

(APPROVED: 10/02/08)

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
AUGUST 7, 2008**

*** All documents, including written testimony, that was submitted for or at this meeting are filed in the minutes file and are available for public viewing at the Maui County Department of Planning, 250 S. High St., Wailuku, Maui, Hawaii. ***

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Vice-Chairperson Erik Fredericksen, at approximately 9:10 a.m., Thursday, August 7, 2008, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Mr. Erik Fredericksen: Good morning all. Let's go ahead and get the 7th of August, 2008, meeting for the County Cultural Resources Commission underway. Call the meeting to order. Let's see, first item is approval of the minutes from July 3. Any discussion or anything from anybody?

B. APPROVAL OF MINUTES OF THE JULY 3, 2008 MEETING

Mr. Perry Aratates: I move we approve the minutes from July 3.

Mr. Kalei Moikeha: Second.

Mr. Fredericksen: Okay, minutes are approved. Let's see, Item C, Permit Review.

Mr. Stanley Solamillo read Item C.1.a. into the record.

C. PERMIT REVIEW

1. HISTORIC DISTRICT APPLICATIONS -

- a. **MR. KEN K. MARTINEZ BURGMAIER, on behalf of MAUI FEST HAWAI'I LAHAINA FILM FESTIVAL requesting Historic District Approval for the 3rd Annual Lahaina Film Festival to take place August 9, 2008 within Historic District No. 1, at Campbell Park, TMK: 4-6-008:006, 680 Front Street, Lahaina, Maui. The CRC may approve or deny the request and provide recommendations. Public testimony will be accepted. (HDX 2008/0015, SMX 2008/0352) (L. Callentine)**

Ms. Livit Callentine: Good morning, Commissioners. My name's Livit Callentine. I'm staff planner with the County of Maui Planning Department and I'm here this morning to -- to present to you an application, which came into us on July 25 of this year, so it came into us for temporary structures associated with the 3rd Annual Lahaina Film Festival, which is to take place in Campbell in Historic District No. 1 and the National Historic Landmark District.

Mr. Fredericksen: Excuse me, Livit? Can you see okay? I just turned the lights above you off. Can you see okay?

Ms. Callentine: I can. Thanks.

Mr. Fredericksen: Okay, I just wanted to --

Ms. Callentine: Thank you.

Mr. Fredericksen: I just thought of that right now, sorry.

Ms. Callentine: Thank you. Yeah, that could be a question. That's a good question to ask. Thanks, Erik. This morning on your desks you will find a handout which includes additional information that I was able to obtain but I didn't get in time to put it in your mailout packets. So included is a site plan which we will be referring to, which we will be referring to throughout this -- this review, also event posters from the event. It was held in 2006 and 2007 so this is its third year. And also I included a *Honolulu Advertiser* article that came out last Friday. And also I had put in 25 letters of support that the Planning Department has received but now it's -- there's more than that because more came in this morning.

The applicable regulations today are the Maui County Code, Chapter 2.88, Chapter 19.48 and 50 and 52, and Chapter 530, pertaining to rules of practice and procedure, and duties and authorities.

So the best that department can ascertain, the event began in 2006 and it has been held annually. There was no prior review conducted because the applicant was not made aware of the permitting requirements so once he did find out that he needed to apply for a permit, he did so right away. The reason we've rushed this, of course, is because the event is scheduled to be held this coming Saturday and we wanted your review. So this is part of a Maui Fest organization and it Ken Martinez Burgmaier shows -- does these film festivals in Hana and Molokai and Lahaina. They support local nonprofits by -- through booths where they do fundraising and it's always free admission for the participants and if you read the letters of support and the articles, it sounds as though this is just very wonderful well received festival in the community. We haven't received any letters in

opposition to it. Also, the article in the *Honolulu Advertiser* said that the County of Maui provides a \$30,000 grant, I guess that was this year, I'm not sure what year that was but, in any case, the County of Maui does support it. I haven't been able to confirm that but that's what has been told to me by the applicant.

So what's under your purview is there are ten ten-by-ten tents, so hundred square-foot tents, they will hold the food and beverage booths, arts, Hawaiian arts and crafts, and also t-shirts, and the applicant has brought a sample of the t-shirt to show you today. I haven't seen that yet. It also includes a stage on the setup, it's 64 square-foot stage, as I understand it, two four-by-eight platforms, and -- and there'll be a truck pulled into Campbell Park and on the side of the truck there's going to be a screen mounted for the viewing of the films and there'll be sound and video board in the center of the site to do the projection and audio.

So the ancillary information is that it is in Campbell Park from 4 to 11 p.m., and as I said, there would be a stage for music and film screening, ten booths, t-shirt booths with a Hawaiian theme logo, and expected from -- expected attendance is anywhere from 300 to 10,000 passers-by. Some people will just pass by because it's Lahaina and that's what happens in the Lahaina and some people will go and actually sit there and participate for the music and films.

There's no street closures proposed with this event. There will be security provided. It looks like a total of - I didn't total this up but 32 restrooms that are available for public use at the Wharf Cinema Center, at the harbor, and at Cool Cats Café. And there is exiting lighting in the park, which you'll see in one of the photos that I show in a bit, and the applicant will also do solid waste collection and recycling, and they have a plan in place for that and they will be doing that throughout the evening, throughout the day and evening.

So I'll show you next the site plan, I don't have a pointer with me today, but you see up at the top of the drawing you'll see the van and stage, and along the left-hand side, just to the left of the sidewalk, you'll see that there are artists tents, Hawaiian arts tents, and right behind the police booth, so everyone knows where we are right now, yeah. Then we have Tongan arts, existing lighting, the sound and video board, waste receptacles, existing lighting, trees, the hula halau food, shave ice, and water and soda, and another food tent here, and I think that about does that.

So this was 2006 poster and I know it's too small to see, there are copies of it in your packet today, but I just wanted to show the colors and let you see that. This was the 2007 poster and the 2008 poster. I'll go into detail about what they say.

The next scene is a photo of either last year or the year before, I'm not sure which, but of attendees. You can see the light posts that are throughout the park. There's one in -- a

view of one of them. These are the examples of the tents that will be used. Another one down here at the lower right-hand corner. And there will be live music by lots of different wonderful entertainers, as you can see, Uncle Boy Kanae, George Kahamoku, Herb Ohta San, and etcetera. I don't even think this is the complete lineup, but just to give you an idea of the types of entertainment that will be there that day, and Taiko drummers. I forgot that. So music. We have the Taiko drummers. And then the films that will be screened, I know this is not a complete list of all of the films, but just to give an idea, and I know I'm real excited to go and see them: Palm Trees and Proteges, is that how you say that, Proteges? Okay, so we have a wonderful line up of films that are all Hawaiian -- supports Hawaiian culturally oriented or of interest to the Hawaiian community. This is kind of a shot of part of the crowd while the films are going on.

And so the application was not transmitted to any agencies because we wouldn't have had time to receive any responses back in time to present them to you today. And, as I said, there were more than 25 letters of support for the event, and we received no letters in opposition to the event. So with that, I'd like to give the applicant an opportunity to present and answer any questions that you might have.

Mr. Fredericksen: Thanks, Livit.

Mr. Ken Martinez Burgmaier: Aloha kakou.

Mr. Fredericksen: Good morning.

Mr. Burgmaier: I'm Kenny Martinez Burmaier and founder of the Maui Fest Hawaii Film Festival events and over to my left is Uncle Boy Kanae, co-founder, co-executive director as well, and I just want thank you guys for coming out and, you know, hearing our point of view for this. Our Maui Fest Hawaii Third Annual Film Fest, you know, it was founded in 2003, and we brought to provide exposure and tourism to economically depressed areas of Maui County with the assistance of Uncle Boy Kanae and myself. We've been specifically created to showcase local Hawaiian entertainment and help the preservation of Hawaii's lost culture. Maui Fest Hawaii and . . . was awarded the Event of the Year from the Hawaii Music Awards for perpetuating Hawaiian culture. The festival series a Hawaiian celebration of Polynesian music, arts, culture, and films. And since each event, we've attracted both residents and tourists, and it provides an opportunity to -- for the interaction between these groups in small communities where the events are being held and brings families together to enjoy high quality entertainment that is focused on Hawaiian culture.

When we do this, we started originally in Hana, it was embraced by the whole community and now we're going on six years in Hana and it's recognized as one of the premier festivals in Hana and talked about for months afterwards as well. We work directly with nonprofits and our nonprofit partner is Ohana Makamae, Ray Henderson, and we've been

working with them for about three or four years now and that's how we get some funding through the County of Maui on the Mayor's line item budget cause that came up, and they help us with \$10,000 for each festival. Maui Fest, we will continue to bring high quality events for our Maui Nui communities with true aloha. We always encourage feedback from both residents and tourists alike. Every year we put our sincere efforts to preserve and perpetuate and promote our last Hawaiian culture.

You know a sample of some of the organizations working with Maui Fest Hawaii include the Hana Canoe Club, which I'm a member as well and been a member for many years; Ohana Makamae; Hale Hula Mamo; the Hana Senior Center; Hana Youth Center; Hui Noeau; Molokai Community Health Center; Molokai community clubs; Molokai Cancer Association; Maui Police Department, we work directly with them, we've done a lot of showing of some of their videos to help, you know, the kids stay focused and not get into drugs and things like that, which have always had a theme; working with the Maui Upcountry Little League; Lihikai Schools; Maui Scholarship Fund; Maui Boy Scouts; Sacred Hearts; Kamehameha Schools, we've done a lot events with them and help them do many fundraisers, and some of the -- I just want to make a note of some of the quotes we've gotten from journalists over the years. You know, we're really a true grassroots festival. We just all volunteer. We lose money on these every year. And sometimes me and Boy, we all get together and say, "Why are we doing this?" But it's our way to give back and we really want to keep, you know, the presence of Hawaiian culture through all the kids. That's the main thing - for the keiki.

Honolulu Advertiser wrote, here's a quote: "Line up for Lahaina's Film Festival is worth the wait." "Magic spells are liable to set in at any moment." *The Maui News* wrote that. "The atmosphere was wonderful. It gives Mauians an opportunity to be outdoors in the community together." That was from *Honolulu Star Bulletin*. "The Maui Fest is a glimpse into the local style Hawaii that barely exist on this island." That was from *The Maui News*, *The Scene*.

And we hope that this Culture Resources Commission recognizes the vision and task we have built for our community and allow our ohana to continue producing the Third Annual Film Festival for years to come for our keiki to learn and cherish the memories we're sending them about our culture of Hawaii.

Okay. I get pretty passionate about this. Keola Beamer, he's in Canada right now, and he's performing and Kenmore Folk Music Festival. First up, I'd like to pass around the poster for you guys. Can I do that? And he wanted me to read this to you, okay:

Aloha:

I am writing in support of Kenneth K. Martinez Burgmaier, Maui Fest Hawaii. I've known Kenny since about 2001 when RCA approached him to create a documentary about me for Windam Hill Records. This documentary would later be entitled "*Keola Beamer - Kiho Alu - Loosen the Key.*" Our film later went on to win an Emmy Award in 2007 and has since aired nationally through PBS and other venues. It has won 13 awards promoting Hawaiian culture throughout the world at film festivals.

It has been a pleasure working with Kenny through the years. He has effusive kindness and genuine love for the process of potential film making. Kenny has impressive organizational skills and through his wonderful creativity, I believe he is poised to become one of the great storytellers of our generation.

Kenny is currently working on a film about the life of my mother, Aunty Nona Beamer, she passed away April 10, and the film is entitled "*Nona Beamer - Malama Ko Aloha - Keep Your Love,*" and it's funded by a nonprofit Mahalaho Foundation.

In short, Maui Fest Hawaii brings people together in an environment that is family friendly. You can bring your kids, sit down on a blanket on the grass, and share the aloha of our community and friends. All this without cost. In my humble opinion, this is a win-win situation for Maui County.

Kenneth Martinez Burgmaier runs the Maui Fest Hawaii like an extended ohana and the Beamer ohana is proud to be part of it.

Mahalo nui, Keola Beamer

And one last letter from -- that I'd like to read to you is from Bruddah Francis Koho, and this is the Maui Fest Lahaina Film Festival is a great way for our tourist to experience Hawaiian music, films, and culture. Lord know that our culture has been modernized and stripped from its natural beauty and an event like Maui Fest Hawaii Lahaina Film Festival is a chance, not only for the visitors, but for all of Maui families to experience our Hawaiian culture as it was meant to be. Buddah Francis, Pukalani, Maui.

I did receive a couple letters even last night all the way up to midnight but I think you guys get the gist of what we're trying to create here. Now I'll show you the actual t-shirt design and we put great thought into these t-shirt design. I'm trying to really keep the Hawaiian culture and keep everything pono. But this is a -- we'd be happy to donate to any one of you guys. This is a 6X but it's for Uncle Boy. If one of you guys can fit in it, you can have it. But I'll pass this around too.

And I got some other letters from just like some local business owners and stuff but I think, you know, Uncle Boy's gotta get back to work ...(inaudible)... but do you have any other questions or anything? If you guys have questions or -- I think I'm -- just tell me.

Mr. Fredericksen: Commissioner members, any questions for the applicant?

Mr. Moikeha: Primarily, then if I understand everything correctly too then, you'll always be showing cultural films? I mean there will never be a time when other stuff will come in or will there, or it's primarily ...(inaudible)...

Mr. Burgmaier: We always -- my focus -- yeah, I've done, myself, personally directed over like 20 Hawaiian documentary films and that's the sole purpose, I really feel, to keep the Polynesian feel, you know, sure we get films in New Zealand but throughout the whole Pacific, that's my main focus to try and share that with the communities.

Mr. Moikeha: And so then what you're saying also then that there is enough out there? I mean we don't know, you know.

Mr. Burgmaier: You know, it's -- it's always a struggle every year trying to find it but, yeah, it is. Some of the films from the world premier films that I have are from some kids this year in Hana who made a great surf film. One went to Oahu and they worked with, there's a surf organization there that does nalu and the kids can only speak Hawaiian and they teach the kids Hawaiian there, and everything is done in Hawaiian, and this is another film maker, Ray Hendersen's daughter, but that's my main focus, and Boy's, to achieve that, and it will go to the past too, like even Herb Kane, you know, he's got one of his old films that hasn't really even screened at a film fest so I'm, you know, we're going to go in the archives and whatever we have to do, and I'm working on Auntie Nona's film so we're going to show a short piece of that but, yeah, that's our main goal.

Mr. Fredericksen: Any other questions, Commissioners? Well, I'd just like to say, excuse me, this is the kind of -- we need more of these sorts of activities, festivals, events in Lahaina Town, well and elsewhere too --

Mr. Burgmaier: Sure.

Mr. Fredericksen: And, you know, I certainly support this event and I'm sure the Commissioners feel that same way, and we'll find out, but I certainly support it and I think it's a, you know, it's a great --

Mr. Burgmaier: Thank you. Thank you. Yeah.

Mr. Fredericksen: And I've got one question for you.

Mr. Burgmaier: Sure.

Mr. Fredericksen: Excuse me, Nani. Or maybe this might be for Livit too, Livit. Do they have to apply for a permit on an annual basis for this or has that not happened yet or --

Ms. Callentine: Yes, for actions in the Historic District, an annual permit is needed, at this point in time. The department would very much like to move towards, when there's an event that has been in place for several years with support and no -- no complaints, we would like it to where -- to become where --

Mr. Fredericksen: Administrative?

Ms. Callentine: Well, it will -- that's one thing, yes. The second, if the -- I'm sorry. If the -- if the first event comes to you and takes place and is -- nothing -- no complaints, it's all good, then the next time they come in, if it's not a huge or significant change in scope, then we do process it administratively. If they decide to expand in scope, do other things --

Mr. Fredericksen: You would come back.

Ms. Callentine: Then we would come back for another review with you folks. What we also would really like is to move towards being able to give an annual event say a five-year permit so they don't have to come back in every year.

Mr. Fredericksen: Right.

Ms. Callentine: So that would -- that would be a good streamlining technique for within the department as well as --

Mr. Fredericksen: Well, especially volunteer --

Ms. Callentine: As well as help the applicants out too.

Mr. Fredericksen: You know, this appears it's mostly volunteer, correct?

Mr. Burgmaier: Actually, yeah, no one gets paid on this.

Mr. Fredericksen: Yeah.

Mr. Burgmaier: And that would be great. I mean this -- to be honest with you, the last, you know, two years we've been doing this at Waiola Church, and Waiola Church is private property and the queen gave the property to the church in 1832, I believe, and it was for use as a park and to have events for gives. That was her main mission. And when we

started doing this, we didn't even know we had to do County -- even church board or directors, they've had many events, that this permit process was all new to all of us and, believe me, I'm tired, after all the process. We had to do -- Uncle Boy is worn out and we had no idea we had to do all this stuff on private property but I know it's -- we understand it's in a historical district and there's protocols you gotta do but we jumped through many of those hoops now and -- and here we are so -- and we wanna continue.

Mr. Fredericksen: Nani? Excuse me, Ray, but Nani wanted to say something.

Ms. Nani Watanabe: Aloha. Yeah, I heard some -- I got a call from Lanai so there's a group of people coming over to -- to hang out and go see this film festival and they're very excited. It's really nice to see that you're using a lot of our island talents. There is so much within Hawaii and it's -- it's so culturally right for the -- for Maui and I know it takes a lot of work too and money to make beautiful posters and -- and I know with Uncle Boy, make him work hard.

Mr. Burgmaier: Oh, he does. We're all there all the way to the end. And one thing I know a lot of those Lanai people come over and --

Ms. Watanabe: Yes.

Mr. Burgmaier: I mean every year they come and they love it, and they even been coming to Molokai as well. We do our festival there too. And they've asked us to bring it over to Lanai. We said we would love -- we'd just love -- just for the families there, so maybe in time that'll happen so --

Ms. Watanabe: Well maybe we can work on it. I do events there as well.

Mr. Burgmaier: Oh, okay.

Ms. Watanabe: But, yes, mahalo for doing this and so I guess a lot of Lanai people will be staying in Lahaina and that'll support the economy there so --

Mr. Burgmaier: And actually even for the first year we even had the, well, the Lahaina inn they, you know, helped donate rooms for us and she's getting calls. They're going to probably be sold out. I know the Pioneer Inn is getting a lot of people coming out. The Kuleana Resorts, who's helped us every year, they're going to be close to sold out and right now it's like dead and -- and The Westin, for the first time, came onboard even donated a couple of rooms for us which -- which kinda like blew us away as we're not that big corporate type festival, just grassroots, but, you know, so we're getting that kind of community support, which is really heartwarming.

Ms. Watanabe: So these are your sponsors, pretty much, they support your event?

Mr. Burgmaier: Yes, and many of these, I must say, are in-kind sponsors, you know, we wish we had cash from every one of them but, you know, we gotta take everything we can being this organization so --

Ms. Watanabe: Okay, great. Mahalo.

Mr. Fredericksen: Ray?

Mr. Ray Hutaff: Thanks for going through permit process because, with the historical district, there are things that have happened there that have been not so good, okay, and with the permit process, this allows us to make sure that there's room for the good things that you'll have going on. So I know it's a little bit of work, we appreciate your tenacity, glad you didn't give up. I think out of all the things that can happen in Lahaina, this is a modern day cultural resource in itself, okay, with the music and the films, and bringing it to Lahaina is the perfect venue. Because so much has been lost in Lahaina, what you do helps bring back awareness, bring awareness too, and allows the visitor to see a little bit more than the storefronts and the flashy jewelry and the gold - they see hear, okay. Your effort to go through the permit process indicates that heart, and so I know it's challenging, I know it has been, I know it's been very last minute, but I would like to comment all of you at the Maui Lahaina Film Festival for all that you've done and all that you will do. Mahalo.

Mr. Burgmaier: Thank you, Ray. Thanks.

Mr. Fredericksen: Kalei, did you have something?

Mr. Moikeha: I don't know if it's a question or just a comment, but it seems like a really really great event. One that I would like to attend, and I think I'll make an effort.

Mr. Burgmaier: It's sold out.

Mr. Moikeha: It's such a great event but you just -- you would hate to also see something like this kinda stop, you know, and that's kind of like my worry, so will there ever be a time where you would have to? Will funding always kinda --

Mr. Burgmaier: We hope so, yeah.

Mr. Moikeha: I mean you guys must be thinking about all that. You can't take a loss every time, you know you kinda -- but it's something that I think we would wanna see. I mean we've not seen very many love letters come in for any type of event. This is probably the most I've ever seen that --

Mr. Burgmaier: Oh really? I was up to like midnight and still letters coming in and I thought --

Mr. Moikeha: Well you should have been here last month. But anyway it was, you know, it's --

Mr. Burgmaier: Well, that's -- that feel good.

Mr. Moikeha: So, you know, just thinking and, you know, cause these are things -- I mean I worked all night last night, coming in on Hawaiian Airlines and they announced flying to Maui and the whaling town of Lahaina, and I thought to myself, "we gotta change that." You know -- you know, I gotta go talk to them too but you gotta change that.

Mr. Burgmaier: Yeah, right.

Mr. Moikeha: You know, our history goes so much farther than the whalers and I mean, you know, I still remember in Lahaina, you don't wanna be called Halloween town either and all those things but what do you -- you know, all those little things that we somehow have to change and allow people to realize that this is Hawaii but --

Mr. Burgmaier: Yeah, and I -- yes, I'm on the same page with you and it's -- the subject even came up with me and Boy and several of our ohana, like, man, do we wanna keep -- is it worth it? Do we do it next year? I mean we came this close, like, you know what? This is too much trouble. You gotta, you know, present to you guys and this -- we came close to just like you know what? We'll just have to tell everyone that we can't do it this year, which would have broken our hearts and a lot of families' hearts, but, you know, we pulled together and we just thought, you know, you move on, stand tall, and we're here. And we'd love to continue it over -- every year. But that is -- that's a tragedy to recognize Lahaina like that. It really is though.

Mr. Boy Kanae: Kalei, you know, your statement about, you know, what happens in the future, prior to this, we didn't have to do this. We did it because we wanted to, yeah, because we love what we do, and, you know, Akua is always giving us guidance and strength to do what we need to do. So with your -- with your question, whether we get the money from whoever or whether not, as long as we stay alive we going --

Ms. Callentine: Excuse me, Uncle Boy. We need to have you speak into mike for transcription.

Mr. Kanae: Yeah, it's very important that what we do continues and whether it's be and brother or our children who are very involved in this and in what we do is, basically, it's not the -- the money is good, the money is needed, but most of all, it's the support from the

families and the community and for those that look at it, like yourself, as a great venue, that when time comes that we need the support, you know, people will come out and the only way things can live is through existence of aloha, yeah, and the caring for it so -- and we care for it so, you know, in that case, I don't see this going anywhere. If no more money, we just do the best we can, yeah? If we gotta ask four guys go stand up hold the screen, you know, so we do shadow figures, whatever, as long as looks like Hawaiians, yeah? But, yeah, and again, I appreciate what the CRC's doing because I was there when the Lahaina Banyan Tree, the Aloha Festivals, yeah? The Lahaina Banyan Tree started. I helped put that together and I can understand that we have to malama and be maka`ala about things that happened in our world so that it doesn't just be erased and then our host culture is not remembered and, of course, giving life too so in this part of Lahaina Film Festivals, it allows the Hana and Molokai, it is giving life to our culture so, again, mahalo and thank you for your mana`o.

Ms. Watanabe: Just a quick question. You guys -- does Hawaiian Tourism Authority support you?

Mr. Kanae: They say go ahead and have a good time.

Mr. Burgmaier: We try. Yeah.

Ms. Watanabe: I think they should take a look at it.

Mr. Kanae: We try every year, well, but you know the things is, you know, there's a lot of people or organizations doing things and a lot of them get really a lot of money and -- but the thing about -- that I keep reminding Ken is that this is for our people and we just take what we can, use what we got, do the best that we can, and then as long when we pau, Akua, we can talk to Akua and say we did our best, then everything is all good, yeah? But when you walk away from something and you not pono in yourself, then you haven't done your best, and so, you know, HTA, you know, we'll pray for them to jump onboard one day but until that day comes, you know, we going wait and we just do what we gotta do. But we get other people support us. We get our brothers and sisters come out and help us and stand by us and it was really great to know that what we're doing is not being ignored or, you know, that we getting acknowledged for what we do. So I get people who come up to me all through the year like, oh, when's this film festival and, you know, who going be on there and what's going to be on there, so -- but it's a good fun thing. It's just that come day of you gotta be there 24 hours, you know what I mean, you gotta work 'em but it's good fun.

Mr. Burgmaier: I like that. Just for the record though, yeah, we have applied for the HTA grants say with the Private Enrichment Program they have here like three times and this last time, we've been turned down every time, we don't know why, we all kinda all wonder, and our last time even Ohana Makamae was our nonprofit partner and, you know, it was

a really nice package we put together and he was even -- all -- you know, their board was all baffled so but, you know, we just looked at it and we just keep going. Luckily we rallied and went to the Maui County Councilmembers and got some type of small funding to help continue but that's -- maybe with your guys support and everyone else's, we'll break through that HTA barrier cause we've had request to bring his to Hilo on the Big Island, and also to Oahu. I just flew over there; even couple of the hotels they said can you guys do this there? So, yeah, we can. If we get the funding, we'd love to. Anyway, if we break even, that's fine. But to that question, I just still wanna set that record, so we're trying.

Ms. Watanabe: Thank you.

Mr. Kanae: Mahalo.

Ms. Watanabe: Mahalo.

Mr. Fredericksen: Okay, any other questions? Everybody's good. Any public testimony on this item?

Mr. Kenneth Hiraoka: I just wanted to say something. My name is Kenneth Hiraoka. I'm a local carver. Here's like some of my work. I support the Hawaiian culture. I do this full time. How I got started is I had to take care of my uncle and my dad so I had to quit my job as worker in construction and I prayed to Akua and I asked him what I could do to bring in funds so this is what I do. And I just hope that everything works out for -- for the years to come that, you know, we can -- we can stand by the Hawaiian nature of just taking care of the art and there's all these responsibilities and in favor with like the people on board da kine for gathering rights and stuff like that; that'll be nice. But anyway, it's just to support this Maui Film Fest. I think it's a great deal for the community and just the visitors, you know, that we can show them something that is real out there. We have a lot of fake stuff out there and it would be nice for them to see the real thing, you know, cause they come here and they say, "oh, this is Hawaiian items," and they look at it and it's like rubbish cause it's not the real stuff. And then we was -- and then when they come and especially now with the economy going up and like we need to have all these people I guess the kind you save ...(inaudible)... with the guys who get, you know, they pretty much have all the kala to keep on coming to the islands and now like I notice that those are the people who are looking for real things and, you know, that's why I think we should keep on having these items, this film fests and stuff like that to promote the local artists too. And I appreciate you hearing me out. You guys have a nice day.

Mr. Fredericksen: Thanks.

Ms. Watanabe: Mahalo.

Mr. Fredericksen: Any other testimony? Okay, let's see, so does anybody wanna make a motion about this -- about this application?

Mr. Hutaff: I move to approve.

Ms. Callentine: Can I --

Mr. Fredericksen: Oh, sorry.

Ms. Callentine: I'm not sure the right time to say this but I did prepare a draft approval letter --

Mr. Fredericksen: Okay.

Ms. Callentine: For you with -- and the applicant has not seen it to see if he can agree to the conditions.

Mr. Fredericksen: Okay, do you wanna read that then?

Ms. Callentine: Sure. It's not a full-on recommendation though. It's just -- it's an approval letter and so the conditions -- so the department is recommending approval and under the following eight conditions and, Kenny, I should probably give you a copy just to follow along on Page 2:

Number one, that all event's construction, placement of structures and the banner shall be -- oh, sorry, that's a mistake. There's no banner. Shall be in accordance with the written representations received on July 25 and August 4, 2008.

Two, that any substantial changes or additions to the scope or intensity of the event or project site shall require an amendment to the permit.

Three, that the applicant shall apply for permits for this event at least 90 days prior to the date of the event in the year it is proposed to occur to allow adequate time for processing.

Four, that a building permit shall be obtained prior to the initiation of construction or erection of temporary structures by -- that setup and preparation of the stage shall occur no earlier than August 8 and that breakdown and removal of the stage shall be no later than August 10, 2008.

Six, that the applicant shall be responsible for cleanup of any litter produced by the event including any on Front Street and adjacent roads and shall use every precaution to prevent

or litter or any products or debris from the food concessions from entering the ocean and shall encourage recycling of event waste.

And seven is the -- is the insurance clause, which is very long so I'm not going to read that through.

And eight, that full compliance with all other applicable government requirements shall be rendered.

Mr. Fredericksen: I've got a question for you, Livit.

Ms. Callentine: Yes?

Mr. Fredericksen: I can't remember which -- which one of those conditions it was --

Ms. Callentine: Okay.

Mr. Fredericksen: But something about building permit?

Ms. Callentine: Yes, that was --

Mr. Fredericksen: But it's a temporary --

Ms. Callentine: I'm sorry. Number four is that a building permit shall be obtained prior to the initiation of -- or of construction or erection of temporary structures. And the applicant has applied for a building permit the Department of Public Works, Development Services Administration, and they're not waiting for all the agencies to sign off on the permit and actually our Planning Department, our Zoning Division will sign off as soon as I tell them that the event has been approved.

Mr. Fredericksen: Oh, okay. So this is enough? I mean cause this is like real close to when this event starts.

Ms. Callentine: Right. Right. Well, I don't know that they'll be able to move it through tomorrow but I will notify DSA that -- that if you approve this, that it is -- that it has been approved by the CRC and --

Mr. Fredericksen: Okay, so this isn't going to jam the applicant up with that?

Ms. Callentine: Well, it -- no, they can go ahead and continue and have their festival. They have applied and, I don't know, Stan, if you wanna say anything else about that.

Mr. Solamillo: No, I mean I've -- this was really a short time span and normally it takes 90 days to process an application, so I'll commend the department for moving -- moving obstacles and barriers to getting this through as well as to the applicant that, you know, when notified that there were permits involved, came forward and did due diligence and filed the applications so --

Mr. Artates: Does the applicant approve these conditions?

Mr. Kanae: Basically, it's just -- I guess, basically, it's just a reminder to us that what we need to do as because we haven't done this in the past, and so in accordance with these eight items, I don't see any problems and, you know, it's good to have it in writing so, you know, we complete -- that we have this done then there shouldn't be any problems for the years, yeah, that we do it again so -- so we're aware we have the information so that's good.

Mr. Fredericksen: Okay, thanks. One more question, Livit. Okay, so they go through this process this year, let's say the event is just how it's been, really great and no complaints no nothing, so next year they're -- are they going to have to come back and make a formal presentation at CRC again, or would that be at that point --

Ms. Callentine: No.

Mr. Fredericksen: To be administrative?

Ms. Robyn Loudermilk: Yes.

Ms. Callentine: Oh. Oh, okay. Robyn is -- Robyn's my -- one of my mentors so she is telling me yes so the second year, Robyn, they have to do a review?

Mr. Fredericksen: Robyn, can you -- can you go to the --

Ms. Callentine: The CRC reviews the second year?

Ms. Loudermilk: Yeah. Robyn Loudermilk, Maui Planning Department. At this point in time, they will have to come back. We are -- based upon events that occurred for the Halloween event, we are re-reviewing the process and procedures and as of this time, conservatively, we are saying that permits will need to come back on an annual basis unless otherwise stated but at this -- this is the first year before you folks. We are not assuming the fact that if an event has come before you, that you would not want it to come back before you again. Now that may change next year but I think we do need the next nine months to relook everything and I think that would be the -- for the benefit for the CRC, for the department, as well as the organizations that are running the events so they know

everybody's on the same page. So right now I think we're a little bit transition that's why I made sure I came down today in addition to having items is that we did anticipate that the question regarding annual event in the future there's a possibility. I think as of right now we just want to be very -- very conservative --

Mr. Fredericksen: Okay.

Ms. Loudermilk: And -- and if things are run fine, there should not be any -- there would be no reason for us not to recommend to this body approval at this point in time. Yeah, so thank you for the opportunity to clarify that.

Mr. Fredericksen: Thanks, Robyn. Any other comments from the Commissioners? Livit, do you have anything else you wanted to add?

Ms. Callentine: No, I will -- I will make the corrections to these -- to Condition No. 1 to remove the "and the banner," and since right now there's only one project site, in Condition No. 2 I will remove -- I will correct that to read "project site" rather than "project sites." And I think the applicant is in agreement with the other conditions so I don't have any other further amendments to propose.

Mr. Fredericksen: Okay, applicant, okay?

Mr. Burgmaier: Yeah.

Mr. Hutaff: You guys can -- those conditions are doable?

Mr. Burgmaier: Yes. Yes, everything is good. And as far as setting that stage up, we set it up like about 11:00 in morning and the screen, and it's done in like maybe two-and-a-half - three hours, and it'll be down by within an hour afterwards, so --

Mr. Fredericksen: Okay, great. Okay, let's see, Ray, do you wanna go back to your --

Mr. Hutaff: Yeah, I'd like to move for approval with the conditions, with the existing conditions.

Mr. Artates: Second.

Mr. Fredericksen: Okay, approved. You folks good luck and it's a great -- great -- oh, I'm sorry. We have to -- we have to vote. I'm sorry. I tend to kind of gloss over some things. Okay, let's go ahead and call for a vote. Okay.

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

It has been moved by Mr. Hutaff, seconded by Mr. Artates, then unanimously

VOTED: to approve with conditions.

Mr. Fredericksen: Okay, now it's passed. No nays? Okay.

Mr. Kanae: Okay, thank you.

Mr. Fredericksen: Okay, good luck folks. Take care.

Mr. Hutaff: And thanks again for putting together such a great event in Lahaina.

Mr. Fredericksen: Yeah.

Mr. Hutaff: You know, if you know of any other events and other people as strong as you, we'd certainly like to see them here too.

Mr. Burgmaier: Alright. Okay. Thank you. Aloha.

Ms. Watanabe: Bye.

Ms. Loudermilk: Could we request maybe a five-minute recess to put up some materials and --

Mr. Fredericksen: Oh yeah, sorry. Sorry. Okay, yeah --

Ms. Loudermilk: And then -- and Suzie will pass out some additional information.

Mr. Fredericksen: Yeah, let's take a five minute --

Ms. Loudermilk: Okay, thank you.

Mr. Fredericksen: We'll take a five-minute break.

(A recess was called at 9:57 a.m., and the meeting reconvened at 10:08 a.m.)

Mr. Fredericksen: Robyn, just one second before you --

Ms. Loudermilk: Sure.

Mr. Fredericksen: Before you start. I just wanted to say hi to Hinano Rodrigues. I think everybody knows Hinano but he's State Historic Preservation Division. Let's see, what's the proper -- is it cultural historic and history? What is it? Is that the proper --

Mr. Hinano Rodrigues: ...(inaudible)..

Mr. Fredericksen: Yes, okay. But anyways, nice to see you, Hinano. Okay, sorry. Thanks, Robyn.

Mr. Solamillo read Item C.2.a. into the record.

2. ADVISORY REVIEW -

- a. MR. FRED CAJIGAL, on behalf of HAWAI'I STATE DEPARTMENT OF TRANSPORTATION - HIGHWAYS DIVISION, requesting comments on a Proposed Landscape Planting Plan as a Condition of the Special Management Area Use Permit for the Honoapi'ilani Highway Widening Project from Lahainaluna Road to Aholo Road, Lahaina, Maui, Hawai'i. The CRC may provide comments and recommendations. Public testimony will be accepted. (SM1 2006/0034) (R. Loudermilk)**

Ms. Loudermilk: Good morning, Commissioners. You may be seated. It's nice to be back. What we have before you today, on the highway widening, are two items. One in which item that include the copy of the special management area permit approval letter with the 11-by-17 graphics of the proposed project. And additionally this morning, after talking with the Chair, I provided some additional background information to you that came from the special management area report the Planning Department did, and these particular documents are related to the Cultural Resources Commission comments provided initially for this project as well as SHPD. As Stan indicated, we have Charlene Shibuya here today from DOT Highways.

As part of the Maui Planning Commission approval for the special management area permit, they wanted to ensure that any final design for the landscaping in this area be reviewed and commented on by, one, the Cultural Resources Commission and, two, the Urban Design Review Board, and this was identified as Condition No. 17 in the approval letter. We've gone before the Urban Design Review Board, we are now here before you, and I would like to turn the presentation over to Ms. Charlene Shibuya. She can provide you with more specifics and then once she's completed, both her and I are available to answer any questions that you may have.

Mr. Fredericksen: Good morning.

Ms. Charlene Shibuya: Good morning, Chair and members. My name is Charlene Shibuya and I'm actually the District Construction Engineer but I assist Fred in his absence in many cases but I'm also the design project manager for this widening project, and it's been like forever that we've been doing this project cause, for those of you that's been here for a while, this is Honoapiilani Highway, I know it's kind of hard to see, this is Lahainaluna Road, just to give you a reference; Dickenson Street; Prison Street; Shaw Street, and Aholo Road. And then just to give you a landmark perspective, this is the pool in this area, and this is the big ballfield, and then you have like the Sacred Hearts School in this area.

Anyway, a few years ago, you know - actually, more than a few years ago, probably like in 2001, you know, they had a task force that they were looking at kinda short-term improvements to at least kinda find some relief for the congestion cause as, you know, you know that the traffic coming this way, every afternoon, it backs up, you know, like at times to Olowalu and even further, and some of the short-term recommendations was really to extend that four lanes back so that you could have some processing capacity cause Shaw Street, at that time, you know was actually the so-called bottleneck. I know now most people can argue that the Launiupoko light is probably a problem too, but, essentially, just to get some processing capacity through the town. So I think back in like maybe 2005 or so, DOT presented the project and, of course, it was heavily opposed cause, you know, the sense back then was we don't want four lanes, you know, everybody's going to speed through. So through the course of doing a number of public presentation, we actually -- you know I went to my consultant and said, "Well, you know, what if we made it a little bit, you know, more like a friendly street, you know, with features," and that's where we came out with this kind of cross-section where it is four lanes but then we added a landscape median, and these trees here on the side, they're existing cause these are the trees along the park, and then if you look on the makai side, there's also trees that straddle the right-of-way. And so that's kind of where we came in with the landscaping. And then the public started to feel like, oh, you know, I think I can start living with this street. And then, of course, we added sidewalks on the makai side so that, because of the park, so people could, all from the subdivisions, you know, walk up here, walk up here, walk up here, and walk up there, and then cross the road. Because the right-of-way was so tight, we couldn't put sidewalks on both sides and we didn't want to take any rights-of-ways and impact people, so we felt the makai side was the way to go because all the subdivisions are here and then, of course, there's one residential housing thing over here that they can actually walk from behind to get to the park.

So that's kind of the overview. And then when I went to the landscape architect, I said, "You know, if you can kind of incorporate some native planting," so he actually has -- wait I cannot read from here so I'm going to have to walk up closer. Yeah, sorry, I don't have my -- I don't see very well. Yeah, so anyway, what they did was they incorporated beach

naupaka and, you know, I think that's the only that's really native maybe, and then of course they have some pohinahina, and then loulou palms, and then the rest, you know, like this Madagascar Olive, shower tree, croton, and bromeliads, you know, obviously those are not native. And I asked them to actually incorporate some ali'i shrub too, you know, in the -- the median cause for the -- you notice we kind of have it cut back from the intersections but we want it all, basically, low plantings and some trees, but you know, away from the intersection so you don't have site distance problems, but I asked them to incorporate that. And the idea was when we took it to the arborist, you know, we actually -- actually we submitted something like this to the arborist twice and they came up with some suggestions, which we incorporated, but the landscape architect wanted to put some color in it and a lot of the native shrub and trees, they don't have too much color, yeah, in them and so that's why we felt like there was mixture. But if you, you know, you wanna substitute, of course, it has to be like, you know, something that would grow in this area too cause it's sort of dry and stuff, but we intend to provide irrigation subject to the water supply giving us, you know, that meter, yeah. So, you know, feel free to substitute. But otherwise, this is the scheme and then, basically, the thought was, you know, like this is kind of like out of DOT character cause, you know, if you look at our widening beyond, you know, we don't have any landscape medians; typically, we don't have any sidewalks and, you know, this is -- essentially when you come into Lahaina, this is almost like a gateway now because, you know, we really don't have any green, you know, after that. And coming from the other side, of course, Kaanapali, yeah, that's because Kaanapali maintains all that landscaping, yeah. So we kinda wanted to create, you know, at least something nice for when people drive in. And then eventually what happens when the Lahaina Bypass comes in, eventually this will be turned over to the County so the thought was, you know, if at that time, you know, at that time they didn't like four lanes, they felt like it needed to be two, but, you know, we told them that, you know, you do need traffic relief and with some of the land uses that's proposed, like the Wainee Village and all that, you're going to need this lineage just to move the circulation internally but, you know, in the event that they can find other opportunities, like maybe perhaps improve Mill Street, which the County is doing, then they can use these additional rights-of-way to perhaps, you know, do like a more of a greenway to the park and stuff. But essentially, you know, just leave the opportunity to the County later on.

But if you have any questions -- well, let add too. If -- because this is a Federal aid project, we had to comply with noise requirement so, you know, along the - like you got subdivisions here and you got some housing apartments here and some more commercial business -- actually there's a school, we had put in noise walls in certain -- like here and here, this vacant, yeah, this place, so right -- I know it's hard to see but you can see there's a noise wall here, when I took it to the Urban Design Review Board, basically we just had it as a hallow tile block with creeping fig vines on the face, they had asked that we do split block type of texture with the creeping fig vines, I don't have a visual of this, but if you can imagine -- if any of you have been to Honolulu, drive down Nimitz Highway, just before --

just before Zippy's there's a Hilo Hatties, and there's a wall there, that's a -- that plant, that's creeping fig, that's what we propose to put along on the front of the wall.

Mr. Fredericksen: How -- I've got a question. How -- the wall, I was just looking at this application because it's real shallow -- shallow excavation proposed for most of it, but the wall, I mean how deep is the footing on that?

Ms. Shibuya: Well, actually, what happens is because the -- if you look at the section and if you can kind of visualize when you drive out of Lahaina, it actually drops off, yeah? So, you know, actually the footing we will have to excavate. I don't -- it varies the footage, you know, I can get that, but because it's ...(inaudible)... fill, the footing actually comes not as deep as you would expect, and then you would fill up up to the wall, so it's sort of like a combination retaining wall and noise wall on the top, and I should have brought the plans. So it might, you know, it might vary but they didn't -- of course in our plans, our standard specs, you know, we do require that if they encounter anything, then they notify SHPD.

Mr. Fredericksen: How much wall area's going to be, you know, erected?

Ms. Shibuya: Oh, like --

Mr. Fredericksen: Just qualitatively, how much of a run?

Ms. Shibuya: Oh, how much of a run? Well, this here, it'll be from Shaw Street to -- well the whole project is about a mile, say, so we'll do a run like from Aholo Road, you know - actually, this map is -- well, actually, this label is wrong. You notice this is labeled "Lahainaluna Road." But we're doing a run from Shaw Street to Aholo Road because that's that whole subdivision in there; then there's the Komohanehale Housing, so we're going to do a short run there.

Mr. Fredericksen: So that's on the mauka side?

Ms. Shibuya: Yeah, mauka side. So if you can kind of qualitatively, you know, one mile long and then we're doing here, and then you got the -- the apartments. Actually, there's some houses here, this is Prison, so you got some houses here and houses here, but the Weinberg Apartment did not want the wall so we -- we kinda just put a retaining wall and guardrail, and then again there's the houses here and, of course, the school. The school wanted the wall so we're doing here. So I guess would be like, you know, roughly a mile, yeah, cause if you kinda put that here, it's like almost like a mile but little less, yeah. And then, of course, the mauka side has a house here and that's about it but then we couldn't effectively shield, you know, just one --

Mr. Fredericksen: Yeah.

Ms. Shibuya: One house. Oh, and, of course this side, there's that gas station/convenient store, there's like a house and then that housing, of course, yeah, we do put a wall there too.

Mr. Fredericksen: So I'm just wondering if this -- if this part of the project was -- if SHPD knew about this part of the project that had this retaining wall that's proposed, you know, this retaining wall/whatever noise --

Ms. Shibuya: Yeah.

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

Ms. Shibuya: Noise barrier, yeah.

Mr. Fredericksen: Did they -- was that part of the plans at that time?

Ms. Shibuya: Well, actually, you know when we circulated the draft EA, yeah, it was part of the plans but they may have not seen like a visual, yeah, of this thing, you know, so if that's a concern, we can always, you know, send something cause I know the general scope, we presented some of the stuff and we did show like a section but of course it was typical so, you know, I'm not sure if they grasp the extent of the wall at that time.

Mr. Fredericksen: Yeah, I guess my concern would be the -- the fact that the -- it's such a long run and in some areas, like what you were saying, Honoapiilani Highway is raised, but this wall isn't going to be necessarily in that raised area, it's going to be --

Ms. Shibuya: Well, actually the -- the --

Mr. Fredericksen: ...(inaudible)... sort of the sides -- sides of it.

Ms. Shibuya: Actually, where it kind of drops off, as you notice like when you're going out Lahaina, as you're going out this way, then it tends to drop off a lot cause, you know, at one time, there was a guy that was growing some stuff in here and then he was actually growing -- he actually had a -- like a little nursery over here, you know, he was growing plants and pots and what cause it was kinda down and you couldn't really see it, but then I he since kinda minimized -- he actually had a gate, in fact. He had gate that he would actually go and water.

Mr. Fredericksen: Oh yes, I've seen -- yeah, I know where you're talking about.

Ms. Shibuya: Yeah, but otherwise, yeah, like back here, it gets a little -- it doesn't drop off as much like in front of the - what is that? I'm trying to think of that condo. Not Pioneer hotel, but you know the one that's kind of like between -- like right in here not --

Mr. Solamillo: Islander.

Ms. Shibuya: Yeah, Islander. Maui Islander. Sorry. It kind of escaped me. Yeah, Ainanalu. Yeah, Ainanalu Condominium. But I guess, you know, we had actually, by Federal requirements, we actually had to notify all these guys of the project and tell them, you know, propose to them noise walls and then they actually had to, you know, give a consent or not.

Mr. Fredericksen: Well, one more, and I know it's kind of hard one to answer, but so I'm still trying to conceptualize how deep this footing's going to be, let's say the road slopes --

Ms. Shibuya: Yeah.

Mr. Fredericksen: And that the wall starts at existing ground level, or it's going to be --

Ms. Shibuya: Well --

Mr. Fredericksen: You're going to have fill and then the footing goes into existing ground level?

Ms. Shibuya: Some of the footings has to go into existing ground cause you can see and then it gets filled.

Mr. Fredericksen: Right.

Ms. Shibuya: That's so the wall doesn't tip over.

Mr. Fredericksen: Sure.

Ms. Shibuya: So there's a certain amount of fill.

Mr. Fredericksen: I mean are talking two, three feet potentially?

Ms. Shibuya: It'll vary like so -- again, I'm sorry I don't have the plans with me but I can -- I can clarify that and the perhaps give SHPD a set of plans.

Mr. Fredericksen: Yeah, and, Hinano, would you mind coming up to talk about this just for a sec?

Mr. Hinano Rodrigues: Hinano Rodrigues, State Historic Preservation. Based on the communication that they provided to me, it looks as though maybe the walls weren't discussed in 2006 so now we have a new issue with respect to whether or not we would hit historic properties.

Ms. Shibuya: Well, actually, they might have -- they would have discussed in general scope but I don't think they had detailed construction plans at that time. Yeah.

Mr. Fredericksen: Yeah, one of the concerns, and, you know, I think this is a good idea, I mean it's -- I like having something in a road other than just asphalt, it's really nice to have demarcation.

Ms. Shibuya: Oh yeah, and we have to do the noise walls by Federal requirements.

Mr. Fredericksen: Yeah, no, and I understand that, but one of the concerns that I would have, you know, just from an archaeological point of view, is this area, we've done a fair amount of work on the mauka side of Honoapiilani Highway, makai too, but I mean pretty close to this, and when Honoapiilani Highway was widened, there were several burials that were encountered that had to be relocated and -- and that sort of a situation could certainly occur somewhere down the road, so to speak, or the wall, and so it might be -- I think certainly it would be appropriate for SHPD to take a look at this again given this, you know, this -- I mean now that there's an actual, you know, design --

Ms. Shibuya: Yeah, detailed construction plans, yeah.

Mr. Fredericksen: Yeah, detailed.

Ms. Shibuya: Yeah, cause we know there's that cemetery over here and from what I understand that I guess some of the burials might have been in there, I'm not sure --

Mr. Fredericksen: Yeah.

Ms. Shibuya: But, you know, they talk about that there were burials.

Mr. Fredericksen: And there are burials that aren't necessarily in the cemetery that nobody knows where they are.

Ms. Shibuya: Yeah. Correct. Yeah, cause --

Mr. Fredericksen: We found -- we found a couple just testing on the other side in the cane fields.

Ms. Shibuya: Yeah, cause I understand that up here or something, you know, they found some stuff.

Mr. Fredericksen: Yeah.

Ms. Shibuya: So we're aware that, you know, just because it was disturbed by, you know, roadways, there would be some more stuff underneath there.

Mr. Fredericksen: Yeah, and I mean when that happened, I wish William Waiohu was here because he remembers about, you know, when even that occurred. Keoki might. Do you recall anything about that, Keoki?

Mr. Keoki Freeland: No, I don't.

Mr. Fredericksen: But I think it would be a good idea to have SHPD revisit this. Yeah, sorry, Hinano.

Mr. Rodrigues: Hinano Rodrigues, SHPD. You're right, Erik. And actually I do know where there are burials that are unmarked. The assumption is made that the burials are restricted to Puehuehu`iki Cemetery, and I cannot tell you because that information was given to me confidentially, but there are burials in the area that most people don't think are there but this is Oponui family area and so the Oponui family are very aware of burials there that are unmarked.

Mr. Fredericksen: And there could be burials that people just don't know about cause it's even that much further, you know, back in time and, you know, that information got lost.

Mr. Rodrigues: Right.

Mr. Fredericksen: But, certainly, there could be stuff there.

Mr. Rodrigues: So my only concern is, and I'm happy with the communication between the State and SHPD, my only concern is that in looking at the letter where we approved -- in looking at the letter where we said no historic --

Mr. Fredericksen: No effect. Yeah.

Mr. Rodrigues: Effect, I looked at the rationale in that letter and it talked about, well, they're only going to do just this little bit work, but I don't see any mention of the wall and doing a wall would actually kick it up a notch. Just one more point since I'm up here, Charlene, you know, if you read the writings of the people who came to Lahaina way back then, they

always talk about Lahaina and the ulu trees. Yeah, that's why we have Malu`uluolele, so my suggestion is maybe the trees could be ulu trees.

Mr. Fredericksen: Cool.

Mr. Rodrigues: Now, being trained in the law too, I know that we have liability problems about falling ulu, okay, but quite possibly what they could do is treat the tree not to give fruit, you know, if that is a problem. That would be sad to do. But, yeah, really sad, you know. But, yeah, ulu trees and we go back to the what the whalers and discoverers had described in their diaries, yeah, on what they saw.

Ms. Shibuya: You know, that's good. We finally got a meaningful suggestion cause, you know, I've taken this project to so many public meetings and, you know, I've asked, you know, for suggestions and you're the only one that actually came out with something that ties it in with the area cause, you know, otherwise, you know, you're the first -- we kinda gave a blank slate, we asked for suggestions, nobody came out, so I figure, okay, I'll make up something, submitted this, and then, you know, well, we get few suggestions here and there but, you know, not really anything meaningful to tie in with Lahaina, so you're the first one. So how big is this -- the ulu tree? Does it get like -- is it like a crown? I'm sorry. I'm not too familiar with trees.

Mr. Rodrigues: Hinano Rodrigues, SHPD. That's all up to you. How you're going to trim or prune your ulu tree will give you the size of the tree. I would suggest you prune 'em low so we can go get ulu.

Ms. Shibuya: Yeah, actually, we would be more concern if -- we don't want something to grow too mature because the trunks, you know, when --

Mr. Fredericksen: Yeah.

Ms. Shibuya: When people decide to leave -- hop the curb and leave the road, you know, you know --

Ms. Watanabe: Excuse me, I just wanted to share. Yeah, the story of Kaululaau, you know, he was banished to Lanai because he was uprooting all these breadfruit trees in Lahaina and the Polynesians was getting mad with him and that's why they sent him to Lanai, so there is a history behind all these ulu trees in Lahaina. It's like, Hinano, when you said to make it not give fruit, it's like trying to take away all the Hawaiian blood you have so -- yeah, so I think that would, yeah, native plants would be good. Mahalo.

Ms. Shibuya: Yeah, so look at incorporating some ulu trees. Do they need a lot of water? Not really, yeah? Cause, you know, everybody's been sort of sensitive to us -- cause in

this case, we would be using potable water cause there is no reclaimed water source nearby, although it's on the other side, but, hopefully, you know if the wastewater guys could bring down something, we could take it, you know, versus like the Mokulele plantings we're actually using, you know, a source from HC&S, yeah, it's not potable water.

Ms. Watanabe: You know, and even a`alii is nice to have because on Lanai we have all the different colors of a`alii, you know, there's green, there's orange, there's pink, so --

Ms. Shibuya: Does it grow like that in Lahaina? Cause I know I talked to --

Ms. Watanabe: It's in a hot area because --

Ms. Shibuya: Yeah, hot area.

Ms. Watanabe: The area that we have it is pretty much in dry lands.

Ms. Shibuya: Cause, yeah, I had ask --

Mr. Moikeha: Yeah, that's what we plant on Kahoolawe so --

Mr. Fredericksen: It's on dry land, yeah. It's dry land.

Mr. Moikeha: It'll grow.

Ms. Shibuya: Cause I already asked if they could incorporate that cause from what I understand, there's a lady that lives up in the valley up there, the Kauaulu Valley, that she said she has a`alii, I guess there's two kinds: like a shrubby and tree type, and so, you know, we thought that would be excellent as fill in the, you know, the low plantings in the median.

Ms. Watanabe: Will Hawaiians have access to --

Mr. Moikeha: Climb the median strip and ...(inaudible)...

Ms. Watanabe: To go pick up the ulu and a`alii?

Ms. Shibuya: Well, as long as they don't get run over. Well, actually, the ideal thing would be for them to adopt it cause, otherwise, we end up doing like a service contract and maintenance service contract so, you know, perhaps maybe that's what we should do where they can reap something from it, then they'll go on top the -- you know, instead of just looking pretty. Okay, yes, what we'll -- I'll work with my landscape architect to work in some of this -- this ulu and, of course, the a`alii I had already asked them to work that in,

and then, you know, on the issue with the wall, what I can do is do a formal, now that we have, you know, full construction plans, do a submittal -- a new submittal to SHPD and have them review it. And of course, you know, we can always, during construction, we can keep them in a tight loop during the work on the wall cause that's going be probably the more significant --

Mr. Fredericksen: Excavation.

Ms. Shibuya: Excavation type of work.

Mr. Fredericksen: Yeah. And then, let's see, Keoki, did you wanna say something while Charlene's still -- okay, come on up.

Mr. Keoki Freeland: Keoki Freeland, speaking individually. Relative to the ulu, there is a reason why there was so many ulu trees around this Lahaina area before and still can exist because this whole area, the water table continues to flow underground. You probably need to irrigate the ulu trees when you first plant it, but once they get established, they're going to hit that water table and continue to grow because the ulu trees that still exist, like at the prison, there's no irrigation; at behind the Baldwin House, there's no irrigation. Those trees are just growing like crazy over there because the water table continues to flow from Kauaula down to the ocean and right through Moku`ula.

Ms. Watanabe: Are there fruits on there?

Mr. Freeland: Yeah, loaded.

Ms. Watanabe: They didn't fall on anybody though?

Mr. Freeland: Well, the problem is trying to keep the people out of the trees from picking them. But, yeah, your comment about keeping the trees relatively low by pruning them can be done.

Ms. Shibuya: Yeah, so I guess, yeah, we would not want people running in the median all the time so I guess we would have to heed his recommendation to kinda keep it low, although the fruit would be good. Yeah, so any other questions?

Mr. Fredericksen: Commission members have any other comments on this part? We'll go back to Robyn then. Thank you.

Ms. Loudermilk: Commissioners, we have a number of comments and proposed recommendations. First of all, that the construction plans be sent to SHPD for review and comment. Secondly, we have suggestions for the landscaping to include the ulu and the

a`alii. And I believe those were the two main comments. Did I overlook anything else? Basically the landscaping and the review for the walls. And then in relation to special management area permit that is part of your -- the May 10, 2007 letter, on Page 3, Condition No. 13, we do have a condition that in the event historic resources, including human skeletal remains, are identified during the construction, that all work will cease in the immediate vicinity, protected, not be disturbed, and then SHPD needs to be contacted immediately. The department believes that will cover the concerns as well as whatever additional comments SHPD may have. Again, the wall concept was talked about just in general that there may be, again at the time it wasn't identified exactly where, and now that we have the construction drawings, it would be good for SHPD to look at those construction drawings and provide any additional recommendations or mitigations for that particular site. So in terms of the enforcement, we can enforce that through this SMA conditions should something unanticipated or extraordinary occur. We don't necessarily anticipate, but we do know that there's a chain of -- of how instructions or information gets translated from the top to the people in the field and we just wanna make sure all that, that communication, you know, does remain open.

Mr. Fredericksen: Yeah, and, excuse me, Robyn, SHPD may, I don't know, but they may -- SHPD may end up saying that the wall excavation may be deep enough that it merits actual monitoring.

Ms. Loudermilk: And if does require that, then they would be required to do that, and we would -- the Planning Department would assist them in terms of if there's -- we usually get the first call, and then we can work with the Maui staff in terms of the appropriate mechanisms or procedures to go forward to make sure everything gets covered. So basically, those two items. Is that my understanding, Commission?

Mr. Solamillo: How about you suggestion about the partnership?

Ms. Loudermilk: The partnership? Okay. That would be good. And with the civic club, maybe Lahaina Civic Club, they can get an organization out there that could assist and adopt the highway.

Ms. Watanabe: Or halau.

Ms. Loudermilk: Or halau. You know, at least we can assist in getting the word out that, you know, once the improvements come in and the type of plants that will be out there, that, you know, if you wanna get the ulu and, you know, if you need leaves or flowers cause a event coming up, adopt the highway, you can go clean the yard and -- is that fine with the Commission to include that comment?

Mr. Fredericksen: Sure.

Ms. Loudermilk: Okay. Okay, so I will write the letter to the Highways Division. We will cc the Commission as well as SHPD Maui office and the -- should we send to Kapolei as well? And we'll send it to Kapolei as well. That concludes my presentation, I guess, for this item.

Mr. Fredericksen: Okay.

Ms. Loudermilk: Thank you.

Mr. Fredericksen: Thanks much. Okay, what our next one here.

Mr. Solamillo read Item C.2.b. into the record.

- b. MR. FRED CAJIGAL, on behalf of HAWAI'I STATE DEPARTMENT OF TRANSPORTATION - HIGHWAYS DIVISION, requesting comments on the Proposed Widening of Haleakala Highway at Milepost 0.8 and the Extension of a Concrete Box Culvert Constructed in 1929 Using Cut Masonry Features Facing Inlet and Outlet, Makawao, Maui, Hawai'i. The CRC may provide comments and recommendations. Public testimony will be accepted. (R. Loudermilk)**

Ms. Loudermilk: Good morning again. For this item, I would like Charlene Shibuya come up. It's more technical in nature. Charlene?

Ms. Shibuya: Good morning again to Chair and Commission members. This is actually a -- hopefully, my handout is in the same order as yours. But anyway, this is a real small project Upcountry and if -- I don't know if any one of you are familiar with the Upcountry area near King Kekaulike High School.

Mr. Fredericksen: Yes, I'm very familiar, so is Perry.

Ms. Shibuya: Okay. Yeah, that's my drive every morning too cause I come down from -- from I call it "377 Haleakala Highway" from -- cause I live on Crater Road, and then you encounter -- you pass the polo field and then you got this narrow thing and, you know, DOT created this project cause I guess back then, you know when the school became built, and then what happened is Seabury Hall, they cannot send their traffic down Kelaloe Avenue and so all their traffic has to come out up here too, so everybody gets kinda pushed down this box culvert area and it's actually -- you know in one of the handouts you can see, I think it's your second -- I'm thinking where you can see how that truck comes through.

Mr. Artates: ...(inaudible)... downhill.

Ms. Shibuya: Yeah, yeah. So -- and then that's not even a tour bus but, you know, I've been driving up and down there since the 80's and, you know, before we even had the school and whatnot, we used to just play chicken. You know, it's like whoever reaches there first. But, you know, the traffic is a lot more, we've got a lot of buses, and what happens, because of this bottleneck that everybody has to alternate, it actually ques up.

Mr. Fredericksen: Yeah. I've been in it.

Ms. Shibuya: I mean that traffic backs up. Yeah, and so it's really a small project. The only -- the only thing is because this culvert underneath there is 1929, and if you look at some of the -- the last few sheets where you see the inlet and the outlet side, it's made of this old hand cut rock. I mean nobody does that anymore so --

Mr. Fredericksen: I know. That's one of the unique features about it.

Ms. Shibuya: Yeah, so that's why we don't want -- and that's why if you see on the outlet end, it's a kinda wide area, and then of course the culvert outlet is way at the bottom. We don't even wanna touch that side.

Mr. Fredericksen: So, Charlene, just so I understand, the proposal's to -- is to widen the road.

Ms. Shibuya: Correct.

Mr. Fredericksen: Okay, is it going to be cantilever? Does this -- cause this cut basalt is not common anymore. Most of these structures have been, yeah, demolished.

Ms. Shibuya: Yeah, demolished and that's why the way this culvert is -- you know, traditionally, when we widen a road, we would just, you know, take out the inlet/outlet, you know, widen it. But in this case, we only wanna widen the makai side because if you look at the inlet side of the outlet on the makai side, it's a lot smaller rock cut area than the outlet side. But then -- yeah, so basically extend this side, widen up the road with prism so that we can get two lanes, and a shoulder so buses can get through as well as occasional cyclists.

Mr. Fredericksen: So the -- so the makai side of this -- the long side of this crossing is -- the proposal is to eliminate it?

Ms. Shibuya: Well, actually, remove all that rock cut, we extend the box culvert, and we put in, on the second to the -- actually it's the last sheet, the last sheet, we put in this with what we call like a CRM, CRM, you know, wingwall, but then we wanted to reuse this -- put back this rock facing on the slope around this new outlet to kinda literally reuse this look

instead of, you know, stockpiling it someplace. And that's the best we could do, you know, cause obviously we had to touch one side and, you know, we looked at stuff like very, very expensive drilled shafts, you know, with cantilever structures, and the cost is so prohibitive and we'd actually have to shut down, you know, shut down the road, I mean you could detour, so we felt that this would be, you know, a lot better as far as, you know, not having to shut down the road and constructability and the cost too, you know the cost is, you know, you know those drilled shafts, you know, they're humongous the cost.

Mr. Fredericksen: Well on this one because this -- I mean this really is -- I don't know if its been given a site number but it certainly deserves to have a site number, so has SHPD been contacted about this for comments?

Ms. Shibuya: Well, actually, what we wanted to do was get your feedback first and then go to SHPD cause we didn't wanna just go to SHPD without any input from, you know, the local -- local CRC.

Mr. Fredericksen: Yeah, well, thanks but -- but --

Ms. Shibuya: Oh, we should have done it concurrently?

Mr. Fredericksen: No, no, that's fine.

Ms. Shibuya: Oh, okay.

Mr. Fredericksen: It's -- but, you know, this -- what was it? 1929 was when it was built?

Ms. Shibuya: Yes.

Mr. Fredericksen: Yeah, so its clearly historic --

Ms. Shibuya: Yeah, it's over 50 years old.

Mr. Fredericksen: And significant and it's -- there's not very many of these left and the thing I'm -- my concern is, and I agree, there does need to be something done there because it does get dangerous and it does backup --

Ms. Shibuya: Yes.

Mr. Fredericksen: But I guess what one of my concerns is is this is such -- the makai side is such a long run of this. I mean you don't see it a lot unless, you know, you stop.

Ms. Shibuya: Oh, you're talking about the --

Mr. Fredericksen: The rock, the cut rock.

Ms. Shibuya: Oh, yeah, the makai side. Yeah, we wouldn't -- that's why we wouldn't touch that side at all. We'll leave that side.

Mr. Fredericksen: Okay so the outlet side --

Ms. Shibuya: Yeah, the outlet side we'll leave it.

Mr. Fredericksen: Which is on the makai side.

Ms. Shibuya: Yeah, makai side. We don't even wanna touch that.

Mr. Fredericksen: So nothing's going to be touched?

Ms. Shibuya: Yeah, nothing -- we leave it as is and we actually do the widening all on the mauka side.

Mr. Fredericksen: On the -- okay, I thought I --

Ms. Shibuya: The inlet side.

Mr. Fredericksen: Okay.

Ms. Shibuya: Which is that -- that -- you know that --

Mr. Fredericksen: With the concrete and the pipe it shows the ...(inaudible)...

Ms. Shibuya: Yeah, and so -- and you can see that rock cut is there but it's not as vast as the outlet side.

Mr. Fredericksen: That's been modified before too.

Ms. Shibuya: Yeah, and so that's why we felt that instead of doing widening both sides, why don't we just widen one side and --

Mr. Fredericksen: And so you're not doing the mauka side then?

Ms. Shibuya: Yeah, mauka side, yeah.

Mr. Fredericksen: Okay, the Haleakala mauka -- okay.

Ms. Shibuya: Yeah, sorry, I might have gotten you mixed up.

Mr. Fredericksen: Yeah, that's --

Ms. Shibuya: So that was the thought.

Mr. Fredericksen: That would be the preferable side if -- if either side has to get altered but -- but -- because there's -- there's going to be a smaller -- smaller impact area, and this side you don't see. You don't really see it at all.

Ms. Shibuya: Oh, yeah, yeah. Well, actually, yeah, the outlet side you actually can see it when they actually clean the bushes, yeah, cause it does get overgrown and people throw dead animals down there and whatnot. Yeah, I've seen bones and stuff. I mean animal bones, not --

Mr. Fredericksen: But it is -- but it's still a -- I mean it's still a -- it's one of these, there's not very many of these crossings ...(inaudible)...

Ms. Shibuya: Oh yeah, yeah, I mean it's like cause nobody does this rock cut anymore.

Mr. Fredericksen: No, no.

Ms. Shibuya: I mean I doubt it if you can find people that still can do it.

Mr. Fredericksen: Yeah. But so --

Ms. Shibuya: They actually had curbs, you know, like back in the '80's, you know, when we widened up some of these roads, they actually had some rock cut curbs to --

Mr. Fredericksen: Curb stones. Yeah.

Ms. Shibuya: You know, I guess cause labor wasn't that expensive back and then we actually would preserve, you know, take out and reuse or preserve.

Mr. Fredericksen: Would the other Commissioners have any comments on this? I know this very well. I used to run up there and bike up there and --

Ms. Shibuya: And so you would dodge -- dodge things?

Mr. Fredericksen: Oh yeah.

Ms. Shibuya: Yeah, and I've had a trucker, you know, show his finger at me because, you know, I kinda didn't see him coming and I just went through and then -- I guess it's harder for the trucks to stop, yeah, so -- so it's been problematic for years but, you know, I swear, before they had the school, we actually managed. You know, there was actually a centerline back then and we actually would squeeze through, and you would use your judgement, you know, obviously.

Mr. Fredericksen: Yeah. Why was the centerline taken out? Just because it was too -- little too narrow?

Ms. Shibuya: You know, I -- unfortunately, I left DOT at that time, but you know by strict standards, MUTCD standards, you know, our Bible for striping, they talk about, you know, if the lanes are less than eight feet wide, then, you know, you shouldn't be putting a centerline stripe. To me it was eight feet wide but probably because of the guardrails on either side, you know, it probably became problematic, you know, complaints when the school came in and whatnot, and people didn't know how to play chicken nicely anymore so -- and so that's what happens, you know. When people complain, we gotta do our stupid bureaucratic thing of, you know, just taking it out. But actually -- actually it worked before. And, you know, once in awhile you have a -- you know, somebody rub the guardrail but, otherwise, really it doesn't really have a accident history.

Mr. Fredericksen: Yeah, I used to drive it when it had the centerline. I think it was actually easier --

Ms. Shibuya: Yeah, you remember, right? Yeah.

Mr. Fredericksen: When it was that. I mean you knew that you had to slowdown and stop.

Ms. Shibuya: Yeah, you could see if a big truck was coming, obviously, yeah, you both wouldn't be able to fit through, but, you know, if it was passenger cars, you know you could fit through.

Mr. Fredericksen: Yeah, cause at least the line was there. Some people they ...(inaudible)...

Ms. Shibuya: Yeah, so now they just -- as you can see that photo with the truck, you know, now, yeah, he definitely just gums down the center, yeah.

Mr. Fredericksen: Okay so, Commissioners, don't have any other comments? I just again would say this construction type, I mean there's not many of these left, and so I would encourage the DOT to do whatever is possible to at least preserve the makai side and then reuse the material on the mauka side.

Ms. Shibuya: Yeah, and I was thinking, you know, normally some of these things you would at least will document it well.

Mr. Fredericksen: And then that's what's going to need to happen. That's what I was going to continue with.

Ms. Shibuya: Yeah, you know, like typically what we would do when we do have to demolish, you know, something this old.

Mr. Fredericksen: Yeah, what I would also suggest is contact SHPD for feedback, and they're probably going to come back with, you know, there needs to be documentation carried out on this -- on the feature because a portion of it is most likely going to get demolished.

Ms. Shibuya: Yes, yeah, okay. Yeah, and basically we really wanted to at least get some sort of blessing before we even go to them. But, you know, I thought, well, perhaps we should have done it concurrently maybe.

Mr. Fredericksen: Well, I'm just -- no, that's fine.

Ms. Shibuya: That approach was okay?

Mr. Fredericksen: I just -- it's one of those things -- I mean it is a -- it's a real unique crossing and the fact -- I guess the only mitigation that, you know, in my opinion that would kind of make it kind of okay is the fact the upslope, the mauka side, is not -- it's really not visible. And if there's -- if there is a way to reuse that material, that that would be encouraged. But ultimately, because this is certainly it's a site would qualify for significance under couple different criteria, you know, SHPD does need to comment on it and the Architecture Branch will be the one that would -- would make the final comments and her recommendations.

Ms. Loudermilk: Okay, so in our proposed letter, identified a number of things. First of all, in relation to the proposed project, we wanna ensure that the makai side does not -- is not touched.

Mr. Fredericksen: Charlene? Excuse me, Robyn.

Ms. Loudermilk: Yes?

Mr. Fredericksen: I just got one quick question for Charlene.

Ms. Loudermilk: Sure.

Mr. Fredericksen: Qualitatively, what's the run on the mauka side, like where the cut rock is, how, qualitatively, how long is -- does that extend for would you say?

Ms. Shibuya: In looking at you know those guardrail posts? They're spaced about six feet, six-and-a-feet, so it looks like I would say 50 to 75 feet.

Mr. Fredericksen: On the mauka side.

Ms. Shibuya: Yeah.

Mr. Fredericksen: Yeah. The makai side is much longer.

Ms. Shibuya: Oh, the makai side, yeah, it's probably like, you know, 3 - 400 feet.

Mr. Fredericksen: Yeah, it's much, much longer.

Ms. Shibuya: And, yeah, it's actually really beautiful --

Mr. Fredericksen: Yeah.

Ms. Shibuya: If you actually look at it up close.

Mr. Fredericksen: Yeah, when it's visible, it's really --

Ms. Shibuya: Yeah.

Mr. Fredericksen: Thanks. Sorry, Robyn.

Ms. Loudermilk: No, no, no, that's -- that's good to know. So we wanna ensure that the makai side remains as is. We wanna note that it's a very unique feature on Maui and Haleakala Highway.

Ms. Shibuya: I kinda wanted to add something really funny. You should see what our Oahu engineers had proposed but I didn't even wanna --

Mr. Fredericksen: Thank you.

Ms. Shibuya: It would be insult to injury.

Mr. Fredericksen: Thank you.

Ms. Shibuya: Yeah, I mean, you know, their mentality is, you know, just break down this side, that side, and then you do this so textured wall, or you know they showed some examples from the Mainland, and I kinda shook my head, and I said -- threw it away.

Mr. Fredericksen: Thank you.

Ms. Loudermilk: We prefer the reuse of the material on the mauka side. And lastly, that appropriate documentation be done for the future.

Mr. Fredericksen: And that SHPD -- this be forwarded to SHPD for comment and review.

Ms. Loudermilk: Okay.

Mr. Fredericksen: I mean their proposed --

Ms. Loudermilk: Yeah.

Mr. Fredericksen: What DOT's proposing.

Ms. Loudermilk: Sure. And lastly, the proposal should be forwarded to SHPD.

Mr. Fredericksen: To the Architecture Branch of SHPD.

Ms. Shibuya: Yeah, and I'm sure they're going to give us the HAER procedure, yeah.

Mr. Fredericksen: Yeah. Yeah. Yeah.

Ms. Loudermilk: Yeah, so I have those five items. Anything else?

Mr. Fredericksen: I just have one more question for Charlene.

Ms. Loudermilk: Sure.

Mr. Fredericksen: Excuse me. So just to -- to be doubly sure, the outlet box on the makai side, that's not going to be touched.

Ms. Shibuya: Yes, the outlet box would just stay as it is.

Mr. Fredericksen: So everything on the makai side is as -- it's just going to be as is, right?

Ms. Shibuya: Yeah.

Mr. Fredericksen: Okay.

Ms. Shibuya: Because we actually looked at the -- the old box culvert underneath, it actually is holding really well, it doesn't need any work, and so we're not even going to, you know, do lining or anything. We're just going to touch the --

Mr. Fredericksen: Just put the wing walls on the mauka side?

Mr. Shibuya: Yeah, the -- yeah, extend that concrete box culvert and then put -- put the wing wall backfill so we can widen it out and then -- and then reuse that rock wall to face the fill to kinda -- to kinda try to kinda almost like put back that look, yeah? But the closest thing I could think of as far as inlet design, you know, the CRM, to me, was the closest that you could look versus, you know, just traditional concrete.

Mr. Fredericksen: Thanks.

Ms. Loudermilk: Anything else?

Mr. Fredericksen: Commissioners, any other questions?

Mr. Artates: I get one comment.

Mr. Fredericksen: Yeah, Perry?

Mr. Artates: If you going to demolish this wall, you gotta get one damn good contractor to do it --

Mr. Fredericksen: Yeah.

Mr. Artates: Because normally when you demolish a wall, you bring one heavy machine with one ...(inaudible)...

Mr. Solamillo: ...(inaudible)...

Mr. Artates: And you can start doing this.

Mr. Solamillo: Yeah.

Mr. Fredericksen: That's a good comment, Perry.

Mr. Artates: The way the concrete is set, I mean you gotta start looking at how you going prick it up from the bottom up so that is falls instead of ...(inaudible)...

Ms. Shibuya: Yes, so actually, you know, when we specify we wanted to make sure that they understand it's going to be reused cause, as you said, you know what they're going to do; they're going to just grab everything and bring it all down, yeah.

Mr. Artates: Make sure they count the rock that they ...(inaudible)...

Ms. Shibuya: Oh, yeah, yeah, that's true. You know, cause somebody told me, you know, even the way it fits, that you would have to number it and all that if you want it to fit good because the face is usually square but sometimes the back is not and so --

Mr. Fredericksen: Yeah, the backs are ...(inaudible)...

Ms. Shibuya: Yeah, might be like really odd odd shapes. We learned that on Main Street when we pulled out those curbs.

Mr. Artates: And you put them some place safe so the contractor no take them home.

Ms. Shibuya: Okay.

Mr. Fredericksen: Yeah.

Ms. Loudermilk: Yeah, so we'll add a 6th comment that in terms of the demolition needs to be done in a way --

Mr. Fredericksen: If demolition is even approved.

Ms. Loudermilk: If demolition is required. If demolition is required.

Mr. Fredericksen: On only on the mauka side.

Ms. Loudermilk: Yeah.

Mr. Fredericksen: The makai is not involved.

Ms. Loudermilk: Yeah, on the mauka side.

Ms. Shibuya: Actually, it shouldn't be -- we shouldn't even use the term "demolition." We should use "removal" so that they know it has to be removed and not just broken down.

Ms. Loudermilk: Can we change the word "demolition" to "removal," please? Thank you.

Ms. Watanabe: And, you know, they were doing our Lanai Harbor and our wall was exactly this type so they really had to take out a square at a time and make sure that they can take it back. And our streets, actually, Lanai in our streets we had these along our streets and we don't know what happened. Somebody --

Mr. Fredericksen: The curbs? The curbs?

Ms. Watanabe: Yeah.

Mr. Fredericksen: Yeah.

Ms. Watanabe: The curbs had all of these and then now it's asphalt and we don't know what happened to those rocks that somebody --

Mr. Fredericksen: Those were put in --

Mr. Artates: Stay underneath.

Mr. Fredericksen: In the early -- early 1900's.

Ms. Watanabe: Yes.

Mr. Fredericksen: Yeah. Cause we've been working on Market Street improvements and the, you know, the rock facing is dressed and then the curbstone behind it -- it's just not.

Ms. Loudermilk: Okay, and then we'll cc the letter to you folks, SHPD Maui and Oahu office.

Mr. Fredericksen: Yeah.

Ms. Loudermilk: Okay, thank you.

Mr. Fredericksen: We need to -- yes, Kalei?

Mr. Moikeha: Just a comment. How do you, for the future, I mean people are just going to bypass, I mean how do you put something ...(inaudible)... wow, this is something real important, you know, I mean we're talking about it, everybody else is going to walk by or drive by, I mean it's nothing to them, but how do you -- or just a comment.

Mr. Fredericksen: What are you thinking? You're thinking about something like a plaque somewhere or something?

Mr. Moikeha: Yeah, or something.

Ms. Shibuya: A signage?

Mr. Moikeha: I mean, yeah, so people would actually, wow, this is -- yeah, I mean it has significance.

Mr. Fredericksen; No, that's a good -- cause there's nothing.

Mr. Moikeha: There's nothing.

Mr. Fredericksen: Some of the bridges have -- have, you know, date -- date built.

Ms. Shibuya: Yeah.

Mr. Fredericksen: I don't know. What -- that's interesting, yeah.

Mr. Moikeha: And I don't know if you can put ...(inaudible)...

Mr. Fredericksen: Charlene, what's DOT proposing for the makai side - just leave the guardrail as is?

Ms. Shibuya: Yeah, we would just leave the guardrail cause we essentially literally did not wanna touch that side --

Mr. Fredericksen: Yeah.

Ms. Shibuya: But, you know, we probably could just put a small plaque or something behind the guardrail, you know, which wouldn't, you know, have the risk of getting wiped out, you know, cause at least the guardrail -- they'll hit the guardrail first. That gives them incentive not to hit it.

Mr. Fredericksen: Yeah, I mean that's something that maybe let's try -- let's maybe encourage DOT to maybe the State, if there could be some back and forth with SHPD and if you just -- it'd be very basic, just 1929.

Ms. Shibuya: Yeah, cause I seen -- yeah, I've seen those small, you know, like small ground plaques. I mean it doesn't have to be anything big but --

Mr. Fredericksen: But just something that indicates when it was built.

Ms. Shibuya: Yeah.

Mr. Fredericksen: I knew it was old; I didn't realize it had been built in 1929, but I was, you know, I was thinking some time between the '20's and the '30's.

Ms. Shibuya: Yeah, I thought it was like 1950 -- a lot of plans are like 1947, '50's, but I knew was over 50, yeah.

Mr. Fredericksen: But, no, not this -- not the --

Ms. Shibuya: But this one, yeah, when I looked at the plans, 1929, you know --

Mr. Fredericksen: Yeah, not the cut in the wall.

Ms. Shibuya: It was actually when the plans were actually blueprints, you know, we actually have blueprints of this thing --

Mr. Fredericksen: Wow.

Ms. Shibuya: You know, blue -- with the white lines and the blue.

Ms. Watanabe: Yeah, the wall on Lanai at our harbor, I met this guy from Japan and he brought a photo and his dad was actually the boss in building that wall there so they had a -- he had a photo and so we were able to get some information and I think there is a plaque there that says when it was built so that is -- and it's good because people will walk and say, "Wow, what is this wall? When was it built?" And kinda have like a historical information.

Ms. Loudermilk: Yeah, because that was, basically, Japanese who were the stone cutters --

Ms. Watanabe: Exactly.

Ms. Loudermilk: Not only for the highways, but for the ditches that were built here too, so they -- a lot of families were involved in -- in all of that.

Mr. Hutaff: Yeah, one of the things that we've been doing privately is going to some of these map companies that make map companies and if there's something specific that they're not doing, or they're using an English definition, we actually ask them at their next printing if they could use this on there so, you know, we could also make that -- I don't what -- maybe 1929 is good enough, I know that doesn't impress a lot of people, but it's kind of a beginning.

Ms. Loudermilk: Yeah, but I think that's good in terms of I know Stan has been trying to do a lot of documentation and get a lot of documentation so any piece of information would assist him in the County in general in terms of getting the pictures going in terms of different areas.

Mr. Hutaff: I'd go over that for year and never had a clue.

Mr. Fredericksen: It was a good comment. No, but it's one that can -- that's something we can encourage as a Commission is trying to, you know, cause I knew it was old, but, you know, you too, yeah, Perry? But you know, I didn't know it was 1929. I had a feeling it was mid-'20's to mid-'30's, somewhere in there but -- no, it's --

Ms. Loudermilk: Yeah. No, because actually the highway is probably historic, just like Hana --

Mr. Solamillo: Yes.

Mr. Fredericksen: Sure.

Ms. Loudermilk: We just need to get a bunch of college students or, you know, get something going to --

Ms. Shibuya: Oh yeah, like how we did, yeah, Federal -- we worked for highways for -- for people to, you know, do that effort with Dawn.

Ms. Loudermilk: Yeah. Yeah, you know, that might be something. Stan, I don't know if you folks still do work plans or --

Mr. Fredericksen: Got one more, Kalei?

Mr. Moikeha: Then in like token, having said that, why touch it? I mean if it falls in the category of the Lahaina bridges and stuff, that's -- that was my -- we're talking about demolishing -- I mean or removing and I'm thinking: How can you do that? I mean put a stop sign or something, make somebody stop, I mean I don't know. This is comments.

Ms. Loudermilk: No, no, no --

Mr. Fredericksen: There's two yields right now. There's two yield signs.

Mr. Moikeha: Why even touch it? That's my comment, if that be the case. You know, get some -- clear it out so people can see it and make it, you know, I mean I don't know.

Mr. Hutaff: It actually does slow down traffic too.

Mr. Moikeha: Yeah.

Ms. Loudermilk: Traffic calming measure.

Mr. Hutaff: Yeah, cause if you -- in the old days when there weren't a lot of traffic and you didn't see anybody, I mean it was -- you know, now there's lots of people so it actually slows it -- it slows you up, and that school's right down the road, you know. You are going downhill, you know, putting on your breaks a lot.

Mr. Artates: What are the studies of how many accidents happened?

Mr. Fredericksen: There hasn't been that many there.

Mr. Hutaff: There hasn't been. You know, that's one of the unique things about when you get to a lot of one-lane bridges, you actually have less major accidents. You may have a fender-bender or something like that that doesn't, you know, pop up as -- as major, just like the Hana Highway. If you look at all the stats, that's the safest highway, it's the most challenging, but it's the safest highway.

Mr. Fredericksen: Yeah but people are real careful on it just because it is so challenging.

Mr. Hutaff: Not the local --

Mr. Fredericksen: Well --

Mr. Hutaff: No, sorry, but it's -- the fact is though is that -- is that, you know, yeah they're going 35 in an area that probably should be 15, and it's definitely scary to see them around the turn, but if that road was straight, they'd be doing 95.

Mr. Fredericksen: Oh yeah.

Mr. Hutaff: Yeah.

Mr. Artates: I remember when we had Kalama Bridge.

Mr. Fredericksen: Yeah. Yeah, the original one, yeah.

Mr. Artates: I remember it was the same aspect where you play chicken, right, until there was too many deaths that happened --

Mr. Fredericksen: Yeah, that was dangerous there.

Mr. Arates: That's when ...(inaudible)...

Mr. Fredericksen: Yeah, that was dangerous.

Mr. Hutaff: Yeah, that was sort of like a right of passage, maybe wrong right of passage, but yeah, you actually went to go play chicken, literally.

Mr. Fredericksen: Well, let's -- Kalei, you know, you bring up -- that was a good point and, you know, I, personally, I'm not really that in favor of having anything happen to it, the crossing, and if that's something that, you know, we feel -- feel strongly about, we could put that in there too - encourage DOT to, you know, if absolutely necessary, then just do the -- do the mauka side. But if it's not absolutely necessary, leave it, maybe put up some signage that says "10 miles an hour," I mean there's yield signs now. Charlene, could I ask a question of you please. Is -- I can't remember, there's -- on the -- when you're coming down from Haleakala Highway, on that side, is there a speed limit sign close to the -- to the -- this crossing? I can't remember.

Ms. Shibuya: I cannot remember if there's a speed limit.

Mr. Fredericksen: I know there's a yield sign.

Ms. Shibuya: But the prevailing speed limit, posted speed limit is 30 on that whole road, and of course there's yield signs on both --

Mr. Fredericksen: On each side.

Ms. Shibuya: Both sides.

Mr. Fredericksen: Yeah.

Ms. Shibuya: So it's not like a lot of Hana ones they would kinda like favor one side, you know.

Mr. Fredericksen: Yeah, cause both sides yield.

Ms. Shibuya: Yeah, this one is kind of both sides yield to oncoming traffic. Otherwise, the prevailing would be -- it's not a high speed posted. I mean people do go fast.

Mr. Fredericksen: Yeah.

Ms. Shibuya: I, myself, go fast. You know, but it's posted 30.

Mr. Hutaff: The original reason for widening this is? What prompted it?

Ms. Shibuya: Actually, there was a gentleman that, you know, this is from before I came back to DOT, that he kept pressing, you know that there was a safety issue so, eventually, DOT was able to get an appropriation from the legislature, so we actually have an appropriation. And I'm not too familiar with the background whether this gentleman lobbied, you know, or he just kept pressing DOT people to actually put it in their budget to the legislature so we have a small appropriation for this and that's why we're trying to move forward to address it. I believe the -- the gentleman has since passed away and -- but, you know, we're still trying to follow through cause, you know, it is an issue cause it's kind of a daily occurrence --

Mr. Fredericksen: No, yeah, I know.

Ms. Shibuya: Yeah, it's a daily occurrence during the school period anyway and it's not going to go away.

Mr. Fredericksen: No, and there's a lot of students that drive up --

Ms. Shibuya: And so we feel that we still need to address it cause, you know, someday there could be a -- you know, even if there is no accident history, you know, all it'll probably take is not even an inattentive driver, but perhaps a, you know, a truck that has his brakes fail or some sort of failure and then, you know, they don't make it through that narrow throat. And then we have a lot of cyclists too. You know, that's a frequently used cyclist -- cause people train all year round for that cycle to the sun.

Mr. Fredericksen: Yeah.

Ms. Watanabe: But you know the sign "Yield," people don't yield to traffic. They don't anymore.

Ms. Shibuya: Yeah, I mean yield is like -- it's kind of like --

Mr. Hutaff: Yield is like - you.

Ms. Shibuya: Yeah, it's like - not me, yeah. So, yeah, every so often we have to kind of clean that bush cause the yield kind of, of course, it banks on you being able to see --

Mr. Fredericksen: Being able to see ...(inaudible)...

Ms. Shibuya: Supposedly who came first. You know, who came first, yeah, that's -- so every so often it gets problematic when we don't trim the bushes and then people tend to feel I came first, you know, a lot more often than normal.

Mr. Artates: There's no flashing lights either, yeah?

Ms. Shibuya: No, we don't have flashing lights but, you know as a I said, for some reason it works, you probably have near misses, and that's why we don't really have a statistical problem there but I'm pretty sure there's a lot of near misses or you know.

Mr. Fredericksen: Yeah, but I mean a near miss is --

Ms. Shibuya: At low speed and that's the -- that's the difference, yeah, you know versus a high speed. If it was an intersection, you know, you get mean t-bone and whatnot.

Mr. Fredericksen: Yeah.

Mr. Moikeha: Most places as far as extreme hilly places, take like Waipio, you coming up, you yield to the upcoming cause they're coming, you know, so -- but --

Ms. Shibuya: Yeah, some of it is courtesy too cause, you know, the large trucks like, you know, you expect them to have a hard time to re-accelerate so, you know, as a courtesy, you know, if you're the downhill, you know, you'll let them go first even if, you know, you may have come a little bit earlier, yeah?

Mr. Moikeha: If it does occur, it'll be interesting to see statistics after you widen it.

Ms. Shibuya: Yeah, you know, sometimes it might end up with, you know, more speeding and --

Mr. Hutaff: Well, I don't think the statistics will relate to it because if there's going to be an accident, it's going to be on either side of it and down the road because of accumulation of speed, you know, I mean I used to come down that road everyday, I don't anymore since the bikes got kind of a little weird --

Ms. Shibuya: Oh yeah, we have that bicycle issue that's going on right now.

Mr. Hutaff: Yeah, well it's fine, whatever, but, you know, that's not the point. I used to remember, you know, anticipating slowing down over there, you know, and when we first moved up there, I would forget that it was there and there were many oops, you know, kinda of deals or like -- nobody's there. So you know, in a way for the locals, it a way to slow things down and if you're going to widen it, you know, there's probably going to be

a consequence to that too cause -- cause I can't remember exactly but I remember thinking a couple times I'm kind of glad it's here to slow me down --

Ms. Shibuya: Yeah, it's just that --

Mr. Hutaff: Then the school came up.

Ms. Shibuya: Yeah, the driver expectancy is not too good cause on that whole route, that's the only place you, you know, you kinda yield versus like, you know, Historic Hana Highway you have that throughout so everybody kinda expect, oh yeah, you hit this bridge, okay, yield, yield, so it's, you know, people expect that. But I think, you know, if you're new to the area, you coming down, you know, you probably would not expect it as much as a local driver would, yeah?

Mr. Moikeha: Just a comment.

Mr. Fredericksen: No, it's -- I mean it's a good comment.

Mr. Hutaff: Yeah, it's a tough one though. You know, do you save half of it? Or don't do anything to it? That's what's the issue, you know, and if you save half of it, then you're supposedly preventing a problem. If you leave it alone, then we're preserving history that really nobody sees. You know, so it's kind of like a tough balance. I would probably be along the lines of half is better than none, and let's bring some -- let's bring some awareness to it, and that should be the compromise - safety, widen it, preserving it, advertising it.

Mr. Fredericksen: Any other comments? Nobody? Okay, Stan?

D. COMMUNICATIONS -

1. PRESENTATIONS - none

2. CORRESPONDENCE - none

E. UNFINISHED BUSINESS - none

F. NEW BUSINESS - none

G. DIRECTOR'S REPORT

1. September 4 CRC Meeting Agenda

2. Administrative Permit Reports
a. Demolition Permits
b. Historic District Approvals Report - None

Mr. Solamillo: Under the next items, D. Communications, E. Unfinished Business, and F. New Business, there is nothing being brought before the Commission at this time. Under Item G, Director's Report, I know that we had wanted to go to Hana on this meeting and we do have to return to Lanai, so I'm going to ask the Commission to consider going to Lanai for the September 4 CRC meeting, and then going to Hana for the October meeting. Is that --

Mr. Fredericksen: Thanks, folks.

Mr. Solamillo: Thank you.

Mr. Fredericksen: Sorry, Stan.

Mr. Solamillo: So that's a preliminary recommendation. If you are agreeable to that, then we can schedule that.

Mr. Fredericksen: Any comments?

Mr. Hutaff: When we go to Hana, if you need transportation, let me know.

Mr. Solamillo: Okay.

Ms. Watanabe: Oh, that's right, you have the -- what is yours? What was that? You have a tour --

Mr. Solamillo: So next meeting, September 4 CRC, we schedule for Lanai. And by that time, you will all receive in the next packet a survey of Lanai City BC-T, which was conducted by myself and SHPD. Thanks to SHPD staff architecture. And we will revisit the demolition applications, which had been filed by Castle & Cooke.

Okay, this time, there's nothing under Item 2.a. or b. We do wish to offer our condolences to the family of our Chair and as well as himself, Sam Kalalau, who lost his mother. And if there's any -- if there's a letter that you would like sent from the Commission on behalf of yourselves, we could do something like that.

Mr. Fredericksen: Yeah, I think that would be really -- is there -- the Commissioners feel --

Mr. Moikeha: Yes.

Ms. Watanabe: Yes, we should.

Mr. Fredericksen: Yeah, that's very appropriate. Yeah.

Mr. Solamillo: Okay, now it's open for Commissioner's Announcements, under Item H.

H. COMMISSIONER'S ANNOUNCEMENTS

Ms. Watanabe: I have an announcement. There's a new -- we're involved with a new thing called "Festivals of Aloha - Maui Nui Style" and it involves Maui, Lanai, Molokai, and Hana. As you all know, there used to be Aloha Festivals, which no longer exist, and there was some problems with funding and everything and -- but I think the good news is that it's now controlled, out funding is from the County and it's from Hawaii Tourism Authority, and we are now able to control our own money. It was always a -- yes, it was very hard when everything came out of Oahu and so sticking to Maui County so the island manager's for Lanai, Hana, Molokai, and Maui, we decided to stay on and continue under -- under Maui Visitors Bureau. So we're taking it slow this year and trying to build it up. So the events -- it should be coming out in *The Maui News* on Sunday, and then our -- this is part of our brochure, I kinda printed it from my computer last night, so events -- there's only going to be one event on -- on the central part, and it's the Uncle Richard Hoopii falsetto competition, which is Friday, September 12. And then Hana, Hana has it's own, Hana just goes for broke over there, but they're from October 11 to October 18, and they're going to have all of these events happening in Hana. And Molokai is only doing -- Molokai is celebrating it's 50th year and so theirs is October 4 and it's going to clash with the County of Maui County Fair but we were strapped with dates. And then Lanai is October 25, and it's going to be a day event for Lanai and I think we're going to draw a lot of people cause the ferry goes over and we're going to start at 9 and end at 5, so we do have two ferries from Maalaea and from Lahaina that people would be able to take. So I'm hoping that it'll draw a lot of people. Our shirt is -- the t-shirts for sale is with this kind of logo and -- and we have buttons that we're going to ask people to purchase for \$5.00. So we're hoping that under the Maui Nui's premier cultural showcase it'll be a success, you know. And Lanai is -- we have our royal court and we're the only island having parade, and I know that it's political year and many of our politicians will be in my parade. I know it'll last one hour. So, yeah, so keep your eyes open. It'll be in the newspaper and ad so --

Mr. Fredericksen: Any other announcements? Oh, Suzie, what's the thing called again, the one for -- out in Wailea?

Mr. Solamillo: HCPO.

Mr. Fredericksen: Okay, it's next -- when? Okay, that conference is September 10 through 12. I am not sure if I'm -- I'm probably not going to be able to attend. Would another Commission member like to go to it?

Ms. Watanabe: What is it?

Mr. Fredericksen: It's -- Stan, can you fill -- fill us in a little bit?

Mr. Solamillo: Actually, the people who are -- Robyn is on one of the committees. It's a conference of Hawaii planners. Planners from around the State are coming. I think some of the highlights are going to be some very important keynote speakers, the names of which I don't have, but some of the selection -- some of the selection committee members are in my office so they're grabbing people from I think the University of British Columbia, from all around various think tanks. We're trying to grapple with the issue of culture, sustainability, things of that nature, which typically aren't really discussed at planning conferences, you know. Planning conferences are kind of orientated toward growth. I think that this one is going to be interesting because it's going actually ask people to pause and see what kind of growth we have at present and how do we respond to, you know, diminishing cultural resources, diminishing natural resources in an island, in an archipelago, in a time, you know, of the earth's history when things are all pretty threatened. So it's going to be -- it should be really exciting what's actually coming.

Mr. Hutaff: Well, that sounds like a whole lot better than what was actually written up on the website. Play golf. It's two days of golf and then you could do one activity on one of those days if you gave up golf.

Mr. Solamillo: I didn't go to the website. I guess I should have. I'm sorry.

Mr. Hutaff: You couldn't do the other one so it was either you went to one place or you went to another place.

Ms. Watanabe: Fishing. Wasn't there fishing?

Mr. Hutaff: Yeah, and then there was also -- it didn't seem like a lot of time for multiple meetings and things like that to even discuss so I kinda wrote it off.

Mr. Solamillo: Okay.

Mr. Hutaff: You know, but if --

Mr. Solamillo: I'd go to the keynote speeches. The other thing is that there's two forms of energy which have been -- well actually one form that's been really pushed of late, which

is wind farming and there's that, you know, a wonderful cultural resource that is operated by HC&S and it's a hydroelectric plant and it was built, I believe, in the '20's, still humming, and when you look at thousands of miles of ditches and tunnels, I've been involved in resurveying Maui County first phase and we actually went all the way to Hana, photographed every bridge, and most of them had water, but what was interesting was that the infrastructure that carried the water system for irrigation - everything was operating, so this was the first time. The last time I went, everything was dry. So this we had. I mean I've got, you know, water coming down at right angles to a channel that goes into a tunnel system that parallels the road, you know, plus, you know, waterfalls and things like that. So it was really quite interesting. But we don't realize that all this infrastructure is in place so I've kind of been posing the question: Why don't we retrofit a lot of our water -- existing water infrastructure with --

Mr. Fredericksen: With the other small ...(inaudible)...

Mr. Solamillo: Yeah, with the small turbines? Because it's like these are -- these are -- you know, we have it here already, you know it's millions of gallons a day, you know, but it's never been actually thrown out so, hopefully, by visiting both the -- the wind farm as well as the hydroelectric plant, we'll be able to, you know, have that discourse, and it's something that almost all the islands have because that how they took water from one place and put it to a sugar plantation.

Mr. Hutaff: That was kind of the other thing is I figured I was already convinced the need for that so I mean I'll go.

Mr. Solamillo: Yeah, but --

Mr. Hutaff: If you want somebody to go from the Commission and then speak about it afterwards, I'd be willing to do that.

Mr. Solamillo: I guess it's maybe some of us has the viewpoint but I guess it's not -- it's not widely touted amount, you know, planners or -- because we're always getting these other things that -- because they're exciting or whatever, exotic, I don't know.

Mr. Fredericksen: Yeah, I would really like to go but I -- I'm still -- I'm still trying to get my dad's estate settled and I can't take that much block of time off from work and all of that as well, so I -- I would like to go but I just can't and I wouldn't want to waste --

Mr. Hutaff: Do you remember the website?

Mr. Solamillo: I don't remember.

Mr. Fredericksen: My space so if somebody else from the Commission --

Mr. Moikeha: They have this every year, huh, on different islands?

Mr. Solamillo: Right, they have it every year and it goes to different islands and then different planning departments sponsor it, so this was Maui County's opportunity to sponsor it and I think that, you know, we are -- because we're in the middle of the general plan, and then we'll go to the island plans after this, that these issues are up now, they're forefront, it's a really good opportunity to have discussions about things like this so --

Mr. Moikeha: If -- so if we have like say a day, can we just go or we gotta sign up for it or --

Mr. Solamillo: I don't know.

Mr. Hutaff: Actually, for the activity side of it, you definitely have to.

Mr. Moikeha: Plea Hawaiian rights or something?

Mr. Hutaff: You definitely have to kind of sign up that's why I didn't -- I actually didn't see it as having much substance. But then again, I'm not afraid to make substance and talk about it.

Mr. Artates: I'll be attending.

Mr. Fredericksen: You're going?

Mr. Artates: Well we already booked our reservations for four of my staff to attend.

Mr. Fredericksen: Okay, good, so you can let us -- let us kind of know at least. So how does it work? If a Commission member wants to work for one day, do we have to shell out money from our pocket or can the County -- I mean is --

Ms. Esmeralda: Well the Commission -- I mean the County was going to pay for the Chair and the Vice-Chair. If neither didn't want to go, then somebody ...(inaudible)...

Mr. Fredericksen: Yeah, I'd like to go but I'm not going to be able to go to the whole thing.

Ms. Esmeralda: And we'll pay for the registration.

Mr. Moikeha: Oh really?

Mr. Fredericksen: I just can't. I can't -- I can't do that big of a time commitment.

Ms. Esmeralda: I think Sam was interested in going.

Mr. Fredericksen: Yeah, he was. I don't know if he still is given, you know, what's recently occurred.

Ms. Esmeralda: So, Ray --

Mr. Hutaff: Yeah, sure, I would be, yeah. So I'll go and sign up and pay for it and if I get reimbursed, fine. If I don't, fine cause I kinda written it off but if, you know -- actually, it might be a good idea to go because if it's the fallacy I believe it's going to be, then if we have another one and before it comes about, we can say, oh, this really should be --

Mr. Fredericksen: No, yeah, and that's -- yeah.

Mr. Hutaff: Because this one was, you know ...(inaudible)...

Mr. Fredericksen: Yeah, how could it be improved.

Mr. Hutaff: You know then went and saw the wind farm. Yeah, cause, you know, I think -- I think that the cultural side of things are -- escape most people from the Mainland and, you know, or it's not brought to their attention, which kind of maybe if we can include that, yeah, I'll go, and then kind of move on. I'd like to maybe get a little bit of direction here. Just in the little while, the three meetings I guess, the four meetings, whatever it is, but also in reading all the minutes, which is hard, one of things I've noticed, even through this Halloween thing, is that culturally there's not a lot of information out there. When Sam Ka'ai spoke, and even when you talked about the ulu, you know, I'm just like, so, where's this information?

Mr. Fredericksen: Yeah, and that's a good point. Yeah, where is it?

Mr. Hutaff: You know? And some of that information can go with the keeper.

Ms. Watanabe: That's right.

Mr. Hutaff: Is there something that the Commission can do to approach, is it possible within our, you know, covenant and whatever it is we do, where we can go to someplace and say, hey, you know, it would really be nice to capture some of this information, and then go to someplace else and say, gee, it would be really nice to promote this information, and sort of start something going. My one thought is we have Kamehemeha Schools and they have a great audio-visual program. And if we could suggest to them that part of their classes or maybe part of their -- to make a class where they interview some of the kupuna of various areas so we have a -- an archive that we could tap into.

Mr. Fredericksen: There have been some attempts to do that, and this question I'll direct to Stan to comment on: What is the County, that you're aware, done so far in cultural -- cultural kind of a gathering, if you will, of this sort of information?

Mr. Solamillo: I'm going to make a series of blanket comments. When I first came, I was three, when I first came to Maui. I went into the Maui at Pu'ukoli'i Beach, right at the bottom of the road. When I came back to Hawaii, I did that like twice. When I came back, and my first memory is sitting under a tree in Maria Lanakila Cemetery while my father mows the grave of his father, you know, and I'm under a plumeria tree. Well, that tree is like way high now. But when I came back to live in Hawaii, which was in the mid-'60's, we went to Honolulu and I was, hey, haole boy, and I had a gang waiting for me everyday so I got scared and resolved I would never come back, and I didn't for a very long time. So sometimes when I speak on this issue it's kind of ironic that the kid who was the target in the school ground would be speaking anything, you know, about malama the aina and the culture, but I cannot help but do that because I have Hawaiians in my family. And I've told people since I came back, I started coming back in 2000, and I came back every year, and then I started coming back twice a year. I said you have more here, you don't have to go to the Mainland to find it, you don't have -- there is stuff everywhere. It's under every stone, right. The culture is incredible. All the people that came after here for a hundred and some years, you know, it's -- the stories are incredible. Everybody writes fiction in Hawaii. Why? Put the names in, you know, because the stories, you know, make you get chicken skin and everything else. It's the riches stuff. It's the stuff that novels, great novels, great movies are made of, and to have our children - this is what bothers me - to have our children going and grasping this thing and coming back from Los Angeles go "Oh, I wanna live there," you know. Coming from the Mainland, it's like, baby, you don't know what you're doing. You don't know about the Mainland. Well, I know about the Mainland, and I know about Texas, and I know about how you chew up the land and you chew it up rapaciously, and you destroy everything, and rename it. And I thought they only did that in Texas. Oh we'll call it Bent Tree. Or we're going to call it Bent Tree Creek - Bent Tree Creek Estates and we'll put a gate on it. So when I come here and I hear from Sam Ka'ai, and I hear from Kepa Maly over on Lanai, oh, they already did that. They already changed the names and move them around. I said, "How can they do that?" Because in Hawaii, you know, genealogy, date and title, you know, all of this stuff, you know, and then we have this -- this was, you know, I can't help but I'm reading Noenoe Silva's *Aloha Betrayed* now, and, you know, so she says, "I'm not putting in the breath marks that U.H. puts in. I'm going to give you Hawaiian straight up." So me the haole boy, well actually I'm hapa haole, but I'm forcing myself to read in Hawaiian. And after hearing Kepa when he came here, remember, and he chants, and he tells you his genealogy the first time, I said, "This is the Cultural Resources Commission, maybe this is what we should be doing." So today was really important because we had a Hawaiian event, you know, showing subject matter and doing this for our keiki, and it's like this is what we need more of. Why don't we have a cable station, 24/7, that runs Hawaiian films, Polynesian films so that our kids can

instantaneously tap into that like they can tap into MTV. Take the proceeds from the cable sales and that funds your -- your festivals. And it's just like I go to Lahaina because I've been doing surveys of the NHL and I'm picking up the literature as I go, we were talking earlier about the propaganda, the propaganda for Maui and Maui lifestyle and Maui living is Southern California. It's not my nieces and my nephews. It's not your nieces and nephews. And I have this thing, I don't like cultural erasure. You know the Catholic Church, this will be a case, wants to get rid of the church in Kaunakakai. You take away the church, that's removal of all the 46 Sakadas that paid for that church, so what happens to them? They disappear, you know, and now, yes, we will have Saint Damien but what happens to all the people that paid for that church, and you know how little they made, right? And it's all their stories. Go to Maria Lanakila. We don't have Hawaiian there. That was the church where Hawaiians joined when they got piss off - excuse my use of the phrase - at ... They said, "Enough of this. We're going to become a Catholic."

Mr. Hutaff: So it kinda surmised when you say that all those things have taken place --

Mr. Solamillo: They have to be told.

Mr. Hutaff: And the County --

Mr. Solamillo: Is not.

Mr. Hutaff: Basically is not in a position to recognize probably all of that taking place.

Mr. Solamillo: We destroyed --

Mr. Hutaff: So as a Commission, is it something that -- that we can entertain? I kinda gathered that when I say, "we entertain," you do - we thought.

Mr. Solamillo: It's going to come to a policy. Right now, we're surveying. We're seeing what we have and what we don't have. We've lost a lot.

Mr. Hutaff: I'm talking about just ...(inaudible)...

Mr. Solamillo: The policy -- we're going to have a policy plan that accompanies this whole thing. It's part of the general plan update. And at that point, this Commission will have an opportunity to suggest policy changes. You can do policy -- you can do ordinance changes, which have to happen. In the NHL or the Historic District No. 2, the ordinance says that we -- and this was written in '67, we are preserving the buildings here to maintain the charm of Lahaina but there are no historic sites or monuments located in this area. Now that's -- that's false, you know.

Mr. Hutaff: I'm talking more along the lines of the -- the information that the kupuna have about a particular areas. You know, to be honest with you, this historic Lahaina is kaka, okay. Cultural Resources Commission, to me, means something much deeper than that. That may be a part of our history and it may be important that we preserve it because if we don't preserve it, something else will take its place that might just be worse, but at the same time, losing the information from Sam Ka`ai and some of the words of our kupuna and things like that, that scares me more than anything else. And also to educate the public because, you know, with the Halloween issue and reading the editorials and the blogs and stuff like that, I really realized that Lahaina has advertised itself --

Mr. Fredericksen: Oh yeah.

Mr. Hutaff: Very well and the culture of Hawaii has not, and so that's kind of what I'm suggesting is that how do we, first, get the information, okay; second, put it together; and then, third, advertise it so that there's more to that? Because the way things are going to continue on from now, nothing's going to change. It's just going to get worse and worse and worse, and there's so many interesting stories, you know, that, you know, I don't got no ...(inaudible)... you know, but I -- but I grew up in Kalihi and went to Kalakaua Intermediate, so I was the only white boy, okay, but it was good because it taught me a lot about people and a lot about things, and now, at 57 years old, there's time for give back because I've gained so much being here in Hawaii, not money cause I'm broke, but the lifestyle, raising my children. At the same time, I realize if we don't go back and capture this stuff, we can't bring it forward.

Ms. Watanabe: But I mean I think I was, you know, after the thing came out in the paper, you know, a friend of mine sort of, you know, we had a one hour debate on -- he called me a high makamaka commissioner because -- and I part Korean so my Korean blood came out cause I wasn't going to loose this battle, and I said, you know, people like -- I mean he's part Hawaiian but he was looking at the dollar signs, you know, and he -- you know, and he says, "So what about this historic district? Is it on the map? Does the County have it? You know, why aren't they, you know, showing this, you know, showing, I mean is it -- where's the maps?" I mean he started to throw me questions like, hello, I mean, you know, there's a lot of questions I think, you know, the County has to answer but -- but when you're going back to the history, like Sam Ka`ai, you know a lot of the kupuna had shared so much stories in the past. And today, if you talk to them, a lot of the stories they shared, people took their story and made money off of it.

Mr. Solamillo: Yep.

Ms. Watanabe: And then it hurt them really really bad. I mean, you know, somebody like Kepa, a lot of his knowledge came from the kupuna, and I think what's missing there is you need to acknowledge that kupuna, and the kupuna -- and because -- and I think this is

where the acknowledgment of those stories was not recognizing the kupuna. I mean, you know, it's like many many stories cause if you look at a lot of -- there is documents of, you know, the kupuna telling the story. These are what -- I mean some of these kupuna that is still living, they should be recognized and tell the story, you know, document them telling the story --

Mr. Solamillo: Yeah.

Ms. Watanabe: But they're so afraid now that people take their story and then make money off of it. So we need to --

Mr. Hutaff: Well, actually, I wouldn't -- I wouldn't really have a problem with making money off of it if the money went to the right place because we -- we saw, today, where, you know, they're doing it at loss. It's coming out of their pocket and out of their aloha.

Ms. Watanabe: Yeah.

Mr. Hutaff: You know, to be able to have something self-sustaining, also means that it could perpetuate itself. Recognizing the kupuna, that I think is like, you know, that's where you begin. But to loose the stories, and that's why I kinda wanted to see what the Commission would have -- you know, not knowing the policies and procedures and how to go about it, but if it was something that the Commission if it -- because we have a name, okay, there's some power to that name that if I wrote a letter to Kamehameha Schools, you know, they're going to go -- but if the Cultural Commission wrote a letter saying that, you know, Kamehameha Schools, foundation of Hawaiian education, okay, step up.

Mr. Fredericksen: Ray, I've got -- since Hinano is here, let's -- let's have him come up, if it's okay, Hinano, and kinda give -- maybe he can give a little perspective about -- because what the point you brought up and we've been discussing is a very very very valid one and I think it's kind of a urgent one, really.

Ms. Watanabe: It is.

Mr. Solamillo: It is urgent.

Mr. Hinano Rodrigues: Hinano Rodrigues. Notice I'm saying "Hinano Rodrigues" and I'm not saying SHPD. Hinano Rodrigues is standing here to respond to Ray's concern as Hinano Rodrigues half kanaka maoli, and as Hinano Rodrigues, former member of what used to be called "The Maui Historic Commission." That is your predecessor. I was the youngest commissioner ever appointed by Mayor Cravalho back in 1970, and I serve with The Maui Historic Commission and I asked the same exact same question that you asked

or I brought up the same concern that you did and let me tell you how I did this, and I kinda forgot about it but Chris Hart brought it back to my attention.

I moved away from Hawaii for 20 years and I came back in 2005, and I ran into Chris Hart again. Chris Hart served as the County representative on The Maui Historic Commission. And when he found out I was back on Maui, he was so happy and he said, "You know, Hinano, I would never ever forget somebody like you." And when somebody tells you that, you go "Oh-oh. What did I do?" He said, "Back in 1970, we were at a Maui Historic Commission meeting in Lahaina," and notice how I say Lahaina. It's not Lahaina. It's Lahaina. When we were in Lahaina we were doing a Maui Historic Commission meeting and somebody came up and started to talk about his restaurant and how it would kinda like a grass shack. And when he used to words "grass shack," I reacted, and I said, "We do not live and neither did my ancestors live in grass shacks. You know, what is that word "shack?" It doesn't exist and that concept doesn't exist in our culture. Well, when that came up, I kinda brought up this things about, you know, the way our Maui Historic Commission ordinance was written, we were looking at the identity of Lahaina as a whaling village. But what about the people before that, you know? And it's kind of happening now. I mean it has happened now. And I thought I heard it this morning about Lahaina being represented as, yeah, as a whaler's place, and that a really really good thing to bring up.

Now, the controversial thing that I am going to say, and that's why I need to make it really clear I'm not speaking for SHPD, I'm speaking for myself, all of you really truly do not understand how much you have dealt with Ray's concern and how you about to move forward in bringing back the cultural, Hawaiian cultural identity of Lahaina by vote on Halloween because what was happening is, first Lahaina, which was Hawaiian, became a whaling identity and that went on for many years and in the last few years, Lahaina was losing its own identity and turning into a Halloween destination, and your very vote last month put a stop to that. You don't know how important it is. You just never realized it. And now you need to take a step back and do exactly what you're talking about and bring back the Hawaiian identity of Lahaina. And you did it in a little way today by saying, okay, let's bring back the ulu trees. You know, those small little stuff will become big later on so --

Ms. Watanabe: And I think what Ray -- I mean like when Sam Ka`ai was talking, you know what was really interesting, he started to talk about the places our ali`i traveled, and that is what I think is missing, you know, that people need to know about Lahaina, you know, the historic district and those places that are sacred, you know, and I think that is what is missing. How do we get that kind of information to the people to understand why, you know, the culture is -- comes first, you know?

Mr. Rodrigues: When I come off the pali, most of you see Ukumehame, you see Olowalu, and you see Launiupoko, and then you get into Lahaina. When I come off the pali, I see

to my left Papalaua, and then I go, I see Alialia, where you got that rock berm, and then I see Kununaununu, and then I see Punahoa, where the long pine tree is, you know, and go on, and I wonder why -- why is it that only I see that and everybody don't? It's because, like Stan said, we're renaming places. When I came home, my office manager was talking about surfing at thousand peaks, and I said, "What? Where is that?" "Oh, you know, Ukumehame." I said, "No, that's Papalaua." The County names the park Ukumehame Park. That's not Ukumehame Park. That's Pakoa. You know, and then we have the -- all these different subdivisions where they're changing names. In Ukumehame, and they promised to change it for me, but the Ukumehame developers, I saw one of their street names and it said "Pohaku Aiko," and as someone who speaks Hawaiian, I said, "Oh, aiko, is that eagle?" And then I go, "The name of that?" And they said, "Yeah, because it's the eagle on the rock." Right, remember the back of the ...(inaudible)...

Ms. Watanabe: Oh, yeah, yeah.

Mr. Rodrigues: And I said, "No, that thing has a Hawaiian name," because I come from Ukumehame, "that formation is Hale Pohaku - House of Stones. So why do you folks rename things, you know?" But -- and so it's going to be up to you guys to convince the community that this is something that you wanna do because we've become disenfranchise. We've become alienated from Lahaina, but there are lots of kupuna who are willing to share their stories if you let them know that they are a part of Lahaina.

Ms. Watanabe: That's right.

Mr. Rodrigues: That they're not pushed out.

Mr. Fredericksen: Thanks for that, Hinano. I got another question for you. Maybe you can sort of take off that hat and then put on kind of an SHPD hat just to -- to answer a question or just from your personal knowledge. How many, I mean qualitatively, cultural, like history, studies or, you know, collections are you aware of? I know they did one in Paia Town about, you know, interviewing old timers and that sort of thing, but there hasn't been something that was very, oh, I don't know if cohesive's the right term, but there was broad -- like trying to -- like what Ray was talking about earlier, a net, if you will, trying to pull in as many kupuna, you know, their stories as possible? Because a lot of folks are, you know, they're getting old and they're passing away.

Ms. Watanabe: That's right.

Mr. Fredericksen: I mean from where you, you know, you've sat the last couple years at SHPD, do you have much of a -- like of a sense of what's out there or is there not much out there?

Mr. Rodrigues: The problem with specifically to Lahaina is that we have predefined and have practiced that predefinition of what Lahaina's history should be and that is whaling. We need to change, we need to adjust our attitude and change our behavior and go, okay, what about the perception of Lahaina as being Hawaiian? I have, in my personal possession, and that's something that you might wanna look at, is the Winley files, and the Winley files is something that was done in the 1960's whereby this guy collected a lot of information that describe what Lahaina looked like pre-whaling days, and that I think is the best documentation at this point.

Mr. Hutaff: I guess -- good. My question is how, if the Commission agreed, how does the Commission get that information to people, and the people I'm talking about are just not -- especially the local people, the young local people, but also the visitor? How do we capture that, organize it, get it out there so where it becomes something that somebody's interested in utilizing the Commission's stature? Again, we'd have to get permission from the Commission to do it as a whole. That's kinda my question really is that, you know, to begin to do this, it's great that there's information out, it's great that you're saying that the kupuna would love to, you know, share their information if they were -- if it was correctly authorized by them, for lack of a better term - but I'd like to see the Commission start something that encourages the information to be gathered and then something organized to be presented at various functions as appropriate. You know, this film festival, for instance, gee whiz, if we had just that 15 minutes of what Sam Ka`ai was saying, you know, and have, you know, go out there to all the business owners out there and go "come listen." You know, I believe in people. Okay, I'm not one of these anti-business people or ... I actually believe in people. I think our biggest downfall as a people is a lack of understanding, okay, not lack of knowledge. There's a huge difference. We can be smart as heck and not know nothing, okay. So my question really is: One, can the Commission get involved with something like that, okay? Is it willing to get into something like that? And what would be the procedures? You know, if I were to entertain it and say, "I don't got a lot of time but I can write or three letters a week." Do I have to run it through the Commission so that we can present this being the Commission? You know what I'm trying to say? Is it something the Commission really interested in doing? Do you feel it's appropriate? Do you feel it's got substance?

Mr. Fredericksen: I've got a question for Stan. Is there a way that the Commission could apply for grant and -- to at least start trying to collect, you know, some oral history from some of the folk that are in the communities? Yeah, different communities from -- on the island. I know that the -- what the County's Commission, the study is looking at the sites, architectural stuff. What's the cultural side that's being looked at right now?

Mr. Solamillo: The cultural side is probably going to be place names because I think that's -- when I came to the County we had no records, we had no maps. We had to go out and do this search and destroy mission. I went over the USGS in Honolulu and, you know, we

got 1922 proofs I think and then we got 1885, you know, kingdom maps. There's -- and then land acquisition here and the whole process it was to confuse. You go to the Bureau of Conveyances, it's set up to confuse you. It confuses me. All of these things are to hide -- to hide true ownership and it was all about -- it was all about land. It's scary. I mean that's -- if you want to boil it down to the big bad dirty and ugly, it was about land and water, obviously. So to get a grant, that's great. I'm only one person. I'm over the top right now. My reviews going back to his agency are really behind, you know, and, you know it's --

Mr. Hutaff: I gathered -- I kinda gathered that that's why, you know, I sort of brought it up this way is that if, you know, what is the procedures for -- I guess I'm asking if I can proceed, okay, but as a Commission member, which means that he would have to answer that and, obviously, whatever I had to say or wanted to do first had to be approved by the Commission and have it stamped, I mean it don't have to have my name on it, I care less.

Ms. Watanabe: One of the things we did in 1988 and it was from a producing company, and it's a local gal from Oahu, but she came over to Lanai and we have a DVD and it's called *Reflections of Lanai*, and it's a awesome DVD that actually interviews a lot of the people and it -- and they all went into this story, it was from kupuna to everybody, and they actually told the story of Lanai and today, we're glad to have that because we can use that as an educational --

Mr. Fredericksen: Resource.

Ms. Watanabe: Resource and, you know, update about Lanai. But like I know what Ray is looking at but it's like it takes money and production and --

Mr. Hutaff: I was hoping to encourage some of the schools and even -- even OHA and a couple of other organizations to, you know, it's -- to put on a big production, absolute, but to send some kids, you know, who are in high school or something like that, even some of the colleges, that would then themselves benefit from it. I really felt that I could talk them into it.

Mr. Fredericksen: Hey, Ray, excuse me.

Mr. Hutaff: We're done? We lost quorum.

Mr. Fredericksen: No, James -- yeah, and James just brought up something interesting. May we could reagendize this at -- I mean at another meeting, right?

Ms. Watanabe: Yeah, okay.

Mr. Fredericksen: Powers and duties? And then we could, you know, set something up and, yeah, go forward.

Mr. Hutaff: I guess I can't do it but I'd like to get it started.

Mr. Fredericksen: Is Perry coming back?

Mr. Moikeha: No.

Mr. Fredericksen: Oh, so he left all of his stuff? Okay.

Mr. Moikeha: He has to catch a flight or something.

Mr. Fredericksen: Oh, okay.

Mr. Solamillo: Yeah.

Mr. Fredericksen: Okay, yeah, so we're -- we're -- we don't have a quorum so that's - that's it then.

I. NEXT MEETING DATE: SEPTEMBER 4, 2008

J. ADJOURNMENT

There being no further business brought before the Commission, the meeting ended at 12:00 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions

RECORD OF ATTENDANCE

Present

Erik Fredericksen, Vice-Chairperson
Perry Artates
Raymond Hutaff
Kalei Moikeha
Nani Watanabe

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Excused

Samuel Kalalau, III, Chairperson
Veronica Marquez

Others

Robyn Loudermilk, Staff Planner
Stanley Solamillo, Cultural Resources Planner
James Giroux, Deputy Corporation Counsel