 the 31st, and parks in the Front Street area will be cleaned
14 from 10:00 pm to midnight. Next slide, please.

15 This is a scene of Banyan Tree Park from in 2005,
16 again courtesy of Lahaina Town Action Committee. Next
17 slide, please. And a scene of the launch site. Next slide,
18 please.

19 Comments were not received, as of today's meeting,
20 from Police Department, Fire Department, or Department of
21 Public Works. I did make repeated calls to them, and was
22 not able to receive comments, which leads this department to
23 believe there were no significant comments. We did get
24 comments back from Parks and Recreation, as I mentioned, and
25 they granted permission or will grant permission for Banyan

1 Tree Park to be used, provided that the Lahaina Arts Society
2 does provide cooperation in letting them use the park, which
3 I have been told has happened. And then Lahaina Town Action
4 Committee will pay a daily fee. Next slide, please.

5 As of April 30th, the department had not received
6 any letters in support of or against the annual
7 International Festival of Canoes and Ho'olaule'a. Next
8 slide, please.

9 A comparably-scoped event -- and this is
10 analysis -- a comparably-scoped event has been operated
11 successfully and without major incident since 1997. The
12 event is a major attraction for residents and visitors
13 alike.

14 The educational and cultural value of the
15 International Festival of Canoes and Ho'olaule'a event is
16 unsurpassed. Students, visitors, local residents, West Maui
17 merchants and hospitality personnel, woodcarvers, artisans,
18 and many others come to the carving site daily to watch the
19 progress of the canoe building. There's no other event on
20 Maui that provides authentic cultural interaction on this
21 level to such a vast and varied audience. No negative
22 impacts to historic districts is anticipated as a result of
23 this event. Next slide, please.

24 So your alternatives today are to approve the
25 application selecting Option 1 or Option 2, either as

1 presented or with changes, to defer a decision on the
2 application, or to deny the subject application. These
3 courses of action are open to you today when you conduct
4 your review. Next slide, please.

5 The Department of Planning is recommending that
6 the Cultural Resources Commission approve the request to
7 hold the annual International Festival of Canoes and
8 Ho'olaule'a, including Option number 1, to relocate the
9 Ho'olaule'a from Kamehameha Iki Park to Banyan Tree Park,
10 subject to the following conditions.

11 And then, Commissioners, if you would refer to
12 your copy of the report and recommendation, pages 8 through
13 10, for the list of standard conditions. I will not read
14 them all unless you so desire. One more slide. Thank you.

15 CHAIRMAN KALALAU: Commissioners, do you have any
16 questions for Livit? If not, do we have the applicant here?

17 MS. CALLENTINE: Yes, we do, Rina Sampson is here.
18 Would you like her to come forward?

19 CHAIRMAN KALALAU: Yes, please.

20 MS. SAMPSON: Aloha.

21 CHAIRMAN KALALAU: Can you state your name and
22 stuff for the reporter?

23 MS. SAMPSON: Sure. Rina Noelani Sampson, Lahaina
24 Town Action Committee executive director.

25 CHAIRMAN KALALAU: Thank you. Commissioners,

1 seeing the slides that was presented to you this morning, do
2 you have any questions or comments that you want to ask the
3 applicant?

4 COMMISSIONER FREDERICKSON: I don't really have a
5 comment. I have a comment, but I don't know if it's just
6 for the event itself. This to me is -- this is an example,
7 a shining example of a very appropriate event for Lahaina
8 town.

9 COMMISSIONER WATANABE: I just have a question.
10 Aloha, Rina. I know in the past they had portable toilets
11 on I guess it was by the library section, and it looks like
12 you are not doing it this year.

13 MS. SAMPSON: No.

14 COMMISSIONER WATANABE: Because I remember people
15 would come in with information, and they had to set up extra
16 portapotties.

17 MS. SAMPSON: Right. As far as I know, there were
18 no portapotties set up on library lawn for this event. We
19 had been using portapotties in the past because the harbor
20 public restrooms had been under renovation. Those restrooms
21 are open today, so we will be contributing to the cleaning
22 of those restrooms, and we already paid for the supplies
23 that are used in those restrooms to help the harbor with the
24 cost and so forth.

25 COMMISSIONER WATANABE: Okay, mahalo.

1 CHAIRMAN KALALAU: Okay, Ray.

2 COMMISSIONER HUTAFF: If you have it under the
3 banyan tree and you are going to be supplying food, I'm
4 assuming that's hot food.

5 MS. SAMPSON: Yes. And it's food that we have
6 done for other events as well, so it would be under that
7 same scope of provided by non-profit groups. There is no
8 open flame under there, so they bring their things in hot
9 boxes or it's kept warm somehow.

10 COMMISSIONER HUTAFF: So that wouldn't be
11 considered cooking then.

12 MS. SAMPSON: No, no cooking allowed.

13 CHAIRMAN KALALAU: Okay, Veronica.

14 COMMISSIONER MARQUEZ: Aloha. Do you have
15 Moloka'i participants in this festival?

16 MS. SAMPSON: Actually, we do. Alapai Hanapii is
17 our Hawaiian ki'i carver this year, and his wife Mililani is
18 offering a kapa class. And Uncle Bill Kupune (phonetic),
19 who is also a regular at our festival, is our master drum
20 carver.

21 COMMISSIONER MARQUEZ: Mahalo.

22 CHAIRMAN KALALAU: One of my concerns was because
23 we didn't hear anything from the Police Department, and
24 because we will have some part-time road closure during some
25 of these events, are you guys ready to or have a group ready

1 to try to organize some kind of thing so we don't have a
2 traffic problem during the road closure times?

3 MS. SAMPSON: Yes. Actually, we work with Lahaina
4 Police Department Sergeant Lawrence Kauhaahaa very closely
5 with our events, and all the permits have been submitted to
6 him as well, and Captain Hirata, for this event.

7 CHAIRMAN KALALAU: Thank you. Any more
8 questions?

9 COMMISSIONER FREDERICKSON: I have a question.
10 Regarding the Option 1, I guess for lack of a better term,
11 the preferred option, that one does have road closure.
12 That's the smallest road closure?

13 MS. SAMPSON: The road closures for that day will
14 be for the parade itself. Starting at 1:00 pm there will be
15 no vehicle traffic down Front Street. The parade will start
16 at Kenui Street and then proceed to Kamehameha Iki Park. We
17 are still asking for that small portion of Front Street,
18 which is actually the banyan tree portion fronting Wharf
19 Cinema Center to remain closed after the rest of Front
20 Street is open after the parade, only to allow for that foot
21 traffic to go back and forth. Because a lot of the parking
22 lots are one block off of Front Street, so it would just
23 allow foot traffic to comfortably move back and forth from
24 Banyan Tree Park and the blocks behind that.

25 CHAIRMAN KALALAU: Ray.

1 COMMISSIONER HUTAFF: In the past in front of the
2 library they used to have the Ho'olaule'a over there. Is
3 that still -- they would sell food in the parking lot or by
4 the harbor. Is that still going to be planned to do?

5 MS. SAMPSON: No. We haven't done that for
6 several years because of that sensitive area.

7 COMMISSIONER HUTAFF: That's how long it's been
8 since I've been out there for the Ho'olaule'a. The tent
9 structures and things that the carvers are going to have
10 built, are those going to be removed right the Ho'olaule'a?
11 It seems awfully crowded with everything left there.

12 MS. SAMPSON: Everything actually involving the
13 carving will be done by the end of Friday, May 30th, because
14 the canoes will all go to whomever their sponsors are to
15 prepare and decorate for the parade. So Banyan Tree Park
16 will be cleared out by the end of Friday.

17 COMMISSIONER HUTAFF: So the haies and stuff that
18 you're going to build?

19 MS. SAMPSON: The haies will stay. They're not
20 under the canopy of the banyan tree, they'll be out on the
21 lawn. That was one of the reasons why we're asking to move
22 the Ho'olaule'a back to Banyan Tree Park, because the
23 setting will already be there from the week before. It
24 offers a bigger lawn area as well.

25 Something new to this event, we're bringing home

1 our Lahaina son Chad Babayan, who works on the Big Island.
2 He's sailing the Hoku Alaka'i to Maui for this event. And
3 we will be running tours, navigational tours and power point
4 presentations within that two-week period he's here. And
5 with that canoe sitting in the harbor as well, it just makes
6 for a nice setting. That's why we're asking for this one
7 change.

8 COMMISSIONER HUTAFF: Thank you.

9 CHAIRMAN KALALAU: One more question. You know
10 the haies, what kind of materials are they going to be
11 constructed of?

12 MS. SAMPSON: I'm not sure of all. I know some
13 Ohia, but not as much, because that's hard to get. We will
14 be using -- you know, I'm sorry. Uncle Francis Senesci
15 (phonetic) is putting together these haies. He's out in
16 Hana gathering wood. I'm just not sure what all the names
17 of the woods are at this point.

18 CHAIRMAN KALALAU: Because I talked to him about
19 it too, and he was gathering some of the materials. My
20 concern was because of the things he was telling me that
21 they weren't going to dig any holes or any stakes to secure
22 the haies.

23 MS. SAMPSON: Correct.

24 CHAIRMAN KALALAU: So he was discussing the
25 technique that they were going to use, that it's going to be

1 easy to move, become portable hales.

2 MS. SAMPSON: Yes.

3 CHAIRMAN KALALAU: Anyway, I was just looking at
4 the road closures again, because you get one that, you know,
5 there's a private driveway. Is that somebody's driveway
6 there?

7 MS. SAMPSON: Yes. And the road closures would be
8 inside of those driveways. So those driveways as well as
9 the delivery driveway for 505, and the Moku Ula parking lot,
10 those will be accessible. Where we're asking for the
11 closure would be just inside of that, just like I said. And
12 that's the second option if we are not granted Banyan Tree
13 Park for the Ho'olaule'a. And it's really to just give us a
14 little bit more space at Kamehameha Iki as well, because
15 we're growing.

16 CHAIRMAN KALALAU: Have you guys already submitted
17 these permits to the police department, the road closure
18 permits?

19 MS. SAMPSON: They have two, both of which you
20 have right now. I'm expected to tell them which permit will
21 be granted after today, so Lawrence will know which one to
22 act upon.

23 CHAIRMAN KALALAU: Okay, thank you. Any more
24 questions? Are you okay with the recommendations that the
25 planning department has recommended for you guys to follow?

1 MS. SAMPSON: I haven't seen them yet. I'm sure
2 we will be able to work within the guidelines. May I take a
3 minute just to look over this?

4 (Brief pause in proceedings)

5 MS. CALLENTINE: Commissioners, would you like me
6 to read them so everybody can hear what they are?

7 CHAIRMAN KALALAU: Okay, because we have two sets
8 here. We have exhibit 1 and exhibit 3, and one has 14 and
9 the other one has 16, I think.

10 MS. CALLENTINE: Okay. What you're going to be
11 looking at, Commissioners, is page 8 of your report. This
12 is the recommendations for approval for this year. The
13 other exhibit you are looking at were from former years.

14 So condition number one reads that construction
15 and placement of structures, booths, exhibits, stage, art
16 displays, and banners shall be in accordance with the
17 written representations received on March 24, 2008, and oral
18 representations made to Staff Planner Livit Callentine on
19 April 17th and April 22, 2008.

20 2. That any substantial additions or changes to
21 the scope or intensity of the event and project sites shall
22 require an amendment to the permit.

23 3. That the Applicant shall apply for future
24 permits for proposed events in any Lahaina Historic District
25 at least ninety days in advance of the proposed event to

1 allow adequate time for processing.

2 4. That building permits shall be obtained prior
3 to the initiation of construction or erection of temporary
4 structures.

5 5. That the Applicant shall obtain the approval
6 of the Police Department for the closure of Front Street,
7 and shall cooperate with the Police Department regarding the
8 initiation of the re-opening of Front Street.

9 6. That the Applicant shall provide emergency
10 access at both ends of the closed sections of all streets,
11 and shall ensure that security, first aid, and evacuation
12 for the event are provided, subject to the approval of the
13 Police Department.

14 7. That the Applicant shall obtain approval from
15 the Department of Parks and Recreation for the use of Banyan
16 Tree Park prior to the day of the event.

17 8. The following rules adopted by the Maui County
18 Arborist Committee for the use of the Banyon Tree Park shall
19 be enforced by the Applicant.

20 A. No climbing on the tree.

21 B. No swinging from the roots of the tree.

22 C. No motorized vehicles allowed in the park.

23 D. No nailing or stapling is permitted on the
24 tree.

25 E. Foreign matter shall never be applied to the

1 tree, i.e., paint, oil, etc.

2 F. No pruning or physical injury to the tree.

3 G. Toxic materials, herbicides, oils, etc.,

4 shall not be applied under the canopy of the tree without

5 the guidance of the Maui County Arborists.

6 H. No cooking or fires are permitted under the

7 canopy of the tree.

8 I. No fireworks are permitted under the canopy

9 of the tree.

10 J. No wires shall be attached to the tree.

11 K. No collection of money will occur in Banyan

12 Tree Park.

13 9. That setup of the hale, stage, and booths

14 shall occur no earlier than Friday, May 16, 2008, and

15 breakdown and removal shall be no later than Sunday, June 1,

16 2008.

17 10. That the Applicant shall communicate the

18 plans for street closure to all merchants via radio,

19 newspaper and flyer not less than one week prior the event.

20 11. That the Applicant shall be responsible for

21 cleanup of any litter produced by the event, including any

22 on Front Street and adjacent roads, and shall use every

23 precaution to prevent litter or any products or debris from

24 the food concessions from entering the ocean; and shall

25 encourage recycling of event waste.

1 12. Is the long insurance clause which requires
2 the Applicant to have liability insurance in the amount of
3 \$1 million, and to provide a copy of this policy within 90
4 days from the date of service of the approval letter on this
5 permit.

6 13. That full compliance with all other
7 applicable governmental requirements shall be rendered. And
8 14 and last,

9 14. That a traffic control plan illustrating
10 detours shall be submitted to the Department of Public
11 Works.

12 CHAIRMAN KALALAU: Thank you. Any more questions?

13 Okay, Nani.

14 COMMISSIONER WATANABE: You know, a suggestion is
15 I know there's going to be a road closure. Is there a
16 parade?

17 MS. SAMPSON: Yes.

18 COMMISSIONER WATANABE: A suggestion is, I was
19 talking to Verna, is to put a notice in our interisland
20 ferries, because we've experienced where we came over and
21 the road closure, so people can plan their trip accordingly.
22 Because what happens when it's closed people were not aware,
23 because not everybody reads the paper. So they had to truck
24 all of their bags and stuff across to the parking. So it
25 would be good if you would give a notice to the boats.

1 MS. SAMPSON: Yes, we will do that.

2 COMMISSIONER WATANABE: Thank you.

3 CHAIRMAN KALALAU: Okay, Ray.

4 COMMISSIONER HUTAFF: It's nice to see that you

5 are going to allow that the carvers can sell some of their

6 products, or at least it's okay for them to do that,

7 correct?

8 MS. SAMPSON: Yes.

9 COMMISSIONER HUTAFF: What's the percentage that

10 they're going to keep?

11 MS. SAMPSON: Wait, I'm sorry, the carvers that

12 are selling their goods that they're actually working on

13 during the festival?

14 COMMISSIONER HUTAFF: Yes.

15 MS. SAMPSON: Those have already been sponsored.

16 We have businesses that have set them.

17 COMMISSIONER HUTAFF: It says here they'll have to

18 pay for each day's usage that they're planning to sell, so

19 that the canoe carvers from the other countries can help pay

20 for their passage here. Is that something that's okay with

21 the Lahaina Town Action Committee?

22 MS. SAMPSON: Yes. It's not to help pay for

23 passage, we are allowing the Pacific nations to sell their

24 goods that they bring with them for them to take a little

25 something more home.

1 COMMISSIONER HUTAFF: What is their percentage
2 that they get to keep?

3 MS. SAMPSON: Their percentage would be 80
4 percent.

5 COMMISSIONER HUTAFF: Okay, is there any
6 difference between the percentages whether they're at the
7 Banyon Tree Park or Kamehameha Iki Park, or is it the same?

8 MS. SAMPSON: We haven't really had them do that
9 in past. This year we are allowing them to do that at
10 Banyon Tree Park because we have the visitors center there.
11 Because there's no money exchanged under the tree, they
12 would have to follow the same process as our regular arts
13 and crafters that are scheduled under the tree normally. So
14 it should help to cover the cost for having extra bodies
15 there and helping to facilitate that.

16 COMMISSIONER HUTAFF: So in other words, it's not
17 really going to be set up that way at Kamehameha Iki if
18 Option 2 is chosen. So right now you have it at Banyon Tree
19 Park where they can sell their products and monies can be
20 collected inside of the building over there. What would
21 happen if we chose Kamehameha Iki Park?

22 MS. SAMPSON: Well, we're still going to be at
23 Kamehameha Iki Park for the first week. All the rough
24 carving has to be done there. The second week when we move
25 to Banyan Tree Park we will be in the park all week anyway.

1 The only change we're asking for this year is to move the
2 Ho'olaule'a, which is the very last scheduled event in this
3 whole festival.

4 COMMISSIONER HUTAFF: So you don't anticipate them
5 selling anything during the whole event?

6 MS. SAMPSON: They're planning to, they're all
7 planning to bring, but they're have all week during the
8 second week of festival. So it won't be just limited to
9 that one day, that Saturday, May 31st, they'll have all
10 week.

11 COMMISSIONER HUTAFF: Thank you.

12 MS. SAMPSON: You're welcome.

13 CHAIRMAN KALALAU: Kalei.

14 COMMISSIONER MOIKEHA: Just a comment. So the
15 better venue would be under the banyan tree?

16 MS. SAMPSON: The second, yes.

17 COMMISSIONER MOIKEHA: Thank you.

18 CHAIRMAN KALALAU: You know, on this map right
19 here will the script booth be located in the courthouse?

20 MS. SAMPSON: Yes, it will be.

21 CHAIRMAN KALALAU: And, you know, there's items
22 that, you know, I've been to a couple of these canoe
23 festivals and there are some items that are sold for some
24 pretty big bucks. So how much scripts, I mean do they have
25 scripts to accommodate the price of some of the items?

1 MS. SAMPSON: It really wouldn't be script, it
2 would be receipt books is what we really use. So it would
3 be standard, like in all the other arts and crafts fairs,
4 they will be able to write up a receipt, and the receipt
5 will be taken into the courthouse into the visitors center,
6 paid for there, and then come out with an attached receipt
7 on the original receipt to show that they paid for the item,
8 and the exchange will be made at that time, or the complete
9 sale would be made at that time.

10 CHAIRMAN KALALAU: Thank you. Any more
11 questions, comments, concerns? Staff? If not, thank you
12 very much.

13 MS. SAMPSON: Thank you.

14 CHAIRMAN KALALAU: We will now open the floor for
15 any public testimonies on this agenda item. If there's
16 anyone in the public that wants to come up and speak, you
17 can come up now, and please state your name for the record.

18 MR. KAPU: Good morning ladies and gentlemen of
19 the Commission. My name is Ke'eaumoku Kapu. I guess I have
20 a list of things that I was running through my mind. But
21 first of all, our association and our group from Lahaina has
22 been involved with the Festival of Canoes for eight years.
23 We are the ones that basically provide the awa ceremony and
24 the launching ceremony.

25 Some concerns that I have, and I guess we haven't

1 come to the point as pertaining to an option to have the
2 concert. And one I guess option was to utilize Kamehameha
3 Iki Park with the traditional hale, I'm assuming. The hale
4 isn't finished in its construction. We have a meeting
5 scheduled with the county on the 9th to talk about that hale
6 and the ADA access to that hale. The stones isn't set in
7 yet. The hale basically wouldn't be done in time for this
8 event. So I don't think it's a good idea, because of safety
9 reasons, that the hale basically wouldn't be workable to
10 provide any type of venue, like a concert, in that area.

11 Another thing is when the traditional Hale Halawai
12 was created there were some conditions that were set from
13 the county, and the conditions were that had to do with a
14 lot of things, electrical anywhere towards the hale, all
15 different types of dynamics. And when you are talking about
16 traditional hale, hale halawai basically means meeting
17 place, it doesn't mean a place for a concert, okay.

18 A few other things. I don't think that it would
19 be workable, especially in Kamehameha Iki Park, to have the
20 concert, because once the work is done I think the
21 maintenance of the park is very important. In the years
22 past Hui O Wa'a Kaulua helped with a lot of the clean-up to
23 try to prepare for the concert, but then we had big logs
24 left behind, and it just creates an unsafe atmosphere. So I
25 think, you know, the banyan tree would be place. And that

1 seems to be the he'e of Lahaina that gathers all the people
2 in that general area. I think that's a perfect place to
3 have a concert or Ho'olaule'a.

4 Another thing I wanted to bring up is whether or
5 not for the use of Kamehameha Iki Park, Hui O Wa'a Kaulua
6 will be indemnified like they normally do in the past,
7 because I didn't hear anything about whether or not for the
8 access for the use of Kamehameha Iki Park the people that
9 have the access agreement with the county would be
10 indemnified as well, just in case anybody was to, you know,
11 something bad might happen in there.

12 And I guess under the recommendations, the
13 Cultural Resources Commission recommendations, I heard a lot
14 talked about, you know, like the gas and all those kinds of
15 things. Pertaining to the use of Kamehameha Iki Park,
16 they've done a very, very good job in the past, for the past
17 maybe three years, on how they was able to contain the gas
18 in that area. I guess the rubbish is a problem for us,
19 there's rubbish littered basically all over the place, and
20 we tried to help alleviate that.

21 Hopefully maybe from the county's help they can
22 help kick in one 40 foot container too, because I know the
23 Lahaina Town Action Committee has a hard time providing
24 that. Because they get one container for like two weeks,
25 and that container fills up in one week, yeah. So it would

1 be good that maybe if Lahaina Town Action Committee can
2 provide the first container, and then the county through
3 your recommendations helps kick in the second container,
4 then we can help get the park cleaned up pretty good.

5 We get logs sitting in the park from the last,
6 from 1994 -- I mean 2004, I'm sorry, 2004. My brain was
7 back in 2004. So we would like to sort of find a decent
8 place for that log that's been sitting in our park for
9 almost five years.

10 One more thing, and I know it's beneficial for the
11 carvers to have a place to sell, but there was some concerns
12 in the past based upon what type of items could be sold in
13 the park. And I guess if there's a recommendation or
14 whatever type of change that the county needs to look into
15 for allowing other craft items that wasn't made in Hawaii
16 sell.

17 Just to take care of the logistics based upon
18 this, because I no like see anything happen, you know, at
19 the time of the event, that all of a sudden these carvers
20 can't sell their stuff just because of a small little glitch
21 like that, that under the CRC recommendations the crafts
22 that need to be sold under the banyan tree has to be made in
23 Hawaii.

24 Now, if you look under the recommendations it says
25 from the past that's basically what I said, which sort of

1 tied the hands of the Festival of Canoes in the past to
2 allow the carvers to actually sell. So I guess the Hui O
3 Wa'a Kaulua provided a place in the past for carvers, and
4 that's in our building, it's not in the outside. But I
5 don't know how the dynamics of the Banyon Tree Park would
6 work with those recommendations or those county bylaws set
7 in there pertaining to what could actually be sold under the
8 Banyon Tree. Basically that's about it. Thank you.

9 CHAIRMAN KALALAU: Questions? Yes.

10 COMMISSIONER FREDERICKSON: Good morning,
11 Ke'eaumoku. Where are the crafters coming from this year,
12 what parts of the Pacific, do you folks have a final list?

13 MS. SAMPSON: They're coming from New Zealand.

14 COMMISSIONER FREDERICKSON: Could you please come
15 up?

16 MS. SAMPSON: Right now the participating nations
17 are coming from New Zealand, from Yap, from Marshall, from
18 Cook. I'm still waiting for Cook, they're not coming with
19 the canoe carving team but there will be representation from
20 the Cook Islands, and that's it.

21 COMMISSIONER FREDERICKSON: That's four.

22 MS. SAMPSON: And Tahiti probably. Well, we have
23 two Hawaiian teams. Possibly a contingency coming up from
24 Tahiti as well.

25 CHAIRMAN KALALAU: And then we have the two

1 Hawaii ones.

2 MS. SAMPSON: Right. We have two teams, that's
3 the five canoe carving teams.

4 CHAIRMAN KALALAU: Question, Erik?

5 COMMISSIONER FREDERICKSON: Thank you.

6 COMMISSIONER MARQUEZ: Aloha, Ke'eaumoku. So your
7 mana'o is you want it so there's some kind of mana'o to have
8 these other people coming in to sell their goods, or you're
9 saying you don't want it?

10 MR. KAPU: No, to try to add some kind of addendum
11 or sort of recommendation for this event to allow them to
12 sell. Because if you look at, you know, our previous
13 ventures under the banyan tree and what could be sold, does
14 it also include this event as well? And if it does, if
15 there was a way with the Cultural Resources Commission to
16 add an addition or an addendum to allow these crafters from
17 wherever they're coming from to have that place so they can
18 raise money and take money home to their place. Thank you.

19 CHAIRMAN KALALAU: Okay, Livit.

20 MS. CALLENTINE: Staff would just like to clarify
21 that yes, this was a condition of approval in previous
22 years, but because this is an international festival I
23 recommended removing that. I didn't point it out, but I
24 didn't include it in your conditions. So you do see it in
25 your report as a condition of approval from 2007, it's item

1 number 7, but it's not included in the recommended
2 conditions for this year.

3 CHAIRMAN KALALAU: Okay, Erik.

4 COMMISSIONER FREDERICKSON: I have a comment, and
5 I don't know if it's even really much of a concern, but I
6 think it's -- I don't personally have a problem with folks
7 coming from different parts of the Pacific selling crafts
8 from their cultures. I guess my only concern would be if
9 it's opened up real wide, make sure that we don't have stuff
10 made in China that somebody just brought in in a suitcase,
11 you know what I'm saying? It's really appropriate to have
12 the various island nations that are represented, I think, to
13 have them sell some of their own crafts, their own cultural
14 crafts.

15 CHAIRMAN KALALAU: Livit?

16 MS. CALLENTINE: If the Commission so desires, I
17 could amend that condition to read that "all arts and crafts
18 sold at Banyon Tree Park shall be hand made in Maui County,
19 or in one of the island nations so represented."

20 Now, the second clause, the second part of this
21 says, "and sold by the artist and/or an immediate member of
22 the artist's family." So I think that's something you folks
23 are going to have to decide, whether you want that
24 restriction.

25 CHAIRMAN KALALAU: What did they mean by

1 "immediate family"?

2 MS. CALLENTINE: James, could you interpret that,
3 please? Well, let's see. Maybe we can start with what
4 would you think it meant by "immediate family"? I don't
5 know if there's a definition of immediate or family in any
6 of the cultural resources guidelines.

7 COMMISSIONER MOIKEHA: Well, can we amend that
8 portion also?

9 MS. CALLENTINE: Yes, you can.

10 COMMISSIONER MOIKEHA: Or does it matter? We're
11 all cousins, anyway.

12 CHAIRMAN KALALAU: Veronica?

13 COMMISSIONER MARQUEZ: I know from our mana'o when
14 we say family is family, however I mean there's a limit. We
15 say something like "extended" so you know. Immediate is now
16 and extended is like everybody else on the planet. So maybe
17 you want to keep away from extended.

18 COMMISSIONER MOIKEHA: You have got to figure not
19 everybody is going to be family, I mean that's automatic.
20 But if they're the same entourage I don't see why not. I
21 mean who is going to say who made it and who didn't, you
22 know, but they're together. I think the main thing also,
23 like we were talking about, is that if they're coming from
24 Yap they're not selling anything from the Philippines.
25 That's the main thing, it has to be authentic, and they need

1 to know that, you know. Because if they're selling and
2 they're with people, I mean you can't expect the seller to
3 be there all the time, you know, the guy that made it. And
4 if he didn't make it, his brother, sister, sister's father
5 did, you know.

6 COMMISSIONER HUTAFF: I'd like to see that part of
7 it excluded. From personal experience, from the carvers
8 that come from New Zealand, one of the carvers is a teacher
9 at the institute over there, and he really wanted to bring
10 some of his unknown students' works. I've seen the works,
11 and from a cultural standpoint of Polynesia, the works were
12 very important. It would also provide a venue for those
13 students in order to gain money to continue their studies.
14 So I think the family part of it, or the extended family
15 part of it, at least for this year. We can revisit it next
16 year in case it becomes a problem.

17 COMMISSIONER FREDERICKSON: Yes, I agree with Ray,
18 that's a good fix.

19 MS. CALLENTINE: So to clarify, if that's the
20 consensus of the Commission, that staff would add condition
21 number 7. And if you haven't found it in your packet, it's
22 part of the -- it's the second page of exhibit number 3. It
23 would read that, "All arts and crafts sold in Banyan Tree
24 Park be hand made in Maui County, or in any of the
25 represented islands," period.

1 COMMISSIONER FREDERICKSON: I'm not sure I'm
2 tracking. We've got exhibit 3 and we have got six
3 conditions.

4 MS. CALLENTINE: You need to look at the other
5 report. Make sure you're looking at the report, the staff
6 report and recommendations for the Festival of Canoes. That
7 and the Keiki Parade are both in front of you today. So you
8 may be getting confused by the report, they look very
9 similar on the outside. So I'm talking about exhibit 3,
10 page 2, condition number 7, and I'm not sure the Commission
11 is in consensus with this.

12 CHAIRMAN KALALAU: So we are going to take the
13 amended item 7, and the new amendment would be item 15.

14 MS. CALLENTINE: Well, that's how we would do it,
15 yes, if that's what you folks want.

16 CHAIRMAN KALALAU: Commissioners, because we have
17 made an amendment to that recommendation, we are going to
18 have to make a motion.

19 COMMISSIONER FREDERICKSON: I'll make a motion. I
20 move that we insert the item 7, I guess it would be 15 on
21 the list, indicating that items need to be hand made in the
22 Pacific Island participant countries -- I think I'm not sure
23 if they're all independant -- but the island groups that are
24 represented in the festival. That those items be crafted in
25 their areas that they're from. That was confusing.

1 CHAIRMAN KALALAU: Well, you know why, in the
2 past we had other Native Americans that came from the
3 mainland. And if we're talking only about Pacific Islanders
4 we have got to kind of make it broad to where it covers
5 those Native Americans that participated in the canoe
6 festival.

7 So maybe we should just say the groups, their
8 cultural background or their cultural items, instead of just
9 restricting them to New Zealanders or Pacific, Polynesian,
10 and stuff like that, because we did have in the past other
11 native people that came from different countries
12 participating in this canoe festival. So I think we've got
13 to think this out then, you know. Because if not, we will
14 come back next year and then we are going to have to
15 re-amend this motion to cover the Alaskan natives or the
16 natives from California.

17 COMMISSIONER HUTAFF: I think the word
18 "participants" really helps. If you can amend that motion,
19 or however it's supposed to work within the Robert's thing,
20 to state that the participants of the canoe festival may
21 bring or carve items to be sold from their home country or
22 from their home village. Just "the participants" I think is
23 fine.

24 MS. CALLENTINE: Let me make sure that I have got
25 the language right now. So we'll try this. That all arts

1 and crafts sold at Banyan Tree Park be hand made in Maui
2 County, or in any of the participants' -- or in any of the
3 -- or shall be hand made in Maui County or -- see, that's
4 saying in Maui County. Or by any of the festival
5 participants? That doesn't quite say it. Or in any
6 locales, any of the home bases. No. Language.

7 Stan, do you have a suggestion?

8 MR. SOLAMILLO: How about "in any of the
9 participants' countries of origin."

10 MS. CALLENTINE: There you go. Thank you, Stan.
11 Does that work for you, Commissioners?

12 COMMISSIONER MARQUEZ: Could you restate that?

13 MS. CALLENTINE: Yes. That "all arts and crafts
14 sold in Banyon Tree Park be hand made in Maui County, or in
15 any of participants' countries of origin."

16 COMMISSIONER HUTAFF: I move we accept that.

17 CHAIRMAN KALALAU: We need to delete the --

18 COMMISSIONER FREDERICKSON: The non-family member
19 is deleted, right?

20 CHAIRMAN KALALAU: Yes. But we have a motion,
21 it's been moved and seconded. Do we do the amendment on
22 this motion first or can we do --

23 MR. GIROUX: Just do it all in one, just to clear
24 up that family member, unless there's contention.

25 CHAIRMAN KALALAU: Okay, so what we're doing is

1 removing the family members from number 7, and then we are
2 going to put the amendment of this new recommendation into
3 item 15. If it's all right with the Commissioners, can we
4 just do this movement at one time, does everybody agree?

5 COMMISSIONER MARQUEZ: Sure.

6 COMMISSIONER FREDERICKSON: Sounds good.

7 CHAIRMAN KALALAU: Can you restate the motion?

8 MS. CALLENTINE: I will restate the motion. That
9 a condition number 15 be added to the list of conditions
10 presented to you today, and the condition will read that,
11 "All arts and crafts sold at Banyan Tree Park be hand made
12 in Maui County, or in any of the participants' countries of
13 origin." Period.

14 COMMISSIONER MARQUEZ: I second.

15 CHAIRMAN KALALAU: Okay, it has been moved and
16 second. Any more discussion before we vote on the motion?
17 No discussion? All in favor say "aye."

18 (A chorus of ayes)

19 All opposed?

20 (None)

21 Motion passes.

22 Staff, do we have any more -- Kalei?

23 COMMISSIONER MOIKEHA: Mr. Chair, so Ke'eaumoku
24 had some specific requests. Can we talk about that a little
25 bit or can Lahaina Town Action maybe move on that also?

1 He's asking for two rubbish bins, you know, because one is
2 not enough. And number two, that the Hui O Wa'a Kaulua be
3 indemnified. That was a request, and they're coming into
4 that area. So I don't know, do we discuss that?

5 CHAIRMAN KALALAU: Yes, we can talk to the
6 applicant.

7 MS. SAMPSON: Regarding the two requests,
8 insurance coverage is in place for Hui O Wa'a. And as far
9 as the dumpsters, we can work with that. I mean we need to
10 get the trash out of there. I know we have two dumpsters, I
11 believe anyway, one for green waste and one for regular
12 trash. So we will take a look at maybe even bumping those
13 up. Because we're there for one week and then we move to
14 the banyan tree, and we will have a dumpster down at that
15 area as well. But we will certainly address those concerns.

16 CHAIRMAN KALALAU: Ke'eaumoku?

17 MR. KAPU: I was hoping that the County of Maui
18 would kick in the second dumpster.

19 MS. SAMPSON: I was actually going to ask County
20 of Maui to mow the lawn one more time too, please, before
21 the festival.

22 CHAIRMAN KALALAU: Ray?

23 COMMISSIONER HUTAFF: You know, how about instead
24 of more containers, how about emptying them more?

25 MS. SAMPSON: Possibly a bigger one and then just

1 pulling them out.

2 COMMISSIONER HUTAFF: Pulling them out on demand.

3 I think the last time I think it was like about the fourth

4 day and you were already huffing and puffing climbing on top

5 of that thing.

6 MS. SAMPSON: Right. We'll certainly address

7 that.

8 COMMISSIONER HUTAFF: And at my age I meant the

9 ones from 2004, that's the ones I left.

10 MS. SAMPSON: We will address that.

11 CHAIRMAN KALALAU: Any more comments or concerns?

12 Okay, we still have to make another motion.

13 MRS. KAPU: Aloha. Uilani Kapu. I'm here

14 representing Hui O Wa'a Kaulua. I'm the executive,

15 volunteer executive director for awhile. But my concern is

16 what we'd like to do is if the applicant can apply maybe

17 eight to six months prior to the date, only because it's in

18 Kamehameha Iki Park, Hui O Wa'a has a board that needs to be

19 addressed with all the concerns, and they need to be

20 participating in the comments of this application.

21 We do have turn-overs every year, so we need to

22 educate new board members, board of directors, on what

23 happens in our park every year. So if the applicant can

24 apply within that time, and then if there's any changes then

25 the 90 day period they can make changes to that. It's only

1 because a lot of the board members are not from the area all
2 time, so they're not up to date to what takes place in
3 Kamehameha Iki Park.

4 So, you know, we just want to be in that comment
5 area and review anything that happens in Kamehameha Iki
6 Park, because we're trying to work with the county and, you
7 know, working together with everybody in the community, and
8 we want to be on top of everything that goes on in our area.
9 We're trying to do things positive with our new board, be
10 more up-front with community, explain about our halawai, our
11 hale halawai.

12 And I think if we knew that Chad was coming to do
13 all of these tours and navigation of the stars and
14 everything, I think Hui O Wa'a would have been a great
15 component to this. We are a navigating traditional double
16 hull canoe organization right here in the heart of Lahaina.
17 It would have been nice if we were asked first to be a part
18 of that. Uncle Chad is awesome, he is really nice, and we
19 will be working with him, hopefully. We will ask him on
20 that.

21 Another thing is, I also wanted to know about,
22 they mentioned there's going to be a paid daily fee, and who
23 is that going to? And then my husband brought up the
24 regulations about the tools and gas and everything around
25 our hale halawai that came from the county. We do have a

1 copy of that ordinance. We were going to review it over
2 with Rina, but we just wanted you folks to know that the
3 county did come up with those regulations for our hale
4 halawai, and that is stipulated through the code to our
5 traditional haes. And that is about it. Thank you.

6 CHAIRMAN KALALAU: Thank you. Before we close
7 the floor, is there anyone else in the public that wants to
8 come and testify?

9 MR. McCARTY: Good morning. I'm Richard McCarty.
10 I had a question about charging the carvers a percentage of
11 whatever they're able to sell. I think we should think
12 about the fact that we are hosts and they are guests and
13 that we invite them here. And things are getting much more
14 expensive as time goes on, and you see that each year we
15 have fewer people showing up. I know that some of them have
16 a hard time understanding why there should be a pay to
17 somebody if they make something and sell it. And there's a
18 little bit of tension, I know, between the crafters about
19 this.

20 And I don't know if it's just because they're not
21 used to our concepts of the promoter getting part of take,
22 or whether it's some kind of an insult to them, where they
23 don't understand why they would be charged to show up as
24 guests. They invest a lot of their hearts and souls and
25 time and effort and sweat into this, and I think that might

1 make it easier for them to come here, and also expand the
2 concept of them being guests here and us appreciating what
3 they do.

4 So I don't know how much money is involved, but it
5 seems like it would be significant enough to cause a problem
6 with the crafters and have them concerned about it. So I
7 think it would be appropriate to think about that and talk
8 about it. We do need to help them all we can, and I think
9 this may be a little bit of a way to get them a little bit
10 more money, but also to let them know that we appreciate
11 what they do. Thank you.

12 CHAIRMAN KALALAU: Thank you. Question?

13 COMMISSIONER WATANABE: Yes, Mr. Chair, I have a
14 question. I'm sorry, I have a question for Rina.

15 Rina, so the daily cost would be for people that
16 are selling their crafts, is that it?

17 MS. SAMPSON: No, the daily charge is what we pay
18 Parks and Recreation to use the park every day. So we're
19 paying that charge for the permit to be able to have an arts
20 and crafts fair.

21 COMMISSIONER WATANABE: All right. That's what I
22 wanted to know, thank you.

23 CHAIRMAN KALALAU: Ray?

24 COMMISSIONER HUTAFF: How much is that charge?

25 MS. SAMPSON: I'm new at this. For other events

1 it's been \$150 a day. The charge is even more for the
2 Festival of Canoes because it's a longer length of time.

3 COMMISSIONER HUTAFF: That 20 percent quote cut,
4 as Richard has said, what do the carvers benefit from that
5 fee?

6 MS. SAMPSON: Well, they get 80 percent of what
7 they're selling. It's just how the arts and crafts fairs
8 are set up to help to cover costs. The carvers are brought
9 here at our expense, the sponsor's expense, so they're not
10 paying for any of their trips here. We feed them, we lodge
11 them. And the groups actually get a little per diem for
12 participating in the festival.

13 So last year there was a little bit of controversy
14 with this, so I tried to address it this year. Because it's
15 nice when they can bring something with them, and share
16 their culture as well as part of this exchange. So that's
17 why I called on each group and said, you know, if you are
18 willing to bring your own custom crafts we will help sell
19 them through the visitors center, because of that no money
20 exchange under the tree. I think that was requested last
21 year and maybe the year before, and that's why we ran into
22 that challenge.

23 COMMISSIONER HUTAFF: Actually, what I was trying
24 to do is establish a value on charging somebody else a fee
25 for the product that they make. Also some of the people

1 that are going to be bringing the stuff from other parts of
2 the world also pay to get that stuff here. So I think he
3 has a legitimate, Richard has a legitimate concern.

4 I personally don't think 20 percent is
5 unreasonable, especially what went on two or three years ago
6 when it was really a huge problem. But I think if we can
7 justify to the carvers what they get out of that 20 percent.
8 Do they get insurance out of it, do they get a venue for it?
9 What is it that makes it beneficial for them? Just like you
10 pay rent on a building to sell your product.

11 MS. SAMPSON: That they're able to do this,
12 because they haven't been able to do it in the past.

13 COMMISSIONER HUTAFF: Then don't charge them, and
14 they can still do it.

15 MS. SAMPSON: Unfortunately, we do have to pay for
16 a lot of the costs to put on the festival.

17 COMMISSIONER HUTAFF: That's what I was trying to
18 get to, what is it that they get. They pay for the cost for
19 this and that. I understand it's good for them and it
20 allows them to bring some of their additional family
21 members, additional carvers, additional entertainers.
22 Things that are most appropriate culturally that I think all
23 of us would like to see more of, not just the carvers and a
24 guest or something, but some of the family.

25 So this would be a way for them to justify that,

1 and we get a lot back just by having those people around us.
2 But I do think that the carvers, because it may be a
3 cultural concern, how come I'm paying, that maybe that
4 should be answered.

5 MS. SAMPSON: I have addressed that with each of
6 the groups, and they're supportive of it, and they're
7 excited to bring their stuff.

8 COMMISSIONER WATANABE: I totally understand on
9 the charges, because I think when you create an event
10 there's a lot of added expense, such as insurance and hiring
11 security and all that. So I do understand about that part,
12 and I think that was what we wanted to know, I wanted to
13 know as well, is these monies are used. Because I know when
14 I do an event on Lana'i we charge them a minimum, but then
15 the thing is it helps us to defray our expense, because we
16 don't get enough grants to cover a lot of these things. So
17 mahalo.

18 MS. SAMPSON: Thank you.

19 CHAIRMAN KALALAU: Any more questions? Thank
20 you. Anyone else from the public who wants to come and
21 speak on this agenda item?

22 Seeing that we have none, the floor is now closed.

23 Okay, Commissioners, we need to make a motion to adopt the
24 recommendations as amended.

25 COMMISSIONER MARQUEZ: I move that we accept the

1 recommendations as amended.

2 COMMISSIONER WATANABE: Second.

3 CHAIRMAN KALALAU: It has been moved and second.

4 Any discussion? We're going to have staff give the rest of
5 the amendment. Because we are in an amendment motion right
6 now, if any one of the Commissioners wants to make any final
7 amendment, because we discussed the trash and some of the,
8 the re-application date. If you guys feel okay with adding
9 that into the motion, if we feel like we want to add in the
10 concerns that was had, that we are just going to move them
11 into this motion now.

12 COMMISSIONER MOIKEHA: So, Mr. Chair, then the
13 question I have is pertaining to what Uilani said. Can that
14 be done or is that just basic miscommunication with
15 whomever? So do you change it from 90 days to 180, or keep
16 on adding?

17 MS. CALLENTINE: That's what I was going to
18 recommend, that you look at amending condition number 3.
19 But I think we need to check and see if the applicant is
20 able to meet that schedule.

21 Rina, could you come and answer that question?

22 Commissioners, I just wanted to point out that
23 since I've been with the Planning Department, this condition
24 number 3 has been added as a standard condition. I don't
25 believe it was a condition in the past. In past the

1 department has had problems with applications coming in so
2 late that we don't even have time to transmit them and the
3 event's happening. In fact, I have one on my desk right now
4 that's like that.

5 So we added this condition to require at least 90
6 days prior, thinking that would give us enough time to
7 transmit it out, to get a report done, and to get it to you,
8 and to get it reviewed at least a month before the event so
9 that you have time to make changes, and so the applicant can
10 adapt to those changes.

11 So this condition, the way it's worded right now,
12 it says, "The applicant shall apply for future permits for
13 proposed events in any Lahaina historic district at least 90
14 days in advance of the proposed event to allow adequate time
15 for processing." So that's a blanket, all events in Lahaina
16 historic districts.

17 So I think you need to think carefully about
18 whether you're going to -- if you are considering amending
19 this, if you are considering amending the requirement for
20 all applications that need to come before you that aren't
21 administrative, 180 days in advance. I don't know what the
22 ramifications would be to the applicant. I guess the
23 department would just adapt to that.

24 But I think you need to craft this condition
25 knowing that you are either crafting it just for this event,

1 or that you are crafting it for all events that Lahaina Town
2 Action Committee applies for in the historic districts.

3 COMMISSIONER MOIKEHA: Mr. Chair, that's why I
4 asked the question as far as communication, if that's
5 something that can be worked out also between them.

6 CHAIRMAN KALALAU: We can do it only for this
7 event.

8 COMMISSIONER MOIKEHA: We can? Usage of
9 Kamehameha Iki Park is cleared through Parks first or are
10 you folks -- and then but the custodial portion as far as
11 care is the Hui O Wa'a Kaulua. To me, it just seems there's
12 a communication problem, and people are not sharing.
13 Somehow they've got to get together, you know.

14 COMMISSIONER FREDERICKSON: It sounds like there's
15 been some communication today, and if it's possible maybe
16 that could improve in the future. I mean if the Commission
17 feels like we should make it a six month, 180 days, we could
18 do it just for this one event. Correct, James?

19 MR. GIROUX: Yes.

20 CHAIRMAN KALALAU: Veronica.

21 COMMISSIONER MARQUEZ: Okay, I'm looking at number
22 three, and the verbiage is that the applicant shall apply
23 for future. Why is "future" in there? If we hema, take out
24 future, and just go that the applicant shall apply for
25 permits. Because if you say future, they're saying okay,

1 today is today, future is next time. So every time is going
2 to be a next time and it's not addressed now. So if we
3 deleted "future" would that help?

4 MS. CALLENTINE: I think that clarifies one aspect
5 of this condition, but I don't think it clarifies the
6 question of whether you want this condition to apply only to
7 the festival of canoes or whether you want this condition to
8 apply only to the Festival of Canoes, or whether you want it
9 to apply to all permits that the application, that the
10 Lahaina Town Action Committee, or any other applicant for
11 that matter, would submit for review.

12 MR. GIROUX: Livit, I just have a concern, because
13 this application is for a specific use. I would be
14 concerned that if a blanket -- I think every permit that
15 comes in front of us should have this clause in it. But to
16 make the applicant responsible for any and all events, I
17 think this is something that the applicant, if they are
18 going to do a lot of activity within the historic area,
19 should be cautioned about.

20 But as far as the condition, we should stick to
21 the application at hand, include that, and as it comes
22 forward the applicant should be aware that this is something
23 that will be put in any other event. That we will be
24 requesting future applications to be done in a timely
25 manner. And we're looking at 90 days as being a reasonable

1 time to review permits.

2 But just to be cognizant that as these permits
3 come in we are going to be putting this clause on each and
4 every permit as it comes in. Because we are not into rule
5 making right now, we're into permitting. And all we have in
6 front of us is a permit. So what we are going to be doing
7 is looking at this, because we have discussed this about
8 other projects, we need time, but because we don't have a
9 rule making process we have to deal with this in our
10 permits. So each permit that comes in we are going to be
11 including this clause hopefully as a standard condition. So
12 just be aware of that.

13 MS. CALLENTINE: So then I'm not sure I quite
14 followed everything you said, James. How would you amend
15 this condition then?

16 MR. GIROUX: My concern is that this clause should
17 probably be at the end of the permit, and that the applicant
18 if reapplying for this permit, it shall be done within at
19 least 90 days advance of the proposed event. And I think
20 you do review these administratively, so what might happen
21 is you get it 90 days in advance, and if there's no change
22 in the permit it's just granted administratively. But there
23 should be that communication with all of the other parties
24 at least 90 days before the event. And for this permit
25 application the county should a least be in receipt of it 90

1 days before the event.

2 So you need to just tailor that. Take out the
3 "any and all." You don't want that broad language. But we
4 do want to be cognizant that any permits coming before us we
5 want to add that language in as they come in.

6 MS. CALLENTINE: So you're suggesting that this
7 condition, the only change be -- you didn't mention future,
8 but did you suggest removing the word "future" and removing
9 the word "any" and leaving the rest of it as it reads now,
10 is that what you're saying, James?

11 MR. GIROUX: I just wanted to make it clear that
12 it's specific for the Festival of Canoes.

13 MS. CALLENTINE: Okay. So you want it to actually
14 say the name of the event in each one of the approvals?

15 MR. GIROUX: Yes, or you can just say "for this
16 permit."

17 MS. CALLENTINE: Okay. Now, you were just talking
18 about 90 days. Is that what the Commission would like to
19 keep the requirement as?

20 CHAIRMAN KALALAU: It's open for discussion for
21 this application.

22 COMMISSIONER HUTAFF: I'm probably going to go a
23 little sideways on you. Get used to it.

24 Rina, okay, Lahaina Town Action Committee is the
25 organizer of this event, quote organizer of this event. Hui

1 O Wa'a and Ke'eaumoku and Uilani are responsible, or have
2 taken responsibility for Kamehameha Iki Park in its care and
3 love and concern, okay. I think what they're concerned
4 about is that it is assumed that they're going to
5 participate or they've taken over the responsibility,
6 regardless of whether anybody has asked them. Had they not
7 cleaned up the rubbish, taken care of the park, it wouldn't
8 even have been done.

9 I think what they're really requesting is that you
10 get with them. They want to do it through the Commission to
11 where we make the stipulation as a permit. But I think that
12 whenever you go into somebody else's area of responsibility
13 you talk story, you ask, you be humble, you respect. Would
14 you give us your word that you would definitely try do that
15 next year much earlier than the 90 days?

16 MS. SAMPSON: I have.

17 COMMISSIONER HUTAFF: You have given your word or
18 you have in the past?

19 MS. SAMPSON: I have contacted them and had
20 conversations with them prior.

21 COMMISSIONER HUTAFF: So we can make it a little
22 earlier so they can be a participant.

23 MS. SAMPSON: Absolutely.

24 COMMISSIONER HUTAFF: Not just a person of
25 responsibility to clean up the rubbish and take care of the

1 land. And they do a lot for the carvers, too.

2 MS. SAMPSON: They sure do, yes.

3 COMMISSIONER HUTAFF: Sorry to go sideways.

4 MS. SAMPSON: It's okay.

5 MRS. KAPU: The reason why I brought that up is

6 because I want the county to notify us in the upcoming

7 permits, just in case anybody on our board has a question on

8 it. Because Rina is just submitting the permit, and I'm

9 just trying to help and assist. And we do have stepladders.

10 The county gets the permit from her. It's the county's job

11 to come and ask us to review, or if we have any comments,

12 because we do occupy. We have been occupying that park for

13 many years, and have not been respected in the way that we

14 should be respected. It's just like we're just bypassed.

15 The county approves so much things that happen in our park,

16 but don't even ask us for comments.

17 So I'm kind of guiding it to the county to be

18 responsible in this venue. We have talked with everybody

19 that has -- well, not everybody, but we've been involved in

20 the Festival of Canoes for many years, so we know the

21 dynamics of it. But we need to be notified earlier, just in

22 case we have any concerns or we need to have something put

23 on the applications permit to just help us, you know, and

24 guide everybody on the right path so everybody is

25 understanding, Lahaina Town Action Committee, Hui O Wa'a

1 Kaulua, county parks, we are being leave out of the whole
2 picture. We just wanted to be added in.

3 COMMISSIONER MOIKEHA: Mr. Chair, so then that's a
4 whole different issue that should be worked out with county
5 parks and with the Hui O Wa'a Kaulua, so noted. I mean we
6 can talk about it, but it's really not our issue now at this
7 point. The county parks needs to be clear to them. They're
8 the custodians, they're actually taking care of place, and
9 they need to be aware of what their needs are, so we can
10 make a note. I think we're shouting loud enough. I think
11 the county hears right now.

12 COMMISSIONER FREDERICKSON: Why don't we as a
13 Commission, I mean if the Commission wants to, request that
14 a letter be drafted and sent to Parks requesting that Hui O
15 Wa'a Kaulua be informed about events that are coming up in a
16 timely manner.

17 MR. GIROUX: I think this is of critical
18 importance. What I would suggest is that we put this on an
19 agenda, and we could actually discuss it more in depth at
20 another session, because it sounds like this may actually
21 entail more than just this permit. So at that time we
22 could, if it's on the agenda, we could actually craft a
23 letter and then send it to the appropriate officials.

24 COMMISSIONER MARQUEZ: Okay, I'm going to add to
25 all your mana'o. Now, county is government. Government has

1 protocols. Maybe the county and all of us should review and
2 revisit protocols so that there are no gaps in
3 communication. Mahalo.

4 CHAIRMAN KALALAU: Thank you. Any more questions
5 for Rina? Okay, thank you. Okay, we still have a motion on
6 the floor. We need to address issue number 3.

7 MS. CALLENTINE: You know, Commissioners, I don't
8 know if this actually would have helped. In this case
9 application came to the Planning Department, and on March
10 24th, which is really less than 60 days. So we had to
11 really scramble to get this ready. And I don't know when
12 the applications went in for the permits for Parks and
13 Police because we aren't normally copied on those. The
14 Planning Department is not copied on those, so we don't know
15 when those went in.

16 But this is about conditions of the Planning
17 Department, so we don't have any penalty or repercussions
18 for not actually meeting this condition. That's just
19 something to point out, what do we do when we say get these
20 in in more than 90 days, and then applicants don't -- and
21 I'm not wanting to pick on the Lahaina Town Action Committee
22 because it happens all the time with other applicants as
23 well, they just don't follow it, and we don't do anything
24 about it, it's the county.

25 So that's something we need to look at. I mean

1 you are not going to deny a permit for the canoes festival
2 most likely because they didn't get their application in on
3 time. So this condition doesn't really have a whole lot of
4 meat to it. I wouldn't put a whole lot of effort into it
5 because there's no enforcement attached to it.

6 But the way that we could reword it for now,
7 unless you want to change the time period, is that, "The
8 applicant shall apply for permits for this event at least 90
9 days in advance of the proposed event to allow adequate time
10 for processing."

11 CHAIRMAN KALALAU: Commissioners, if everyone
12 agrees we can adopt that by consensus. Everyone agrees?

13 MS. CALLENTINE: Then, Mr. Chair, you had a
14 question about you had suggested maybe making this the last
15 condition, and I think it was you, Mr. Chair.

16 CHAIRMAN KALALAU: We can leave it there for now.

17 MS. CALLENTINE: Leave it there. Okay, thank you.

18 CHAIRMAN KALALAU: Now we are back to the main
19 motion. Is there any other concerns? There's no concerns?
20 All in favor say "aye."

21 (A chorus of ayes)

22 All opposed?

23 (None).

24 Motion passed with all the amendments that we did.

25 Okay now, we also have got to do the final vote

1 now.

2 COMMISSIONER MOIKEHA: See, I wasn't clear on
3 that. That's what I was just going to ask. See, you picked
4 it up too, Mr. Chair. So that's what was meant by the main
5 motion then. Then I accept.

6 CHAIRMAN KALALAU: Okay. Before we go on to the
7 next item, I would just like to recognize some people in the
8 audience. We have Ke'eaumoku Kapu here. He was the past
9 Commissioner for the Lahaina area. I just want to thank him
10 for serving on this Commission. And also down here with us
11 today we have our County Planning Director, Jeff Hunt.

12 And Stan, do we have -- and we have some
13 distinguished guests and kupunas from Lahaina, and our
14 long-time citizens that always attend our meetings. We
15 really want to thank you. You guys are the ears and the
16 voices of this community. And with you guys attending these
17 meetings all the time, it's very important that we do get
18 some good criticisms and feedback from the people of the
19 different districts. So far this year we've been down here
20 two times in Lahaina.

21 Okay, before we move to the next agenda item, we
22 are going to take a short break.

23 (Whereupon a brief recess was had)

24 CHAIRMAN KALALAU: Okay, we're re-opening,
25 reconvened. Stan, let's have the next agenda item.

1 MR. SOLAMILLO: The next agenda item is Miss Ruth
2 McKay on behalf of Soroptimist International of West Maui,
3 requesting Historic District Approval for the annual
4 Halloween Keiki Parade to take place within Historic
5 District Number 1 at Banyon Tree Park, Maui tax map key
6 (2)4-6-001:009, Lahaina, Maui. The CRC may approve or deny
7 the request and provide recommendations, and public
8 testimony will be accepted.

9 MS. CALLENTINE: Now it's good afternoon,
10 Commissioners. Okay, as Stan said, this matter is arising
11 from an Historic District Application filed, and the
12 applicant is in the audience right here. It was filed on
13 February 15th, 2008 in order to give us time to process the
14 application prior to Halloween. You had requested, in
15 January when we met on this subject, that all applications
16 be submitted by March 31st, and so the Soroptimist
17 International of West Maui got their application in in
18 plenty of time.

19 So you're considering today the request for
20 Historic District Approval for use of Banyan Tree Park. It
21 is in conjunction with the annual Halloween keiki event held
22 on October 31st of this year. If you could change the next
23 slide.

24 This is just reminding you of your applicable
25 regulations once again. I won't go over them, because we

1 did that earlier. I will just mention for the first time
2 that there will be no commercial activity involved with this
3 event, so you won't be considering that issue. Next slide,
4 please.

5 This is just a photograph of the street with
6 people lining the street waiting for the parade to begin.
7 This is from last year. Next slide, please.

8 This is kind of another scene from the parade. It
9 was fairly sparsely populated last year. There was a lot of
10 room between the kids and their parents and other adults.
11 Next slide, please.

12 So I just got some pictures. As you know, I
13 attended the event last year from about 3:00 pm, maybe 2:00
14 pm, until 1:00 am, taking pictures for the Planning
15 Department. I saw your eyes go up. It was all in the line
16 of duty, I assure you, I didn't enjoy myself at all
17 (laughter). This is just an example of some costumes. The
18 next slide, please.

19 So the Keiki Parade has around going, as far as I
20 can tell from our records, since 1978. And last year and in
21 most years for the last 15 years, at least, the Keiki Parade
22 has been considered in conjunction with the adult portion of
23 the Halloween event. And at your request this year the
24 applications have been separated. Next slide, please.

25 Just another one of the floats. And the next

1 slide, please. So this year the Annual Keiki Parade event,
2 this year the proposed event is similar in scope to last
3 year's event, which was approved by the Cultural Resources
4 Commission without objection. The parade will begin at
5 Papalaua and terminate at Banyan Tree Park, with keiki
6 entering the park from Canal Street.

7 A stage will be erected in Banyan Tree Park, and
8 the keiki will walk across the stage, be introduced by first
9 name, and will receive a small gift as they depart the
10 stage. Front Street will be closed at 3:30 and will remain
11 closed for the duration of parade, which begins at 4:00 pm
12 and ends before dark. In the past two years it is estimated
13 by me that approximately 200 onlookers were present along
14 the parade route and within Banyan Tree Park to cheer along
15 the keiki.

16 The Annual Keiki Parade event does not involve any
17 commercial activity, as I mentioned, so there will be no
18 booths or vendors associated with the event. Soroptimist
19 International of West Maui has contacted the Department of
20 Parks and Recreation to reserve the Banyon Tree Park, and
21 will contact the Police Department for authorization to
22 close Front Street, if they have not done so already. The
23 applicant intends to provide the necessary insurance policy
24 to indemnify the County of Maui, whether the main insured is
25 Soroptimist International of West Maui or the Lahaina Town

1 Action Committee. I think the Soroptimists are intending to
2 procure their own insurance policy, but we can check with
3 them on that. Next slide, please.

4 So the route is shown here, and a couple of
5 landmarks from Lahaina, most notably item number 3, Banyon
6 Tree Park, is shown, which is where the parade will
7 terminate and it will begin at Papalaua. Next slide,
8 please.

9 This is a photograph of the stage and some of the
10 children walking across, and saying their name and doing a
11 little pose as they went by. There was a really great
12 addition to the event last year. The kids seemed to get a
13 really big kick out of it. Next slide, please.

14 On agency comments, the Department of Parks and
15 Recreation indicated that they did not have any comments.
16 They indicated that on March 24th. Also on March 24th the
17 Department of Public Works submitted the following comments
18 via memorandum:

19 Provide traffic control security. That was number
20 1.

21 Number 2. Set up and take down road closure and
22 detour signage, traffic cones, et cetera.

23 3. Publicize parade assembly area pre-parade, and
24 post-parade departure pickup area.

25 4. Clean up any debris caused as a result of the

1 parade along the parade route and dispose.

2 5. If the Lahaina Town Action Committee will be
3 doing some sort of Halloween event in Lahaina on the same
4 day or night, coordinate any joint activities with the
5 Lahaina Town Action Committee and determine
6 responsibilities.

7 And 6. Ensure proper notification of Front Street
8 closure well in advance of the event.

9 Also, another comment came in on March 27th, and
10 this was from the Department of Fire and Public Safety and
11 they had two comments, and they were, The fire department
12 participates with the parade annually and has nor had any
13 problems.

14 2. Remind participants not to throw candy to the
15 crowd to keep children from running in front of parade
16 vehicles.

17 On March 14th the Department of Environment and
18 Management indicated that they had no comments. And, sorry,
19 that was April 14th, not March. April 14th. And then on
20 April 23rd no comments had been received from the Police
21 Department as of April. Actually, as of today no comments
22 have been received from the Police Department. Next slide,
23 please.

24 As of April 30th, the department had not received
25 any letters in support of or against the Halloween Keiki

1 Parade event. Next slide, please.

2 The department's analysis includes the following:

3 That a comparably scoped event has been operated
4 successfully and without major incident since 1978; that the
5 Lahaina Town Action Committee began coordinating the annual
6 Halloween keiki event in approximately 1993; that this is
7 the first year since then that the Soroptimists have applied
8 for, has the Historic District Approval for the planning
9 department. However, they have been obtaining other
10 required permits; four, the annual Halloween Keiki Parade
11 event is a major attraction to residents, and no negative
12 impacts to historic districts are anticipated as a result of
13 this event. And you now have the alternatives before you.

14 Next slide.

15 To approve as presented or with changes; to defer
16 a decision; or to deny the application. And I can either
17 give you the staff recommendation now or after you have had
18 a chance to discuss it. Thank you.

19 CHAIRMAN KALALAU: Thank you. Any questions for
20 staff? If not, we will open this portion of the floor for
21 anyone in the public who wants to testify on this agenda
22 item. Please come forward and state your name.

23 Ruth, you are the applicant, yes.

24 MS. McKAY: Thank you. Prior to LAC becoming a
25 committee, the Soroptimists did, and it was the Historic

1 Commission at that time, we did our own applications. It
2 seem to be duplicating efforts for us to apply for one and
3 for LAC to apply for one, so we discontinued our
4 application.

5 However, we've always applied to the police for
6 our street closure permit, Parks and Recreation for our
7 permits. We provide \$2 million worth of Soroptimists
8 insurance. And we do this in conjunction with the Rotary
9 Club, it's just the guys like the girls to do all work.

10 That's pretty much it. So if you have any questions of me,
11 I'd be happy to answer them.

12 CHAIRMAN KALALAU: Have you had any communication
13 with the Police Department recently?

14 MS. McKAY: Not the Police Department. Parks and
15 Recreation I have a reservation. I usually do the police
16 street closure after I have your approval.

17 CHAIRMAN KALALAU: Okay, thank you. Any more
18 questions? Nani.

19 COMMISSIONER WATANABE: I just have, as I stated,
20 if you could actually provide information about the event
21 coming up to our inter-island ferries, Moloka'i and Lana'i,
22 only because of the road closure. Because people carry,
23 take home toilet paper and paper towels, and I hate to see
24 them carrying it all the way from the parking lot. So that
25 would help out a lot, giving them that heads up that the

1 road is going to be closed because of parade, so they can
2 actually schedule their travel accordingly.

3 MS. McKAY: That would be very easy. I do
4 Expeditions quite a bit over to Lana'i, and I know the
5 Moloka'i ferry, so I've got their contact numbers.

6 COMMISSIONER WATANABE: And then the other one is
7 to hopefully that there's communications with Hui O Wa'a
8 Kaulua.

9 MS. McKAY: We no longer go to Kamehameha Iki
10 Park, because when the hale was built we weren't allowed to
11 use it. So we now go to the banyan tree.

12 COMMISSIONER WATANABE: Oh, okay. Mahalo.

13 CHAIRMAN KALALAU: Erik?

14 COMMISSIONER FREDERICKSON: I have a question.
15 How would you characterize the size and scale of the keiki
16 Halloween event?

17 MS. McKAY: Well, we usually -- we give them
18 goodie bags, and we have ribbons for the participants. And
19 we usually do 500 bags, we usually have about 500, sometimes
20 more, sometimes less. And it's impossible, people throw
21 candy at the participants. I mean we've got marshals that
22 say, "Don't do that," and they just do it anyway. So that's
23 one condition that's really hard to control.

24 COMMISSIONER FREDERICKSON: But the event itself,
25 in terms of qualitatively, is it a real large event or not a

1 really large event? I mean I'm sure the kids appreciate it
2 and everything else, that's not what I'm asking. I'm just
3 curious in relationship to the adult, if you will, Halloween
4 event, how would you characterize the keiki Halloween event
5 in terms of size?

6 MS. McKAY: In terms of size, we're usually done
7 in an hour and a half with the whole parade from start to
8 finish, to giving their goodies. I don't know, we have a
9 lot of people on the streets watching, but it's a family
10 affair. You see mothers with strollers, baby buggies, you
11 see whole families dressed up for the costume parade, so
12 it's a family event.

13 COMMISSIONER FREDERICKSON: Thank you.

14 CHAIRMAN KALALAU: Veronica?

15 COMMISSIONER MARQUEZ: Aloha. Help me understand
16 now, there's a Keiki Parade and then there's a non-Keiki
17 Parade. So are those two related?

18 MS. McKAY: Not at all, not at all.

19 COMMISSIONER MARQUEZ: They used to be?

20 MS. McKAY: Never. We started in '78. We are a
21 community service organization, that's our gift to the kids,
22 the keiki in Lahaina, or from the whole island. And we
23 started it in the seventies, because Lahaina had kind of a
24 drug problem and people didn't feel safe letting their kids
25 go out, and so we provided a safe environment for the

1 children. And it's, like I say, it's a family event and we
2 have never been associated other than them helping us with
3 our CRC permit.

4 COMMISSIONER MARQUEZ: Mahalo.

5 CHAIRMAN KALALAU: Comments? Okay, thank you.

6 We will now have this portion of the floor open to the
7 public for anyone who wants to testify. Come forward and
8 state your name.

9 MRS. KAPU: Hi, Uilani Kapu. I just wanted to
10 make sure I have this correct and on the record. This is
11 just the Keiki Parade, and not the adult parade. And the
12 adult parade has not filed their application as of March
13 31st?

14 MS. CALLENTINE: They have.

15 COMMISSIONER KAPU: So when would they be forward
16 in front of CRC?

17 MS. CALLENTINE: June 6th.

18 COMMISSIONER KAPU: Mahalo.

19 CHAIRMAN KALALAU: Anyone else from the public?

20 MR. WAIOHU: Aloha. (Hawaiian language spoken)

21 The Keiki Parade is all right, it's good, but after that,
22 pau. Never mind about the big guys. The Keiki Parade I
23 really go for it because they are the Kamalii, you know.
24 But for the big people, knock it off, you know, because they
25 drink, suck 'em, up, you know, drugs. You know, Lahaina

1 still get drugs, I know that. Been living here a long time,
2 66 years, that's how old I am, and watching Lahaina town
3 changing and all drugs coming in.

4 You go under the banyan tree, they even sell
5 pakalolo under that. I get one grandson that weaves under
6 there, and they tried to close him down. So he come and he
7 say, "Hey, Papa, that time I cannot weave down there." I
8 tell him, "Okay, tomorrow I go down with you."

9 I go down with him. The cops they come and tell,
10 you know, your grandson want sell. I said, "Who says? This
11 is ceded land. I have the right because I am a kanaka
12 mauoli that live here, you know." That's all I get to say.
13 Thank you.

14 CHAIRMAN KALALAU: Thank you.

15 MR. KAPU: Hi. Aloha again. Ke'eaumoku Kapu.
16 Definitely for the keiki, of course. One major concern, I
17 guess the applicant came in, came forward to the county on
18 March 31st, I'm to believe, to file for application, the
19 adult festival?

20 MS. CALLENTINE: The keiki application came in in
21 February. February 15th, I think I said. The adult portion
22 came in by March 31st. I think it came in before March
23 31st, but I don't have that information with me right now
24 because that's not what's being considered at this time.

25 MR. KAPU: Well, I don't want to construe this

1 so-called Cultural Resources Commission with an item that's
2 not been placed on the agenda, but it has a lot to do with
3 the so-called Keiki Parade. It has been sort of affiliated
4 to the opening of the Keiki Parade, and all of a sudden the
5 madness starts after that.

6 If the constituents from the march, which
7 basically we are talking about the same event over here,
8 don't get me wrong, has filed an application for March, then
9 I want to make sure that all public organizations, entities
10 within this town have due notice pertaining to when they
11 will be coming in front of the Cultural Resources Commission
12 for comment. And, well, I guess that's it. Mahalo, thank
13 you.

14 CHAIRMAN KALALAU: Okay, questions, comments?
15 Anyone else from the public?

16 MS. YOLANDA DIZON: Aloha, Yolanda Dizon. I'm
17 totally in support of the keiki, which for the parade, you
18 know, no doubt about it, it is for the babies. But like
19 Ke'eaumoku said, it's almost kind of da kine, because it's
20 almost like together, yeah, it banks off into the adult. I
21 don't know if it's going to be happening in June, I guess,
22 before CRC. So but it's kind of, it's like right there
23 after each other. So but like I said, you know, for the
24 keiki, maikai. Mahalo.

25 CHAIRMAN KALALAU: Thank you. Anyone else?

1 MS. NISHIYAMA: Aloha. My name is Patty
2 Nishiyama, Auntie Patty Nishiyama. I'm with Na Kupuna O
3 Maui. We support the Keiki Parade, absolutely. But the
4 adult parade, no. So we've seen the parade with the adults
5 involved, and it's (Hawaiian language spoken). So we're
6 here to stop the adult parade. Mahalo.

7 CHAIRMAN KALALAU: Thank you. Anyone else? Okay,
8 seeing that we have no one else from the floor, we will now
9 close the floor. Commissioners? Veronica?

10 COMMISSIONER MARQUEZ: Aloha. It's interesting to
11 note that, makai now, that you folks are for the Keiki
12 Parade. I understand the a'ale part, but that's another
13 matter. It's interesting to note the mana'o that even
14 though this mana'o is a non-Hawaiian host cultural activity,
15 it is acceptable by people. Maikai.

16 CHAIRMAN KALALAU: Comments, concerns? Ray.

17 COMMISSIONER HUTAFF: Yes. Ruth, your application
18 indicates that part of Front Street will be closed at a
19 certain time. When do you release it to be open again, what
20 time is it going to be open again?

21 MS. MCKAY: I really don't have anything to do
22 with that. Our parade is from 4:30 on. The police close it
23 sometimes at 3:00 sometimes at 3:30. When they reopen it, I
24 don't know. I mean if they want me on my application to say
25 reopen at 5:30 or 6:00 I can certainly do that, but it's

1 never been a question before.

2 COMMISSIONER HUTAFF: I think that there should be
3 personally a time limit for the Keiki Parade to make sure
4 that they have enough time to enjoy the event and make us
5 all laugh and giggle at their costumes. But then again, I
6 think it's also important that the event have an end time, a
7 very specific end time as far as opening the road. I think
8 that's very important for the upcoming applications, that we
9 have an end time for your event.

10 MS. MCKAY: I'll go back and refer to my notes
11 other the years. I know we tried to make it 5:00 one time,
12 and it was dark by the time we were finished, and that was
13 unacceptable. Our whole premise is to keep the kids safe,
14 in a safe environment. So I will, I'll think it over and
15 put a time limit, and ask the police for our portion of it
16 to close the -- to open the street after that.

17 COMMISSIONER HUTAFF: Maybe the way to look at it
18 is that it's going to be the only portion there is. So
19 therefore, coming up with an end time, one that's
20 satisfactory to you and keeping the kids safe I think would
21 be very important at this point.

22 MS. MCKAY: I'll certainly do it. I do have to
23 consult my notes. I said an hour or an hour and a half. I
24 think that's as accurate as I can be. So I would say if
25 they close it, well, that's up to them when they close it.

1 My closure, my use is from 4:30 to 5:30. And I realize that
2 there were large gaps in the parade last year, and that
3 again comes to people throwing candy at the kids. They stop
4 the parade and pick up the candy. So I guess what I'm
5 saying is we need more marshalls to keep the kids moving,
6 and we can stick to a time schedule.

7 COMMISSIONER HUTAFF: I suggest you make it wide
8 enough so that you have the time that you need and then
9 some, but just having an end time is important.

10 MS. McKAY: I'll right now say 6:00, and it may be
11 a little before or a little after, but that's reasonable.

12 CHAIRMAN KALALAU: Just negotiate it with the
13 Police Department, because they're the ones who usually
14 close the road. You know, you might say the event starts at
15 6:00, but they might close it at 5:30, you know what I mean.
16 Because it gives them time to set up the road closure signs
17 and stuff like that, and even to take them down. So I think
18 just it's best to try to get one exact time with working
19 with the Police Department.

20 MS. McKAY: Thank you, I will.

21 CHAIRMAN KALALAU: Any more questions? Nani.

22 COMMISSIONER WATANABE: And this kind of helps,
23 like I said, in the interisland ferries, because people can
24 actually schedule on their either departing Maui or coming
25 back from Lana'i or Moloka'i back to Maui. So that will

1 help out a lot.

2 MS. McKAY: Great. I'm glad you suggested it,

3 it's a great idea.

4 COMMISSIONER WATANABE: I've been there where I

5 had to carry all my bags all the way to Burger King, and it

6 was trauma. No, no. And I was coming back from Lana'i.

7 Then the other thing, throwing of candy, I know how that can

8 happen, because at one of my events I specifically said do

9 not throw candies. People have been in compliance. But

10 unfortunately this one individual threw candy, and he was on

11 a horse, and a child actually ran out and got really close

12 to the horse. So I think you have to enforce it. People

13 have to understand it's for the safety of the children,

14 basically.

15 MS. McKAY: Right. And maybe I can get the

16 Lahaina News. Last year they wrote an editorial for me

17 saying this is a family affair. You know, if you are not a

18 family, please stay away. And so I can get the Lahaina News

19 to do that for us.

20 And we try to space, like we have the fire engine,

21 we have some vehicles with some dignitaries in them, and we

22 try our very darndest to keep them away from the children.

23 We will have the band in between. They're more adult,

24 they're Lahainaluna age. And we will use them to space

25 between the cars and the children themselves. So we want

1 any suggestions to make this a safer parade. We welcome
2 them.

3 CHAIRMAN KALALAU: Veronica.

4 COMMISSIONER MARQUEZ: Aloha again. So during the
5 parade if it's in black and white that nobody should be
6 throwing these candies, however somebody throws the candies,
7 let's say the participants. Question: Then what are the
8 consequences?

9 MS. McKAY: I don't know that there's any
10 consequences other than it just spaces the parade way out.
11 If you have a group of children running to grab candy that's
12 been thrown from some restaurant, the second floor
13 restaurant, say, I can't go after those people, and they're
14 throwing candy out. The kids stop the parade. Candy is
15 more important to them than keeping spacing.

16 COMMISSIONER MARQUEZ: So you're saying -- then
17 maybe I'm confused, but it's not the first time. So you're
18 saying it's the audience that's throwing the goodies to the
19 participants?

20 MS. McKAY: Yes. And there are establishments
21 along Front Street that provide the candy for the audience.

22 COMMISSIONER MARQUEZ: I'm getting there, but I'm
23 sure others have something to say.

24 COMMISSIONER FREDERICKSON: I have kids and
25 everything, and at this point though we're trying to deal

1 with the historic district stuff. And whether or not
2 somebody is throwing candy, I mean that's really not our
3 kuleana.

4 CHAIRMAN KALALAU: No, but because it could cause
5 a tragic incident, you know. It's part of our kuleana to
6 make sure that it is safe.

7 COMMISSIONER FREDERICKSON: How do you assure it?

8 CHAIRMAN KALALAU: No, but what we're trying to
9 see here, I think it really comes down to each and
10 everyone's responsibility, you know, to make sure that these
11 kinds of incidents don't happen in a drastic way.

12 MS. McKAY: Well, since we have been doing it
13 since 1978, and we have had no problem other than the
14 children halting the parade at certain points, there has
15 been -- we've had no accidents. No near accidents, either.

16 COMMISSIONER FREDERICKSON: I have a question for
17 you. You said a little earlier that some establishments,
18 commercial establishments, are allowing people to throw
19 candy onto public property, and therefore creating potential
20 danger. Well, in the historic district if you are doing
21 something like that from private property, commercial
22 property, is that something that we can address?

23 MS. McKAY: It's already against county
24 ordinances. There's already an ordinance that says you
25 can't do that.

1 CHAIRMAN KALALAU: But what I understand, what
2 you guys trying to say, because everybody goes out and buys
3 tons of packages of candies for trick or treating for the
4 kids. And this is what establishments do, they have bags of
5 candies to give the kids. I think maybe the establishments
6 should make little bags for like you guys just come out and
7 give the bags and stuff. But it's also a concern because it
8 will slow the parade down and take it longer. If all the
9 establishments on the sidewalk giving out packages, then
10 your parade will never end.

11 MS. McKAY: Well, I'm a volunteer, I'm not paid to
12 do this, and I would offer to write to all those
13 establishments, but that's quite a job. My suggestion is
14 just to put it in the Lahaina News and reiterate there's a
15 county ordinance against throwing candy to anyone. Not just
16 the keiki Halloween parade, to anyone.

17 COMMISSIONER WATANABE: And I think one of the
18 things they should do is wait until the end of the parade
19 and go to the park and hand out those candies to the kids,
20 and they can send a representative from their business.

21 MS. McKAY: That's a good idea.

22 COMMISSIONER WATANABE: Or they could give it to
23 you.

24 MS. McKAY: Right. I know Hard Rock, and they're
25 not even really on our parade route, they provide bags of

1 candy for us to give to the children. So that's a very good
2 suggestion. Maybe we can put that in the Lahaina News too.

3 COMMISSIONER WATANABE: Good luck.

4 MS. McKAY: Thank you.

5 CHAIRMAN KALALAU: Okay, any more questions,
6 comments? Commissioners, are we ready to move on this item?
7 Let's have staff give the recommendations first from the
8 department.

9 MS. CALLENTINE: The Department of Planning
10 recommends that the Cultural Resources Commission approve
11 the request to hold the annual Halloween Keiki Parade event
12 in Banyan Tree Park, Lahaina, to be held on October 31st,
13 2008, subject to the following conditions:

14 And then these, again, are the same conditions
15 that we went over in the first application. However, I
16 would suggest that we amend condition number 3, which is
17 shown on page 5 of your report, to have it read similar to
18 the one we amended before that, "The applicant shall apply
19 for permits for this event at least 90 days in advance of
20 the proposed event to allow adequate time for processing."

21 So unless you want me to read all the conditions
22 again, I will leave it at that. Commissioners, if you have
23 any questions.

24 COMMISSIONER MOIKEHA: Mr. Chair, question on
25 that. So this past year what did we do, we had them --

1 they had to apply by the 31st of March. We did something
2 which is way, way ahead of that. So what exactly did we do?
3 I can remember.

4 MR. GIROUX: Yes, just as a refresher, I think I
5 had the same lecture I had before. But basically what we
6 did before, Ann Cua and I got together, and what we tried to
7 do is look at all the legal ramifications in trying to
8 create something that wasn't a rule, but not in the permit.
9 And what we decided is if we ran it in the paper that pretty
10 much gave public notice to anybody who was going to do any
11 events in historic area to please, especially for Halloween,
12 to get their applications in by a said date.

13 So we did that, and we also tried to give actual
14 notice to people who had permits in the past, to let them
15 know that we were very concerned about the timing of the
16 permits, and that we wanted people to give this board enough
17 time to review those types of permits. So we tried to do
18 that kind of in an ad hoc way, because we saw what had
19 happened the year before when we got a permit, and there was
20 questions and there wasn't really an adequate time to
21 address those issues.

22 So working with the Planning Department what we're
23 trying to institute now is that just if we can get this type
24 of language into each and every permit that comes in front
25 of us, then we're going to get all of the users, because

1 they're going to have to come back every year. And at least
2 there will be some systematic way that we can assure that
3 the board gets the information they need in a timely
4 fashion.

5 CHAIRMAN KALALAU: Okay, any more questions? So
6 are we ready for a motion?

7 COMMISSIONER MOIKEHA: I make a motion that we
8 accept the request on behalf of the Soroptimist
9 International of West Maui requesting Historic District
10 Approval for the Annual Halloween Keiki Parade to take place
11 in Historic District Number One at Banyan Tree Park, and as
12 amended.

13 CHAIRMAN KALALAU: Than you. Do I have a second?

14 COMMISSIONER FREDERICKSON: Second.

15 CHAIRMAN KALALAU: Okay, that's been moved and
16 second. Any more discussion?

17 COMMISSIONER HUTAFF: Small question. Item number
18 three. You are going to change the 90 days to March 31st,
19 is that what I understood you are going to do, or we're
20 going to do that?

21 MS. CALLENTINE: No. The March 31st date was,
22 let's see, we had a review of the entire Halloween event in
23 January of 2008, and at that time the Commission requested
24 that the department notify the public that any applications
25 for Halloween 2008 would be submitted by March 31, 2008.

1 COMMISSIONER HUTAFF: So what about 2009?

2 MS. CALLENTINE: Well, 2009 it's 90 days in
3 advance. That's the way the condition reads right now.

4 COMMISSIONER HUTAFF: Okay. So I don't know how
5 to actually do this, but I'd like to see number 3 amended
6 for next year to say by March 31st, 2009, not the 90 days.
7 90 days puts it up into August, July. I think this is a
8 good amount of time to address any problems, having it put
9 in by March 31st, like we're doing now. If we leave it at
10 90 days, by the time we get it it's 30 days out, 60 days
11 out, 45 days out. Can we amend that, how do we do that?

12 CHAIRMAN KALALAU: A motion.

13 COMMISSIONER HUTAFF: I make a motion that we
14 change item number 3.

15 CHAIRMAN KALALAU: Motion to amend.

16 COMMISSIONER HUTAFF: That item number 3, that the
17 applicant shall apply for future permits for proposed events
18 in any Lahaina Historic District by March 31st of the
19 previous year or not? I'm not sure. You know what I'm
20 trying to say.

21 COMMISSIONER FREDERICKSON: Okay, I think we need
22 to be real specific. It's only for this event, that's the
23 Keiki Halloween Parade by March 31st, which is what Ray had
24 mentioned. But I think we should make it so it's specific
25 only to this, so it doesn't open up a can of worms for all

1 other permits, et cetera, et cetera.

2 CHAIRMAN KALALAU: But actually in January when
3 we did it we did it just for the Halloween portion, whether
4 it was the keiki or the adult portion.

5 COMMISSIONER FREDERICKSON: But we were only
6 talking about the keiki portion for this permit so --

7 CHAIRMAN KALALAU: But then if we are going to
8 make an amendment on the -- what she's saying is then you're
9 saying that it's going to open --

10 COMMISSIONER FREDERICKSON: No, I'm just saying I
11 agree with what Ray is talking about. I just think we
12 should make it specific to just this permit, the Keiki
13 Halloween Parade.

14 MS. CALLENTINE: Let me make sure that -- let me
15 make sure that I was clear when I read this condition. I'll
16 amend it the way that Ray just suggested, so you can decide
17 if that's what you want. That "The applicant shall apply
18 for permits for this event by March 31st of the year the
19 event will occur, to allow adequate time for processing."

20 COMMISSIONER HUTAFF: You made me sound real good.

21 CHAIRMAN KALALAU: Kalei.

22 COMMISSIONER MOIKEHA: You know, Mr. Chair, I
23 think I made the recommendation, and the reason being that
24 it gave us -- the reason why I made the recommendation
25 wasn't because of the Keiki Parade, it's just that we need

1 more time to discuss what comes after the Keiki Parade. In
2 essence, it's going to be interesting to see what happens
3 next month. It's going to be interesting to see what
4 happens in October.

5 And then it will give us an opportunity either to
6 meet in November or December once again, or January if
7 necessary. And those recommendations come about again,
8 whatever is going to occur. But that's the history, that's
9 why it came about. Because it's not so much the keiki
10 stuff, it's what occurs after.

11 COMMISSIONER HUTAFF: I've actually read all the
12 meeting notes for the last three years, and heavy.

13 COMMISSIONER MOIKEHA: My question would be to
14 James. Then we'd have to go through the whole -- you would
15 have to go through the same thing again, go in the paper and
16 all those things again if we do this now?

17 MR. GIROUX: No, no. Basically what we're doing
18 is we're catching the end user. I think the Soroptimists
19 will probably carry this on into the future, and it's their
20 permit. And now it's in black and white, and they know that
21 procedurally this is the date that they would need to get
22 their permit into us. And if there's no expansion of their
23 permit in the use, they may not need to come in in the
24 future unless there is a problem and the Planning Department
25 starts getting complaints, then that will be date that we

1 would expect their permit to be in. So it's just for their
2 permit. They're given a clear date when they need to get
3 moving on the paperwork.

4 CHAIRMAN KALALAU: Veronica?

5 COMMISSIONER MARQUEZ: That's why it's logical
6 here that we go permit by permit. So what we're saying in
7 this mana'o applies only to this permit, yes?

8 CHAIRMAN KALALAU: Yes. Okay, we had a motion
9 and we had an amended motion and we need a second.

10 COMMISSIONER FREDERICKSON: I'll second the
11 amended motion.

12 CHAIRMAN KALALAU: Okay, final discussion? We
13 have none. All in favor say "aye."

14 (A chorus of ayes)

15 All opposed?

16 (None)

17 Motion passed.

18 Okay, and then now we go back to the main motion
19 as amended. Is there any concerns? All in favor?

20 (A chorus of ayes)

21 All opposed?

22 (None)

23 Motion passed.

24 MS. CALLENTINE: Mahalo.

25 CHAIRMAN KALALAU: Okay, Stan.

1 MR. SOLAMILLO: Under Item 2, Advisory Review.
2 Mr. Keoki Freeland on behalf of Lahaina Restoration
3 Foundation requesting comments on the proposed adaptive
4 reuse of the Pioneer Mill Company smokestack, located at 300
5 Lahainaluna Road, a portion of TMK (2)4-5-009:07, in Lahaina
6 Maui. The CRC will review the request and provide
7 recommendations, and public testimony will be accepted.

8 The Pioneer Mill Company smokestack is the last
9 physical remnant of the Pioneer Mill sugar central that
10 operated from 1862 through 1999, and was demolished in 2006.
11 The factory was located at 300 Lahainaluna Road, and the
12 concrete chimney replaced three steel stacks that had been
13 in use for two decades. In addition to the factory, this is
14 one of the few projects that was built by Pioneer Mill that
15 actually received an intense amount of photographic
16 coverage. For some reason, because it was built out of
17 concrete, the actual construction was documented by
18 photographers, and the smokestack actually followed four
19 other major projects that the company built in concrete as
20 an exclusive use of the material they included the Pioneer
21 Mill Company office, which was built in 110, the Lahaina
22 Store, which was built in 1916, the machine shop, which was
23 built in 1920, and a garage, which was also built in 1920.

24 This chimney, as it's called, the smokestack was
25 225 feet in height, built adjacent to the boiler house. It

1 was designed by the Heine Chimney Company of Chicago,
2 Illinois in 1927, and erected in 1928.

3 For the views that I am doing to go through in a
4 few moments, I want to thank Kaanapali Development Company,
5 LLC, because they found them and actually collected them.

6 The other thing that I think should be important
7 to note is that the community was fairly adamant that
8 Pioneer Mill be torn down. Equally adamant were the members
9 of the community that the smokestack remain. And part of
10 the reason was it was a landmark for people who, either
11 being fishermen or were traveling by boat to Lahaina, they
12 could see it. It was also something that they recognized at
13 night. And since actually the demolition of Pioneer Mill,
14 it's the last remnant of the mill.

15 This is an early view that shows Pioneer Mill with
16 three metal stacks, and it's operating probably in the early
17 1900's. The location for the smokestack was adjacent to the
18 boiler house. This shows actually the reinforcing rods that
19 were put into place, and a couple of unidentified Japanese
20 workmen standing there.

21 After the pour of the foundation, you can see the
22 reinforcing rods that were going up to form the body of the
23 stack itself. This is a picture of Manager Caleb S. Burns
24 standing at the base of the smokestack, and you can get some
25 indication of just how large the foundation was in relation

1 to the stack itself.

2 The form work was actually, when they began doing
3 the shaft, it's metal casons, and these were raised as soon
4 as the concrete below it cured so they could continue up the
5 length of the shaft during construction process. This is a
6 view of the steel casons in place after probably the first
7 portion of the shaft has been poured and cured.

8 Another shot after the casons have been raised.
9 And they continued in that process, and that's how you got
10 these ribs established, these horizontal lines in the actual
11 concrete shaft, for a total height of 225 feet. This is
12 nearing completion. The arched opening is actually from a
13 metal flu that went to the boiler house. This completion of
14 the cap, which was all concrete, and we had a decorative
15 ribbed cap at the top. This is after the smokestack has
16 been completed. One of the metal stacks is still in use.
17 They've begun at this point, so this is probably in 1928, to
18 take the first of the three metal stacks down.

19 This is a photograph taken of some of the workmen
20 who worked on the project, and Caleb S. Burns with some
21 management. And I think the short fellow there is actually
22 the guy who was from Heine Chimney Company, who supervised
23 the construction.

24 Sometime in the 40's the smokestack was painted a
25 darker color. I don't know whether it was green or grey.

1 And actually I'm just showing you the location. So the
2 dashed red circle is around the actual stack, which in
3 relationship to the rest of the mill is pretty small.

4 At this point I'm probably going to ask the
5 applicant to come up and go over their slides.

6 MR. FREELAND: Good afternoon, Commissioner. My
7 name is Keoki Freeland. I'm with the Lahaina Restoration
8 Foundation. To begin, I just want to give you a little
9 background on this subject, how it all started. It's been
10 about two years ago when the top 14 feet was being
11 demolished, it made the front page of the Maui News. There
12 was a big outcry from the community. And the landowners
13 were asked to come in front of the Cultural Resources
14 Commission to explain their actions.

15 At that hearing the Lahaina Restoration Foundation
16 stood up and said that we were willing to restore the stack
17 and maintain it, provided we could get a lease for the
18 property. And with that, the Commission was somewhat
19 satisfied that something like this could take place. But we
20 now have a lease. It's taken a while to get there. At
21 first we made very little progress, but I do want to
22 recognize a person that came on board for the landowners,
23 and his name is Howard Hanzawa. Until Howard came on board,
24 we weren't moving very far as far as getting a lease. But
25 Howard was very instrumental in working with us to get us a

1 lease that we could live with. And it was very difficult,
2 because he had to work with the so-called owners in Chicago.
3 But now we have a lease that we can live with, and we're
4 very happy with that. So we'd like to proceed with what we
5 talked about, and that was to restore the stack and maintain
6 it. So I wanted to present to you what our plans are, and
7 this is part of the permitting process. Once we get the
8 permit, we can proceed. We are very fortunate that there is
9 a chimney company that we're working with as far as
10 restoring the stack, and the name of the outfit is called
11 Oak Park Chimney Company. They're out of Chicago.

12 Now, they had purchased the company that built
13 this smokestack in 1928, and they actually have the actual
14 drawings for the smokestack. So talking with them, they
15 can restore the top 14 feet exactly the way it looked in the
16 past. We are not fooling around with maybe this or maybe
17 that, it's actual restoration to exactly the way it was.

18 And I'm very impressed with these guys. I do have
19 a copy of this for you folks to see what the top 14 feet
20 would look like. But this is, of course, is an artist's
21 rendition, but it is exactly what it would look like.

22 Now, those guys are going to restore it exactly
23 like the way you see there, plus they're going to fix up the
24 rest of the stack, which actually has been stabilized for
25 now. They've got metal straps around it, but they're going

1 to resurface the outside to preserve the concrete, and
2 actually cap the top of it so that moisture and stuff cannot
3 get down the stack and deteriorate the stack from inside
4 out.

5 These guys are really sharp, and they're just
6 amazing at what they can do. They've restored stacks like
7 this, and even more difficult ones, over 1,000 of them
8 throughout the country. So they know what the hell they're
9 doing. They're really sharp, and they're very impressive.
10 I watched the guy go up the stack by screwing a ladder piece
11 by piece. It didn't take him very long, and the ladder is
12 just this wide, and he's 200 feet up in the air in no time.

13 I go for lunch, I come back, and he's got a
14 platform built on the top of it. And they're running around
15 there like a bunch of monkeys. And then they whack off the
16 top 14 feet, which upset everybody. But they can put it
17 back. They really know what they're doing. So we're very
18 impressed with that.

19 Let's move on to the next slide. This is how the
20 stack looks at the present time. You have seen pictures of
21 this on the slides earlier. As I said, the stack is very
22 stable right now, they've put metal straps around it and
23 whatnot. But what do we intend to do with it? Besides
24 restoring the top 14 feet exactly the way it was, we want to
25 do this.

1 So the stack would be restored, and we will kind
2 of make a small museum out of it. First of all, we want to
3 build a kind of a wall, as you can see down on the bottom
4 over there, a wall going around the stack and on the base
5 there. Now we also would like to put interpretive plaques,
6 like this. You can see them around there. And these
7 plaques will be telling the story about the plantation, you
8 know, the history and whatnot, the people that were
9 involved, and so on and so for.

10 The wall would be -- the material used for the
11 wall will be plantation cut stone material that you find in
12 the pictures that are still out there. And I've talked to
13 the landowners about getting that cut stone, and they've
14 cooperated with us so far on that.

15 So that's basically what we want to do. We only
16 have 1800 square feet in our lease, but they are giving us a
17 parking area where visitors can come and park, and then come
18 into the site and check it out. Now, of course there will
19 be a little bit of sugarcane planted there, relatively small
20 to that stack. But that's it. Are there any questions?

21 CHAIRMAN KALALAU: Keoki, you know on this photo
22 here, about where is the 14 feet? I mean, you know, is the
23 whole cap the 14 feet?

24 MR. FREELAND: The 14 fee is about from where
25 these diamonds are, up.

1 CHAIRMAN KALALAU: Okay. Questions, comments
2 Commissioners? So are they already doing work for
3 restoration?

4 MR. FREELAND: Not until I get my permits. No
5 sense they working, I can't do nothing.

6 CHAIRMAN KALALAU: Erik?

7 COMMISSIONER FREDERICKSON: Keoki, the rendition,
8 the artist's conceptual there, is that the final color of
9 the stack?

10 MR. FREELAND: No. We are going to maintain the
11 present color that's out there right now, which is kind of a
12 tannish brown.

13 CHAIRMAN KALALAU: If we don't have any more --

14 COMMISSIONER FREDERICKSON: I just have a nuts and
15 bolts question regarding how are you folks going to fund
16 everything?

17 MR. FREELAND: Okay.

18 COMMISSIONER FREDERICKSON: It's a great idea, and
19 I'm totally in support of it.

20 MR. FREELAND: The estimate at the present time,
21 and this is not a final estimate, but the ballpark estimate
22 is over \$300,000 to do what we are talking about. We
23 actually have the money available at the present time, but
24 we are going to fund raise once we get the go-ahead.

25 And what we intend to do is people who donate,

1 maybe want to buy a brick, like the old timers, you know,
2 with their names and stuff on there. If you throw in a lot
3 more money you get maybe a bigger stone or a plaque. But
4 that's the idea. We do have the money to do it, but we are
5 going to fund raise to get the community involved. And
6 those that are willing to donate some money, we are willing
7 to put their name up there.

8 CHAIRMAN KALALAU: Any more questions,
9 Commissioners?

10 COMMISSIONER FREDERICKSON: I have one more. When
11 do you anticipate, once you get your permit and everything,
12 about how long it's going to take to get the cap and
13 everything complete, once you have permits in hand?

14 MR. FREELAND: I don't have an exact date for
15 that, but talking with these guys, it's just a matter of
16 months and they will be all done. These guys are amazing,
17 just fantastic.

18 COMMISSIONER FREDERICKSON: It sounds like they've
19 had a lot of practice with 1,000 or so restoration projects.
20 That's incredible.

21 MR. FREELAND: What makes it really good is that
22 they do have the actual drawings, and it makes it easy for
23 them.

24 COMMISSIONER FREDERICKSON: That's almost unheard
25 of, to actually have the original drawings, and it's a

1 company that absorbed the original company that did the
2 construction.

3 MR. FREELAND: Exactly.

4 CHAIRMAN KALALAU: Any more questions? If not,
5 thank you, Keoki. You know, on this restoration, is
6 anything going to be done in the interior?

7 MR. FREELAND: Of the stack? They'll just have it
8 stabilized. But like I said, they'll seal the top plus --
9 hang on, hang on. This is where the smoke went in from the
10 boilers. We have to seal this as well. And this part is
11 really easy, but sealing up there, that's their job. The
12 local guys can do this one.

13 But yes, I can't tell you exactly what kind of
14 material, but they have material that will seal it and
15 preserve it, not only to keep moisture out, but especially
16 the interior. That's why they want to cap it and seal the
17 input flu area. But the exterior will also be treated with
18 special stuff that they use all time so the concrete won't
19 deteriorate.

20 COMMISSIONER FREDERICKSON: Is there going to be a
21 light?

22 MR. FREELAND: Yes, there is a light up there now,
23 and that's a requirement. So when they put the new cap on,
24 the light gets moved up. Now I don't have any pictures of
25 this, but there is a question that I've been asked many

1 times now over the past two years, and that is, are we going
2 to put the star back. At the present time we don't have
3 plans for that, but if the community really wants it, we
4 will look into putting the star back.

5 CHAIRMAN KALALAU: Where was the star?

6 MR. FREELAND: The star was at the very top. At
7 the very top you had one star on one side facing the Olowalu
8 direction and another star facing the Kaanapali direction.
9 And when I say "we" that's when I was with the plantation.
10 But the star was lit during the Christmas period.

11 COMMISSIONER FREDERICKSON: When did that first
12 start?

13 MR. FREELAND: 1993 the star, that was the first
14 time we put it up, and it stayed there until 1999. It's a
15 bear to keep that thing running. Somebody has got to go up
16 there once a year and maintain those lights.

17 COMMISSIONER FREDERICKSON: It's not part of the
18 original structure or anything?

19 MR. FREELAND: No. That's why our plans are to
20 retain it, restore it, and maintain it the way it was
21 originally. But I'm just bringing forth to you that I keep
22 getting this question from community, are we going to put
23 the star back. We don't have any plans to put the star
24 back, but if everybody or the majority of people want it,
25 including the Commission, we will look into that.

1 CHAIRMAN KALALAU: Okay, thank you. We are now
2 opening this portion of the floor for anyone in the public
3 who wants to comment on this agenda item. The floor is now
4 open.

5 Please state your name.

6 MR. WAIOHU: William Waiohu, Jr. You know, Keoki,
7 when we had one meeting down at the church I told them for
8 broke 'em down, knock 'em down, because doesn't make sense
9 you broke the building down then you keep the smokestack at
10 that time. But now I hear my friend over there like the
11 smokestack. But you know what you guys got to put, one
12 automatic, you know, smoke coming out of the smokestack
13 (laughter.)

14 You know, that would show, you know, the original
15 of Pioneer Mill that you know Pioneer Mill went screw us
16 Hawaiians up, Pioneer Mill. That is a good, you know,
17 monument to show how pilau Pioneer Mill was. You know, they
18 took all our water, they took our land. No enough they like
19 this smokestack stay. Well, it's a good intention, you
20 know, because this one going remind all the Hawaiians, hey,
21 what Pioneer Mill did. Today we Hawaiians we got to fight
22 for our water, you know, and yet we still don't own the land
23 because of the Supreme Court. Sorry, huh. I like your
24 idea, but before I like knock 'em down, get rid of it. But
25 now you get one da kine, put one da kine, automatic smoke

1 come out. No close the top, you close the top what is that,
2 you know. To me, I ask one reminder for the Hawaiians,
3 remember what the plantation did. Even Hana get that mill
4 still yet, that smokestack still yet. That smokestack going
5 remind the Hawaiian people how the plantation treat the
6 Hawaiians.

7 CHAIRMAN KALALAU: Thank you. Questions, anybody?
8 Anyone else from the public who wants to come forward and
9 testify?

10 COMMISSIONER KAPU: Ke'eaumoku Kapu. I figured I
11 had to follow up, because I'm the next generation that's
12 going to have to be affected by this, and the words of
13 witness come from our kupuna based upon what that smokestack
14 is always going to remind me of. I think it has some
15 cultural value to it, and the cultural value would have a
16 lot to do with our fishermen out there. They would
17 definitely benefit. I know a lot of divers today, they use
18 that as a landmark when they go diving and stuff like that.
19 So definitely in that realm sustainability and fishing and
20 diving. And even the charters, a lot of the boats that go
21 out there, they use that as a site plain as pertaining to
22 where the fishing grounds is. So it definitely is
23 beneficial today.

24 But in my closing comment I would just like to add
25 a little bit you know ha'a ha'a to this, based upon letting

1 everybody know that lao Valley, that's the kane. This side,
2 this needle, is the mahu. The wahine is on the west and the
3 kane is in the east. Thank you.

4 CHAIRMAN KALALAU: Okay, Keoki.

5 MR. FREELAND: I just want to say, you know, the
6 plantation did some good things but they also did some bad
7 things. And these interpretive plaques I talk about putting
8 around the stack, we need stories especially that you can
9 contribute, and I'm serious about that. I'm not talking
10 about only putting the good stuff, we are going to put the
11 bad stuff too, but we need your input as well.

12 COMMISSIONER WATANABE: Aloha, Keoki. I'd like to
13 say this is a good example of how important it is to restore
14 and preserve something that has history. And I hope that
15 this can be an example for the other islands to learn by,
16 because history is what keeps our island going. And like
17 with Uncle. And you're right, you need to put the exact
18 true story about how people survived on our islands.
19 Mahalo, and good luck in your endeavor.

20 CHAIRMAN KALALAU: Keoki, do you have a comment
21 about William's idea about making smoke come out every once
22 in a while?

23 MR. FREELAND: No, we have not. But, you know,
24 it's a good suggestion. I think it's possible. We will
25 look into that.

1 CHAIRMAN KALALAU: On the anniversary, every
2 anniversary.

3 MR. FREEMAN: I'll talk to those chimney guys, I'm
4 sure they can figure out something.

5 CHAIRMAN KALALAU: Okay, Commissioners, any more
6 comments or concerns? Anybody else before we close the
7 floor? Okay, the floor is now closed for public comments.

8 Stan, do we --

9 MR. SOLAMILLO: I have to read you my
10 recommendations. Probably one comment. I need to applaud
11 Keoki Freeland, as well as the person who I can't remember
12 your name, who helped you actually get some agreement with
13 the company in getting this project forward, because it's --
14 Mr. Hanzawa, Howard Hanzawa, because it took a long time,
15 and we're finally at that point. And also for Chris Hart
16 and Partners, who prepared the landscaping design for the
17 base.

18 I don't know whether I came through in the debate
19 or in the discussion, but the cap will not be of concrete,
20 it will be of metal, okay, because of the sheer weight of
21 it. So it will be done in metal.

22 So the recommendations from the Planning
23 Department are, that the decorative metal cap must be based
24 upon original Heine Company drawings and period photographs.
25 That they shall match the original ribbed concrete cap in

1 form and motif, and shall include the inset diamond patterns
2 and decorative bands.

3 Pioneer Mill with the two dates that are shown in
4 some of the early, I think one says 1860 and there was
5 another date span beneath it. They were painted on site, I
6 believe they were painted. So right now we're just talking
7 about what is actually going to be of extruded metal that's
8 there and not a painted design.

9 The next recommendation is that in trying to
10 provide plaques for the public about the history of the
11 mill, there be a metal plaque with the full names of
12 workers, as well as the dates, who died from accidents
13 inside the mill or during the construction or maintenance of
14 the smokestack, and that they be incorporated into the final
15 landscape design.

16 This I think is important, because I think the
17 last person died sometime in the seventies while actually
18 trying to paint the smokestack, and he fell to his death.
19 So those are the two recommendations that go with this
20 permit.

21 At a future date if it is possible, and this is
22 not connected to those recommendations, but this is kind of
23 an instruction to the applicant, that if they can, they
24 should try and get the smokestack nominated to at least the
25 Hawaii Register of Historic Places, if not, the National

1 Register of Historic Places. That concludes our
2 recommendations.

3 CHAIRMAN KALALAU: Commissioners, do we have any
4 other recommendations or are we comfortable with the
5 recommendations that are presented here today? Question,
6 Veronica.

7 COMMISSIONER MARQUEZ: Okay. So Stan, on the
8 mana'o it has one, two, three. So what you're saying is one
9 and three are the recommends and two is the suggestion?

10 MR. SOLAMILLO: One and three are the
11 recommendations tied to this application, and two is, yes,
12 just a suggestion at this point.

13 COMMISSIONER MARQUEZ: Mahalo.

14 CHAIRMAN KALALAU: Questions, comments? You
15 know, you're saying that two is just a suggestion, it's not
16 part of the recommendation?

17 MR. SOLAMILLO: I can't require that as part of
18 this, because the applicants kind of are in an ongoing
19 dialogue with the property owner about that. So I don't
20 want to tie the permit to having to have that in place at
21 this time.

22 CHAIRMAN KALALAU: Okay. Any more questions,
23 comments? Ray.

24 COMMISSIONER HUTAFF: Yes, I kind of have a
25 comment. It kind of goes along with what Keoki and the

1 kupuna over there say. You know, the Pioneer Mill may not
2 have been the best method to do things here in Hawaii. What
3 it did provide were some opportunities for some of its
4 workers to send their children to college and do some other
5 things.

6 So the smokestack itself actually can mean a lot
7 to a lot of different people. It can mean exactly what the
8 kupuna has said, it's like, "Oh, that's bad." But we need
9 to have those remembrances, as Keoki has said, because it
10 helps us learn so we don't make those same kinds of mistakes
11 in the future. But it can also be a remembrance for all
12 the families who did work hard and provided income and a
13 lifestyle, and the fact that culturally we all got along
14 back then, you know. That's really the history we should
15 bring forward. So that can represent that.

16 So personally, I think they're on the right track.
17 I think it's something that's good for the community, and I
18 think it needs to be controversial and have its moments when
19 it represents the bad things, so we don't repeat those
20 things again. So those are my comments.

21 CHAIRMAN KALALAU: Very good. Any more comments
22 or concerns?

23 COMMISSIONER FREDERICKSON: I've get a comment
24 about the smokestack. I mean I grew up in Lahaina and spent
25 a lot of time on boats, and I remember many, many times

1 being out at sea at night, and it is a landmark. And I know
2 lots of fishermen -- well, in the past that definitely used
3 it. And I went out fishing when I was a kid and in high
4 school with some of the fishermen that were still operating
5 out of the Lahaina harbor at that point.

6 So it certainly is a landmark that a lot of folks
7 use. And also Ke'eaumoku mentioned, you know, charter
8 boats, of course, use it as a landmark today, as do others.
9 It's certainly part of the cultural landscape. It's from a
10 period where there are lots of different conflicts and
11 everything, but it is still part of the cultural landscape
12 of Hawaii.

13 CHAIRMAN KALALAU: Any more questions, comments?

14 Okay, Stan.

15 MR. SOLAMILLO: I have one more comment probably
16 on looking at the stack as a symbol. If you go to the old
17 world, vertical columns are to be signs of conquest or they
18 can be signs of monuments over cemeteries. So in that way
19 they become memorialized, or they become memorials for the
20 dead.

21 So you can take something like the smokestack in
22 your own way of interpreting it. If you want to use those
23 two icons you can use it, or one of two icons you can use it
24 as a place to memorialize those who lost their lives there.

25 CHAIRMAN KALALAU: Okay, Nani.

1 COMMISSIONER WATANABE: Keeki, also, you know, my
2 tutu lived on the Ke'eaumoku side of Lana'i, and he actually
3 traveled a lot to Lahaina because they had to come and pick
4 up their poi here. So there's a lot of old photos of them
5 traveling here, and they actually used that as their
6 landmark. So it was very important to them.

7 Today, even if we travel with my aunt, who is 92
8 years old, she always will identify the smokestack, and it's
9 only because that was what they used when they traveled.

10 CHAIRMAN KALALAU: Okay, Commissioners, on this
11 item we were supposed to either give more recommendations,
12 or agree with the recommendations, or just give more
13 comments on it.

14 COMMISSIONER MOIKEHA: I make a motion we approve
15 the recommendations from staff.

16 COMMISSIONER HUTAFF: I second it.

17 CHAIRMAN KALALAU: It's been moved and second.

18 Final discussions? No discussions? All in favor say "aye."

19 (A chorus of ayes)

20 All opposed?

21 (None)

22 Okay, next item -- okay, we're going to take a
23 short ten minute break.

24 (Off the record discussion)

25 CHAIRMAN KALALAU: We are going to actually break

1 for lunch, and we'll probably have a half hour lunch break.

2 (The lunch recess was taken).

3 CHAIRMAN KALALAU: Good afternoon, everyone. We
4 will now reconvene the meeting. Okay, Stan, item B.

5 MR. SOLAMILLO: This is the last item on your
6 advisory review. Mr. Mark Roy of Munekiyo & Hiraga
7 representing Miss Nami Wong and Mr. Erik Yuasa of the State
8 of Hawai'i Department of Land and Natural Resources,
9 requesting comments on the proposed Lahaina Small Boat
10 Harbor Ferry Pier improvements Draft Environmental Impact
11 Statement, or EIS, located at Papalekani Street, TMK
12 (2)4-6-002, lot 002 to 007, 012, 014, and 017 in Lahaina,
13 Maui.

14 The CRC reviewed the request and provided
15 recommendations at its April 3rd meeting. However, Public
16 testimony from Lahaina residents as well as other interested
17 parties is being solicited by the applicant and will be
18 accepted.

19 I'm going to give you a little bit of background
20 that we provided for the Commission at its last meeting,
21 and that background will be followed by Mark Roy's Power
22 Point.

23 The project that's being brought before you today
24 is located within the Lahaina National Historic Landmark.
25 This project actually came to us I think in the 1980's, and

1 because it does affect the National Historic Landmark,
2 especially from what most people forget is a boundary which
3 extends out into the ocean, it's probably really important.

4 The slide on your right is an enlargement of an
5 aerial photograph that was taken I believe in 2007, and
6 shows the purpose conditions of the Lahaina Small Boat
7 Harbor. It's located by the white arrow, which impacts
8 Lahaina Historic District number one, which is a locally
9 designated district, as well as probably the view sheds from
10 Historic District number two, which is kind of purple.
11 Historic District number one is in blue.

12 Again, this is the larger NHL boundaries, which
13 were established in 1966, and they extend out into the
14 ocean. The intent here is actually to protect sea views
15 from incoming boat traffic as well as views out into the
16 channel.

17 Some of our early coverage, I'm kind of going to
18 go through some early views of Lahaina and it will indicate
19 the kind of change that has occurred so far. This
20 photograph was taken in 1915, and the arrow demarcates a
21 light house. This is a recent view that was taken in 2007,
22 and it shows the light house again, the smokestack, which we
23 were discussing earlier. So we can still see that there are
24 some changes that have happened, but in essence we still
25 have Lahaina, or Lele, looking similar to what it looked

1 like before.

2 This is another view taken in 1905 looking back
3 toward the town of Lahaina from the wharf, and the view
4 taken in 2007. This is a view taken probably in 1940. At
5 that point the Lahaina Ice House was located on the edge of
6 the harbor. And these are small fishing boats with Japanese
7 names on them, and they were the fishing fleet that provided
8 fish for the local markets. That's a view of the same area
9 today, or in 2007.

10 This is an international view. This is a postcard
11 printed by a Japanese photographer with titles both in
12 English and in kanji. So it's kind of an international view
13 of Lahaina that was sent around the world, or sent back to
14 Japan. Some of our earliest maps go back to this one, which
15 is 1850, by W.P. Alexander, and it shows what we were
16 discussing about last year when we were talking about TCP's
17 or traditional cultural properties, and the importance of
18 things like the King's Road, which was renamed Main Street
19 for a very short time before it was named Front Street. And
20 it crossed over a canal that fed directly into the ocean.

21 In 1884 down in the left-hand corner you can see
22 how harbor looked at that point. I think Mr. Kapu had
23 indicated to me that there was a small little island called
24 Pu'u. That may be what is shown in the water beyond the
25 wharf.

1 The same area in 1904, so there's limited change.
2 This was kind of shocking. This is an Arthur Wall
3 photograph. Arthur Wall was the Postmaster of Lahaina. He
4 became Postmaster in 1898 during annexation, and there was a
5 change of government. Hazelton (phonetic) had been the most
6 Postmaster up to that point, and he resigned.

7 This view is really interesting, because it shows
8 that that's the courthouse, we have a small beach, we have
9 rocks coming down to the beach. And what they were doing,
10 they were floating lumber in on these little skiffs, and
11 they created a lumberyard on the royal taro patch. Another
12 view in 1904 probably.

13 This was pretty surprising as well. The area
14 that's supposed to be the harbor appears very different from
15 what it is today, which suggests that in time they probably
16 filled in and extended the land out, because we have a
17 difference in elevation today that's much more significant
18 than what's showing up in the photograph. They dredged the
19 sand out. This is a view of the canal, which was filled in
20 later.

21 So all these stories that you hear about Lahaina
22 and waterways, in addition to Moku'ula, and fresh water
23 coming, and a plentiful supply of fresh water is kind of
24 documented in these earlier photographs. This was Front
25 Street. The banyan tree is on your right. You are looking

1 down Front Street.

2 This is a Sandborn map from 1914 showing the
3 extension of the pier, and there was a loading warehouse
4 that was located at the end of the pier. It's identified
5 here as a wharf. This is 1916, the wharf is located right
6 there. Another view shortly I think probably during the
7 same time period. This was taken from the top of the
8 courthouse.

9 Look at this building and the palm tree next to
10 it. The photographer changed the camera angle, and the
11 building and the palm tree are on your left-hand side, but
12 that's the lumberyard.

13 1914 Japanese hotels, fish markets, all in wood.
14 1916 they had been replaced by other buildings because there
15 was a fire. The fire occurs in 1916, takes out the whole
16 block. This is a view of the concrete buildings that
17 replaced the wooden buildings that had burnt down in 1916,
18 and a view as they appear today.

19 This is important when we're considering projects
20 that are impacting this part of Lahaina, because we've got
21 in tack remnants of our earliest buildings that were built
22 here, in this case the Pioneer Inn Hotel, the courthouse,
23 and then when we have a large number of Hawaiian historic
24 sites, archeological sites which were located in this area.

25 Today we've got this kind of -- and this was

1 published in a Hawaiian Airlines advertisement, it's the new
2 view of Lahaina as being the jolly busy resort town that
3 resembles Main Street Disneyland. And I think this remains
4 our biggest challenge for Lahaina at this time.

5 I think the National Parks Service representative
6 testify came here from California last year and made similar
7 comments, that it's probably one of the most abused NHL's in
8 the country. So when you're reviewing this project we have
9 to consider things about what is the impact to the overall
10 district, how does it fit with what this place has been
11 through time, how does it affect the future of things like
12 view sheds from the harbor, to the harbor from the ocean,
13 and what's its visual impact.

14 At this point we will turn it over to the
15 applicant's rep.

16 MR. ROY: Thank you, Stan, for that very
17 interesting historical perspective on Lahaina town.

18 Good afternoon, Chair, Vice-Chair, member of the
19 Cultural Resource Commission. Thank you for allowing us the
20 opportunity to be before you again today. My name is Mark
21 Roy, I'm a different face from the last person you saw. I'm
22 actually standing in today on behalf of Mitch Hirano, who is
23 my colleague at Munekiyo & Hiraga. And if it's okay with
24 the Chair and the rest of the Commission, I'd like to give a
25 brief presentation on the pier improvement project that is

1 being proposed today for Lahaina Small Boat Harbor.

2 Next slide, please. I think we can just pretty
3 much breeze over these two slides. You guys know where the
4 harbor is. Next slide. It's just an aerial photo looking
5 down on today's small boat harbor in Lahaina town. The new
6 pier and related improvements are being proposed by the
7 State of Hawaii to meet current demands at the harbor and
8 long-term planning requirements of an interisland ferry
9 commuter services that are projected to increase into the
10 future.

11 The project will utilize both Federal and State
12 funding, the Federal portion of which is to be provided by
13 the US Department of Transportation, Federal Transit
14 Administration. Unfortunately, representatives of the DLNR
15 engineering team were not able to be with us today due to
16 commitments made prior to the posting of the agenda for this
17 particular meeting.

18 As the Commissioners may recall, a Federal and
19 State Environmental Impact Statement has been prepared for
20 the project, which essentially documents the technical
21 parameters, evaluates potential alternatives, assesses
22 anticipated impacts, and identifies mitigation measures for
23 the pier improvement project.

24 As Stan noted, the Draft EIS was published in the
25 Office of Environmental Quality Controls, Environmental

1 Notice, on February 8, 2008. Publication of the Draft EIS
2 actually initiates a 45 day comment period where both
3 agencies and the public are provided the opportunity to
4 provide input on a project.

5 On March 12th the State held a community meeting
6 to provide additional opportunity for the public to comment
7 on the project during the official comment period. And as
8 the Commission may remember, the CRC completed a review of
9 the Draft EIS and provided recommendations at the April 3rd
10 meeting. Public testimony was also received at that
11 meeting.

12 We understand the purpose of today's agenda is to
13 receive additional comments on the Draft EIS from members of
14 the general public who may be present at today's meeting.
15 The State is committed to insuring that all comments
16 received not only during the public comment period, but up
17 until today's meeting are going to be reviewed as part of
18 the final EIS preparation process.

19 So if it's agreeable to the Chair, I'd like to now
20 just give a brief summary of the project components and the
21 alternatives, just to benefit those members of the public
22 that maybe weren't able to attend previous meetings.

23 CHAIRMAN KALALAU: Okay.

24 MR. ROY: In recognizing the importance of
25 interisland ferry operations to neighbor island communities,

1 the State of Hawai'i is proposing to upgrade a number of
2 facilities at the Lahaina Small Boat Harbor. Next slide,
3 please.

4 The existing pier at the harbor is the only
5 transportation hub on Maui for the two inter-island ferry
6 service providers, namely Expeditions and Sea Links of
7 Hawai'i. These ferry services provide an affordable and
8 indispensable form of transportation to residents on Lana'i
9 and Moloka'i to gain access to employment, government,
10 health services, education, shopping, recreational
11 opportunities that may be available on the island of Maui.
12 Recent events within the inter-island air industry, as we've
13 seen on the news, have recently increased the dependence of
14 neighbor islands on these ferry services. Next slide,
15 please.

16 The existing pier at the harbor is heavily
17 utilized at present, and has challenges to efficiently and
18 safely support the increasing numbers of users that utilize
19 its facilities. At present the pier is used for loading and
20 unloading passengers onto recreational and commercial
21 vessels, including both inter-island ferries and cruise ship
22 tenders. In addition to the ferry traffic and cruise ship
23 boats, the harbor is home to 47 commercial vessels and 71
24 recreational vessels.

25 As part of the project, a full analysis of

1 potential alternatives was completed by the State before
2 they actually defined what they're proposing to be the scope
3 of work today. This analysis essentially evaluates a range
4 of non-structural alternatives, a site location set of
5 alternatives, and pier design alternatives as well. This
6 process ultimately resulted in the selection of a preferred
7 alternative for the project.

8 Prior to initiating the design process for the
9 project, as I noted, a number of nonstructural alternatives
10 were evaluated to see if there's any way at all possible for
11 the operational efficiency of the existing harbor today to
12 be utilized to safely accommodate projected increases in
13 service requirements. So essentially keeping the
14 infrastructure the same, but changing the way it is
15 essentially managed.

16 Options included open moorage, loading and unloading
17 of passengers from assigned berths, and restricting offshore
18 moorage of boats. Completion of this evaluation indicated
19 that nonstructural alternatives would not be sufficient
20 towards meeting the long-term operational requirements of
21 the harbor. As a result, it was determined that a new pier
22 would need to be constructed as part of the project. Next
23 slide, please.

24 We can just breeze over this slide. This is
25 showing the location of the Small Boat Harbor in the Lahaina

1 National Historic Landmark district that Stan described in
2 his presentation. Given the location in a sensitive
3 historic preservation area, the state looked at potential
4 alternative sites for commuter ferry improvements. These
5 sites included Mala Wharf and Keka'a Point, and were
6 evaluated to see basically if there was another place where
7 these improvements could be located.

8 We can just run over the next five slides, I
9 think. This just gives you a context as to the location of
10 the alternatives. You have the Small Boat Harbor here in
11 Lahaina town, Mala Wharf, Lahaina Cannery Mall, and Keka'a
12 Point up past Kaanapali. The next slide you can see Mala
13 Wharf here, Lahaina Cannery Mall here, just for geographical
14 reference. And the next slide is a site photo of the
15 current state of Mala Wharf. The next aerial shot is of
16 Keka'a Point just here, and some on-the-ground photos of
17 Keka'a Point is on the next slide.

18 Results of the evaluation of these alternatives
19 indicates that the construction of pier improvements at
20 either of these two sites would involve significantly
21 greater environmental and ecological impacts, would burden
22 the state with additional construction and land acquisition
23 costs, and would not resolve the current challenges being
24 faced at the existing Small Boat Harbor in Lahaina. The
25 Lahaina Small Boat Harbor was therefore, as a result of this

1 process, deemed to be the most practicable alternative,
2 given the resources available for the improvements.

3 So moving on to the next set of alternatives, in
4 developing conceptual plans for the new pier at the Small
5 Boat Harbor in Lahaina, three separate design alternatives
6 or engineering alternatives were put together to establish
7 which would fit the best with the existing infrastructure at
8 the harbor, and obviously within the historic context of
9 Lahaina town.

10 Alternatives considered during this phase of work
11 included an independant pier, which would be a stand-alone
12 pier, an attached sheet pile ferry pier, and an attached
13 pile-supported ferry pier. The sheet pile versus the pile
14 supported, sheet pile would essentially not allow the ocean
15 to flow beneath the pier, whereas a pile-supported pier
16 would be supported by a series of piles which would allow
17 the ocean current to circulate under the pier. Next slide,
18 please.

19 This is the first alternative just showing what's
20 being referred to as the independant pier and two-story
21 ferry building alternative. The next alternative is the
22 sheet pile ferry pier and single story building alternative.
23 These first two, as I said, don't necessarily allow the
24 ocean current to flow underneath the pier structure. And
25 then the third alternative, you can see the pier supports

1 here and the one-story buildings, which are on top of the
2 pier.

3 These alternatives were evaluated against
4 alternative evaluation criteria set forth in the National
5 Environmental Policy Act. It was concluded, based on this
6 assessment, that a ferry pier supported with piles, which is
7 the one you see on this slide, would be the least
8 environmentally damaging practicable alternative, as it
9 would essentially maintain continued circulation of the
10 ocean beneath the pier structure.

11 This alternative is referred to as the Preferred
12 Alternative in the Draft EIS, and it has been determined as
13 part of that review process by U.S. Fish and Wildlife
14 Service that the preferred alternative would result in the
15 least amount of negative impacts on fish and resources
16 around the new structure.

17 So the proposed ferry pier project at Lahaina
18 Small Boat Harbor has been designed to essentially encompass
19 the next set of improvements that you can see on the next
20 slide. And this is the preferred alternative which I just
21 spoke about. We have got on the marine side, which again is
22 still in the Lahaina National Historic Landmark District, is
23 a ferry pier. Minor dredging work will also be undertaken
24 during construction of the pier. And then on the land side
25 we have got replacement of the existing administrative

1 office. They're going to replace the ticket booth, they're
2 doing some parking and circulation improvements, and site
3 and utility work.

4 The new interisland ferry pier will be constructed
5 at a location approximately sixty feet to the north of the
6 existing pier at the harbor. The new pier will be
7 approximately 115 feet long and 35 feet wide, and will be
8 designed on piles to accommodate up to 100 passengers.

9 So the next slide just shows the preferred
10 alternative that was selected during assessment of the
11 different designs. A concrete pedestrian walkway measuring
12 16 feet by 60 feet will be constructed to connect the
13 existing pier with the new pier structure.

14 Two low rise open-sided roof structures
15 approximately 16 feet in height will also be constructed on
16 the pier, as you can see in this elevation. An open trellis
17 will connect these two structures, providing approximately
18 4,000 square feet of covered area on the pier.

19 There will also be a number of related
20 improvements on the new pier to allow it to function for its
21 intended purpose. These will include two sewage pump house
22 stations, hose bibs, security lighting, water, sewage, sewer
23 utility connections, and a small platform with a moveable
24 gangway for surfer access.

25 Dredging work, as I noted before, will also be

1 undertaken to essentially widen the entrance channel and the
2 berthing area to the north of the proposed new pier. The
3 next photo should be an aerial photo, and we can see the
4 existing Small Boat Harbor here, the proposed location of
5 the new pier is approximately here, and this area which is
6 shaded may be a little difficult to see, is the limits of
7 the dredging work that will need to be undertaken.

8 In regards to landward improvements, as I noted on
9 the previous slide, the admin offices and the ferry ticket
10 booth at the harbor will be replaced with entirely new
11 structures. The next two slides just give you an elevation
12 of the new buildings. This is the admin building and the
13 next one, this will be the new ticket booth building at the
14 harbor.

15 Access improvements will also be completed as part
16 of the project to facilitate access to the harbor and
17 increase circulation, including installation of a passenger
18 loading and drop-off area at the harbor, relocation and
19 installation of some additional parking stalls, expansion of
20 the sidewalk along the northwestern portion of Hotel Street,
21 and resurfacing a portion of Wharf Street.

22 The next slide is just an overall site plan just
23 to give you a visual perspective of what I've just talked
24 about in regards to improvements. We have got the new pier
25 proposed for the north side of the harbor. This is the new

1 admin office, this would be the new ticket booth, and then
2 you have got parking stall improvements and various access
3 improvements being proposed as part of the project.

4 In closing the presentation this afternoon, the
5 proposed pier improvement project at the Small Boat Harbor
6 is essentially being proposed to address current demands at
7 the harbor and to meet future service requirements of
8 interisland commuter ferry services.

9 Potential impacts have been assessed as part of
10 the Draft EIS preparation process, and they've been
11 documented in the Draft EIS. The State has undertaken a
12 thorough technical analysis, which is being conducted
13 through the preparation of the EIS document, which
14 identifies mitigation measures based on the identified list
15 of potential impacts, and these mitigation measures have
16 been proposed to essentially address all significant
17 identified impacts associated with the project.

18 Due to the site's location in a sensitive historic
19 area of Lahaina town, particular attention has been given to
20 insuring the concerns relating to environmental, historic
21 and cultural resources, have been given the attention that
22 they deserve in the draft EIS, and have been addressed as
23 part of this process.

24 The last slide essentially ties up my
25 presentation. As I say, we understand the purpose of

1 today's meeting is to provide the public with some more
2 opportunity to provide input and comment onto this
3 particular project. And as I noted before, the state is
4 looking to ensure that a full review of all comments is
5 completed during the preparation of a final EIS for the
6 project.

7 The final EIS, as noted on the next slide, will,
8 number one, ensure that all relevant issues and concerns
9 related to the project have been fully disclosed to the
10 public. And most importantly, that any impacts, that
11 appropriate measures have been incorporated into the project
12 to mitigate perceived impacts.

13 Thank you again for allowing me the opportunity to
14 be before you today.

15 CHAIRMAN KALALAU: Thank you. Commissioners, do
16 you have any questions for Mark?

17 So we are going to open this portion of the
18 meeting for public comment. And for those of you who are
19 going to come forward, please state your name for record.
20 So the floor is now open for people who want to comment on
21 this agenda item.

22

23 MR. HOLQUIST: Good afternoon. My name is Kenny
24 Holquist. I'm usually standing on the other side of that
25 camera. I don't testify much at meetings, although I attend

1 a lot of them. I video all of the Planning Commission
2 meetings, or most of them, and Maui Unite and Save Honolua.
3 And I do most of it for free because I think it's important
4 that the community, the people that can't be here to attend
5 the meetings get to see them if they turn into Akaku.

6 And like I said, I usually don't speak, but this
7 is something -- I live about a hundred yards away from the
8 harbor, and there's a lot of changes going on all over the
9 island. But one of the things that I'm very interested in
10 is what goes on at the harbor. Like the new bathrooms, for
11 instance, those are great. Nice new bathrooms.

12 But on the south end of the bathroom there used to
13 be this Crown flower tree that had butterflies on it. So
14 for the life of me, when I went over there and saw what
15 happened over there, I was just amazed and surprised that
16 that tree had gotten taken out, and three palm trees were
17 put in there. And all they had to do is like move the
18 bathrooms over like maybe four feet, or whatever, and they
19 could have kept that tree there. So that's just like one of
20 old time things that is going, going, gone, whenever they
21 make improvements.

22 And speaking of that word, improvements, this pier
23 that they're talking about is not an improvement, this is a
24 whole brand new pier that's going in. And to call it
25 improvements is really misleading.

1 So everybody has a vision of what they would like
2 to see happen. Mine would be just to move this whole thing
3 down to Mala. Mala is crumbling, the boat ramp is falling
4 apart. There is actually no pier there anymore because they
5 built it going north, and they should have built it going
6 like Lana'i way or something.

7 My vision would be that we'd get the buses out of
8 there, get all that traffic out of downtown Lahaina around
9 the Pioneer Inn. The cruise ship people that wanted to come
10 in and shop in Lahaina could still come into the Small Boat
11 Harbor at Lahaina, but everybody else that wanted to get on
12 buses and go away. And that's pretty much in my estimation
13 a vast majority of the people that come off the cruise
14 ships, they all hop on buses. I think the percentage that
15 stays in Lahaina is pretty small.

16 So my idea would be to move it up to Mala. On the
17 other side of Mala where the Lahaina luau people park right
18 now, they could have the buses go over there, and they could
19 have some like glorified golf carts that takes the people
20 off the tenders, takes them out to that parking area. The
21 buses could go right out to the highway right there. The
22 fumes and all the toxic traffic and all the fumes would be
23 gone out of Lahaina town. And plus, the facilities could be
24 built for the fishermen, the small guys that launch at Mala
25 right now, and it would solve that problem.

1 I'm pretty sure that the state could work it out
2 so that the small fishermen and the divers and the boats
3 that go out of there would work together with the tenders
4 and the ferries that would be coming in off the cruise
5 ships. And the other ferries, like Lana'i and Moloka'i, I
6 think would probably still be able to go like they do now at
7 the Lahaina boat harbor.

8 So anyway, that's my ideas. I just throw that
9 out. I have attended a couple of meetings about the Small
10 Boat Harbor, and that's my opinion.

11 CHAIRMAN KALALAU: Thank you. Any questions,
12 Commissioners?

13 COMMISSIONER FREDERICKSON: I have a comment.
14 This is in regards to the -- I don't know what you call it,
15 the new comfort station that was built. So the Crown flower
16 plants that were there, they're gone?

17 MR. HOLQUIST: There was a tree there on the south
18 side of that building, and they moved the building. There
19 used to be a ramp, a sidewalk that went up and then around
20 behind it.

21 COMMISSIONER FREDERICKSON: I used the old
22 restroom when I was a little kid and I got Monarch
23 butterflies and all the little caterpillars off of there.

24 MR. HOLQUIST: All gone. Can't bring that one
25 back. Okay, thank you.

1 CHAIRMAN KALALAU: Okay, thank you. Next we have
2 Ke'eaumoku Kapu.

3 COMMISSIONER KAPU: I feel like I do more sitting
4 not as part of the Cultural Resources Commission over here.
5 Well, first of all, the opening comment pertaining to this
6 project sort of stuck in my gut based upon the synopsis that
7 was made, "one of most abused NHR's in the nation." Yeah,
8 NHL's. So we've got to really solve that thinking as
9 pertaining to what we're actually right now in the process
10 of creating, you know. When we were on the outside a
11 comment was given pertaining to, "Do you want to slow down
12 development? Stop the bypass."

13 Well, this so-called project sort of is similar,
14 because what I see with the local residents using the ferry
15 from like Lana'i and Moloka'i, well, that is needed
16 definitely. But how much more is this so-called expansion
17 going to abuse this area with the cruise ships? I see 47
18 and 71 commercial and business operated entities, which
19 comes to a total of 180 vessels.

20 What is the capacity of that harbor right now, are
21 we maxed out already? So if we're maxed out, then are we
22 really improving the harbor or are we expanding the harbor
23 to different horizons? That's one of my concerns.

24 Other one is, I know that the money comes from the
25 feds, which means it opens up the Section 106 consultation

1 process. So if it does, the last time we met with Munekiyo
2 & Hiraga was probably a couple of years ago. Our
3 association, Hui O Wa'a Kaulua, has been a part of that
4 Section 106 as a consult, and now we're finding ourselves in
5 front of the Cultural Resources Commission in the public
6 comment period to review our opinions based upon this
7 so-called draft. We're still waiting for this so-called
8 draft company to come to us, Munekiyo & Hiraga, to come to
9 us to talk about where our canoe is going to go once it's
10 finished. We need a home for our canoe.

11 Thanks to the Lahaina Restoration Foundation,
12 Keoki Freeland has sort of set that on the side on the
13 paperwork with us, our association with the Lahaina
14 Restoration Foundation to make sure that that happened, to
15 create a cultural educational component for that Lahaina
16 area. That was important.

17 Now we no longer have the Carthaginian there.
18 What's going to replace it? Something even better,
19 something cultural, something that is of the place. But we
20 still haven't had any discussion based upon whether or not,
21 because where that harbor is going is exactly where our
22 canoe is supposed to go. So is there room inside there? So
23 we are sort of scratching our heads pertaining to are we
24 considered in this to begin with?

25 I mean if we are talking about national historic

1 registered areas, we also have got to remember what makes
2 Hawai'i, Hawai'i. And what makes Hawai'i unique is its
3 sites, its roadways, its architecture, based on historic
4 architecture. The people is important. Our kupuna, our
5 heiaus, all those things is what makes Hawai'i, Hawai'i.
6 And when this comes in, the influx of people that is going
7 to impact this area I'm really concerned about, whether or
8 not the quote that was made of the one of most abused areas
9 in the nation is definitely going to be the nails in the
10 coffin for us.

11 Land impacts, ocean impacts, I don't know whether
12 there was a survey to figure out when the cruise ships come
13 in the ferries come in, all these, the Lana'i ferry, the
14 Moloka'i ferry, whether or not there was an adequate
15 assessment that was done pertaining to how many people
16 impact that harbor within one specific time frame. Whether
17 or not that, you know, the ocean is one, but the land impact
18 is really important to us. How many people actually come to
19 Lahaina but not actually come to Lahaina, it's just a
20 stopping point, like how the last testifier said, they jump
21 on the buses and they leave.

22 Economically-wise that means we are not making
23 anything in this town. I would think so, we're not making
24 anything. I see them load up on the buses and I see them
25 leave this town as well. So if this is another bypass, like

1 I said, that's exactly what it is, because people no come to
2 Lahaina. The tourist industries just load them up and move
3 them someplace else.

4 Other than that, I would wish and hope that you
5 would take into some serious considerations when you start
6 reviewing this project and giving your recommendations to
7 it. Mahalo, thank you. Questions? Okay, thank you.

8 MR. WAIOHU: Aloha. (The Hawaiian language
9 spoken) You guys know my name. I going give you guys one
10 paper and in a way it's from Kamehameha III. I like you
11 guys read the Hawaiian and read the English. It says, you
12 know, they recognize us who we are. We have to focus on who
13 we are.

14 Listen to the words of the law, you know. You
15 know this, you guys no stay listen. They just like come
16 over here and change the face of Lahaina, Maui, you know.

17 You know, the last time I came over here I was
18 pissed off. I blow my mind. I thought I was going get one
19 heart attack, you know. So today I have got to take it
20 easy, because I'm not too young. If I was young, all right.
21 But we have got to listen to ourselves and focus who we are.
22 We have got to remember we are the Hawaiians, the maka
23 ainana that living here.

24 No more our alii, we are the alii today, maka
25 ainana. This is our land. We have got to build what we

1 like, not what they like. You know, (Hawaiian language
2 spoken). Like the first testifier, the guy (Hawaiian
3 language spoken) Leave Lahaina alone.

4 I still remember way back when they had the white
5 clam. You guys know what is the white clam? Before the
6 Hawaiians used to go there. Had the sand right below our
7 school. What you wen do? They wen damage the whole thing.
8 The same thing like the Crown flower, the tree. I hear
9 nobody but the butterfly. (Hawaiian language spoken).

10 These people come over here, they damage things,
11 but yet when you say put 'em back, all pau, no more. That's
12 all I like say. I'm against of the harbor.

13 COMMISSIONER FREDERICKSON: William, I have got a
14 question for you, and I know it's not exactly about the
15 harbor but it's within the harbor. How old was that Crown
16 flower? Because it was at least 1964, because that's when I
17 was is a kid living in Lahaina, and I know it was good size
18 then.

19 MR. WAIOHU: That guy was more old than me. You
20 mean the stone wall you see over there? It's more old than
21 me. I wasn't born that time. But it's older than I am.

22 COMMISSIONER FREDERICKSON: Thanks, William.

23 CHAIRMAN KALALAU: Veronica.

24 COMMISSIONER MARQUEZ: Uncle, so when you olelo,
25 when you talk and you say "our land," I'm just asking, okay,

1 so our land you're alluding to, like all of that is our
2 land? You know, land belonged to people. You have your
3 aina and then there's state aina, there's county aina. So
4 when you say "our land" you're talking about any land that's
5 land, that's our land?

6 MR. WAIOHU: Oh, yeah. When you talk our land,
7 the eight islands is our aina. Because where we come from
8 we are always got to focus, we're Hawaiian. We going live
9 here. We get no place else to move. We cannot go mainland.
10 We going die over here, and we going live over here forever,
11 you know. That's why when I say "land," we always got to --
12 no forget the land, that is also ours. The crown land,
13 everything. Because we are the last alii today living. Not
14 the (Hawaiian language spoken) alii, they're all gone, pau.

15 So we've got to decide if we like. Not them, not
16 for the big ship that come over here, make everything all,
17 you know, hard. Get plenty car, plenty bus, you know.
18 Pilikia, you know. Today, like she said, she got to carry
19 her luggage all the way what, half a mile.

20 The bus, plenty bus, you know. The last time I
21 was pissed off. Now I got to calm down myself. Because one
22 day I going get one heart attack staying over here talking,
23 you know.

24 CHAIRMAN KALALAU: Any more questions? Thank
25 you.

1 MS. DIZON: Aloha. My name is Yolanda Dizon.

2 Mahalo, Myrna, for feeding Uncle. Went calm him down

3 (laughter).

4 Anyway, how many of you go to Lahaina harbor, I

5 mean, you know, how often? I know you do, but the rest of

6 you? Yes, Stanley. According to the ones who is presenting

7 this, supposedly they say there's going to be improvements

8 or mitigation in improving traffic-wise our historical sites

9 and blah, blah, blah, blah. I don't see it happening. How

10 can that be? First of all, you don't have to be a rocket

11 scientist to see you cannot improve the traffic over there.

12 There is no space. You know, I don't care how you go around

13 it, there is no way you can improve it.

14 As far as the mitigation of the historical sites,

15 I mean you are going to -- they're going to destroy, you

16 know, those areas. How can we get it back after it's

17 destroyed? We cannot mitigate after that. And as far as

18 our ocean resources, they're going to be dredging. Again,

19 destruction. Then what happens? We're never going to get

20 it back.

21 So my thing is, I don't have -- do I have "stupid"

22 written on my head, I mean or "idiot"? You know, I mean

23 things that are being said, I mean not even -- it just blows

24 me away that presentations like this are to be expected to

25 just -- that we're supposed to accept it. There is no way

1 it can happen.

2 So, you know, basic common sense, I mean, you
3 know, you don't need one third eye to see. I mean you can
4 just go over there and see it, what's going to happen. Mala
5 Wharf, that's it. You know, Moloka'i and Lana'i should have
6 the first choice for Lahaina harbor. Everything else can,
7 you know, I mean the cruise ships can go out there, they can
8 shuttle, you know what I mean.

9 That's it, that's the bottom line, and there's no
10 compromise on that. Do not compromise, because we're going
11 to lose. Okay, mahalo.

12 CHAIRMAN KALALAU: Thank you. Anyone else from
13 the public?

14 MR. FREELAND: Keoki Freeland, Lahaina
15 Restoration. Backing a little bit on what Ke'eaumoku said,
16 on that Section 106, which is the major requirement for this
17 project, because it's within the National Historic Landmark,
18 and Federal monies are being utilized for this project, you
19 have got to do the Section 106. Like Ke'eaumoku says, they
20 have gone around and talked to the different organizations.
21 And if you look at their EIS, they list all these different
22 organizations, and Lahaina Restoration is one of them.

23 But also in front of all of that they list it as
24 "unresolved issues," Section 106. I don't think they've
25 gotten consent from any of us on this project. They've

1 talked to us, but aloha after that. Put our name on the
2 piece of paper.

3 So we're very concerned about the Section 106. We
4 want to make sure it's abided by all its regulations, and
5 the so-called unresolved issues in that EIS get resolved.
6 That's our major concern.

7 Basically I agree with the other people who have
8 spoken earlier, that we would prefer to see this project
9 move to Mala Wharf. We definitely do not want to see any
10 kind of dredging if you are going to put a project here. If
11 you are going to put something in there, you have got to put
12 it in without dredging, and they're not going to agree with
13 that. You have got to put it in and still be able to put
14 the Mo'okia in place.

15 The Carthaginian was a fine historical item, but
16 the Mo'okia has so much more potential than the Carthaginian
17 ever did. Here is a vessel that people cannot only see, but
18 they can actually experience genuine Hawaiian sailing. So
19 we want to see that happen, but I don't see it happening
20 under this plan at the present time.

21 Commissioner Watanabe, your concern every time
22 they close Front Street that the people are going to have
23 trouble getting through. You don't need to worry about that
24 if this project goes in because you're going to be stuck
25 over there by the Pioneer Inn. You are not going to have

1 much ability to get onto Front Street. This whole project
2 improves the seaway movement, but once you get on land, pau.
3 Any questions?

4 CHAIRMAN KALALAU: Erik.

5 COMMISSIONER FREDERICKSON: Keoki, thanks for some
6 of your insight there. I've got a question for you.
7 Something that I'm really disturbed about as a Commission
8 member is the scale of this. I mean 115 feet by 35 feet are
9 the dimensions of the pier. 4,000 square feet of covered
10 roof area, 16 feet high. I mean to me, it's just -- it's
11 pure and simple a visual impact to the National Historic
12 Landmark, and I don't see there's any way to mitigate that.
13 I mean it's just going to be plop, and that will -- in my
14 opinion, that will have a negative affect on the National
15 Historic Landmark that can't be mitigated, period. It
16 cannot, period. I mean end of discussion I think.

17 MR. FREELAND: I agree with you 100 percent.
18 That's one reason why we don't want to see the project.

19 CHAIRMAN KALALAU: Nani.

20 COMMISSIONER WATANABE: You know, when I was
21 working in the museum on Lana'i what we really -- Lana'i
22 people have a connection to Maui, to Lahaina especially, and
23 we don't want to see changes as well. I mean on Lana'i when
24 a building is taken away from our town without the approval
25 of the community, that is one history that is taken away

1 from our hearts, because that part or that building has a
2 history to it. And when it's taken away it's like this part
3 of our history is gone. I mean we have nothing to show by
4 it.

5 And what I like about Lahaina harbor is the
6 Pioneer Inn, because I don't know if you guys have an
7 article, but we have an article in our museum that some of
8 the lumber work from that Pioneer Inn was floated all the
9 way from Lana'i. Did you guys know that?

10 MR. FREELAND: Yeah. I know all about that, yeah.

11 COMMISSIONER WATANABE: Okay, good. But that's
12 historical. It came from Lana'i, and I was so proud about
13 that. I think that's the time. And you're right, I mean
14 just putting a building changes the whole historic district.
15 And I think what former Commissioner Dorothy Pyle always
16 said is, we are here to speak for the land, for that site.
17 We are here, this is who we represent. And we just wanted
18 the people to know that we are here to speak for the site
19 that cannot speak for itself.

20 MR. FREELAND: Thank you.

21 CHAIRMAN KALALAU: Okay, thank you, Keoki. Okay,
22 please come forward.

23 MR. LACLERGUE: I'm Ron Laclergue, and I'm from
24 Lahaina. Two nights ago I went down, and I can't believe
25 anybody hasn't talked about this, but I stood above the

1 haula stone, and I just stared at it for a half an hour. I
2 just looked at it and just tried to imagine and go back to
3 what that represents to the alii and to Lahaina, to Hawai'i.

4 I just stared at it for the longest time, and I
5 noticed that -- and I am going to step up to the stage, so
6 bear with me here -- I don't know how many of you have ever
7 gone down there, but it faces -- if you sit in it, it faces
8 this direction (indicating). That's the seat you take; you
9 look right at this. I'm afraid that the alii wouldn't be
10 too proud of us if we put that there. The haula stone is
11 also for the people that are -- not only the birthing stone,
12 but for ailments.

13 Uncle, if you went done there and saw that, you
14 might have a heart attack. So we really need to think about
15 what we're doing here, especially when it comes to the
16 stone. Thank you.

17 CHAIRMAN KALALAU: Mahalo. Thank you.

18 MS. KAHAIALII: Aloha. My name is Denwar
19 (phonetic) Kahaialii. I need a minute to compose myself. I
20 no need be like Uncle, because I get high blood pressure
21 too. First of all, I totally agree with Keoki, Ke'eaumoku,
22 my cousins, my uncle over there. You know, Lahaina harbor,
23 for me I'm kind of torn, because I do work for a commercial
24 company and I've been with that company for like a long
25 time. So I kind of have a loyalty to them, which I love

1 them a lot.

2 But too, you know, just for you guys, just to let
3 you know that sensitivity of Lahaina harbor because of the
4 historic sites. Yet we've got to have a balance, you know.
5 I'm always Hawaiian first, you know, I think Hawaiian, but
6 growing up in the western world there has to be a balance.
7 And that can be good and bad, but especially in this area.

8 I have lived on Lana'i, you know, I grew up in
9 Lahaina, but I lived on Lana'i, so I have used that harbor a
10 lot, mostly all my life. And to see it, to me, it would be
11 devastating to see this harbor look like Oahu, Kahului, you
12 know. There's going to be more traffic, more. You know,
13 it's inevitable, okay, progress.

14 But if, you know, if we can find a medium, or I
15 really think that we should do it at Mala, you know. If we
16 can somehow work together and try to put our efforts to
17 there, you know, to Mala, I think that might help. But to
18 put it at Lahaina harbor, I do not agree, especially because
19 of all the historical sites. And, you know, for our ohana
20 or kupuna, it's sacred. That's all I have to say. Thank
21 you. Any questions? Any questions for me?

22 CHAIRMAN KALALAU: Thank you.

23 MS. AHI: Hi, I'm Myrna Ahi. I'm born and raised
24 in Lahaina. I love those pictures of Lahaina. I cannot
25 believe never changed that much. And I'm looking at this

1 thing and I'm like oh, my goodness, you going put this?

2 It's a building you're putting in the water. And where my

3 mookiha. I mean Mala Wharf, hey, guys, out of town.

4 There's plenty room over there. Already crowded, it's

5 already crowded, forget it.

6 Try one cruise ship come in. Forget it, you

7 cannot go down there. No even try. Walk, you got to walk.

8 And why? Why we got to go over there? Too busy already.

9 Go Mala Wharf.

10 I'm sorry, I know you guys did plenty work on that

11 but, you know, got to be another alternative. I mean you

12 going be spending millions of dollars trying to convince us

13 that it belongs here, and we're saying no. I know it's

14 inevitable, but not here. 'Nuf already. Move it Mala

15 Wharf. Too much waves. Mala Wharf nice, there's a lot of

16 room still yet. Not developed, but yet get access and it's

17 not -- improvement on the land, the road kind of small,

18 yeah. The buses cannot even go around Pioneer Inn, you

19 know.

20 So I'm sorry, I feel I've got to say sorry. I

21 know how much --I mean I belong to Hokulea, I belong to

22 Hoolele, all the voyaging canoes, and I know it's important

23 for us to -- this is Lahaina, the capital, the previous

24 capital of Hawai'i. We need to take care of our canoe,

25 whether it's outside there or inside the harbor or whatever,

1 but we need to be more visual, more sensitive to our
2 culture.

3 So one more pier, you are just going make 'em --
4 it's going to be a mess. Talking about blocking off the
5 thing, talking about the ferries coming in, oh, my goodness,
6 it's already enough. So anyway, I no like. Go Mala Wharf.
7 I mean I grew up Mala, I'm born and raised Mala, but get
8 room. Not Lahaina. Any questions?

9 CHAIRMAN KALALAU: Anybody have a question?

10 MS. AHI: I always get questions.

11 COMMISSIONER WATANABE: No worry, I'm nice. So
12 Lahaina Historical, aye? Mala not?

13 MS. AHI: Historical, but yet get room. And deep,
14 there's deep port, you know, it's deep. The ships used to
15 go all the way in over there.

16 COMMISSIONER WATANABE: So your mana'o is yes,
17 both sites are historical, however Mala affords the space?

18 MS. AHI: Yes. Okay, I mean where are you
19 heading? I mean it's all bus up. We need to malama Mala
20 Wharf. I used to go all the way to the end, jump off. We
21 grew up, that was Mala Wharf. Of course it was plenty
22 dangerous because had plenty pukas, but we grew up there.
23 Unfortunately nobody took care of her. And when had Iniki
24 and Iwa, everything deteriorated and fell in the ocean.

25 But can. To me, can. I mean it's going to

1 probably cost big bucks. But I think the alternative
2 solution, I mean I know my father might not be happy,
3 because the fishermen, we've got to kind of accommodate
4 their fishing. My father fishes. He needs to park his
5 boat. You know, but how do we balance all of that, you
6 know?

7 COMMISSIONER WATANABE: So are you suggesting that
8 they move the entire, the whole shebang from Lahaina to
9 Mala, including the cruise ship, the ferries?

10 MS. AHI: I think the cruise ship, I mean the
11 ferries can. I mean, to me, I think some of it might be
12 better, because to move some of the congestion out of
13 Lahaina harbor. Because you get a lot of, you have a lot of
14 vessels in the harbor that need the pier, you know. So all
15 these extra boats that come in, I mean you can have a little
16 bit more. I mean it's a small area too over there, but at
17 least it's not so congested as Lahaina is.

18 COMMISSIONER WATANABE: Mahalo.

19 MS. AHI: You're welcome.

20 CHAIRMAN KALALAU: Any more questions? Thank
21 you.

22 MRS. KAPU: Aloha. Uilani Kapu. I've testified
23 on this several times. We spoke with the Mala fishermen.
24 That place was supposed to be for residents only, but now we
25 have charters and everyone else going in there. I agree

1 with a lot of people, Mala or Maalaea is the place for it.
2 But if we are talking improvements, Mala really needs it.
3 Mala needs help. Not this drastic, but they do need a new
4 pier, they do need a new ramp, but they don't need something
5 this huge.

6 But if we're talking improvement, that's an
7 improvement. This is not. This is a new addition. It's a
8 whole different scale. A lot of the old time fishermen are
9 against this big time. But we need to help them and improve
10 it, because they're getting chased out of Mala. All these
11 recreational companies are going in and using Mala now,
12 because Lahaina is getting overwhelmed. Maybe if Moloka'i
13 and Lana'i shuttles, ferries can land there to accommodate
14 our people coming back and forth, the Cannery Mall is right
15 there, it's more convenient, more close.

16 But I don't think the ferries. I know our
17 fishermen are not going to want the ferries. They're not
18 going to like those tenders. But think of Mala. Lahaina
19 does not need it. And we've spoken on it strongly. A lot
20 of people have testified. Lahaina does not want it. So
21 that's why I can see their unresolved issues is from.
22 Mahalo.

23 CHAIRMAN KALALAU: Thank you. Do we have anyone
24 else who wants to comment on this, because this is the
25 commenting period on the proposal. It will be coming before

1 this Commission several more times. I'm just hoping that it
2 will come through just a few more times. I think if they
3 really listen to what the people are saying today, you know,
4 I'm hoping that they take into deep thoughts and
5 consideration, then they don't have to come back before us
6 too many times.

7 Anybody got any more comments? Anyone else from
8 the public wants to come up and testify? If not, we will
9 close this portion' of the floor now. Commissioners?

10 Because this is on a commenting, we're just giving
11 the public a chance to comment on it. If we are going to
12 open it up for further discussions, it's got to be just to
13 the issue, just to the EIS, so they can either be addressed
14 or not.

15 COMMISSIONER FREDERICKSON: I have a comment, and
16 this is in regards to the EIS, and my comment is, okay, this
17 is a National Historic Landmark. The proposed project, in
18 my opinion, is going to -- will have a negative impact on
19 the visual shorefront of the actual historic landmark. It
20 will have a visual impact, and that's something that the EIS
21 has to address.

22 There's no way to really address it, because it's
23 going to be something that's not there now, and it will have
24 a visual impact on the National Historic Landmark, which
25 from my point of view as a Commission member is not --

1 that's not acceptable, it's just not acceptable. That's my
2 comment.

3 CHAIRMAN KALALAU: Any more comments?

4 COMMISSIONER HUTAFF: I'm going to try to stick
5 within the framework of the EIS, because I believe that's
6 what your statement was. Forgive me if I go sideways again.
7 Within the EIS it's supposed to address the safety and ADA
8 issues within the area concerning this project. So the EIS
9 is really to make sure that the environment or any impacts
10 are lessened. I don't see much as far as what ocean impact
11 is going to be. They say minimal as far as dredging goes.
12 My understanding is there's no such thing as minimal.

13 Even part of the Department of Land and Natural
14 Resources say that we can't take sand from the beach, which
15 means that they should follow their own rules and their own
16 procedures, because that also protects the environment.

17 I think as far as safety is concerned, I don't
18 think they've addressed the traffic situation that they are
19 going to create. Like Keoki said, it's pretty obvious that
20 the more vehicles that you send down that one way road by
21 the library there, what do you get, about six cars? That's
22 not a solution when you have three thousand people coming
23 off of a boat. So I don't think the EIS has really
24 addressed those concerns as far as that goes.

25 I think from an environmental impact we also have

1 to consider the visual sides of things. Our environment is
2 not just something that we breathe and that we take care of
3 as being responsible quote human beings. It's also the
4 visual impacts about things. That's part of our environment
5 too, how do we perceive things. What brings us pleasure.
6 Looking out to Lana'i and Moloka'i is something that's very
7 unique. There's not many places in the world where you can
8 sit on one edge of the ocean and see another land across the
9 way. So I think that should be considered as part of our
10 environment.

11 The other thing I don't think they've addressed
12 either is how many people actually get dropped off for the
13 interisland ferry versus those who utilize the parking lot.
14 I believe that the environmental impact statement doesn't
15 actually address those things, because if they did, okay, in
16 my opinion, in my unscientific opinion, they would find that
17 they don't need a whole lot of parking, okay, which means
18 that Mala, since they did do a search on that as an
19 alternative, I believe I can speak about it within the
20 Environmental Impact Statement. I don't think they're going
21 to need as much parking over there.

22 I think they also have a stream down there, and
23 believe it or not, it's a square with only three sides. If
24 you make a fourth side to it you have definitely additional
25 parking, okay. The other thing is Mala Wharf is going to

1 need tending to one way or another. We're either going to
2 have to clean it up after it falls down or before it falls
3 down. So I think that's pretty important in how we look at
4 things.

5 The other thing is they're also suggesting in
6 their environmental impact statement that the current amount
7 of ships and needs at Lahaina harbor is going to increase.
8 Then I suggest that if we allow this change to take place
9 and everything does increase, we're still going to be
10 building at Mala Wharf, whether it be 10, 15 or 100 years
11 from now. Why don't we go ahead and diversify now? I think
12 a lot of local people, based upon the fact that they come
13 interisland usually for work and stuff like that, already
14 either have transportation, or with the new bus systems that
15 we have out there right now we will be able to do that.

16 So I really, really don't think the environmental
17 impact statement has addressed all of these concerns or
18 actually looked at them deep enough to have a conclusion
19 that this -- I don't know what to call it, this horrible
20 dinosaur, I don't know, this horrible building in the middle
21 of Lahaina is any kind of solution. That's my comments.

22 CHAIRMAN KALALAU: Thank you, Ray. So we want to
23 move on. Stan?

24 MR. SOLAMILLO: Thank you, Mr. Chair, and thanks
25 to the members of the public who gave testimony today. I'm

1 sure the applicant's representative will and has recorded
2 everything, and will take it back to the reps in Honolulu.

3 Item three, demolition permits. No cases are
4 being brought before you today.

5 Under D and E and F, communications, unfinished
6 business, and new business, no items are being brought
7 before the Commission today.

8 Under Director's Report, the June 5 CRC meeting
9 agenda will include the adult portion of Halloween in
10 Lahaina. It will be scheduled for Lahaina again. So the
11 CRC will be back in Lahaina on June 5.

12 In addition, staff from SHPD have been asking for
13 a workshop, and at least the head or the acting head of SHPD
14 architectural branch will be here to present a workshop for
15 CRC members. I know that the CRC has been asking for this
16 for a least two years, and now that we have a kind of a
17 change in administration your wish is finally granted by the
18 SHPD. This will be the workshop conducted by the State
19 Historic Preservation Division architectural branch.

20 Demolition permits and historic district
21 approvals, there was nothing to report at this time. I
22 think that the important meeting that was held on Lana'i in
23 which this Commission deferred seven demolition permits has
24 resulted in some action. We will probably return to the
25 island for a concluding meeting, although we do not have a

1 date yet. We also have to fit in a CRC meeting on Moloka'i
2 this year, too. So we may look at travel plans toward the
3 holidays. We will see how things go.

4 At this point I'll ask the Chair to ask for
5 Commissioner's announcements.

6 CHAIRMAN KALALAU: Do we have any announcements?

7 COMMISSIONER WATANABE: Stan, I'm not going to be
8 here for the next meeting, and I think there's two of us
9 that's going to be missing.

10 MR. SOLAMILLO: Do we have enough for a quorum?
11 We have to have Perry. So if we can confirm Perry and
12 Kalei.

13 COMMISSIONER MARQUEZ: But in addition to that,
14 what about the workshop?

15 MR. SOLAMILLO: I don't know if I can reschedule,
16 that's the problem, because they're anxious to get here, and
17 for some reason their schedule constraints, because they
18 have repeatedly asked for June.

19 One more issue that I forgot to bring up was item
20 4, the Director's Report. Lana'i City BCT was surveyed. I
21 went over there with the acting branch chief for
22 architecture, as well as the administrator for national
23 registrar programs, and we surveyed 90 buildings in a day,
24 so it's done. That will be processed probably within the
25 next 30 to 40 days. So, other Commissioner's announcements?

1 COMMISSIONER MARQUEZ: Yes. I speak for all of
2 us, I'm sure. Mahalo (Hawaiian language spoken) Lei Day. I
3 know you went out of your way to do this mana'o, however we
4 appreciate it. Yes, Commissioners?

5 MR. SOLAMILLO: Mahalo to you, too. It's my
6 pleasure.

7 CHAIRMAN KALALAU: Thank you, Stan. So, anything
8 else? Okay, the next meeting date June 5, 2006, Lahaina.
9 Location to be identified when we send out the agenda.

10 Will someone make a motion?

11 COMMISSIONER WATANABE: I move that we adjourn.

12 COMMISSIONER HUTAFF: I second.

13 CHAIRMAN KALALAU: It's been moved and second that
14 this meeting be adjourned. All in favor say "aye."

15 (A chorus of ayes)

16 Opposed?

17 (None)

18 Meeting is adjourned.

19

20 (The proceedings were concluded at 3:45 p.m.)

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CERTIFICATION

I, JEANNETTE W. IWADO, Notary Public for the State of Hawaii, certify:

That the proceedings contained herein were taken by me in machine shorthand and were thereafter reduced to print under my supervision by means of computer-aided transcription; that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

Dated the 12th day of May, 2008

NOTARY PUBLIC, State of Hawaii

My commission expires 2/5/12