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APPENDIX I -1
Supplemental Cultural Impact Assessment Report
dated March 2017
SUPPLEMENTAL CULTURAL IMPACT ASSESSMENT
FOR THE PROPOSED PIILANI PROMENADE PROJECT

KAʻONOʻULU AHUPUAʻA, WAILUKU AND MAKAWAO DISTRICTS
ISLAND OF MAUI, HAWAIʻI

TMK: (2) 3-9-001:016, 170, 171, 172, 173, AND 174

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March 2017
FINAL

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INTRODUCTION

At the request of Sarofim Realty Advisors, Scientific Consultant Services, Inc. (SCS) prepared a Supplemental Cultural Impact Assessment (SCIA) in advance of the proposed Piilani Promenade Project. The proposed project area consists of approximately 75-acres located in Kihei, Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao Districts, Island of Maui, Hawai‘i [TMK: (2) 3-9-001:016, 170, 171, 172, 173, and 174] (Figures 1 through 3). The proposed project area is owned by Piilani Promenade North, LLC and Piilani Promenade South, LLC.

The SCIA follows an earlier CIA prepared by Hana Pono, LLC (2016; Appendix A). Sarofim Realty Advisors requested SCS provide an additional report to the original Hana Pono LLC (2016) CIA in response to input raised by the cultural community and in response to comments received through public comment on the Draft Environmental Impact Statement (DEIS). Please note that a CIA for the proposed Honua‘ula Offsite Workforce Housing Project, located on approximately 13.0 acres of land, in Kihei, Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawai‘i [TMK: (2) 3-9-001:169], is being prepared under separate cover by SCS.

The proposed project involves the development of Light Industrial, Business/Commercial, and Multi-Family land uses on approximately 75 acres of land in North Kihei. The project will include associated onsite and offsite infrastructure improvements including but not limited to water, sewer, roads, drainage, electrical. Amenities will include bicycle, and pedestrian pathways, and landscaping. A Maui Electric Company (MECO) substation is also proposed on the project site.

Onsite and Offsite improvements include re-routing the County’s existing 36-inch high pressure water main which traverses the property, installing a 1.0 million gallon drinking water tank and water transmission lines, and providing utility system connections. The proposed undertaking will include an access easement located mauka and to the north of the project site which will provide for future possible vehicular and pedestrian and bicycle access and connectivity to Ohukai Road. The project will also provide road-widening lots and improve the intersection of Pi‘ilani Highway at Ka‘ono‘ulu Street.
Figure 1: USGS Quadrangle (Puu O Kali, 1992; 1:24,000) Map Showing the Proposed Project Area Location.
Figure 2: Tax Map Key [TML: (2) 3-9-001] Showing the Proposed Project Area Location.
Figure 3: Google Earth Image (Dated 1/12/2013) Showing the Proposed Project Area Location.
The Constitution of the State of Hawai‘i clearly states the duty of the State and its agencies is to
preserve, protect, and prevent interference with the traditional and customary rights of native Hawaiians. Article XII, Section 7 (2000) requires the State to “protect all rights, customarily and
traditionally exercised for subsistence, cultural and religious purposes and possessed by
ahupua‘a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands
prior to 1778.” In spite of the establishment of the foreign concept of private ownership and
western-style government, Kamehameha III (Kauikeaouli) preserved the peoples traditional
right to subsistence. As a result, in 1850, the Hawaiian Government confirmed the traditional
access rights to native Hawaiian ahupua‘a tenants to gather specific natural resources for
customary uses from undeveloped private property and waterways under the Hawaii Revised
Statutes (HRS) 7-1. In 1992, the State of Hawai‘i Supreme Court, reaffirmed HRS 7-1 and
expanded it to include, “native Hawaiian rights...may extend beyond the ahupua‘a in which a
native Hawaiian resides where such rights have been customarily and traditionally exercised in

Act 50, enacted by the Legislature of the State of Hawai‘i (2000) with House Bill (HB)
2895, relating to Environmental Impact Statements, proposes that:

...there is a need to clarify that the preparation of environmental assessments or
environmental impact statements should identify and address effects on Hawaii’s
culture, and traditional and customary rights... [H.B. NO. 2895].

Articles IX and XII of the State constitution, other state laws, and the courts of the State
impose on government agencies a duty to promote and protect cultural beliefs and practices,
and resources of native Hawaiians as well as other ethnic groups. Act 50 also requires state
agencies and other developers to assess the effects of proposed land use or shoreline
developments on the “cultural practices of the community and State” as part of the HRS
Chapter 343 (2001) environmental review process.

It also redefined the definition of “significant effect” to include “...the sum of effects on
the quality of the environment, including actions that irrevocably commit a natural resource,
curtail the range of beneficial uses of the environment, are contrary to the State’s
environmental policies ... or adversely affect the economic welfare, social welfare or cultural
practices of the community and State” (H.B. 2895, Act 50, 2000). Cultural resources can include
a broad range of often overlapping categories, including places, behaviors, values, beliefs, objects, records, stories, etc. (H.B. 2895, Act 50, 2000).

Act 50 requires that an assessment of cultural practices and the possible impacts of a proposed action be included in Environmental Assessments and Environmental Impact Statements to be taken into consideration during the planning process. As defined by the Hawaii State Office of Environmental Quality Control (OEQC), the concept of geographical expansion is recognized by using, as an example, “the broad geographical area, e.g. district or ahupua’a” (OEQC 2012:12). As defined by the OEQC (Ibid.), the process should identify ‘anthropological’ cultural practices, rather than ‘social’ cultural practices. For example, limu (edible seaweed) gathering would be considered an anthropological cultural practice, while a modern-day marathon would be considered a social cultural practice.

Therefore, the purpose of a CIA is to identify the possibility of ongoing cultural activities and resources within a project area, or its vicinity, and then assessing the potential for impacts on these cultural resources. The CIA is not intended to be a document of in-depth archival-historical land research, or a record of oral family histories, unless these records contain information about specific cultural resources that might be impacted by a proposed project.

According to the Guidelines for Assessing Cultural Impacts established by the Hawaii State Office of Environmental Quality Control (OEQC 2012:12):

The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religions and spiritual customs. The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both manmade and natural, which support such cultural beliefs.

The meaning of “traditional” was explained in the National Register Bulletin:

"Traditional" in this context refers to those beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. The traditional cultural significance of a historic property then is significance derived from the role the property plays in a community’s historically rooted beliefs, customs, and practices. . . . [Parker and King 1998:1]
METHODOLOGY

The SCIA follows an earlier CIA prepared by Hana Pono, LLC (2016; see Appendix A). Sarofim Realty Advisors requested SCS provide an additional report to the original Hana Pono LLC (2016) CIA in response to input raised by the cultural community and in response to comments received through public comment.

The SCIA was prepared in accordance with the suggested methodology and content protocol in the Guidelines for Assessing Cultural Impacts (OEQC 2012:11-13). In outlining the “Cultural Impact Assessment Methodology,” the OEQC (2012:11) states that:

...information may be obtained through scoping, community meetings, ethnographic interviews and oral histories...

This report contains archival and documentary research, as well as communication with organizations having knowledge of the project area, its cultural resources, and its practices and beliefs. An example letter of inquiry is presented in Appendix B. An example follow-up letter is presented in Appendix C. The signed information release forms are presented in Appendix D. The SCIA was prepared in accordance with the suggested methodology and content protocol provided in the Guidelines for Assessing Cultural Impacts (OEQC 2012:13), whenever possible. The assessment concerning cultural impacts may include, but not be limited to:

A. Discussion of the methods applied and results of consultation with individuals and organizations identified by the preparer as being familiar with cultural practices and features associated with the project area, including any constraints or limitations which might have affected the quality of the information obtained.

B. Description of methods adopted by the preparer to identify, locate, and select the persons interviewed, including a discussion of the level of effort undertaken.

C. Ethnographic and oral history interview procedures, including the circumstances under which the interviews were conducted, and any constraints or limitations which might have affected the quality of the information obtained.

D. Biographical information concerning the individuals and organizations consulted their particular expertise and their historical and genealogical relationship to the project area, as well as information concerning the persons submitting information or interviewed their particular knowledge and cultural expertise, if any, and their historical and genealogical relationship to the project area.
E. Discussion concerning historical and cultural source materials consulted, the institutions and repositories searched and the level of effort undertaken. This discussion should include, if appropriate, the particular perspective of the authors, any opposing views, and any other relevant constraints, limitations or biases.

F. Discussion concerning the cultural resources, practices and beliefs identified, and, for resources and practices, their location within the broad geographical area in which the proposed action is located, as well as their direct or indirect significance or connection to the project site.

G. Discussion concerning the nature of the cultural practices and beliefs, and the significance of the cultural resources within the project area affected directly or indirectly by the proposed project.

H. Explanation of confidential information that has been withheld from public disclosure in the assessment.

I. Discussion concerning any conflicting information in regard to identified cultural resources, practices and beliefs.

J. Analysis of the potential effect of any proposed physical alteration on cultural resources, practices or beliefs; the potential of the proposed action to isolate cultural resources, practices or beliefs from their setting; and the potential of the proposed action to introduce elements which may alter the setting in which cultural practices take place.

K. A bibliography of references, and attached records of interviews which were allowed to be disclosed.

If ongoing cultural activities and/or resources are identified within the project area, assessments of the potential effects on the cultural resources in the project area and recommendations for mitigation of these effects can be proposed.

ARCHIVAL RESEARCH

Archival research focused on a historical documentary study involving both published and unpublished sources. These sources included legendary accounts of native and early foreign writers; early historical journals and narratives; historic maps; land records, such as Land Commission Awards, Royal Patent Grants, and Boundary Commission records; historic accounts; and previous archaeological reports.

Historical and cultural source materials were extensively used and can be found listed in the References Cited portion of this report. Such scholars as Samuel Kamakau, Martha Beckwith, Jon J. Chinen, Lilikalā Kame‘elehiwa, R. S. Kuykendall, Marion Kelly, E. S. C. Handy
and E.G. Handy, John Papa ʻĪʻī, Gavin Daws, A. Grove Day, and Elspeth P. Sterling and Catherine C. Summers, and Mary Kawena Pukoʻi and Samuel H. Elbert continue to contribute to our knowledge and understanding of Hawaiʻi, past and present. The works of these and other authors were consulted and incorporated in this report where appropriate. Land use document research was supplied by the Waihona ʻĀina 2016 Database and the Honolulu’s Real Property Assessment and Tax Billing Information website.

**INTERVIEW METHODOLOGY**

Interviews are conducted in accordance with Federal and State laws and guidelines when knowledgeable individuals are able to identify cultural practices in, or in close proximity to, the project area. If they have knowledge of traditional stories, practices and beliefs associated with a project area or if they know of historical properties within the project area, they are sought out for additional consultation and interviews. Individuals who have particular knowledge of traditions passed down from preceding generations and a personal familiarity with the project area are invited to share their relevant information concerning particular cultural resources. Often people are recommended for their expertise, and indeed, organizations, such as Hawaiian Civic Clubs, the Island Branch of Office of Hawaiian Affairs (OHA), historical societies, Island Trail clubs, and Planning Commissions are depended upon for their recommendations of suitable informants. These groups are invited to contribute their input and suggest further avenues of inquiry, as well as specific individuals to interview. It should be stressed again that this process does not include formal or in-depth ethnographic interviews or oral histories as described in the OEQC’s *Guidelines for Assessing Cultural Impacts* (2012). The assessments are intended to identify potential impacts to ongoing cultural practices, or resources, within a project area or in its close vicinity.

If knowledgeable individuals are identified, personal interviews are sometimes taped and then transcribed. These draft transcripts are returned to each of the participants for their review and comments. After corrections are made, each individual signs a release form, making the interview available for this study. When telephone interviews occur, a summary of the information is usually sent for correction and approval, or dictated by the informant and then incorporated into the document. If no cultural resource information is forthcoming and no knowledgeable informants are suggested for further inquiry, interviews are not conducted.
ENVIRONMENTAL SETTING

The island of Maui ranks second in size of the eight main islands in the Hawaiian Archipelago. The Island was formed by two volcanoes, Mount Kukui in the west and Haleakalā in the east. The younger of the two volcanoes, Haleakalā, soars 2,727 m (10,023 feet) above sea level and embodies the largest section of the island. Unlike the amphitheater valleys of West Maui, the flanks of Haleakalā are distinguished by gentle slopes. Although it receives more rain than its counterpart in the east, the permeable lavas of the Honomanū and Kula Volcanic Series prevent the formation of rain-fed perennial streams. The few perennial streams found on the windward side of Haleakalā originate from springs located at low elevations. Valleys and gulches were formed by intermittent water run-off.

PROJECT AREA

The project area is located on approximately 75 acres of vacant land in North Kīhei, Kaʻonoʻulu Ahupuaʻa, and straddles the boundary between Wailuku and Makawao Districts, Island of Maui, Hawaiʻi [TMK: (2) 3-9-001:016, 170, 171, 172, 173, and 174]. The project is bordered on the north by Waiakoa Ahupuaʻa and to the south by Kūlanihākoʻi Gulch. The western boundary is adjacent to Piʻilani Highway and currently vacant lands lie to the east. The entire project area once was part of the Kaonoulu Ranch lands and spans from 0.5 mile to approximately 1.0 miles inland of the coastline at an elevation of approximately 70 feet above mean sea level (amsl), within an area archaeologically known as the “barren zone.”

BARREN ZONE

In geographical and physiographical terms, the barren zone is an intermediary zone between direct coastline and back beach areas to upland forests and more montane environments. The barren zone is a medial zone that appears to have been almost exclusively transitory, or at best, intermittently occupied through time. Intermittent habitation loci, as defined by surface midden scatters or small architectural features (i.e., C-shapes, alignments) dominate the few documented traditional site types (pre-Contact) in the area through time. Post-Contact features are generally limited to walls and small alignments, respectively associated with ranching and military training in the area.
The barren zone was an intermediary region between verdant upland regions and the coastline. Apparently, agricultural endeavors were practically non-existent in the barren zone and tool procurement materials (basalt, wood) were selected from other locales as well. Sediment regimes in the area are shallow, most often overlying bedrock, and perennial water sources are virtually non-existent.

Cordy (1977) divided the Kīhei (inclusive of Kaʻonoʻulu) area into three environmental zones (or subzones when one considers the entire ahupuaʻa): coastal, transitional/barren, and inland. The project location occurs in the transitional or barren zone: the slopes back of the coast with less than 30 inches of rainfall annually (Cordy 1977:4).

This barren zone is perceived as dry and antagonistic to permanent habitation. Use of the area would primarily have been intermittent or transitory, particularly as the zone could have contained coastal-inland trails and would have marked an intermediary point between the two more profitable ecozones. The region remains hostile to permanent habitation, only having been “conquered” in recent times through much modern adaptation (i.e., air conditioning, water feed systems, etc.).

Based on general archaeological and historic research, the barren zone was not subject to permanent or expansive population until recent times. This intimates that population pressure along the coast was minimal or non-existent in the Kīhei coastal area through time. As such, architectural structures associated with permanent habitation sites and/or ceremonial sites are not often identified in the area. The prevailing model that temporary habitation—temporary use sites predominate in the barren zone has been authenticated further by recent research.

SOILS

According to Foote (et al. 1972: Sheet Map 107; Figure 4), the project area is comprised of soils of the Waiakoa Soil Series and the Alae Series. More specifically, the soils of the Waiakoa Soil Series are specifically comprised of Waiakoa Extremely Stony Silty Clay Loam, 30 to 70 percent (WID2). The well-drained, volcanic soils of the Waiakoa Series occur in the upland (mauka) region of the island of Maui. These soils can be found in areas ranging from 100 to 1,000 feet amsl and receiving 12 to 20 inches of rainfall annually (Foote et al. 1972:126-127).
Figure 4: USDA Soil Survey Map (Foote et al. 1972: Sheet 107) Map Showing the Proposed Project Area Location.
The WID2 soils are generally associated with highly eroded landscapes and 3 to 15 percent of the ground surface is covered with rocks. The WID2 soils exhibit medium runoff and a severe erosion hazard. These soils are typically used as ranchlands and as a wildlife habitat (Foote et al. 1972: 127).

In general, the soils of the Alae are specifically comprised of Alae sandy loam 3 to 7 percent (AaB) and consist of “excessively drained” volcanic soils that occur between 50 to 600 feet amsl in areas receiving 12 to 20 inches of rainfall annually (Foote et al. 1972: 14). The AaB soils are similar to the Alea cobbly sandy loam, 0 to 3 percent (AcA) soils, in that they occur on alluvial fans and exhibit similar profiles. By contrast, the AaB soils do not exhibit cobblestones on the ground surface (Ibid: 14, 26). The AaB soils exhibit slow runoff and slight erosion hazard. These soils are most frequently used to cultivate sugar cane and a ranchlands, although smaller parcels are often used for the cultivation of fruits and vegetables (Ibid: 26).

CLIMATE

Kihei receives an average of 11 inches of rainfall per year (Giambelluca et. al. 2013). According to Armstrong (1983: 62), the Kihei area receives approximately 5 inches of rainfall during the summer months and approximately 10 to 19 inches of rainfall during the winter months. The hot, dry region in which Kihei is situated experiences winter temperatures between the 50s to the low 80s (degrees Fahrenheit). Summer temperatures range from the high 60s to the high 90s (degrees Fahrenheit).

CULTURAL HISTORICAL CONTEXT

The environment factors and resource availability heavily influenced pre-Contact settlement patterns. Although an extensive population was found occupying the uplands above the 30-inch rainfall line where crops could easily be grown, coastal settlement was also common (Kolb et al. 1997). The existence of three fishponds at Kalepolepo, southwest of the project area, and at least two heiau identified near the shore confirm the presence of a stable population relying mainly on coastal and marine resources.
Agriculture may have been practiced behind the dune berms in low-lying marshland or in the vicinity of Keālia Pond. It is suggested that permanent habitation and their associated activities occurred from A.D. 1200 to the present in both the uplands and coastal region (Ibid.).

PAST POLITICAL BOUNDARIES

Traditionally, the island of Maui was divided into twelve districts (Sterling 1998:3). The division of Maui’s lands into districts (moku) and sub-districts was performed by a kahuna (priest, expert) named Kalaihaʻōhia, during the time of the aliʻi Kakaʻalaneo (Beckwith 1979:383; Fornander places Kakaʻalaneo at the end of the 15th century or the beginning of the 16th century [Fornander 1919-20, Vol. 6:248]). Land was considered the property of the king or aliʻi ʻai moku (the aliʻi who eats the island/district), which he held in trust for the gods. The title of aliʻi ʻai moku ensured rights and responsibilities to the land, but did not confer absolute ownership. The king kept the parcels he wanted, his higher chiefs received large parcels from him and, in turn, distributed smaller parcels to lesser chiefs. The makaʻāinana (commoners) worked the individual plots of land.

In general, several terms, such as moku, ahupuaʻa, ʻili or ʻiliʻāina were used to delineate various land sections. A district (moku) contained smaller land divisions (ahupuaʻa), which customarily continued inland from the ocean and upland into the mountains. Extended household groups living within the ahupuaʻa were therefore, able to harvest from both the land and the sea. Ideally, this situation allowed each ahupuaʻa to be self-sufficient by supplying needed resources from different environmental zones (Lyons 1875:111). The ʻili ʻāina or ʻili were smaller land divisions next to importance to the ahupuaʻa and were administered by the chief who controlled the ahupuaʻa in which it was located (Ibid: 33; Lucas 1995:40). The moʻoʻāina were narrow strips of land within an ʻili. The land holding of a tenant or hoa ʻāina residing in an ahupuaʻa was called a kuleana (Lucas 1995:61). The project area is located in the ahupuaʻa of Kaʻonoʻulu, which translated means literally “the desire for breadfruit” (Pukui et al.:86).

TRADITIONAL SETTLEMENT PATTERNS

The Hawaiian economy was based on agricultural production and marine exploitation, as well as raising livestock and collecting wild plants and birds. Extended household groups
settled in various *ahupua’a*. Within the *ahupua’a*, residents were able to harvest from both the land and the sea. Ideally, this situation allowed each *ahupua’a* to be self-sufficient by supplying needed resources from different environmental zones (Lyons 1875:111).

**PRE-CONTACT PERIOD (PRE-1778)**

During the pre-Contact Period, there were primarily two types of agriculture, wetland and dry land, both of which were dependent upon geography and physiography. River valleys provided ideal conditions for wetland *kalo* (*Colocasia esculenta*) agriculture that incorporated pond fields and irrigation canals. Other cultigens, such as *kō* (sugar cane, *Saccharum officinaruma*) and *mai’a* (banana, *Musa sp.*), were also grown and, where appropriate, such crops as ‘uala (sweet potato, *Ipomoea batatas*) were produced. Traditionally, this was the typical agricultural pattern seen on all the Hawaiian Islands (Kirch and Sahlins 1992, Vol. 1:5, 119; Kirch 1985). Agricultural development on the leeward side of Maui was likely to have begun early in what is known as the Expansion Period (AD 1200-1400, Kirch 1985). According to Handy (1940), there was “continuous cultivation on the coastal region along the northwest coast” of Maui. Handy (1940:159) writes:

> On the south side of western Maui the flat coastal plain all the way from Kihei and Ma’alaea to Honokahua, in old Hawaiian times, must have supported many fishing settlements and isolated fishermen’s houses, where sweet potatoes were grown in the sandy soil or red lepo [soil] near the shore. For fishing, this coast is the most favorable on Maui, and, although a considerable amount of taro was grown, I think it is reasonable to suppose that the large fishing population, which presumably inhabited this leeward coast, ate more sweet potatoes than taro with their fish....

Trails extended from the coast to the mountains, linking the two for both economic and social reasons. A trail known as the *alanui* or “King’s trail” built by Kihapi’ilani, extended along the coast passing through all the major communities between Lāhainā and Mākena, including to Kihei. Kolb noted that two traditional trails extended through Kēōkea. One trail, named “*Kekuawaha’ula’ula*” or the “red-mouthed god”, went from Kihei inland to Kēōkea. Another, the Kalepolepo trail, began at the Kalepolepo Fishpond and continued to upland Waiohuli. These trails were not only used in the pre-Contact era, but were expanded to accommodate wagons bringing produce to the coast in the 1850s (Kolb *et al.* 1997:61).
There is little specific information pertaining directly to Kīhei, which was originally a small area adjacent to a landing built in the 1890s (Clark 1980). Presently, Kīhei refers to a six-mile section along the coast from the town of Kīhei to Keawakapu. Scattered amongst the agricultural and habitation sites were places of cultural significance to the kamaʻāina of the district including at least two heiau. In ancient times, there was a small village at Kalepolepo based primarily on marine resources. It was recorded that occasionally the blustery Kaumuku Winds would arrive with amazing intensity along the coast (Wilcox 1921).

During the pre-Contact Period, there were several fishponds near Kīhei; Waiohuli, Kēōkea-kai, and Kalepolepo Pond (also known by the ancient name of Kōʻieʻie Pond; Kolb et al. 1997). Constructed on the boundary between Kaʻonoʻulu and Waiohuli Ahupuaʻa, these three ponds were some of the most important royal fishponds on Maui. The builder of Kalepolepo and two other ponds (Waiohuli and Kēōkea-kai) has been lost in antiquity, but they were reportedly rebuilt at least three times through history, beginning during the reign of Piʻilani (1500s; Ibid; Cordy 2000).

Oral tradition recounts the repairing of the fishponds during the reign of Kiha-Piʻilani, the son of the great aliʻi (chief) Piʻilani, who had bequeathed the ponds to Umi, ruler of Hawai‘i Island. Umi’s konohiki (land manager) ordered all the people from Maui to help repair the walls of Kalepolepo’s fishponds. A man named Kikau protested that the repairs could not be done without the assistance of the menehune who were master builders (Wilcox 1921:66-67). The konohiki was furious and Kikau was told he would die once the repairs had been made. Kēōkea-kai was the first to be repaired. When the capstone was carried on a litter to the site, the konohiki rode proudly on top of the rock as it was being placed in the northeast corner of the pond. When it was time for repairs on Waiohuli-kai, the konohiki did the same. As the last pond, then known as Kaʻonoʻulu-kai, was completed, the konohiki once again rode the capstone to its resting place. Before it could be put into position, the capstone broke throwing both the rock and konohiki into the dirt. The workers reportedly said “Ua konohiki Kalepolepo, ua eku i ka lepo” (the manager of Kalepolepo, one who roots in the dirt)” (Ibid: 66). That night a tremendous storm threw down the walls of the fishponds. The konohiki implored Kikau to help him repair the damage. Kikau called the menehune who rebuilt the walls in one night. Umi
sent for Kikau who lived in the court of Waipiʻo valley from then on. The region of Kēōkea-kai and Kaʻonoʻulu-kai Fishpond became known as Kalepolepo Fishpond (Ibid.).

The Kalepolepo fishponds were rebuilt by Kekaulike, chief of Maui in the 1700s. During that period of time, the Kalepolepo fishponds supplied ʻamaʻama (mullet) to Kahekili. Kamehameha I subsequently restored Kalepolepo fishponds when he ruled as governing chief over Maui. The fishponds were restored for the final time in the 1840s, when prisoners from the Kahoʻolawe penal colony were sent to do repairs (Kamakau 1961; Wilcox 1921). At this time, stones were taken from Waiohuli-kai pond for the reconstruction of Kalepolepo. It was here at Kalepolepo that Kamehameha I reportedly beached his victorious canoes after subduing the Maui chiefs. The stream draining into Keālia Pond (north of the project area) became sacred to royalty and kapu to commoners (Stoddard 1894).

**PRE-CONTACT PERIOD (POST-1778)**

Early records, such as journals kept by explorers, travelers and missionaries, Hawaiian traditions that survived long enough to be written down, and archaeological investigations have assisted in the understanding of past cultural activities. Unfortunately, early descriptions of this portion of the Maui coast are brief and infrequent. Captain King, Second Lieutenant on the Revolution during Cook’s third voyage briefly described what he saw from a vantage point of “eight or ten leagues” (approximately 24 miles) out to sea as his ship departed the islands in 1779 (Beaglehole 1967). He mentions Puʻu Ōlaʻi south of Kīhei and enumerates the observed animals, thriving groves of breadfruit, the excellence of the taro, and almost prophetically, says the sugar cane is of an unusual height. Seen from this distance and the mention of breadfruit suggest the uplands of Kipahulu-Kaupo and ʻUlupalakua were his focus.

In the ensuing years, La Pérouse (1786), Nathaniel Portlock and George Dixon, (also in 1786), sailed along the western coast, but added little to our direct knowledge of Kīhei. During the second visit of Vancouver in 1793, his expedition becalmed in the Māʻalaea Bay close to the project area. (A marker commemorating this visit is located across from the Maui Lu Hotel). Vancouver (1984:852) reported:

The appearance of this side of Mowee was scarcely less forbidding than that of its southern parts, which we had passed the preceding day. The shores, however, were not
so steep and rocky, and were mostly composed of a sandy beach; the land did not rise so very abruptly from the sea towards the mountains, nor was its surface so much broken with hills and deep chasms; yet the soil had little appearance of fertility, and no cultivation was to be seen. A few habitations were promiscuously scattered near the waterside, and the inhabitants who came off to us, like those seen the day before, had little to dispose of.

Archibald Menzies, a naturalist accompanying Vancouver stated, “...we had some canoes off from the latter island [Maui], but they brought no refreshments. Indeed, this part of the island appeared to be very barren and thinly inhabited” (Menzies 1920:102). According to Kahekili, then ruling aliʻi of Maui, the extreme poverty in the area was the result of the continuous wars between Maui and Hawaiʻi Island causing the land to be neglected and human resources wasted (Vancouver 1984:856).

MĀHELE

In the 1840s, a drastic change in traditional land tenure resulted in a division of island lands. This system of private ownership was based on western law. While a complex issue, many scholars believe that in order to protect Hawaiian sovereignty from foreign powers, Kauikeaouli (Kamehameha III) was forced to establish laws changing the traditional Hawaiian economy to that of a market economy (Kuykendall Vol. I, 1938:145 footnote 47, 152, 165-6, 170; Daws 1968:111; Kelly 1983:45; Kameʻeleihiwa 1992:169-70, 176).

Among other thing, foreigners demanded private ownership of land to insure their investments (Kuykendall Vol. I, 1938:138, 145, 178, 184, 202, 206, 271; Kameʻeleihiwa 1992:178; Kelly 1998:4). Once lands were made available and private ownership was instituted the makaʻāinana (commoners) were able to claim the plots on which they had been cultivating and living (kuleana lands, Land Commission Awards, LCA). These claims could not include any previously cultivated or presently fallow land, ʻokipū (on Oʻahu), stream fisheries or many other resources necessary for traditional survival (Kelly 1983; Kameʻeleihiwa 1992:295; Kirch and Sahlins 1992). This land division, or Māhele, occurred in 1848. The awarded parcels were called Land Commission Awards (LCAs). If occupation could be established through the testimony of two witnesses, the petitioners were awarded the claimed LCA, issued a Royal Patent number, and could then take possession of the property (Chinen 1961: 16).
Fifty-five LCA claims were made for land in Kaʻonoʻulu Ahupuaʻa. However, a search of the Waihona ʻAina Database (2016) indicated that Hapakuka Hewahewa, the last high priest (kahuna nui) under the traditional religion and primary kahuna of Kamehameha I, received most of the ahupuaʻa, comprising 5715 acres, under LCA 3237*M/Royal Patent 7447 in 1853 (Appendix D). According to the Waihona ʻAina Database (2016), seven LCAs were issued in Kaʻonoʻulu Ahupuaʻa, in addition to Hewahewa’s lands:

Land Commission Award 9021/ Royal Patent 7885; consisting of one ʻāpana (piece) of land comprising 0.5 acres in the ʻili of Kapukahawai, Kaʻonoʻulu Ahupuaʻa, Kula District and one ʻāpana comprising 5.54 acres in the ʻili o Kupalaia, Kaʻonoʻulu Ahupuaʻa, Kula District was awarded to Kamai in 1888.

Land Commission Award 3108/Royal Patent 2814; consisting of one ʻāpana comprised of 0.4 acres in the ʻili of Kalepolepo, Kaʻonoʻulu Ahupuaʻa, Kula District was awarded to Konohia in 1856.

Land Commission Award 5299/Royal Patent 7468; consisting of one ʻāpana comprised of 1.4 acres in the ʻili of Puuokuhihewa, Kaʻonoʻulu Ahupuaʻa, Kula District was awarded to Kalio in 1880.

Land Commission Award 5328/ Royal Patent 6575; consisting of one ʻāpana comprised of 2.04 acres in the ʻili of Puuokuhihewa, Kaʻonoʻulu Ahupuaʻa, Kula District and ʻāpana comprised of 5.14 acres in the ʻili o Puuokuhihewa, Kaʻonoʻulu Ahupuaʻa, Kula District was awarded to Pupuka in 1874.

Land Commission Award 5376/ Royal Patent 2792; consisting of one ʻāpana comprised of 2.04 acres in the ʻili of Kupalaia, Kaʻonoʻulu Ahupuaʻa, Kula District and ʻāpana comprised of 0.22 acres in the ʻili of Kalepolepo, Kaʻonoʻulu Ahupuaʻa, Kula District and one ʻāpana comprised of 2.17 in Kaʻonoʻulu Ahupuaʻa was awarded to Lono in 1856.

Land Commission Award 5407/ Royal Patent 2791; consisting of two ʻāpana comprised of 3.491 acres in Kaʻonoʻulu Ahupuaʻa, Kula District was awarded to in 1856.

Land Commission Award 5465/ Royal Patent 7653; consisting of three ʻāpana comprised of 10.25 acres in the ʻili of Kailua, Kaʻonoʻulu Ahupuaʻa, Kula District was awarded to Makahahi in 1882.

The Office of Hawaiian Affairs Kipuka Database (2016; Figure 5) indicated the entire ahupuaʻa of Kaʻonoʻulu was awarded to Hewahewa.
Figure 5: Ka‘ono‘ulu Ahupua‘a, LCA 3237, awarded to Hewahewa in 1860 (basemap: “Maui, Hawaiian Islands” by F.S. Dodge 1885:1:90,000 scale).
As western influence grew, Kalepolepo became the important provisioning area. Europeans were now living or frequently visiting the coast and several churches and missionary stations were established. A Mr. Halstead left medical school on the East coast of the continent to become a whaler and after marrying the granddaughter of Issac Davis, settled in Kalepolepo on land given him by Kamehameha III (Kolb et al. 1997). His residence and store situated at Kalepolepo Landing was known as the Koa House having been constructed of koa logs brought from the uplands of Kula. The store flourished due to the whaling and potato industry and provided an accessible port for exported produce. Several of Hawai‘i’s ruling monarchs stayed at the Koa House, including Kauikeaouli (Kamehameha III), Kamehameha the IV, Lot Kamehameha (V), and Lunalilo. Wilcox (1921:67), giving a glimpse of the surroundings before abandonment stated, “…Kalepolepo was not so barren looking a place. Coconut trees grew beside pools of clear warm water along the banks of which grew taro and ape…” However, by 1887 this had changed. Wilcox (1921) continues:

…the Kula mountains had become denuded of their forests, torrential winter rains were washing down earth from the uplands, filling with silt the ponds at Kalepolepo…ruins of grass huts [were] partly covered by drifting sand, and a few weather-beaten houses perched on the broad top of the old fish pond wall at the edge of the sea, with the Halstead house looming over them dim and shadowy in the daily swirl of dust and flying sand…”

As early as 1828, sugar cane was being grown commercially on Maui (Speakman 1981:114). Sugar was established in the Makawao area in the late 1800s and by 1899, the Kihei Plantation Company (KPC) was growing cane in the plains above Kihei. The Kihei Plantation was absorbed by the Hawaiian Commercial and Sugar Company (HC&SC) in 1908, which continued cultivating what had been the KPC fields into the 1960s. A 200-foot-long wharf was constructed in Kihei at the request of Maui plantation owners and farmers and served inter-island boats for landing freight and shipping produce to Honolulu (Clark 1980). In 1927, Alexander and Baldwin became the agents for the plantation (Condé and Best 1973). A landing was built at Kihei around 1890.

The Kaonoulu Ranch has been in the Rice family since 1916. Previously, both the Haleakalā and Kaonoulu Ranches leased the then Crown lands for pasture and other ranching activities. According to Fredericksen et al. 1994:32):
Land Commission Award 8452: 20 consisted of a portion of the ahupua’a of Alae to A. Keohokaole, identified as Alae 3 of an unknown size. Land Commission Award 8452: 19 gave title to a portion of the ahupua’a of Koheo, again to A. Keohokaole (Granted June 8, 1858, from Kamehameha IV). The acreage was not specified in the Land Commission Award listings. However, the three awards make up 5966.72 acres of the Ranch shown on TMK 2-2-02: 15. In the period between 1860 and 1870, the Ranch lands were obtained from A. Keohokaole, by a Chinese immigrant, Young Hee. In the 1890’s Young Hee had to return to China because of personal family problems, and decided to sell his Maui land interests. The Ranch lands were then acquired by William H. Cornwall. Harold W. Rice purchased the property from the Cornwall family in 1916. An article in The Maui News, dated August 25, 1916, states that Mr. Rice became the largest individual landowner on Maui with the purchase of the Hee property. It also goes on to say that Mr. Rice resigned as the assistant manager of Maui Agricultural Company, where he had worked for five years, to devote himself full-time to his ranching activities.

With the introduction of a dependable water supply in 1952 came overseas investment and development, which has continued up to and including this time, along the coastal region of Kihei.

**PREVIOUS ARCHAEOLOGY**

Archaeological studies in the greater Kihei area began in the early twentieth century with T. Thrum (1909), J. Stokes (1909–1916), and W. M. Walker (1931). These surveys included areas of leeward Maui and inventoried both upland of the Kula District and coastal sites. Scientific Consultant Services, Inc. and other cultural resource management firms have more recently conducted numerous projects in the vicinity of the present project area. Several studies have been conducted in association with development of the Maui Research and Technology Park and the Elleair Maui Golf Club (Kennedy 1986; Hibbard 1994; Fredericksen et al. 1994; Chaffee et al. 1997; McGerty et al. 2000; Sinoto et al. 2001; Tome and Dega 2002; Monahan 2003; Figure 6).

The barren zone areas of this study have recently been subject to a proliferation of archaeological studies as residential and business endeavors expand from the coastline into other reaches of the Kihei area. Concomitant with modern expansion involves necessary
Figure 6: Selected Previous Archaeology in Vicinity of the Proposed Project Area (portion USGS Puu o Kali Quad: 1954).
historic preservation work. The following section provides a general overview of archaeological studies in the general Kīhei area, focused on the barren zone.

As noted by Hammatt and Shideler (1992:10), “what is particularly striking in the many archaeological reports on Kīhei is the general paucity of sites within the transitional or barren zone.” Cordy (1977) and Cox (1976) all conducted large-scale survey in this zone that led to the recrodation of only small, temporary habitation or temporary use sites. Several other studies in this zone of Kamaʻole Ahupua’a, including those conducted by Mayberry and Haun (1988) and Hammatt and Shideler (1990), identified historic properties interpreted as functioning as temporary habitation and temporary use loci.

McDermott (2001:100) states that site densities are typically quite low within the “barren zone” with multiple studies having been conducted on large parcels (Kennedy 1986, Watanabe 1987, Hammatt and Shideler 2000, Kikiloi et al. 2000) that did not lead to the identification any pre-Contact sites. However, military sites related to World War II (WWII) training exercises have been previously documented in the area (McGerty et al. 2000), these sites often consisting of low, short alignments or walls. The few radiocarbon dates acquired from the area indicate definitive use of the landscape in later prehistory c. A.D. 1500 to 1600+.

Archaeological Consultants of Hawaii (Kennedy 1986) conducted an Archaeological Reconnaissance Survey of the entire 150.032 acres of the then-proposed Maui Research and Technology Park [TMK: (2) 2-2-002, since changed to TMK: (2) 2-2-024]. Kennedy’s study, which did not include subsurface testing (excavation), concluded that no archaeological sites or features were located within the project area.

Archaeological Consultants of Hawaii (Kennedy 1988) conducted an Archaeological Reconnaissance Survey of TMK: (2) 3-9-001: 15, 148, and 149), which yielded negative findings.

Scientific Consultant Services, Inc. (Burgett et al. 1998) conducted an Archaeological Inventory Survey of Lots A and B of the Maui Lu Resort in Kīhei, Kaʻonoʻulu Ahupua’a, Wailuku District, Maui [TMK: (2) 3-9-1:83,86, and 120]. No historic properties were identified.

Xamanek Researches (Fredericksen et al. 1994) conducted an Archaeological Inventory Survey of 88 acres of land located in Kaʻonoʻulu Ahupua’a, Wailuku and Makawao Districts,
Maui Island [TMK: (2) 3-9-01:16 and 2-2-02 por. 15]. This survey included the proposed Piilani Promenade project area (see Figure 6). During the survey, 20 archaeological sites (State Sites 50-50-10-3727 through 50-50-10-3746) were identified. Fredericksen et al. (1994) state that while there was no direct evidence of traditional agriculture, State Sites 50-50-10-3727, 3728, and 3734 were interpreted as remnants of dry land agriculture. Evidence of traditional use of the area is suggested by several surface scatters (State Sites 50-50-10-3741 through -3745); an enclosure (State Site 50-50-10-3736), which was interpreted as a possible habitation feature; and a petroglyph boulder (State Site 50-50-10-3746), which was subsequently relocated off-site and is currently under preservation. State Sites 50-50-10-3735, -3737, 3738, and -3740 were interpreted as military features associated with World War II. In addition, Fredericksen et al. (1994) state that the subject property has been disturbed by modern activities including bulldozing, grubbing, and blasting activities, and that the project area was formerly a portion of the Kaonoulu Ranch, which was owned by the Rice family.

Scientific Consultant Services, Inc. (Chaffee et al. 1997) conducted an Archaeological Inventory Survey, including subsurface testing, of a portion of the Maui Research and Technology Park, within the area investigated by Kennedy (1986). During the survey, ten features were identified. The features included remnant terraces, stone alignments, a mound, and a modified outcrop. Based on spatial relationships, these features were incorporated into three archaeological sites. All of the sites were interpreted as having agricultural functions, with the exception of a rock mound that may have functioned as a religious feature.

Cultural Surveys Hawai‘i, Inc. (Folk et al. 1999) conducted an Archaeological Reconnaissance Survey of the proposed Kihei to Kula Road corridors, Kailua to Kama‘ole Ahupua’a, Makawao and Wailuku Districts, Island of Maui, (TMK: (2) 2-2 and 2-3). During the survey, twenty historic properties were newly identified (State Site 50-50-10-4760 through 50-50-10-4779) and five previously identified sites were relocated (the Kalianui Petroglyph Site State Site 50-50-10-1061; Kaluapulani Gulch Petroglyphs, State Site 50-50-10-1062; Kaluapulani Gulch Petroglyphs (Canoes, etc.), State Site 50-50-10-4178; an historic cattle wall, State Site 50-50-10-4180; and two pineapple plantation clearing mounds, State Site 50-50-10-4181. The newly identified sites included enclosures, walls, mound and cairn, midden and lithic scatter, a modified outcrop, road, ditch, rock overhang shelter, and the petroglyph sites. Most of these sites were interpreted as having agricultural and ranching functions, five sites were interpreted
as habitation sites, the petroglyph site was interpreted as having a symbolic function, and an enclosure complex was interpreted as having a military function.

Cultural Surveys Hawai‘i, Inc. (Borthwick et al. 2002) conducted an Archaeological Inventory Survey of the proposed alignment for the North-South Collector Road. The northern portion of the alignment is adjacent and west of the current proposed project area (see Figure 6). No historic properties were identified during the survey.

Scientific Consultant Services, Inc. (Monahan 2003) conducted an Archaeological Inventory Survey, including subsurface testing, of a 28.737-acre portion of the Maui Research and Technology Park, within the area investigated by Kennedy (1986). Other than one surface feature, a small arrangement of stacked boulders interpreted as a ‘push pile’, this survey yielded no evidence of historic or prehistoric significance.

Scientific Consultant Services, Inc. (McGerty et al. 2000) conducted an Archaeological Inventory Survey of 15 selected areas within the Elleair Maui Golf Club. During the survey, five archaeological sites (State Sites 50-50-10-5043, -5044, -5045, -5046, and -5047), containing a total of seven surface features, were identified. The surface features were interpreted as agricultural terraces, perhaps dating from the pre-Contact period, and C-shaped rock formations (fighting positions) built during World War II training. Ten excavation units placed within these features yielded no cultural material.

Sinoto et al. (2001) conducted an Archaeological Inventory Survey of a parcel adjacent to the subject property (see Figure 6). No archaeological or historical sites or features were identified.

Scientific Consultant Services, Inc. (Tome and Dega 2002) conducted an Archaeological Inventory Survey along the northeastern flank of the Elleair Maui Golf Club property. They identified a historical ranching corral and a short agricultural wall, collectively designated State Site 50-50-10-5233. No other structures or subsurface deposits were identified. No traditional native Hawaiian sites or features were identified. Another Inventory Survey along the southern flank of the Elleair Maui Golf Course (Dega 2003) failed to yield any archaeological or historical features.
Scientific Consultant Services, Inc. (Monahan 2004) conducted Archaeological Inventory Survey on two undeveloped lots totaling approximately 56.647 acres near the Elleair Golf Course in Kihei, Waiholu and Kaʻonoʻulu Ahupua‘a, Wailuku (Kula) District, Kihei, Maui Island, Hawai‘i [TMK: (2) 2-2-024: Portion 012 and 013]. A pedestrian survey and subsurface testing was performed in advance of a proposed residential project near the Elleair Golf Course. Four surface features consisting of stacked basalt stones were located within the project area; each was assigned a separate state site number. Test excavations yielded buried cultural material consistent with traditional native Hawaiian activities at three of the four sites (State Sites 50-50-10-5506, -5507, and -5509). Excavation at the fourth site (-5508)—a C-shaped rock pile consistent with a World War II military training feature—did not yield any subsurface evidence. The discovery of three traditional native Hawaiian sites in this area is significant, as previous studies have generally failed to document any such activity. One of these sites (-5509) yielded a modern radiocarbon date (0 ± 50 BP), but its context is questionable and it may not be associated with the buried artifacts. Two other sites (-5506 and -5507) did not yield charcoal, although both contained buried traditional artifacts and midden. No additional archaeological work was recommended in the project area.

Scientific Consultant Services, Inc. (Shefcheck et al. 2008) conducted an Archaeological Inventory Survey on a large parcel of open land located in Kihei, Kaʻonoʻulu Ahupua‘a, Makawao District, Maui Island, Hawai‘i [TMK: 2-2-002: 015 por.], located immediately adjacent and east of the current project area (see Figure 6). During the survey, forty archaeological sites were newly identified. Of these forty sites, eight were interpreted as associated with pre-Contact activities. These pre-Contact sites consisted of temporary rock shelters with petroglyph components, enclosures, platforms, a mound and a wall. Historic sites identified during this survey were interpreted as having agricultural and military training functions.

In 2006, Xamanek Researches (Fredericksen 2006, 2009) conducted an archaeological field inspection of 8.274 acres of land in Kaʻonoʻulu Ahupua‘a (TMK: (2) 3-9-001:157 and 158). No historic properties were identified. The original field inspection report was turned in to the State Historic Preservation Division (SHPD) for review and comment. However, the archaeological field inspection reports are not subject to the SHPD review process. The SHPD subsequently requested that the report be resubmitted as an archaeological assessment survey.
Cultural Surveys Hawai‘i, Inc. (McCurdy and Hammatt 2013) conducted an Archaeological Inventory Survey for the proposed Kūlanihākoʻi Bridge Replacement Project, Kaʻonoʻulu Ahupuaʻa, Wailuku District, Maui Island [TMK: (2) 3-9-001: 999, 162, 143 (pors)]. During the survey, the Kūlanihākoʻi Bridge (State Site 50-50-10-7606) was documented. No additional historic properties were identified. Prior to the Archaeological Inventory Survey, Cultural Surveys Hawai‘i, Inc. (Medeiros et al. 2012) conducted an archaeological literature review and field inspection for the Kūlanihākoʻi Bridge Replacement Project.

Xamanek Researches (Fredericksen 2015) conducted an Archaeological Inventory Survey of 101.658 acres of land within Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao Districts, Island of Maui [TMK: (2) 3-9-001: 16, 169-174; TMK: (2) 2-2-002: 016, 077, 082; TMK: (2) 3-9-001: 148; and TMK: (2) 3-9-048: 122]. This survey included the proposed Piilani Promenade project area and land previously surveyed by Fredericksen et al. (1994). The recent findings included:

- Identification of a previously undocumented enclosure (State Site 50-50-10-8266), which was interpreted as a possible pre-Contact habitation site;
- That “[p]revious bulldozing activities, prior ranching and more recent farming operations, road construction activities, as well as erosion have impacted portions of the project area;
- State Sites 50-50-10-3734 and -3739, which were previously identified by Fredericksen et al. (1994) were destroyed by post-1994 bulldozing activities; and
- Recommended Archaeological Data Recovery for the newly identified State Sites 50-50-10-8266 and for State Sites 50-50-10-3727-3729, 3732, 3735, 3736 and 3741-3745, which were previously identified by Fredericksen et al. (1994).

The report (Fredericksen 2015) documenting the findings of this survey has been approved by the State Historic Preservation Division (Log No: 2015.03310/Doc No: 1601MD08; Appendix F).
During 2016 and 2017, Xamanek Researches (Fredericksen 2017, Draft) conducted an Archaeological Assessment (Archaeological Inventory Survey-level investigation) of the proposed 13-acre Honua‘ula off-site workforce housing project located. The project area is located within Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao Districts, Island of Maui [TMK: (2) 3-9-001:169], and immediately adjacent to the current project area (see Figure 6). No historic properties were identified.

As may be gleaned from this praxis of archaeological studies for the barren zone, site expectation and site density is low for the area. A majority of the pre-Contact population of Kihei was settled along the coastline, nearer resources, while lands above 2,000 ft. amsl. were also heavily occupied from the c. A.D. 1400s. Thus, the “barren zone” became a medial zone between a coastal and inland population. Coupling the lack of major water resources and the shallow depths of the soils, the barren zone became an infrequent occupation area. Given the paucity of significant sites in the barren zone, the sites that are identified in this zone become much more significant.

CONSULTATION

Hana Pono, LLC (2016) conducted a CIA, in support of the DEIS, for the proposed Piilani Promenade Project. During the Hana Pono, LLC (2016) consultation process, several in-person interviews were conducted with Mrs. Paula Kalanikau, Mr. Daniel Kanahele, and Mr. Michael Lee, kumu (see Appendix A). In addition, two community-based consultation meetings were held. Sarofim Realty Investors, Inc. held a Cultural Consultation Meeting at the Kihei offices of Goodfellow Bros., Inc., on February 25, 2014. Sarofim Realty Investors, Inc. held a Cultural Consultation Meeting with the Aha Moku o Maui Council, on April 27, 2016. These interviews, cultural meetings, are briefly summarized below.

Mrs. Paula Kalanikau

Mrs. Kalanikau thought having a high school built on the subject property would be good for the children, but also expressed the need for respecting the history of the area and the land:
Oh, I’m definitely interested in having the high school there. I think the children deserve that; and a hospital. But we need to be also aware of what our ancestors have established in these areas and be mindful of developers what would be our priorities. And that is our priority: to look after our ‘aina (Hana Pono, LLC 2016:11).

Mr. Daniel Kanahele

Mr. Daniel Kanahele (in Hana Pono, LLC 2016:11) expressed the importance of the Hawaiian stories to be told as a method of preserving the past. “...[P]reserving the stories as well as the various sites should be of the utmost importance,” as learning about the history of an area provides a sense of continuity between the present and the past.

Mr. Michael Lee

Mr. Michael Lee (in Hana Pono, LLC 2016:11) believes “…that people should be educated about the spiritual and physical meaning of the various sites in the project area”… and that he would like to see as many sites preserved as possible. Mr. Lee suggested that community meetings should be held with “…members of the Aha Moku Kula: Basil Oshiro and ‘Ohana, Brian Nae‘ole and ‘Ohana, Jacob Mau and Tim Baily and ‘Ohana (from Mauka) to discuss a Site Preservation Plan” (Ibid).

February 25, 2014, Cultural Consultation Meeting

On February 25, 2014, Sarofim Realty Investors, Inc. held a Cultural Consultation Meeting at Kihei offices of Goodfellow Bros., Inc. Those who attended this meeting were:

Charlie Jencks  
Brett Davis  
Eric Fredericksen  
Kimokeo Kapahulehua  
Kelii Taua  
Levi Almeida  
Basil Oshiro  
Sally Ann Oshiro  
Clare Apana  
Brian Nae‘ole
Florence K. Lani
Daniel Kanahele
Jacob R. Mau
Lucienne deNaie

This meeting is transcribed in full by Jessica R. Perry, CSR, RPR (see Appendix A). During the course of the meeting, Mr. Jenckes called upon Clare Apana, as she had not spoken throughout the meeting. Ms. Apana stated that the “…kanaka were pretty much in agreement about the flow of water and preserving the coastline, keeping the water clean flowing down and keeping it flowing down” (Hana Pono 2016: 83).

On April 27, 2016, Sarofim Realty Investors, Inc. held a Cultural Consultation Meeting with the Aha Moku Council to discuss the Piilani Promenade Project. Those who attended this meeting were:

Charlie Jencks, Owner’s Representative
Kimokeo Kapahulehua, Cultural Consultant
Brett Davis, Chris Hart and Partners
Lucienne deNaie
Florence K. Lani, lineal descendant of Hewahewa Hapakuka
Brian Naeʻole, lineal descendant of Hewahewa Hapakuka
Basil Oshiro, Aha Moku o Maui, Kula Makai Representative
Sally Ann Oshiro, Makai Kula Moku

The purpose of this meeting was to take the re-visit the information obtained from the February 25, 2014 and to update the community on what steps Sarofim had taken to address the concerns expressed at the earlier meeting. This meeting is transcribed in full by Tonya McDade, CSR, RPR, CRC (see Appendix A).

SUPPLEMENTAL CONSULTATION

Consultation for the Supplemental CIA was conducted via telephone, e-mail, personal interviews, and the U.S. Postal Service. Consultation was sought from the following individuals:
Dr. Kamanaʻopono M. Crabbe, Office of Hawaiian Affairs;
Chris (Ikaika) Nakahashi, Cultural Historian, State Historic Preservation Division;
Leimana DaMate, Executive Director, Aha Moku Advisory Committee;
Kimokeo Kapahulehua, President, ‘Ao‘ao O Na Loko’ia O Maui;
Leslie Kuloloio, cultural practitioner and former member of the Maui/Lānaʻi Islands Burial Council;
Andrew K. Phillip, State Historic Preservation Division, Burial Sites Specialist, Maui;
Kapulani Antonio, Chair Maui/Lānaʻi Islands Burial Council and representative of the Moku of Kula;
Clare Apana, cultural practitioner;
Elden Liu, descendents of Hapakuka Hewahewa;
Kahele Dukelow, Maui/Lānaʻi Islands Burial Council District Representative;
Keʻeauumoku Kapu, Chair, Aha Moku;
Basil Oshiro, ‘Aha Moku Representative for Kula;
Kaonohi Lee, Honuaʻula Moku Representative;
Kamoa Quitevis, Cultural Consultant;
Joylynn Paman, ‘Ao‘ao O Na Loko’ia O Maui;
William Ho‘ohuli, community member;
Sally Ann Oshiro, Makai Kula Moku;
Brian Naʻele, descendant of Hapakuka Hewahewa;
Sharon Rose, community member; and
Jacob Mau, community member

SUPPLEMENTAL CULTURAL IMPACT ASSESSMENT INTERVIEWS AND RESPONSES

Analysis of the potential effect of the project on cultural resources, practices or beliefs, the potential to isolate cultural resources, maintain practices or beliefs in their original setting, and the potential of the project to introduce elements that may alter the setting in which cultural practices take place is a requirement of the OEQC (No. 10, 2012). As stated earlier, this includes the cultural resources of the different groups comprising the multi-ethnic community of Hawai`i.

During the consultation process for the SCIA, SCS received responses from four individuals responded to SCS’s query for information about traditional cultural practices
previously or currently conducted in the project area or Kaʻonoʻulu Ahupuaʻa by indicating that they would like to be interviewed. Cathleen Dagher, SCS Senior Archaeologist, conducted four interviews during the consultation process of the Supplemental CIA. Three of the interviews were conducted in-person interviews, two of the interviews were conducted with single individuals, and one joint interview was conducted with two individuals.

An in-person interview was conducted with Joylynn Paman at the Hawaiian Islands Humpback Whale Sanctuary Visitor Center, Kīhei, on December 15, 2016. A joint interview was conducted with Basil Oshiro, Aha Moku o Maui, Kula Makai Representative, and Sally Ann Oshiro, Makai Kula Moku at the Hawaiian Islands Humpback Whale Sanctuary Visitor Center, Kīhei, on December 15, 2016. An in-person interview was conducted with Elden Liu at Kalepolepo Beach Park, on November 30, 2016. On January 18, 2017, Mr. Liu telephoned SCS to request that his testimony not be included in the SCIA. The interview summaries, with the exception of Mr. Liu’s, are presented below.

**INTERVIEW SUMMARIES**

**Joylynn Paman, ‘Aoʻao O Na Lokoʻia O Maui**

Joylynn Paman is a long-time resident of Waiohuli Ahupuaʻa, the Hawaiian Homestead in Kula. Waiohuli is the neighboring ahupuaʻa to the south of Kaʻonoʻulu. Ms. Paman has been involved with Kalepolepo Fishpond for almost twenty years. In 1997, she joined ‘Aoʻao O Na Lokoʻia O Maui as an intern. She has definitely seen her share of changes to the physical environment here and how things that have happened up in the mountains have impacted the Kalepolepo area.

The non-profit fishpond project, ‘Aoʻao O Na Lokoʻia O Maui, was formed in 1997 by a group of Kīhei residents who wanted to learn about the historical and cultural importance of Kalepolepo Fishpond. These Kīhei residents felt there was a need to revitalize the fishpond. The mission of ‘Aoʻao O Na Lokoʻia O Maui is to restore and maintain the fishpond and to acknowledge all of the recreational, cultural, historical importance the fishpond has in their community.

As Ms. Paman lives mauka and given her connection to the Kalepolepo Fishpond area, Ms. Paman is very aware of the environment and how what happens in the uplands impacts the makai environment. For example, the heavy rains that were experienced throughout the ahupuaʻa recently caused flooding in the makai area and caused all of this dirty sediment to wash into our ocean.
Puʻu Kalepeamoa (approximately 9,000 feet amsl) forms the apex of Kaʻonoʻulu Ahupuaʻa, which extends makai, into the ocean, to the outermost edge of the reef. Kaʻonoʻulu Ahupuaʻa is one of the narrowest ahupuaʻa in the Kula District. At its widest point the ahupuaʻa is approximately one mile wide and at the shoreline, the ahupuaʻa is about a half a mile wide. If you look at a map of the mauka portion of Kaʻonoʻulu Ahupuaʻa, you will see twenty to thirty small tributaries joint together to form Kūlianihākoʻi Stream. Historically, this area has been the recipient of sediment deposits that have washed down from mauka, as a result of heavy rainfall in the uplands.

In the 1800s, Kalepolepo was known as a bustling town, actually a fishing village. People now associate Kalepolepo with just the area immediately adjacent to Kaeloplepo Park. However, during the mid-1800s, it was a long stretch of land that extended from a little bit past where the Maui Lu is now to where Azeka’s is currently located. While only Kalepolepo Fishpond remains, several ponds once extended along this portion of the coastline. These ponds included Waiohuli Kai Fishpond, which is located to the south of Kalepolepo, and Kēōkea Fishpond, which is located south of Waiohuli Kai Fishpond. The ancient name for Kalepolepo Fishpond was Kōʻieʻie Fishpond. A third name associated with the fishpond is Kaʻonoʻulu Kai, named after the ahupuaʻa. According to legend, the changing of the name from Kōʻieʻie to Kalepolepo happened many years ago during one of the major repairs to the fishpond wall. The thousands of people involved with the wall repair kicked up so much dirt that the dirt formed a big cloud of dust that hovered over the area. Thus, the area became known as Kalepolepo, the “dirty dirt.”

Limu was once abundant in the area. During the 1950s and ’60s, Māʻalaea Bay was one of the most pristine reef systems in the State. However, due to the quick transitions that happened on land (i.e., development), all of the runoff washed into the ocean causing all of the sediments to smother the reefs. Now it is one of the worst coral reef systems in the State. Just within 30 to 40 years, we’ve gone from one extreme to the other, within the spectrum.

Traditional cultural practices currently conducted at Kalepolepo Fishpond include seasonal limu gathering, chanting (oli), cleansing ritual (hiu wai), fishing, repairing and maintaining the fishpond, and recreation. The fishpond is also used to educate the community on traditional cultural practices.

**Concerns:** Ms. Paman’s primary concern is that the ocean and Kalepolepo Fishpond are the recipients of everything that occurs mauka. Sediments, as a result of natural or construction-related events, may be washed downwards from the proposed project area into the ocean as a result of heavy rainfall and flooding. Large amounts of re-deposited sediments have the potential to change the bathymetry (topography of the ocean) of our immediate ocean area.
Once the bathymetry has changed, the currents will change, which in turn will affect the fishpond. Impacts to the fishpond, as a result of bathymetry, may include: changing wave angles which can weaken the fishpond wall; the filling of the fishpond with sediment which may change the water levels within the pond; the changing water levels within the pond may affect the types of fish that can thrive in the pond.

Basil Oshiro, Aha Moku o Maui, Kula Makai Representative, and Sally Ann Oshiro, Makai Kula Moku

Sally and Basil Oshiro are long-time residents of Kaʻonoʻulu Ahupuaʻa. Basil Oshiro is the Aha Moku representative for Kula Moku and Sally Oshiro is affiliated with the Makai Kula Moku. The Oshiro’s point out that there are numerous streams and tributaries located mauka of the project area, some of which flow into, Kaʻonoʻulu Stream, which runs through the project area. Throughout recent history, heavy rains have caused these waterways to flood the project area and adjacent lands. The project area and adjacent lands contain natural features that may be impacted by the proposed undertaking. Lava tube systems, which serve as pueo habitats, extend beneath project area. Mr. Oshiro pointed out on the USGS (Puu O Kali, 1992; 1:24,000) quadrangle map the possible location of the punawai (traditional water catchment system) within the project area. Mr. Oshiro pointed out on the USGS quadrangle map a ditch located mauka of the project area that looks natural, but may have been modified for water diversion purposes during the pre-Contact Period. Mr. and Mrs. Oshiro said that there are archaeological features (i.e., directional rocks, seating areas, an area where children used to play), within the project area that have not been documented. Mr. Oshiro said that there are additional undocumented archaeological features adjacent to and within the gulches. There are, also, trails that extend mauka/makai across the project area that were used traditionally. Mr. and Mrs. Oshiro would like to see development work with nature, rather than against it.

Concerns: Basil and Sally Oshiro expressed their concerns that natural run-off and water diversion associated with proposed development would contributing to flooding of the project area and adjacent lands. Mr. and Mrs. Oshiro are concerned that undocumented archaeological features, within the project area, will be impacted by the proposed development.
RESPONSES

Scientific Consultant Services, Inc. received three responses via e-mail and one via telephone, from individuals answering SCS’ inquiries for information that might contribute to the knowledge of traditional cultural activities that were, or are currently, conducted in the vicinity of the proposed undertaking. Responses were received from Andrew K. Phillip, State Historic Preservation Division, Burial Sites Specialist, Maui; Chris (Ikaika) Nakahashi, Cultural Historian, State Historic Preservation Division; Keʻeaumoku Kapu, Chair, Aha Moku o Maui; and Joylynn Paman, ʻAoʻao O Na Lokoʻia O Maui.

Andrew K. Phillip, State Historic Preservation Division, Burial Sites Specialist, Maui.

In his e-mail dated November 16, 2016, Mr. Phillip suggested SCS contact Kapulani Antonio, Chair, Maui/Lānaʻi Islands Burial Council; Kahele Dukelow, Honuaʻula District Representative, Maui/Lānaʻi Islands Burial Council; and Keʻeaumoku Kapu, Chair, Aha Moku o Maui.

Chris (Ikaika) Nakahashi, Cultural Historian, State Historic Preservation Division

In an e-mail dated December 9, 2016, Mr. Nakahashi thanked SCS for contacting him about this project. Mr. Nakahashi stated that people that may have information on the traditional cultural practices of Kaʻonoʻulu are Keʻeaumoku Kapu and Kamoa Quitevis.

Keʻeaumoku Kapu, Chair, Aha Moku o Maui

Mr. Kapu indicated in an e-mail to SCS, dated December 2, 2016, that he will be forwarding SCS’s consultation materials to the moku representative of Kula, Basil Oshiro and the Honuaʻula moku rep Kaonohi Lee, so that they can assist with coordinating meetings with descendants of those ahupuaʻa and also hunting and fishing families which may frequent those areas of the project site.

Joylynn Paman, ʻAoʻao O Na Lokoʻia O Maui

On December 5, 2016, Ms. Paman contacted the SCS, Honolulu office via telephone, and indicated that she would like to participate in the consultation process. An in-person interview
was conducted with Ms. Paman on December 15, 2016, at the Hawaiian Islands Humpback Whale Sanctuary Visitor Center, Kīhei (see Interview Summaries above).

**SUMMARY**

The “level of effort undertaken” to identify the potential effect by a project to cultural resources, places or beliefs (OEQC 2012) has not been officially defined and is left up to the investigator. A good faith effort can mean contacting agencies by letter, interviewing people who may be affected by the project or who know its history, researching sensitive areas and previous land use, holding meetings in which the public is invited to testify, notifying the community through the media, and other appropriate strategies based on the type of project being proposed and its impact potential. Sending inquiring letters to organizations concerning development of a piece of property that has already been totally impacted by previous activity and is located in an already developed industrial area may be a “good faith effort.” However, when many factors need to be considered, such as in coastal or mountain development, a good faith effort might mean an entirely different level of research activity.

In the case of the current undertaking, letters of inquiry were sent to individuals and organizations that may have knowledge or information pertaining to the collection of cultural resources and/or practices currently, or previously, conducted in close proximity to the proposed development of the Piilani Promenade Project.

**CULTURAL ASSESSMENT**

Analysis of the potential effect of the project on cultural resources, practices or beliefs, the potential to isolate cultural resources, maintain practices or beliefs in their original setting, and the potential of the project to introduce elements that may alter the setting in which cultural practices take place is a requirement of the OEQC (2012:13). As stated earlier, this includes the cultural resources of the different groups comprising the multiethnic community of Hawaiʻi.
ARCHAEOLOGICAL CONCERNS

Concerns expressed by the community focused on the potential presence of undocumented archaeological sites within the project area that may be impacted by the proposed undertaking. These concerns were addressed by two Archaeological Inventory Surveys conducted in Kaʻonoʻulu Ahupuaʻa and included the proposed project area (Fredericksen et al. 1994, Fredericksen 2015). The Fredericksen (2015) archaeological report documenting the findings of the survey has been reviewed and accepted by SHPD (Log No: 2015.03310/ Doc No: 1601MD08; see Appendix F).

Xamanek Researches (Fredericksen et al. 1994) conducted an Archaeological Inventory Survey of 88 acres of land located in Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao Districts, Maui Island [TMK: (2) 3-9-01:16 and 2-2-02 por. 15]. This survey included the currently proposed Piilani Promenade project area. During the survey, 20 archaeological sites were identified (State Sites 50-50-10-3727 through 50-50-10-3746). A subsequent Archaeological Inventory Survey (Fredericksen 2015), which included the current project area and the area surveyed by Fredericksen et al. (1994), was conducted by Xamanek Researches, in 2004 and 2015. During the recent survey, Fredericksen (2015) identified a previously undocumented enclosure (State Site 50-50-10- 8266), which was interpreted as a possible pre-Contact habitation site; determined that previously conducted bulldozing activities, ranching, farming operations, road construction activities, and erosion have impacted portions of the project area. These impacts include the destruction of State Sites 50-50-10-3734 and -3739, which were previously identified by Fredericksen et al. (1994). As a mitigation measure to prevent further impact to archaeological sites within the proposed project area, Fredericksen (2015) recommended that a program of Archaeological Data Recovery be conducted during all construction related ground altering activities at the newly identified State Sites 50-50-10-8266 and at State Sites 50-50-10- 3727-3729, 3732, 3735, 3736 and 3741-3745, which were previously identified by Fredericksen et al. (1994).

The project ownership has committed to a continuation of the cultural consultation process with additional participation in the data recovery effort proposed for the archaeological sites. The Archaeological Monitoring program will be prepared under the guidance and directive of the State Historic Preservation Division.
TRADITIONAL CULTURAL PRACTICES

The concerns expressed by those interviewed for the Supplemental Cultural Impact Assessment did not focus on traditional cultural practices previously or currently conducted within the project area. However, there is the potential for traditional cultural practices conducted within the greater ahupua‘a to be impacted by the proposed undertaking (i.e., naturally occurring flooding and run-off generated by construction activities within the project area which may negatively affect the adjacent areas, including Kalepolepo Fishpond and the Pacific Ocean). As these concerns pertain to the environment, please refer to the Drainage discussion in the Potential Impacts and Mitigation Measures section in the Final Environmental Impact Assessment (FEIS).

CONCLUSION

To fulfill these purposes, the Supplemental Cultural Impact Assessment has reviewed historical research and suggestions from contacts, and analyzed the potential effect of the project on cultural resources, practices or beliefs, its potential to isolate cultural resources, practices or beliefs from their setting, and the potential of the project to introduce elements which may alter the setting in which cultural practices take place, as required by the OEQC (2012). Based upon this review and analysis, no traditional cultural practices are currently known to be practiced within the proposed project area.

The Land Use Commission (LUC) is also required to apply the analytical framework set forth by the Hawaii Supreme Court in Ka Pa‘akai O Ka‘Aina v. Land Use Comm’n, State of Hawai‘i, 94 Hawai‘i 31, 7 P.3d 1068 (2000) (hereinafter, “Ka Pa‘akai”). In this case, a coalition of native Hawaiian community organizations challenged an administrative decision by the Land Use Commission (the “LUC”) to reclassify nearly 1,010 acres of land from conservation to urban use, to allow for the development of a luxury project including upscale homes, a golf course, and other amenities. The native Hawaiian community organizations appealed, arguing that their native Hawaiian members would be adversely affected by the LUC’s decision because the proposed development would infringe upon the exercise of their traditional and customary rights. Noting that “[a]rticle XII, section 7 of the Hawaii Constitution obligates the LUC to protect the reasonable exercise of customarily and traditionally exercised rights of native Hawaiians to the extent feasible when granting a petition for reclassification of district
boundaries,” the Hawai‘i Supreme Court held that the LUC did not provide a sufficient basis to determine “whether [the agency] fulfilled its obligation to preserve and protect customary and traditional rights of native Hawaiians” and, therefore, the LUC “failed to satisfy its statutory and constitutional obligations.” *Ka Pa‘akai*, 94 Hawai‘i at 46, 53, 7 P.3d at 1083, 1090.

The Hawai‘i Supreme Court in *Ka Pa‘akai* provided an analytical framework in an effort to effectuate the State’s obligation to protect native Hawaiian customary and traditional practices while reasonably accommodating competing private interests. In order to fulfill its duty to preserve and protect customary and traditional native Hawaiian rights to the extent feasible, the LUC must—at a minimum—make specific findings and conclusions as to the following:

1. the identity and scope of “valued cultural, historical, or natural resources” in the petition area, including the extent to which traditional and customary native Hawaiian rights are exercised in the petition area;

2. the extent to which those resources—including traditional and customary native Hawaiian rights—will be affected or impaired by the proposed action; and

3. the feasible action, if any, to be taken by the LUC to reasonably protect native Hawaiian rights if they are found to exist.

See *Ka Pa‘akai*, 94 Hawai‘i at 47, 7 P.3d at 1084.

Given the culture-historical background presented by the CIA and Supplemental CIA, in addition to the summarized results of prior archaeological studies in the project area and in the neighboring areas, it is the finding of the current analysis that there are no specific valued cultural, historical, or natural resources within the project area; nor are there any traditional and customary native Hawaiian rights being exercised within the project area. The long-term use of the project area for grazing and ranching activities also supports this conclusion.

Notwithstanding the absence of valued resources, the developer has committed to a continuation of the cultural consultation process with Aha Moku o Maui members, with additional participation in the Data Recovery effort proposed for the archaeological sites. The findings of the Archaeological Monitoring program will be conducted under the guidance and directive of the SHPD.
Based on the information presented in the Supplemental CIA, it seems reasonable to conclude that, pursuant to Act 50, the exercise of native Hawaiian rights, or any ethnic group, related to numerous traditional cultural practices including, procurement of marine resources, gathering, access, cultivation, the use of traditional plants, and the use of trails, will not be adversely impacted by the proposed Piilani Promenade to be located on approximately 75-acres of land, owned by Piilani Promenade North, LLC and Piilani Promenade South, LLC., in Kihei, Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao Districts, Island of Maui, Hawaiʻi [TMK: (2) 3-9-001:016, 170, 171, 172, 173, and 174].
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APPENDIX A: CULTURAL IMPACT ASSESSMENT FOR THE PROPOSED PIILANI PROMENADE PROJECT
CULTURAL IMPACT ASSESSMENT
For the
PROPOSED
Piilani Promenade Project

December 2013
Revised March 2016 & August 2016

Hana Pono, LLC - PO Box 1574 Kihei, HI 96753 – hanapono@gmail.com
CULTURAL IMPACT ASSESSMENT
For the
PROPOSED
Piilani Promenade Project

December 2013
Revised March 2016 & August 2016

Hana Pono, LLC - PO Box 1574 Kihei, HI 96753 – hanapono@gmail.com
CULTURAL IMPACT ASSESSMENT

For the

PROPOSED

Piilani Promenade Project

TMK: (2) 3-9-01:016, (2) 3-9-01:169-174, (2) 3-9-048:122, (2) 3-9-001:148, (2) 2-2-02:077, (2) 2-2-02:016 (portion), (2) 2-2-02:082 (portion)

Prepared for:
Mr. Robert Poynor, Vice President Sarofim Realty Advisors
8115 Presto Road, Ste. 400
Dallas, TX 75225

Prepared by: Hana Pono, LLC PO Box 1574
Kihei, Maui, Hawaii 96753

December 2013
Revised March 2016 & August 2016
## MANAGEMENT SUMMARY

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<th>Report</th>
<th>Cultural Impact Assessment for the proposed Piilani Promenade project</th>
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<td>Date</td>
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<tr>
<td>Project Location</td>
<td>County of Maui; Kula District; Ka'ono'ulu ahupua'a, TMK(s): (2) 3-9-01:016, (2) 3-9-01:169-174, (2) 3-9-048:122, (2) 3-9-001:148, (2) 2-2-02:077, (2) 2-2-02:016 (portion), (2) 2-2-02:082 (portion)</td>
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<td>Acreage</td>
<td>Approximately 88 acres</td>
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<td>Ownership</td>
<td>Sarofim Realty Advisors</td>
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<td>Developer/Applicant</td>
<td>Sarofim Realty Advisors</td>
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<tr>
<td>Project Description</td>
<td>The proposed project will include residential, light-industrial, commercial, and public/quasi-public uses.</td>
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<td>Region of Influence</td>
<td>Ka'ono'ulu ahupua'a, Kula Moku</td>
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<td>Agencies Involved</td>
<td>SHPD/DLNR, Maui County, State Land Use Commission</td>
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<td>Environmental Regulatory Context</td>
<td>The undertaking is subject to both State land use laws and County zoning regulations, and other environmental regulations</td>
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<tr>
<td>Results of Consultation</td>
<td>Lands in question have long been disturbed by ranching and construction. However, there are still archeological sites within the project area that should be preserved when possible.</td>
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| Recommendations | - Work with community members on the data recovery plan to identify cultural sites/features for incorporation into the final site development plan.  
- Adherence to all applicable rules governing earth-disturbance activities  
- Adherence to accepted SHPD archaeological monitoring plans |
CULTURAL SUMMARY

Sarofim Realty Advisors is proposing the construction of a mixed-use development just mauka (upland) of Pi'ilani Highway at Ka'ono'ulu Road. The entire project sits in the moku of Kula and the ahupua'a of Ka'ono'ulu, adjacent to the Pi'ilani Hwy and other previously disturbed lands. Whatever cultural practices or resources were practiced there in ancient times have long been abandoned and paved over in the construction of modern-day Kihei.
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INTRODUCTION
At the request of Mr. Charlie Jencks, owner representative for Sarofim Realty Advisors, Hana Pono LLC has completed a report for the Cultural Impact Assessment of the proposed Piilani Promenade project at TMK(s): (2) 3-9-01:016, (2) 3-9-01:169-174, (2) 3-9-048:122, (2) 3-9-001:148, (2) 2-2-02:077, (2) 2-2-02:016 (portion), (2) 2-2-02:082 (portion). This study was completed in accordance with State of Hawaii Chapter 343, HRS, and the State of Hawaii Office of Environmental Quality Control (OEQC) Guidelines for Assessing Cultural Impacts (1997).

Guiding Legislation for Cultural Impact Assessments
It is the policy of the State of Hawaii under Chapter 343, Hawaii Revised Statutes, to alert decision makers about significant environmental effects that may occur due to actions such as development, re-development, or other actions taken on lands. Articles IX and XII of the State Constitution, other state laws, and the courts of the state require the promotion and preservation of cultural beliefs, practices, and resources of native Hawaiians and other ethnic groups.

The Guidelines for Assessing Cultural Impacts, as adopted by the Environmental Council, State of Hawaii 1997 and administered by the Office of Environmental Quality Control, including HAR Title 11 Chapter 200-4(a), include effects on the cultural practices of the community and state. The Guidelines also amend the definition of "significant effect" to include adverse effects on cultural practices.

Goal and Purpose
The goal of this study is to identify any and all Native Hawaiian, traditional, historical, or otherwise noteworthy practices, resources, sites, and beliefs attached to the project area in order to analyze the impact of the proposed development on these practices and features. Consultations with lineal descendents or kupuna (Hawaiian elders) with knowledge of the area in gleaning further information are a central part of this study.

Scope
The scope of this report compiles various historical, cultural and topographical accounts and facts of the project area and its adjacent ahupua'a.

The geographical extent of the inquiry should, in most instances, be greater than the area over which the proposed action will take place. This is to ensure that cultural practices which may not occur within the boundaries of the project area, but which may nonetheless be affected, are included in the assessment. An ahupua’a is usually the appropriate geographical unit to begin an assessment of cultural impacts of a proposed action, particularly if it includes all of the types of cultural practices associated with the project.
area. In some cases, cultural practices are likely to extend beyond the ahupua’a and the geographical extent of the study area should take into account those cultural practices. (OEQC, Guidelines for Assessing Cultural Impacts, Nov 9, 1997)

Data will be compiled beginning with the first migrations of Polynesians to the area, progressing through the pre-contact period of Hawaiian settlement, containing data on the post-contact period, through to the current day and any cultural practices or beliefs still occurring in the project area. Hawaiian kupuna with ties to the area will be interviewed on their knowledge of the area and its associated beliefs, practices, and resources. Additionally, any other individuals or organizations with expertise concerning the types of cultural resources, practices and beliefs found within the geographical area in question will be consulted.

**PROJECT AREA**

The project is located in the State of Hawaii, County of Maui, at TMK(s): TMK(s): (2) 3-9-01:016, (2) 3-9-01:169-174, (2) 3-9-048:122, (2) 3-9-001:148, (2) 2-2-02:077, (2) 2-2-02:016 (portion), (2) 2-2-02:082 (portion). The project is in the moku of Kula, the ahupua'a of Ka'ono'ulu, and centers around Pi'ilani Highway and its intersection with Ka'ono'ulu Street.

**APPROACH & METHOD**

The approach taken in this study was two-fold. Foremost, historical, involving as appropriate, a review of: mahele (land division of 1848), land court, census and tax records, previously published or recorded ethnographic interviews and oral histories; community studies, old maps and photographs and other archival documents. Secondly, an in-depth study involving oral interviews with living persons with ties, either lineal or cultural, to the project area and the surrounding region.

**Objectives**

The objectives of the Cultural Impact Assessment are as follows:

- to compile and identify historical and current cultural uses of the project area,
- to identify historical and current cultural beliefs & practices associated with project area,
- To assess the impact of the proposed action on the cultural resources, practices, and beliefs.

**Tasks**

Data gathered combined oral interviews of knowledgeable kupuna and families/individuals with long-standing ties to the area with all available written and recorded background information.
Archival Research

All sources of historical written data, old maps, and literature were culled for information.

Oral Interviews

Tasks completed for oral interviews included: identification of appropriate individuals to be interviewed, determination of legitimate ties to project area and surrounding region, interview recorded in writing and by digital audiocassette, transcription of interview, compilation of pertinent data.

Level of Effort Undertaken

Interviewees are contacted and selected for inclusion in this report based on a sliding scale of legitimate authority based on the following characteristics: lineal descendents, cultural descendents, traditional practitioners, cultural practitioners, knowledgeable area residents of Hawaiian ancestry, knowledgeable concerned citizens. Every effort is made to obtain the highest quality interviewees and determination of appropriate individuals follows this criteria.

HISTORICAL & CURRENT CULTURAL RESOURCES & PRACTICES

The island of Maui is comprised of twelve (12) traditional land districts, called moku. Each moku is made up of numerous ahupua'a, smaller land divisions wherein a self-inclusive community could find all the things needed for a satisfactory life. Usually these ahupua'a ran from the heights of the mountain peak to the edge of the outer reef like a giant pie slice, although many ahupua'a did not fit this template. As previously mentioned, the project area resides in the moku of Kula and the ahupua'a of Ka'ono'ulu. Handy relates that, "Kula was always an arid region, throughout its long, low seashore, vast stony kula [open country] lands and broad uplands. Both on the coast, where fishing was good, and on the lower westward slopes of Haleakala a considerable population existed" (ESC Handy, 114). The moku of Kula is so called for its kula lands, meaning broad open expanses, likened to pasture land by the ranchers of the last century.

Although Kihei is one of the more dry areas of Maui in present time, it once was home to many fresh and brackish wetlands. Such as the wisdom of the ahupua'a system, the events mauka (upland) effected the land below. The mauka portion of Kula underwent major deforestation for farming and ranching and therefore, rainwater was less able to filter into the ground and recharge the ponds near the coast. The Honolulu Star-Bulletin and Advertiser reported in 1962, "a secondary result of the clearing of the Kula forests, he said, was the destruction of extensive fresh water ponds in Kihei, on the Ma'alaea Bay coast below Kula. When the forest was cleared,
water was free to rush down the mountain, carrying soil from Kula to the coast and filling with mud the ponds for which Kihei was once famous" (Sterling, 245). This destruction started with the large-scale deforestation of the native Sandalwood in the 1800's and although short-lived was a major source of commerce for this area in those times.

The project area has been severely disturbed from its original and unaltered state for many decades, by the effects of grazing cattle and the construction of ranch roads, county roads and the construction of the Pi'ilani Highway. Any resources or practices occurring traditionally in the area are now non-existent and would have been obliterated.
First migrations

Traditional stories start with the creation chant called "Kumulipo." The Kumulipo brings darkness into light. Embedded in this all-encompassing chant includes the tale of the coming of the Hawaiian Islands through the mythical stories of Pele and another demigod named Maui who, with his brothers, pulls up all the islands from the bottom of the sea. The latest and last physical appearance of Pele occurred as late as mid-1800s when the Fire Goddess flowed from the top of the southern slopes of Haleakala, south of our project area, down through Honua'ula and landing at the surf of Makena and southward. In the Hawaiian Annual published by Thomas Thrum and James Dana's "Characteristics of Volcanoes", are reported Father Bailey's statements of his oral interviews explaining that the last flow had occurred in 1750 (Sterling 1998: 228). Many of the lava flows in the summit depression and in the Ulupalakua to Nu'u area were dark black and bare 'a'a (rough, jagged type of lava landscape). The two freshest lava flows run near La Perouse Bay. The upper flow broke out of a fissure near Pu'u Mahoe and the lower flow broke out at Kalua o Lapa cone. Both flows contain large balls or wrapped masses of typical 'a'a found throughout Hawai'i.

The occupation of the Hawaiian archipelago after its mythical creation came in distinct eras starting around 0 to 600 A.D. This was the time of migrations from Polynesia, particularly the Marquesas. Between 600 and 1100 A.D. the population in the Hawaiian Islands primarily expanded from natural internal growth on all of the islands. Through the course of this period the inhabitants of the Hawaiian Islands grew to share common ancestors and a common heritage. More significantly, they had developed a Hawaiian culture and language uniquely adapted to the islands of Hawai'i which was distinct from that of other Polynesian peoples (Fornander, 222).

Between 1100 and 1400 A.D., marks the era of the long voyages between Hawai'i and Tahiti and the introduction of major changes in the social system of the Hawaiian nation. The chants, myths and legends record the voyages of great Polynesian chiefs and priests, such as the high priest Pa'a'o, the ali'iu (Head Chief) Mo'ikeha and his sons Kiha and La'amaikahiki, and high chief Hawai'iiloa. Traditional chants and myths describe how these new Polynesian chiefs and their sons and daughters gradually appropriated the rule over the land from the original inhabitants through intermarriage, battles and ritual sacrifices. The high priest Pa'a'o introduced a new religious system that used human sacrifices, feathered images, and enclosed heiau (temples) to facilitate their sacred religious practices. The migration coincided also with a period of rapid internal population growth. Remnant structures and artifacts dating to this time suggest that previously uninhabited leeward areas were settled during this period.
**Settling of Kula Moku & Ahupua’a**

With its gentle and open white sand beaches, the coastal areas of Kula were surely a favorite location for fisherman and their families. Accounts tell of a large population on the coast with much bounty from the ocean, not only by fishing the open sea, but also by the construction of fishponds, gathering limu (seaweed), and diving for octopus, lobster, and other marine life. Inhabitants of this region relied on vegetable foods from other areas of the island. Possibly obtaining kalo (taro) from across the Ma'alaea plain in Waikapu and uala (sweet potato) from the mauka slopes of Haleakala, the inhabitants of the coastal region were able to supplement their diet of fish, shellfish, and limu. Handy and Handy elaborate on the lands of the moku, "there were some patches of upland taro, not irrigated; but this was a notable area for sweet potato, which, combined with the fishing, must have supported a sizable population although it cannot be counted as one of the chief centers" (272).

The project area rests in the Ahupua'a of Ka'onou'ulu, named for the delicious Ulu trees that grew in the upper, cooler portion of the ahupua'a that those residents on the coast would trek up the mountain to obtain. In ancient times the surrounding areas makai from the project were known for their fresh (brackish) water ponds that would fill up in times of rain and become dry during the summer months. Previously, there were many of these types of ponds that have now been filled in for development. There were no perennial streams here and the water supplied by these ponds and freshets of water that filled the gulches were an important lifeline for these peoples.

Hewahewa claimed Kalepolepo during the Great Mahele and was awarded over five thousand acres referred to as "Kaonoulu Ahupua'a" (Waihona). This award likely includes the project area. Hewahewa calls Kalepolepo his "fixed place of residence" (Waihona).

**PLACE NAMES ASSOCIATED WITH THIS AREA**

The Hawaiian culture places a particular importance on place-names. Throughout Polynesia, cultures are for the most part ocean-based, surviving and building their cultures around the bounty of the sea. While Hawaiians share common history with all Pacific peoples, because of the unique factors of these high-islands, their culture turned decidedly more land-oriented than many other Pacific cultures. The abundant access to fresh water sources, fertile soil, relative lack of reef and reef fish compared to older south pacific islands all contributed to their formation of a completely unique and distinct culture; a culture that placed a high inherent value on land and landforms, landscapes and their relationship to people's lives. In place-names one can find its purpose, their purpose, and the hidden *kaona* (symbolism) behind the word.
**Ka’ono’ulu**
The ahupua'a the project resides in is named for the breadfruit grown on its upper slopes in the cooler mauka region on Haleakala. This breadfruit would have been carried down to the coastline and traded for fish and other products.

**Waiakoa**
The ahupua'a adjacent and to the north of the project area, it is named for the Koa tree that grew on the upper slopes of that ahupua'a.

**Waiohuli**
The ahupua'a adjacent and to the south of the project area, it is named for the clouds that come down the slopes of Haleakala and let loose their rain before retreating again to the mauka regions.

**Kalepolepo**
The small coastal region directly makai of the project area that houses the fishpond of Ko'ie'ie, so called for the dirty (lepo) waters in the area during times of rain.

**Ko’ie’ie**
The name of the major ancient fishpond in the Ka'ono'ulu ahupua'a, that along with others supplied a variety of food to the residents. See the following sections for more detailed information on the history of Ko'ie'ie.

**Kaipukaiohina**
A section of beach named for the bounty of its waters, *Ka ipu kai o Hina* is the Ocean-basket of Hina.

**Kihei**
The contemporary name for the entire coastal area of Kula, Kihei literally means a cape or shawl as is interpreted as representing the cloak of dust spread over the area by fierce trade winds and/or the cloak of the clouds created by Haleakala that stretch out into the channel sometimes connecting to Kaho'olawe and Lana'i.
TRADITIONAL HAWAIIAN USES & PRACTICES

The inhabitants of the coastal areas of Ka'ono'ulu sustained themselves through the bounty of the ocean. Nearby to them was the fishpond of Kalepolepo, commonly called Ko'ie'ie. Kalepolepo was built by an early Maui chief and by the 16th century King Umi of Hawai'i Island tasked the commoners with rebuilding the walls. Later, during the reign of Kamehameha I he rebuilt Kalepolepo again, tasking all the people of the west side of Maui to work. Ke Alaloa o Maui, the broad highway of Maui constructed by King Pi'ilani crosses through the ahupua'a of Ka'ono'ulu on its way to Makena and not much is mentioned of this area besides Kalepolepo pond and the dryness of the area.

Post-Contact Historical Uses & Practices

It was near Kalepolepo and the shoreline north of the project area that Kamehameha is said to have landed his canoes for his invasion of Maui. Kamehameha had previously been beaten by the forces of Maui because of their furious use of the ma'a (sling) for which Maui's warriors were famous. But Kamehameha this time had the foreign technology of mortars, muskets, and cannons. It was here he uttered the now famous saying, "Imua e na pok.i'i. He inu i ka wai 'awa'awa", forward my brothers or drink of the bitter waters. He set fire to his canoes, their only form of retreat and challenged his men to win the battle or drink the bitter water of defeat and certain death. From Kalepolepo the army of Kamehameha pushed the warriors of Maui back to the West Maui Mountains.

With the arrival of the foreigners came the foreign interest of making money and one of the first goods to be mass exported from the islands was the Sandalwood. Ili'ahi in Hawaiian, the sandalwood tree has a fragrance highly prized by the Chinese and entire forests were denuded in the rush to make foreign money. Many of these forests were in the upper part of the Kula moku and the deforestation of these forests was a contributor to the siltation of the brackish ponds and loko i'a (fishponds).

While the rest of the island was undergoing a radical transformation of landscape with the construction of large sugar and pineapple plantations, the Kihei area remained largely unchanged
due to the lack of water. No foreign investors wanted to stake a claim to land out there knowing there was no way to water their crops. For a long time, Kihei remained the same, a few hundred Hawaiian families living off the bounty of the ocean.

In 1828 the first Catholic priest to the Hawaiian Islands, Father Bachelot, brought with him from Paris a seed which he grew into a tree and planted in a church in Honolulu. Soon after the seeds of this tree were taken to all the islands and began to dominate the leeward landscape of Maui. Kiawe soon was the most prolific tree in South Maui, so much so, that the kupuna (elders) of today remember Kihei as being covered in kiawe. There was so much kiawe that they would make slippers out of old car tires, the only thing that would stop the kiawe thorn from puncturing their feet. Oral accounts detailed how they would take the rubber tires off their bikes and replace it with a garden hose, wrapped multiple times and bound with wire, after getting too many flats with a regular tube tire.

**Current Uses, Practices, & Resources of Project Area**

Currently the project area is generally unmaintained former ranch lands mauka of the highway. There are no known cultural practices or resources in the project area. The closest cultural resource of significance is the Ko'ie'ie fishpond and the other fishponds along the coast which are undergoing a revitalization effort to bring them back to their former glory and provide educational opportunities for the community. The project area does include a variety of archaeological sites and features for which an Archaeological Inventory Survey (AIS) was completed on August 26, 2015, submitted to DLNR/State Historic Preservation Division with a letter of acceptance dated January 6, 2016. Recommendations with the accepted AIS include data recovery for nearly all of the sites and features located within the property.

**SUMMARY OF INTERVIEWS**

**Paula Kalanikau**

Paula was interviewed for another Kihei project in 2006 and again in October 2013, both interviews took place at her residence on Kenolio Street in Kihei. Paula married into the Kalanikau 'ohana, the family who owned the ahupua'a of Kaonoulu. She stated that there were three families involved in the ownership prior to the Great Mahele: the Waiwaiole's and the Kalanikauikealaleo's.

Paula Kalanikau moved to Kihei in the early 1960's. She reminisced that all of the people lived in the flood inundation zone and when the floods came from a Kona storm, people couldn't get in
or get out. That was before Pi'ilani Highway. The old Suda Store at the beginning of South Kihei Road was the gateway to Kihei back in the 1960's and 1970's.

In 1972, Paula's husband worked with a group of neighborhood men to start the Kihei Canoe Club on Sugar Beach. All of the Sugar Beach hotels were already there by the time Kihei Canoe Club got that land from the County. The Kalanikaus were all active in the Kihei community.

Mrs. Kalanikau talked about the changes in Kihei and how a lot of the changes are for the worse. Her final comment sums up her feelings about the future of Kihei:

"Oh, I'm definitely interested in them having a High School here. I think the children deserve that; and a hospital. But we need to be also aware of what our ancestors have established in these areas and be mindful to developers what would be our priorities. And that is our priority: to look after our 'aina."

**Daniel Kanahele**

Daniel Kanahele's interview was recorded and the entire video is available through the ownership per the request of Mr. Kanahele. His interview was also transcribed in an effort to address his concern that Hawaiian stories need to be told. Mr. Kanahele spoke earnestly about the fact that once something is gone, it cannot be recovered. So preserving the stories as well as the various sites should be of utmost importance. Mr. Kanahele spoke of the fundamental relationship from the heavens to the land to the ocean-a relationship that can be negatively influenced if people aren't careful in their development. Mr. Kanahele regularly walks the land in the proposed project area. He views rocks and plant life and living creatures as books in a library, things we can learn from.

"So when I walk the land and I see an archaeological site, it's like me opening a book. And it teaches me about history and my connection to that -- that -- the past. "When I look at a cultural site, I don't look at it as like separated and disconnected from everything else around it. Because I know the cultural site is there because it's connected to that site, to that site, to that gulch, to that local i`a, it's all related. And the sites not even in the project area. ... So what I'm saying is my cultural practice is walking the land so that I can be taught by my kupuna."
**Michael Lee**

Michael Lee's interview was recorded and the entire video is available through the ownership per the request of Mr. Lee. The interview was also transcribed in an effort to address his concern that Hawaiian stories should be told. Mr. Lee feels that people should be educated about the spiritual and physical meaning of the various sites in the project area. He also feels that as many of the sites as possible should be preserved. Specifically, the water flow in the streams and gullies should flow mauka to makai. Mr. Lee would like a group meeting that includes members of the Aha Moku Kula: Basil Oshiro and 'Ohana, Brian Naeole and 'Ohana, Jacob Mau and Tim Baily and 'Ohana (from Mauka) to discuss a Site Preservation Plan. Mr. Lee spoke about his elders taking the time with him when he was young to teach him about his family genealogy and the history of the land. He was taught the wind and rain names, fishing and cultivating practices. He is grateful that he was given the knowledge to pass down to future generations and feels education of Hawaiian culture and history should be a priority.

“We as a community have to move on in progress, jobs, development, but the law is situated that we can save those corners and pieces that are valuable to our Hawaiian culture. Like at the -- the megamall Pi`ilani Promenade, there are certain rocks and features that I was taught and told that -- how to distinguish what their purpose was through generational knowledge of this family line.”

**Piilani Promenade Cultural Consultation Meeting, February 25, 2014**

Sarofim Realty Investors, Inc. hosted a Cultural Consultation Meeting on February 25, 2014, from 6:00 p.m. to 8:00 p.m. at the offices of Goodfellow Bros.,Inc., located at 1300 N. Holopono Street, Suite 201, Kihei, Maui, Hawaii. In attendance were:

- Charlie Jencks
- Brett Davis
- Eric Fredrickson
- Kimokeo Kapahulehua
- Kelii Taua
- Mike Lee
- Levi Almeida
- Basil Oshiro
- Sally Ann Oshiro
- Clare Apana
- Brian Nae'ole
- Florence K. Lani
- Daniel Kanahele
The purpose of the consultation meeting was to present to those in the cultural community a summary of the current archaeological findings discovered as part of the ongoing environmental review process and to gain input from the attendees on their cultural and practical knowledge of the project area. The attendees were given the time and date of the meeting through Ms. Lucienne DeNaie and asked to attend if they were interested in communicating their knowledge of the area. The following summarizes the discussion:

The consultation meeting was started with a general description of the property and the most recent archaeological survey work done for the project area. The project area was subject to military occupation in the 1940's with land modification work on and above the subject lands. Modified land forms on and above the project were discussed in the context of possible cultural connection.

During the meeting there was a discussion about the petroglyph stone relocated off of the property in the mid 1990's. The petroglyph stone was moved prior to relocation being approved by SHPD. The petroglyph stone was relocated to prevent damage, and the petroglyph stone is now located on property not owned by the current owner of the subject project.

With respect to the AIS sites, the existence of coral midden was discussed as an important indicator of use and activity. It was explained that a data recovery plan would be approved and implemented to fully understand the significance of the sites and their relationship to the site.

Some of the consultation participants had spent time on the land as youth and members of families working for Ulupalakua and Kaonoulu Ranch and had familial ties with the ranch ownerships. Ranching practices including the creation of roads and removal of trees for the cattle operation were briefly described along with the significance of Kulanihakoi gulch and the changes the gulch has seen over the years in getting deeper and wider.

There was discussion about the size of Kulanihakoi Gulch, its relationship to the areas Mauka of the project, historic flooding and the concern relative to any changes to the gulch in terms of hardening. Historic flows and the damage done to areas Makai of the subject property were also discussed. The gulch may be of interest in understanding the cultural history of the area and it was asked if the AIS work could be expanded to include the gulch area.
Discussion on the form of the land and presence of drainage ways traversing the project was reviewed in the context of the AIS with emphasis on making sure any cultural significance discovered through the AIS review of the areas was documented.

With the historic use of the land there was the question as to water and possible use of springs in the area. The folks having history of the area described the use of catchment to secure water for domestic and other uses in the area with no reference to ground water.

On the subject of food resources there was considerable discussion on the availability of Limu and other similar edible material on the shoreline. Collection and use was historically established but availability and access to the areas outside the project on the shoreline have diminished.

Finally, there was discussion about looking at the land form in a historical context which is actually part of the Cultural Impact Assessment process, hence this interview and consultation effort.

**PIILANI PROMENADE CULTURAL CONSULTATION MEETING, APRIL 27, 2016**

Sarofim Realty Investors, Inc. hosted a Cultural Consultation Meeting with Aha Moku Council representatives noted below on April 27, 2016, from 10AM to 11:30 AM at the offices of Chris Hart and Partners, located at 115 North Market Street, Wailuku, Maui, Hawaii. In attendance were:

- Charlie Jencks
- Brett Davis
- Kimokeo Kapahulehua
- Basil Oshiro
- Sally Ann Oshiro
- Brian Na'e'ole
- Florence K. Lani
- Lucienne deNaie

The purpose of the meeting was to first understand the overall mission of the Aha Moku Council, specific areas of interest and how those areas of interest can be communicated to the development community and gather input on various aspects of the project for which there is a concern as expressed by the Aha Moku Council. A specific request from the Aha Moku Council was made to Kimokeo Kapahulehua for a meeting to discuss the project and in an effort to further extent the cultural knowledge and concerns regarding the project the ownership assisted in scheduling and hosting the subject meeting on the date noted above. The full transcript of this
meeting is contained within Appendix D of this document with the following summarizing the salient points discussed during the meeting:

So as to fully understand the overall role of the Aha Moku Council it was requested that as an opening statement the Aha Moku Council members present summarize the mission, purpose and direction of the Aha Moku Council. It was represented that the Aha Moku Council meets with landowners and community interests as a way to express and get the ideas of traditional thinking relating to a specific or geographical area discussed and addressed. The Aha Moku Council openly invites discussion on traditional Hawaiian ideas and philosophy as a way to help focus on issues of concern to the Hawaiian community, and works to get open dialogue on areas of concern. The idea of open discussion on issues helps to put forward the traditional concepts of sustainability and traditional use of the land, preservation of cultural resources for future generations and long term sustainable use of natural resources such as water, land and the ocean.

It was noted that all of those present representing the Aha Moku Council had attended prior meetings to discuss the same project.

A summary of the status for the cultural aspects of the site was offered by Charles Jencks with assistance provided by Brett Davis. Briefly, the following was noted:

- Previous consultation discussion occurred in February 2014,
- Draft EIS published with comments received,
- Site visit request for project area completed in January 2016
- Final Draft EIS in process,
- The project AIS has been accepted by SHPD,
- The accepted AIS recognized sites not previously noted through the site survey work,
- Recent site visit noted additional areas of concern which have been added to scope for future evaluation and data recovery,
- Overall approach in AIS is to prepare a data recovery plan and include cultural community in the data recovery process,
- No decisions on final significance can be made until data recovery plan is completed,
- Overall goal is to bring cultural findings into project through set-aside areas designed to reflect the cultural history of the land as revealed through the data recovery process,

Cultural Input from Aha Moku Council
The Aha Moku Council members present offered the following input on the project area: The archaeological sites located within the project area should not be disturbed and remain in their current context. As part of this discussion, the existing drainage way traversing the property was discussed as it contains what is believed to be portions of a Punawai or dam structure used to regulate and improve water quality for downstream areas. The discussion on the gulch also

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included the discussion of and presentation of pictures and mapping showing the location of other possible cultural sites of interest with a request to ownership for further site investigation. Specific reference was made to rock shelf and shelter along with the rock stacking believed to form a Punawai as areas of specific concern.

**Drainage Way Discussion**

The small drainage way was discussed in further detail regarding its future possible change and the impact on downstream properties. The significance of the drainage way was emphasized by those present in terms of drainage flow and possible impact to downstream properties if modified. The project team was asked if the drainage way would be relocated and the response was in the affirmative with the improvements located within the East Kaonoulu right of way with no increase in either quantity or velocity of flow. The explanation provided reflected on the original plans for diversion to Kulanihakoi Gulch which have been changed to instead direct flow through improvements to property with same Makai exit under Piilani Highway. Those present felt the drainage way has cultural significance and should be closely evaluated further with respect to sites and features within the gulch and ownership agreed to discuss further with project engineer and archaeologist.

From the perspective of flooding and the nature of Kihei being the low point, the Aha Moku Council made it clear it was concerned about flooding and the impact the proposed project would have on stream flows and additional runoff plus impacts to near shore water quality.

**Requests from the Aha Moku Council**

The Council concluded its discussion by making the following requests of ownership:

- **Want GPS for all sites on property** - This will be accomplished prior to or with data recovery program,
- **Additional site visits** - Data recovery will be the next visit,
- **Drainage way site evaluation** - To be done by project archaeologist,
- **Eclipse rock feature needs to be included in AIS** - AIS has been accepted but if significant, rock can be part of cultural site within project,
- **Circle of rocks in area close to corral must stay in place and not be moved** - Rock locations are the result of past construction work on site but if deemed significant, may be relocated into cultural site within project area,
- **Site preservation for sites 3730, 3731, 3732, 3736, 3740, and 3745** - Preservation will be driven by data recovery,

The meeting was concluded with the transfer of information regarding site pictures and mapping and the note that another meeting would be scheduled to discuss the project.
SYNTHESIS OF ARCHIVAL, LITERARY, & ORAL ACCOUNTINGS
The ahupua'a of Ka'ono'ulu carried a relatively large population in pre-contact times that survived on marine life, sweet potato, and ulu that was carried down from the upper slopes of Haleakala. Post-contact the area nearer the coast continued to support a variety of commerce and recreational activities centered around Ko'ie'ie fishpond until the siltation of the ocean area and breakdown of the fishpond wall made it unusable. The proposed project area has been used for ranching for the past century.

POTENTIAL EFFECTS OF DEVELOPMENT & PROPOSED RECOMMENDATIONS
This report finds that the proposed Piilani Promenade Project located at TMK(s): TMK(s): (2) 3-9-01:016, (2) 3-9-01:169-174, (2) 3-9-048:122, (2) 3-9-001:148, (2) 2-2-02:077, (2) 2-2-02:016 (portion), (2) 2-2-02:082 (portion) could benefit from further meetings with the Aha Moku Council members as well as other members of the community during the site data recovery process to further understand the cultural and archaeological nature of the site and where possible, development of a preservation plan for those sites.

Given the input received through the consultation process and a review of the archaeological data gathered in the project AIS we cannot conclude the minor drainage way discussed within the project documents or consultation discussions has any relevant cultural significance. As part of the data recovery process proposed for the project area further information may reveal more about this drainage way and possible significance.

As always, all applicable county, state, and federal laws concerning discovery of burials or other cultural materials should be followed to the letter.
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Appendix A: Transcription of interview with Daniel Kanahele

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KIMOKEO KAPAHULEHUA: I think that’s really important, in this interview, people understand that.

DANIEL KANAHELE: I agree.

KIMOKEO KAPAHULEHUA: And to think -- the importance of the Aha Moku of Kula and having Basil as Aha Moku was important, you know, as maka‘ino.

DANIEL KANAHELE: Yes.

KIMOKEO KAPAHULEHUA: And, yet, to connect with Timmy. So you can explain about the Aha Moku so people understand in this thing how -- that we’re talking about the moku of Kula, you know.

DANIEL KANAHELE: Yeah.

KIMOKEO KAPAHULEHUA: And the Aha Moku person, Basil, was there and the reason why Aha Moku exists today.

DANIEL KANAHELE: As best as I can.

KIMOKEO KAPAHULEHUA: Yeah.

DANIEL KANAHELE: And, probably, Basil could do a better job of it because he’s actually the rep, or Tim Bailey. I don’t know if you’re gonna interview Tim, too.

KIMOKEO KAPAHULEHUA: Uh-huh.

DANIEL KANAHELE: But the -- the Aha Moku system was created under Act 288. And the idea behind it was to -- to form an advisory group to the Department of Land and Natural Resources that relied in traditional generational knowledge from top to bottom, which was the practice, you know, in ancient times, to help manage our resources, our natural resources, and to be an advisory group to the Department of Land and Natural Resources. So Act 288 formed this advisory group. And each island has a kiole who represents -- who works with all the representatives from all the moku. Right? Like Maui has 12 moku, as far as we know. Some say there’s 13. And there may be 13, but you know, right now, my understanding, there’s 12.

DANIEL KANAHELE: And as -- as we speak today, there are 12 moku. Each of those moku has a representative that -- that speaks for that moku. And everybody that belongs to that moku or lives in that moku, whether they’re Hawaiian or not, can participate in the Aha Moku system. And so the leaders within each moku are -- hopefully, have the -- the knowledge or maybe expertise in -- in some area that has been passed down to them from over generations, from kupuna to, you know, the next generation. And they use that knowledge to help determine how to best take care, malama, you know, that -- the resources of that moku, down to the a‘a, the (inaudible) ahupua‘a.

So it’s fairly new. It’s just a couple years old. But Maui has probably the most organized Aha Moku on the island because we have all the moku reps, there’s 12 of them. We have a kiole, which is, right now, Kai Makani Lua, but he’s gonna step down, I think he’s already stepped down.

So they’re gonna replace him. And there’s a processin...
place for doing that. And so Aha Moku got together and
nominated individuals to serve as the kiole for the --for
the (inaudible). So -- so right now, forward, speaking of
the Kula Moku, there are two representatives, onethat
represents Kula makai, you know, near the ocean, andone
that represents Kula mauka. So Kula makai is Basil Oshiro,
who lives right next to the project area, Pi`ilani
Promenade. And then Tim Bailey, who lives up -- up mauka.
KIMOKEO KAPAHULEHUA: I think the -- the other
thing is that why was Tim Bailey chosen and why was Basil
Oshiro chosen for be representative of the Kula Moku? Mauka
was Tim Bailey.
DANIEL KANAHELE: Yeah. So like the way I seen
it, then, is that the residents or people within themoku
choose who they want to be their representative. So I'm
assuming that Basil and Tim were chosen by--
KIMOKEO KAPAHULEHUA: Residents.
DANIEL KANAHELE: -- the residents, yeah, tobe
their representatives.
KIMOKEO KAPAHULEHUA: Were they -- were they
chosen by residents, one, and would you say that they were
chosen by genealogy connection or lineage of theland?
DANIEL KANAHELE: Yes. Both.
KIMOKEO KAPAHULEHUA: Both, yeah.
DANIEL KANAHELE: Both lineals and people who live
there and may -- you know, may not be kanaka, may notbe
from here, but -- you don't have to be kanaka to have
generational knowledge, you know. You don't have tobe
kanaka to be--
KIMOKEO KAPAHULEHUA: I think the idea was lineage
and knowledge of the area.
DANIEL KANAHELE: Was the key, yeah.
KIMOKEO KAPAHULEHUA: Yeah.
DANIEL KANAHELE: Knowledge. You know, knowledge
and lineage, those are both important. But knowledgeis
very important.
KIMOKEO KAPAHULEHUA: But both of 'em livewithin
the moku?
DANIEL KANAHELE: Yes.
KIMOKEO KAPAHULEHUA: And both of themis
identified as makai, which is Tim Bailey--
DANIEL KANAHELE: Yeah.
KIMOKEO KAPAHULEHUA: -- and mauka -- I mean mauka
is Tim Bailey.
DANIEL KANAHELE: Yeah.
KIMOKEO KAPAHULEHUA: Makai is Basil. 0006
DANIEL KANAHELE: That's right.
KIMOKEO KAPAHULEHUA: And Basil, like yousaid,
live right in the moku.
DANIEL KANAHELE: Right. Yeah. I think helives
in the -- does he live in ahupua`a, too?
KIMOKEO KAPAHULEHUA: Yeah.
DANIEL KANAHELE: I don't know if he's Kaonoulou
he's in the next one over. I think he's -- yeah, I think
he's in the Kaonoulou Ahupua`a.

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KIMOKEO KAPAHULEHUA: I no think Honua‘ula. I think the next one is Waiakoa.

DANIEL KANAHELE: Right. Next is Waiakoa.

KIMOKEO KAPAHULEHUA: You know. If you had --if I asked you the question does -- the Pi‘ilani Promenade--

DANIEL KANAHELE: Yeah.

KIMOKEO KAPAHULEHUA: -- have a impact on you culturally?

DANIEL KANAHELE: Uh-huh. Cultural practices or --


DANIEL KANAHELE: Well, if we’re talking about this -- I don’t know what the proposed projects right now because they’ve done a environmental impact statement. Right? And they’ve shown a plan of what they’re thinking of doing right now. But I don’t know if that’s actually what they’re going to do. But based upon what I know --

KIMOKEO KAPAHULEHUA: Yeah.

DANIEL KANAHELE: -- that they’re planning to build right now and that they are -- based on what I know from the EIS, they are not planning to preserve any sites, to my knowledge. They may, but not to my knowledge. And they’re also planning to culvertize the gulch.

KIMOKEO KAPAHULEHUA: Guilch.

DANIEL KANAHELE: I would have to say -- speaking just for myself as Kanaka Maoli that lives in this area--

DANIEL KANAHELE: -- that, you know, my family is from Maui, from different -- different moku, maybe had family in Kula, but I cannot say right now, right now, I don’t know, that for me, personally, it will have impact on my traditional cultural practices.

KIMOKEO KAPAHULEHUA: That is important.

DANIEL KANAHELE: Pardon me?

KIMOKEO KAPAHULEHUA: I think that’s important they know --

DANIEL KANAHELE: Yeah. 0008

KIMOKEO KAPAHULEHUA: -- from a Kanaka Maoli, they know.

DANIEL KANAHELE: Yeah. 0008

KIMOKEO KAPAHULEHUA: -- there is a impact, you know.

DANIEL KANAHELE: On my -- on what I do as a cultural practitioner, yeah, it will have a impact on me.

KIMOKEO KAPAHULEHUA: Uh-huh. So, you know, I’m filming and interviewing you, so we have to ask permission to use your interview. Would you allow the permission for us to use the interview in this project as the CIA?

DANIEL KANAHELE: Yeah. So maybe you can explain -- well, maybe I’ll just kind of say what you told to me before that. The -- the video will be turned intoa
transcript. So someone will type up what--

KIMOKEO KAPAHULEHUA: Exactly what we're saying.

DANIEL KANAHELE: And that transcript will be

included in the Cultural Impact--

KIMOKEO KAPAHULEHUA: Yeah.

DANIEL KANAHELE: -- Assessment. And then what

happens -- what happens to that? All the interviewswat

are done, does someone make a determination as to whether

not, based on the interviews, there is cultural -- impactto

cultural traditional practices?

KIMOKEO KAPAHULEHUA: My understanding, that State 0009

Hawaii -- State of Hawaii Preservation--

DANIEL KANAHELE: Yeah.

KIMOKEO KAPAHULEHUA: -- gets to look at it. And

they would be -- they would have a decision to make. They

would be one of the decision people. I think theother

person -- it included a QECC, Quality of Environment --you

know. So they get it read it and see it and they wouldmake

a recommendation of preserving or, just like you said, data

recovery and not significant, you know what I mean. Sothis

will go to them. They would -- they would -- and italso

goes to Office of Hawaiian Affairs. So they would bethe

agency that would tell the developer, my understanding, this

is what should be done, you know.

DANIEL KANAHELE: Okay. So the firm that's

interviewing me that you work for is--

KIMOKEO KAPAHULEHUA: Is Hart -- is Hart --Chris

Hart & Associates.

DANIEL KANAHELE: Chris Hart & Associates. So

you're -- you're -- you're working for the consultant, Chris

Hart & Associates?

KIMOKEO KAPAHULEHUA: They -- they contract us as 22

a--

DANIEL KANAHELE: They contract you.

KIMOKEO KAPAHULEHUA: Yeah.

DANIEL KANAHELE: And then you're -- are you Hui 0010

Pono or--

KIMOKEO KAPAHULEHUA: Hana Pono.

DANIEL KANAHELE: Oh, Hana Pono. Okay.

KIMOKEO KAPAHULEHUA: Yeah.

DANIEL KANAHELE: Okay. So does Hana Pono make

any recommendations to -- do you take the interviewsvand

then say -- make a summary of -- based on what we--

KIMOKEO KAPAHULEHUA: We -- we make a summary.

And so our summary will show, you know, that -- what wehad

discussed--

DANIEL KANAHELE: Uh-huh.

KIMOKEO KAPAHULEHUA: -- with interviewsthathere is impact.

DANIEL KANAHELE: So you'll make a conclusion

as --

KIMOKEO KAPAHULEHUA: We'll make a--

DANIEL KANAHELE: -- to whether or not there are

impacts or not?

KIMOKEO KAPAHULEHUA: Yeah. So our recommendation

Piilani Promenade Cultural Impact Assessment
would be based on our interviews.

DANIEL KANAHELE: Okay. Just thought I would share -- maybe share something. I have talked to SHPD, State Historic Preservation Division--

KIMOKEO KAPAHULEHUA: Yeah.

DANIEL KANAHELE: -- about cultural impact assessments and their purview. And I was told by Hinano Rodrigues -- and I forget what his position is right now, but he's in the Maui office -- and -- and Morgan Davis--

KIMOKEO KAPAHULEHUA: Right.

DANIEL KANAHELE: -- the archaeologist herein Maui. They don't have any purview over CIAs.

KIMOKEO KAPAHULEHUA: No. It goes to--

DANIEL KANAHELE: The Office of Environmental Control. So SHPD won't make any recommendations based on this interview; only OEQC.

What SHPD has purviews over is ethnographic studies. They can make comments on ethnographic studies, not CIAs, not cultural impact assessments. And that's what I was told by Hinano Rodrigues and Morgan Davis.

KIMOKEO KAPAHULEHUA: Yeah. Our summary would show exactly what our interviews, you know, say. We wouldn't turn that or make a recommendation. We -- we -- we summarize exactly what we got--

DANIEL KANAHELE: Okay.

KIMOKEO KAPAHULEHUA: -- from the people.

DANIEL KANAHELE: Should I state what the cultural impact is going to be to me?

KIMOKEO KAPAHULEHUA: Yeah. That's important.

DANIEL KANAHELE: Okay. So what is my cultural practice? My cultural practice is walking the land. I love walking wahi pana, story places, because they teach me so much about my culture and who I am as -- as a kanaka, where I came from, why I am here and where I am going.

So speaking of archaeological sites.

Archaeological sites with their attached features are, to me, like books in a library. And you can open a book in a library and you can read it and you can learn many, many things on many, many topics. So when I walk the land and I see an archaeological site, it's like me opening a book. And it teaches me about history and my connection to that--that -- the past.

And so when you have a large area with a lot of cultural historic sites, like this project has maybe 20 or more, give or take, that's many, many books. And then what you eventually have, if you go even beyond -- because you know in western -- our western view is that we -- we look through like tunnel vision. We have a very narrow view. We -- in western views, they take something, they dissect it into little tiny pieces, and then they try to understand things, how they work better. Hawaiian --the
Hawaiian approach is completely different. We look at things as a whole, as a complete. We try to understand how things work in relationship to each other, you know, to the stars, to the streams, to the plants, to the local i`a, to the sea. Everything is connected—

KIMOREO KAPAHULEHUA: Connected.

DANIEL KANAHELE: — like a spiderweb. You touch one part of a spiderweb, the whole thing shakes. It's all connected. There's nothing not connected. But the western view disconnects everything and isolates it from its other connected parts. And you cannot really understand the whole by looking at a small tiny part of it. So when you look at this project area, you're looking at a TMK, tax map key. Is that right? You're not looking at the whole moku. You're not looking at the mokupuni. And that's how you have to look at things in order to understand the big picture and the interrelationships and interconnections and everything. Always what is going happen on the land going o impact things around it, not just on the land, but around it, from mauka to makai, all the way out into the ocean.

And so that's — that's how I look at things when I walk on land. When I look at a cultural site, I don't look at it as like separated and disconnected from everything else around it. Because I know the cultural site is there because it's connected to that site, to that site, to that gulch, to that local i`a, it's all related. And the 0014 sites not even in the project area. There are sites in Kulanihakoi Gulch that haven't been documented. I know because I walk that. I love walking gulches. So I know there's sites in there that haven't been documented that are connected to the sites that are in the project.

So what I'm saying is my cultural practice is walking the land so that I can be taught by my kupuna. And whether it's a rock, whether it's a cultural site, whether it's a native plant, or what-have-you, you know, I'm being taught and educated so that I can be a better prepared kanaka living on this land, know how to malama there resources that took care of my ancestors, which can take care of me today, and which I want to make sure is around to take care of future generations. So all that knowledge is there for me to learn. So the impact of this project is if they wipe that all out, there goes the books I could read. There goes my library. There's a big part of my education that I no longer can access because I'll never ever be able to read the stories those cultural sites could tell me. I'll never be able to open — or anybody else.

Oh, sure, they'll do data recovery, they'll write it down, they'll put it in the reports, stick it on a shelf somewhere. Who is going to look at that? How many Hawaiians would have a chance to look at that? Not too many. But if it's still there, it's still present, then we can still access it. It's all about being able to access things. You can't access your cultural resources, whether it's a plant, whether it's a tree, whether it's a pohako,
whether it's a local (inaudible), you cannot practice your culture. You need the cultural resources to practice your culture. You take away the cultural resources, a`ole, no more cultural practices. That's how it's going to impact me.

KIMOKEO KAPAHULEHUA: I think that's really important that this interview brings to the developer and the people how -- not only the treasures of our culture, yeah, but how do we -- how do we keep the treasure and how do we -- how do you -- your interview impact them to make some decisions to do something about it, you know. So I appreciate you meeting with us today.

DANIEL KANAHELE: Oh, thank you so much.

KIMOKEO KAPAHULEHUA: So ulu ulu about your mana`o and walking the land like how I go in the ocean and how kupuna keep on teaching us every day because the natural elements, they not the same every day, you know. And so this is Kimokeo Kapahulehua interview with DanielKanahele Kealoha --

DANIEL KANAHELE: Kaleoaloha.

KIMOKEO KAPAHULEHUA: Kaleoaloha. Daniel Kaleoaloha Kanahele on Saturday -- I think today is:-- February 6, I think.


DANIEL KANAHELE: February 16.

DANIEL KANAHELE: Appreciate it.

DANIEL KANAHELE: Aloha. That was good.

(Recording concluded.)

I, TONYA MCDADE, Certified Shorthand Reporter, do hereby certify that the electronically-recorded proceedings contained herein were, after the fact, taken by me in machine shorthand and thereafter was reduced to print by
means of computer-aided transcription; proofread under my supervision; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the electronically-recorded proceedings provided to me in the foregoing matter.

I further certify that I am not an employee or an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 13th day of March, 2016.

______________________________
Tonya McDade
Registered Professional Reporter
Certified Realtime Reporter Certified
Broadcast Captioner
Hawaii Certified Shorthand Reporter #447

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INTERVIEW OF MICHAEL LEE

BY KIMOKEO KAPAHULEHUA

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BY KIMOKEO KAPAHULEHUA

INTERVIEW OF MICHAEL LEE

BY KIMOKEO KAPAHULEHUA

MICHAEL LEE: -- fifties and sixties. And my
father was there in the -- the fifties and sixties. And
then he opened the Royal Hawaiian Kaanapali in 1962. So we
moved from Hana to --

KIMOKEO KAPAHULEHUA: Royal Lahaina?

MICHAEL LEE: -- Royal Lahaina in '62. So all of
that -- all of that took place. And so I was learning from
both sides of my family about tramping the land and going
to the ocean, learning more about the seaweed and
everything. So this was my -- this was my Hawaiian tuanui
her half Hawaiian child which was Jacob Martin Lee. His
father was Peter Lee of Peter Lee Rhode at the Volcano
House.

KIMOKEO KAPAHULEHUA: Oh, yeah.

MICHAEL LEE: He was manager before the Curtises,
yeah. So that was him in the 1800s. And that's him in the
1940s, Jacob Martin. So -- and then this is his mother with
her sister, our kanaka side. So we were steeped in family
culture because my mother's a quarter Hawaiian and my father
is a quarter Hawaiian, making us kids quarter Hawaiian. So
that is the family line for -- for that part of the family
that we were steeped.

Now, on my father's side, in the Maui genealogy,
my -- the Meek side cohabitated and married into -- this is 0003
the -- from the archives. G6 is from Lahaina, June--
KIMOKEO KAPAHULEHUA: 18 --

MICHAEL LEE: 1865.

KIMOKEO KAPAHULEHUA: -- 65?

MICHAEL LEE: Yeah, 1865. This is the Maui

genealogy, okay. And this is one of the best genealogies

because it outs everybody, you know. And on Page 49, this

is Alapai. This is Alapai. This is Julia Alapai. And at

the time she was married to Helikunii. This was before

Kioniana. Her child was Keiki Namiki, the child of Meek.

And the Meek we're talking about is Eliza Meek. Because,

she was known as ali`i haole. So this lady is from Princess

Julia Alapai Kauwa, who Olowalu land and Hanaland.

KIMOKEO KAPAHULEHUA: Oh.

MICHAEL LEE: And then her grandson from Keiki

Namiki, John Meek Kalawaia, he has land in Hana, too, so the

connection in our family was always Hana, Maui on both

sides. All sides was always Hana.

KIMOKEO KAPAHULEHUA: From the beginning.

MICHAEL LEE: From the beginning, it's always

Hana. And Hana people always know who they are.

KIMOKEO KAPAHULEHUA: Yeah.

MICHAEL LEE: They know because there's the

connection to the Big Island. Because that's the back door

of the Big Island. 0004

KIMOKEO KAPAHULEHUA: Yeah.

MICHAEL LEE: That's the porch of the Big Island.

So I get chicken skin when I talk about this because this is

how we're connected to Princess Julia Alapai Kauwawas

through Captain Meek. Now you know you can't get these kind

of documents unless you can prove, going backwards, that

you're related --

KIMOKEO KAPAHULEHUA: To them.

MICHAEL LEE: -- to them because the -- to the

Health Department would not give anybody anybody's records.

So this is Captain John Meek. He passed away in 1875.

KIMOKEO KAPAHULEHUA: 74.

MICHAEL LEE: Yeah, '75 at 83.

KIMOKEO KAPAHULEHUA: What is that on the top, 15

1886-87?

MICHAEL LEE: Oh, these are the book of records.

MICHAEL LEE: Book of records. So that's the forte

book of records. And this then this is my grandmother,

Eliza Meek. And this is her records. She died in February

8th, 1888. And she was the mother of John Meek, okay,

because he was hanai to two full-blooded Hawaiians, but, on

his certificate of death, it says hapa haole.

KIMOKEO KAPAHULEHUA: Oh.

MICHAEL LEE: So how can two Hawaiians make one -- 0005

KIMOKEO KAPAHULEHUA: Hapa haole.

MICHAEL LEE: -- hapa haole, yeah. So he died in

1891. He was born in 1833. Okay. And then, of course,

this is the Lahaina side of this family that comes from Mary

Ann Nunez. She's the one who has this blood. She was a

great granddaughter of Captain Meek and Eliza Meek. So
That's how we jump into that -- that -- that pool.

KIMOKEO KAPOHAULEHUA: It shows -- on the death thing --

MICHAEL LEE: Yeah.

KIMOKEO KAPOHAULEHUA: -- shows likemakimole.

MICHAEL LEE: Yeah. It says -- it says like what they died of over there.

KIMOKEO KAPOHAULEHUA: It says fever.

MICHAEL LEE: Right.

KIMOKEO KAPOHAULEHUA: And maimau.

MICHAEL LEE: Yeah.

KIMOKEO KAPOHAULEHUA: (Inaudible).

MICHAEL LEE: Yeah. Yeah.

KIMOKEO KAPOHAULEHUA: That you know the record shows everything.

MICHAEL LEE: Yeah.

KIMOKEO KAPOHAULEHUA: And registered as so.

MICHAEL LEE: Yeah. So this is from Moren's journals. And it says -- this is from 1819, baptism, 4th of 0006 July. Says today the children were baptized, Iwas godfather of son of John Meek. John Meek's son isvery important because John Meek's son marries Princess Harriet Kawaikipi in June of 1837. She is the daughter of George Humehume, the heir of Kauai.

KIMOKEO KAPOHAULEHUA: Oh.

MICHAEL LEE: Now, that's really interesting.

This is how we're related to Bula Logan is because Eliza Meek, she's the elder sister of John Meek, Jr. Heman Marries Princess Harriet Kawaikipi, he gets one daughter from her because Kamohoali'i is her grandfather and the heir to Kauai.

KIMOKEO KAPOHAULEHUA: So Kamohoali'i is from Kauai?

MICHAEL LEE: From Kauai.

KIMOKEO KAPOHAULEHUA: Ali'i?

MICHAEL LEE: Ali'. So this is how we jump into the Kauai ali'i side was that this boy married Princess Harriet Kawaihinikipi. She died in 1842, but, before she died, she had a daughter. Her name is Becky, Elizabeth, Elizabeth Meek. From her comes Ahi Logan and Bula Logan.

KIMOKEO KAPOHAULEHUA: Oh.

MICHAEL LEE: That's how they're related to us.

KIMOKEO KAPOHAULEHUA: So the Logan now is (inaudible).

MICHAEL LEE: Yeah, yeah. 0007

KIMOKEO KAPOHAULEHUA: His papa out there?

MICHAEL LEE: Yeah, his papa out there. Yeah. And then this is John Meek in 19 -- the year 1918, he said I was known -- I lived in a grass hut next to the hotel and it stood where the market is now on -- the hotel was outside my grass hut. Okay. And this is certified. This is certified. So it says that he lived there on the property. It says, this property in Honolulu I was given to John Meek by (inaudible) in the year 1817, when I arrived. Okay. And this sets up -- this is the property downtown. This wasthe next door neighbors. They said there were chiefs from...
Kuhealani who were the chiefs on Oahu, a haole man, Mr. Kiaka, that's Jack, for Jack Meek, who is living with a wahine, and had some children from hence the occupation of my parents hina were there. But this was -- this -- this very important because what this does, in the -- itsays that Princess Julia Alapai Kauwa.

KIMOKEO KAPAHULEHUA: Oh, really.

MICHAEL LEE: Yeah, is that. On this certified house lot for Number 150 Helu, for LCA, Kikiau, okay. It says, at the time when Kamehameha I --

KIMOKEO KAPAHULEHUA: First.

MICHAEL LEE: -- wrote -- yeah -- from Kauai to -- and -- and Kuhealani and the chiefs on Oahu, a haoleman.

So this was before he died in 1819, yeah, in May. So 0008 Captain Meek had children during the time of Kamehameha, yeah.

And so we also have Buster Crabbe, the famous movie star that was Flash Gordon and everything, he was grandson the Captain Meek. Because one of the Captain Meek's daughters was Elizabeth, the younger daughter of my grandmother, Eliza Meek. And in his memoirs and autobiography, he said, yeah, Captain Meek originally came from Massachusetts, who married a native girl in the 1820s and settled in the islands. But he had children, according to the Hawaiian testimonies and everything, before 1820, yeah. And the Moren's journals, 1819, the boy is being baptized.

KIMOKEO KAPAHULEHUA: Before--

MICHAEL LEE: On the 4th of July.

KIMOKEO KAPAHULEHUA: Before 1820? MICHAEL LEE: Before 1820. So all the -- all the evidence that certified-- KIMOKEO KAPAHULEHUA: They were the documents that showed it was 1818, too.

MICHAEL LEE: Yeah. So bruddah had that. But that's how we jumped into Julia Alapai Kauwa's, her--

KIMOKEO KAPAHULEHUA: Lineage.

MICHAEL LEE: -- lineage, yeah. So -- and that's very important because Julia Alapai, she has land on Maui, 0009 in Olowalu and, also, in Hana, that links up to our Hana connection as well. So this establishes that, you know, we were around for quite some time. And it goes back to the Pi'ilani genealogy. Now, what is very important on this tape, which is kind of really rare, was one of my teachers, back in the eighties -- I have to use this kind of tape, don't make any more, or tape recorder -- was Auntie Alice Holokai, George Holokai, master hula chanter's mother. And she, with my grandfather, gave me my -- my star knowledge that I have.

So this is -- and she got it from David Kali, from Niihau, so this is her talking about-- (A recording is being played out loud; and is not being transcribed.)

KIMOKEO KAPAHULEHUA: Stop, I'm gonna changsethe tape. But we'll finish the recording. Just stop that.
MICHAEL LEE: She was born in 1900. She would be
116 today.

KIMOKEO KAPAHULEHUA: Okay.

MICHAEL LEE: Auntie Alice, she would be 116.

KIMOKEO KAPAHULEHUA: And her real name?

MICHAEL LEE: Alice Holokai. Her father came
from — he was lua master — lua practitioner from Kohala.
He broke kapu and taught her how to do the (inaudible). She
killed her husband and then she brought him back and he never beat her up again. She lived with the queen from
1910, when she was 10 years old, to right before the queen
died in 1918. So I was really, really fortunate to be with
her. And she would, on sessions with me, talk about the
death of Captain Cook, all in Hawaiian, who was the man who
is different — it's a different story from what you hear in
history. She goes to the genealogy of the man who broke his
bones, in doing lua snapped his — his spine. She tells who
the name of the guy was, who the family is, who they are
today, and she does it in Hawaiian. And she went back and
forth. I mean, she was such a treasure trove of knowledge.
She knew Prince Kuhio, she lived with Queen Liliuokalani.
She was part of the star knowledge that I got for these
certificates as Papa Kilo Hoku from the City Council. They
recognized me in two certificates, and my genealogy to the
Kamehamehas.

KIMOKEO KAPAHULEHUA: 2012?

MICHAEL LEE: 2012. And then this one was — this
is May. That one was December. And the cultural practices
of doing the mawawai ceremony, which I've done for children
out here, it's a cultural practice from Kau on the Big
Island for Lono, but we do Ke Akua. So they were
recognition certificates. But all of this stuff, on all my
certificates, I put my teachers, my grandfather, all the
people who — who —

KIMOKEO KAPAHULEHUA: Who taught you.

MICHAEL LEE: Who taught me. Because, for me, you
know, they kept out of the limelight. Auntie Alice Holokai
taught David Kalii's grandson in 1983 how to get to Kauai.
And she was — it was written up in the Star Bulletin. And
she wouldn't give her name. She just — they just said they
got the knowledge from the lady on the mountain in
Papakolea. She would never seek any knowledge for herself.
She won the Thomas Jefferson award for taking care of
children and healing people. Just an incredible group of—
of people that I was so privileged to learn a lot of this—
this knowledge in my cultural practice. And that tape is
from 30 years ago, in 1986, when she was in her 80s. And
she passed away in 1992 at 92 years old. And the wealth
of knowledge that I got from my kupunas — because I used to
hang around 80 and 90 year olds when I was young and when
I was in my early 20s, and just tried to soak up as much as
I could. And what Auntie — Auntie Alice talked about
the prayer. And this is the prayer of how to paddle. You
have to go into prayer several months before you go and do
it. So this was in her handwriting. I asked her, could you
please write it down, because I knew this was important historically and, some day, it would have to come out. So I wanted the master to write it in her hand, which she did. And, you know, the thing talks about the stars, but it doesn’t show the positions. So I asked her to put the position of the star and how to paddle to Kauai under the double night rainbow. So she wrote this down in her hand. So all of this was, you know, very, very important. And I drew a picture of how Auntie Alice Holokai looked like. So my grandfather was the master keeper of the stars for me and the petroglyphs. Auntie Alice added on and others added to that knowledge that I was really privileged to have these great people from the turn of the century who knew the historical figures personally.

And so Maui has always been very close to us because, you know, we’re allodial landholders but, also, keepers of our record in ‘ōlelo. And when we were talking about the Kihei area and the neck of the property where the naulu rains and the naulu winds come down and how it affects by the side of the mountain where Keokealani is, pu’umakoi redirects from nuakea, the breasts of the mountains, pulling the naulu rains to feed the child. It’s almost like squatting child here on Kaho‘olawe. And to feed the child the -- the life-giving mother’s milk of the rains coming down in the clouds that are jutting out as the Kiheiosens up and her breast milk goes to -- which is the freshwater, lawainui, the wealth and the fortune of the land. And all of these stories in Aki as well as Pana‘ewa and the limus in Mala Bay and in Hana, where my grandfather fished, whehere he made his lama spear, 12-foot spear. And he had the --the turtle glasses and he would take a breath at fifteen minutes, he would go down and we wouldn’t see him. And then he would come up with all this red fish and everything at Hana Pier and everything. So, you know, it was a rich, rich experience that I was given. And the stars and -- and the cloud signs. And really, really fortunate to have had the experience that I was given. And the stars and -- and the cloud signs. And really, really fortunate to have had the family stuff. But then as I got into my 50s, Auntie Alice, in my 20s, said, Governor, with one day you’re gonna do that at some point, you’re gonna do something with it to save the Hawaiian culture. And she goes, oh, you’ll see. And sure enough, when I hit 50, exactly what she said, no longer a 9:00 to 5:00er, but actually doing something with it to save the Hawaiian culture. And the law is situated that we can save those corners and pieces that are valuable to our Hawaiian culture. Like at the -- the megamall Pi‘ilani Promenade, there are certain rocks and features that I was taught, told that -- how to distinguish what their purpose was through generational knowledge of this family line. And I was
what we bring to the table is to educate, to youknow
better, you can do better. And if you know why this pileof
rocks is what it is, and once its functionary--
KIMOKEO KAPAHULEHUA: Let me stop oneminute.
MICHAEL LEE: Yeah.
KIMOKEO KAPAHULEHUA: So I can get a newtape.
MICHAEL LEE: Okay. Break inaudio..
KIMOKEO KAPAHULEHUA: Hang on one more, alittle
bit. Okay.
MICHAEL LEE: Aloha again. You know, from our--
our family lineage, this nihopalaoas came from myfifth
grade grandmother found in the entrance channel ofthe
marina of Ewa, walking the proposed channel, whichwe
stopped regarding, we got into it and went up asourown
attorney for the Supreme Court to stop, 'cause otherfamily
members are buried there. And so we got recognition. And
our tutu was holding these nihopalaoas in her hand atthe
time. Two, one for male, one for female. And this is part
of -- this is part of our world, our mo`oku`auhau, our
genealogy, links all kanakas, 966 generations, but tlinks
us to hauloa. And all of us are linked to how hauloa asthe
root, yeah, in our mo`oku`auhau. And it's importantfor
anybody who's kanaka to know, this is the pupee thatwas
found, to know the well to. She had a cache of allthese
Hawaiian jewelry. She was like 25 years old in -- in 1796, 0015
1795 where the burials were -- were found. And so youdon't
destroy our world. I was never an attorney, but I'll doan
attorney. I helped kanu the SHPD StateHistoric
Preservation Division's found my grandmother's iwikuquina.
And it took me 10 years to get her back into the groundin
Ewa, had to do a long fight. And this is the local --how
genealogy of how family goes to the Pi`ilani side andKaiwe
side.
KIMOKEO KAPAHULEHUA: And the Kamoalii.
MICHAEL LEE: And the Kamoalii side. We'reall
family. We all family in -- on my dad's side. Themarriage
locked everybody in through (inaudible), who wasthe
Keopuolani of the 1700s, who married Luna Haipu, my
grandfather of Kauai, and linked us all in. Kuali'i ismy
direct eighth grade grandfather, so he was from theOahu
(inaudible) line to both Kauai and Oahu. Kauai and Oahuare
connected. And the channel is only a river betweenthem
because Kuali'i would spend every January, February onKauai
as mo`i of Kauai, but that bloodline is what locks inthe
islands, just as Hana is locked into north Kohala. The
islands are one Big Island with these little riversin
between that we call channels, kaiwe channel, butthey're
rivers 'cause it's the family blood lines that lockin
everything which is the back door to the front porchor
whatever. So in our family lineage, there is no -- you 0016
know, we have 88 different canoes and the 88 differentways
of using the canoes, 'cause today people use theirairplanes,
jets. The canoe's usage, our family would stay two yearson
one island, go to Molokai, Kola Kula Koa was ChiefKula
Koa's daughter who was ali'i of Molokai. That's mygreat,
great, great, great grandfather, my sixth -- seventh
grandfather. The family lineage locks us in to the land
and visiting other family on other islands. We always visited
each other. I mean, six months here, two years there, three
years there, two years there, and we just kept on traveling
all over. That's what our mo`oku`auhau chants say. Sowhen
they try to lock us in and they say, oh, Mr. Lee, you can't
go to the Big Island and fight for the Kohala side because
your ahupua`a is in Ewa. And I go, here's the chant of
Koali`i. Kanehili is picking three limus, halahalaha, Lipoa
and Komu. And I'm saying it goes to the Big Island, six
months later, and, on the Hilo side, he's picking the same
limus. I said that's our cultural practice. You can't
limit us to one spot because our families are on all islands
and our icebox is the ocean, and soon as you get off, boom,
you start eating. So, you know, the outside people cannot
define who we are. Our chants define who we are. Our
generational knowledge define who we are. Place, presence
and our cultural practice that we have been taught by our
kupunas define who we are. And to have people who live in
Nebraska on a farm for 200 years or whatever and say that's
how you guys should live is false because we constantly
move, nomadic. Summertime, that's why Queen Emma, summer
capace. It's not -- they didn't stay in one place 24/7.
They lived on different islands at different times,
different sections of the island as their lovers, their
moods, their children, their family needed them to help out
in the lo`i or whatever. We constantly moved around. That
knowledge that on the tape of Auntie Alice, this that you
see is underneath Pu`u Wawa, Kohala on the Big Island. This
is the underground aquifer, the river, the -- the ana cave,
the puuwaina. So this is the keeper makakaiili. I know her
and her family.
Now, haoles are getting into this cave. And I
wrote to Alan Downer, saying what are haoles doing in here
when there's been a keeper from the Keakealani family for
hundreds of years. And what are foreigners doing for our
fresh water system. That fresh water goes to (inaudible)
and makes the limu grow for our fishery because the limu's
algae, and algae is the foundational food source for our
fishery. So I wrote to Alan Downer saying what -- how come
DLNR is allowing people to go into our ana caves when there
are Hawaiian keepers for our culture in this place. And why
wasn't it put out for public notice because this is not
Disneyland. This is very important. Because on the shelves
0018
of these caves we put our keai, we put our iwi kupuna. You
see the shelves down here? Well, sometimes there are arieches
above where with put iwi kupuna. This is a sacred place for
us. It's not just, like I said, Disneyland, for people to
go in and -- and niele around. You know, these are our
cultural places that are being infested by everybody, just
because they think they can.
And there's laws, Section 6(d) 1 through 13, that
the State regulates who can come into these caves and stuff.
And where was the DLNR meeting? Where was public noticefor
the lineal descendants to come forth and to protect their interest of their family that's buried inside these caves? You know, we were here thousands of years and we know these things. We don't talk about that because look what happens once the secret gets out. It's infested like termites to go and use it as Disneyland. So, you know, proper pono, what fits. This does not fit in our Hawaiian sacred places.

Dealing with the Pi`ilani Promenade, or some people call it the megamall, there are historical features that -- mounds for sacrifice for rain, for fish, for the different times of the solstices because, you know, our cultural practice that I was taught in generational knowledge is konohiki, makahiki and kapu. So when people deal with a EIS or AIS, the first thing I ask is if you're gonna define the Hawaiian culture, our practices surround konohiki, makahiki and kapu, so where does your planter feature, your sea shape, your terraces fall into konohiki, makahiki and kapu. Because this was a spiritual land, with spiritual people who every day they did everything was through ha and prayer, the rising of the sun, ku, towakea and napo`o, the hoku ewa, zenith of the sun and the sky, and the setting of the sun, Hina, in the west, konohiki, makahiki, kapu. The clock that regulated the practices dealing with fresh water, using fresh water 1,000 ways before it got to the ocean. And the signs of these seasons for konohiki, makahiki and kapu are constantly shouting out on the cultural landscape.

So why would you have a solar observatory on the property that told you when konohiki, makahiki and kapu? Because it was kapu -- after October, the Hawaiian yearends and the resetting of the covenant of wa`iwi nui, fortune, fresh water of the king, had to take place in November, December and January. The fisheries had to be reset. The la`au rights for the terraces and the planting had to be reset. The kahunas could not eat the -- they would have to feed themselves on food. Nobody could work. It was like a giant sabbath until everything was reset during cultural practice of konohiki, makahiki and kapu. So if they don't have it, then they're making it up because our culture is written in Kamakau, Malo, Abraham Fornander, Papa I`i, Emery, Emerson, (inaudible) 1 through 5. Everything talks about konohiki and makahiki and kapu in a spiritual way, a spiritual way. Here I am up at Hale Maumau and Tutu Pele sending the red -- she's sending me the red Kihei saying -- she's my 17th great grandmother, she's saying, eh, you gotta wear the red, not the blue. But my teacher, Auntie Alice never gave me permission. You know, we always listen to our elders. We don't do unless they give -- they give us permission to do. And for me, it was too kapu. So unilmy student was saying, eh, my Kihei's turning red that Tutu Pele gave us permission to wear red Kihei. I didn't wear red Kihei. So -- and then what -- what happens is when we do practice, we're too young to hold certain practices. You gotta be on makua. I'm not kupuna, but my hair will turn...
white and I will turn 80 years old when I do a cultural practice that needs me to be in my eighties because of the Tutu Pele bloodline. We will turn -- our hair will turn color and we'll grow old, from being young to being very old. But that's the superhighway in the spirituality of what takes place for us, you know, that's something where, as you can see, my hair isn't this white, yeah. But it will happen because it's supposed to happen, yeah. Two pictures sideto side, salt and pepper.

KIMOKEO KAPAHULEHUA: This way. Yeah. Right 0021 there.

MICHAEL LEE: So you see one salt and pepper--

KIMOKEO KAPAHULEHUA: This side. This side.

Wait, wait, wait. Rightthere.

MICHAEL LEE: So you can see the -- the transformation from salt and pepper to extremelold.

KIMOKEO KAPAHULEHUA: The green one or thered one. There you go. Right there. Rightthere.

MICHAEL LEE: Yeah. So, for us, this is not something that, you know, is -- is try go see because the aunties and uncles could do all of this stuff. And it's just in the family -- it's in the family line of our cultural practice when we go out. And this was on the Pi`ilani Promenade side. We're doing the -- the eclipse. And behind is the williwil forest showing up that used to be there 1,000 years ago, the dryland williwil forest on the Pi`ilani Promenade. And there was -- our hair will turn that night. The kahus or kahunas, all we do is open portals and we close portals. And we bring ho`okupu and thanks and care and ha to our ancestors who are what other people call gods, but they're just family from us, they're just family, you know. What we were taught in our mo`oku`auhau and the proper mahina stone at Mala Bay I use for divination of family genealogy. Only take kanakas for that one, you know, because the stones are very important. Our -- 0022

KIMOKEO KAPAHULEHUA: Who that guy? Who is this?

MICHAEL LEE: Oh. This is Hank Fergerstrom. I took him to the -- the pu`u at Hunulu in Wailuku to meet his -- his son that had passed away, Michael. So there's certain pu`us that we go to meet your family. And you go up and you close your eyes, and we do a chant. You put the lavender salt from Kauai on your forehead and then your family members come to talk to you from the otherside. Then the mo`o. The mo`o is very important to us. This was -- the mo`o, (inaudible) up at Wailuku 670, yeah, you can see her -- her hand. She's kind of translucent white.

KIMOKEO KAPAHULEHUA: Really close, so I canyour hand.

MICHAEL LEE: Yeah, translucent white. Okay.

This is when we did a cultural access with Charlie Jencks and we went up on the land. It's important -- our connection to the land is very important because our kupuna is there. And that's our connection.

KIMOKEO KAPAHULEHUA: There was a -- therewas
some concerns that you had, and you wrote them theconcerns.

MICHAEL LEE: Yeah.

KIMOKEO KAPAHULEHUA: So can you sharethat
concerns that you had, you went over with on--

MICHAEL LEE: The -- 0023

KIMOKEO KAPAHULEHUA: -- thepromenade?

MICHAEL LEE: The promenade, yeah.

KIMOKEO KAPAHULEHUA: (Inaudible), yeah.

MICHAEL LEE: Yeah. The -- the concerns werethat
the -- and we went over with thearchaeologist.

KIMOKEO KAPAHULEHUA: Yeah.

MICHAEL LEE: You know, there's certain sites
that, on the highest part, the solar mound for our --for
our cultural practices, the oracle stone, which Lucienne de
Naie -- I'm gonna be coming up in April, April 14th,15th,
16th and 17th of 2016. But the oracle stone that isthere,
the mound of stones for offering for rain to come, thesolar
area that has the solstices, the area that we -- theeclipse
site, Hina Ake Ahi, and Hina Ake Ahi is Tutu Pele. Tutu
Pele, this is her niho palaoa that we were givenon
Haleakala by tutu herself. She said take it. Okay.

Our concerns is that these things can beraised
up, because they have to flatten out that property, tomake
it level and plain. And these cultural sites need tobe
protected and landscaping around them. And it's okay to--
if you're raising the property, you can raise it up,because
that property's a bowl. It's, basically, a bowl. Andthese
features are Hawaiian cultural resources. They areour
books, our observations and practice in place forour
presence of our history. And to destroy them is like to 0024
destroy the books in the library of Alexandria of Egyptwhen
it was burned. And we come to the forefront to putour
mo`oku`auhau, our ike, our `olelo out to define underlaw
what needs to be -- is what they call a finding of fact,to
show that these things existed, they had form, theyhad
function, they had a foundation for the purpose and needof
makahiki, konohiki and kapu in their observations andin
their time clock as our `olelo book through our chants. And
we're not stopping the project, but we're askingpeople,
because we've identified these cultural resources, whatchey
are, what the practices were, why they're important. And
they're not a lot around. There's some major ones thatwe
just said, raise it up. For the ones that havealignments,
keep them as is, but you can raise it up, you know,to
flatten the bowl out, to have your project. But we're
defining it, so put a protective buffer boundary zonearound
it in your landscaping for our cultural landscape. And
incorporate it into what makes this place so specialand
should not be destroyed. Because it connects in tothe
rising of the sun who -- and directly overhead and Hinaand,
also, the nighttime practices for the fishermen, whichwas,
basically, like a -- a temporary fishing village thattook
advantage of all the fish that came and during acertain
time because you dried fish. You dried fish and octopusand
for survival strategies and food sustainability. Thisplace
was used primarily by fishermen, but you had your Papakilo Hoku to show you the signs, to ask for the rain to come so the limu would grow so more fish would come. And the basic big fishing was summertime, May, June, July, August, September, October, because the sun was prolific, always up, the limu grew, and that's when the mating season of all the fish take place. So, you know, this site primarily going to concentrate on fishing, by kilo, kilo -- by -- kiloea, the vision by being up and kiloea, to be able to see and then to thank the gods and offer the rights sacrifices, konohiki, makahiki and kapu, and the different practices of the ku and the lono practices for purification for the different times of the year. So we've taken the time to put that out.

We also mention, in the EIS, the drainageissue, very important, because part of the cultural features in sites are the gullies and gulches that go down to the ocean. And it's gonna affect the limu. If you -- part of my concerns dealt with, you know, partnering with the Army Corps of Engineers with what is next to the fishpond below. And right next to that, on the north side, you have a marsh carryout. And to protect that area with Army Corps Engineers with -- what you're doing on the drainage above. Because what concerned me is they wanted to go over and cover up certain natural drains. You know, gravity rules. From the mountain to the sea, water flows from a high place to a low place, and it finds its own way. If you block it, it's gonna find a new way and cause plenty pilikea, especially if there's a 500-year rain event. So, you know, all of these things we point out to the developers for best use, best practice. Risk, cost, benefit, ratio. Who is getting the benefit and who's carrying the risk and the cost? We don't want the ocean, the limu -- you know, as I said, Uncle Henry, myself, Uncle Walter (inaudible) founded the Ewa Limu Project, and went out like apostles to all islands because we want best use, best practice conservation of our Hawaiian natural resources. Article 12, Section 7, which is we will not overregulate or destroy Hawaiian religious cultural practices for the benefit and the health of the Hawaiian people. It's not just for Hawaiians, if you do those good practices, it'll help out everybody. Everything is important.

We're not asking, stop the project, 90 percent of the thing, you have to do it our way. There are very few things that we bring up that show and define what our practices are and why, in konohiki, makahiki and kapu. So within those lines, it's very little to give consideration and mitigate on these sites that we brought out how important they are. Certain stones can be moved, but should certainly not be destroyed or moved off the property. Certain places, because the orientation of the sun, has to be kept in that area. If you gotta go up, go up, but it is our books, it is our 'olelo, it's our library.
And to say no practice is done there, tell me what Hawaiian puts a neon sign saying I'm doing cultural practice tonight, why don't everybody show up. And then the outside western world says, oh, we don't see anything. Most Hawaiians do not advertise something sacred like where the Keakealani line have their iwi kupuna underground. Because if they do, outsiders, unwanted people, will take advantage and show no respect, because they do not know the history and the DLNR and the State of Hawaii doesn't. That's why they enacted, in 2004, the Aha Moku Council, to help guide DLNR as a body that would give recommendations on proper usage of natural resources, cultural resources. This is a pure example of what takes place when the outside culture doesn't take time to respect and find out how significant pili grass is for stopping erosion. And invasives come in and their roots are like concrete and the water runs off and doesn't percolate into our aquifer. So where we gonna get the water to live on a desert island? So all of these things are foundational and functional for survival. And it's been part of our cultural generational knowledge for thousands of years. What we bring to the table is what the law allows us to do, to give us our concerns. And we would like that respect under the law because, if it doesn't happen, we end up suing as Wailea 670 and the cultural preserve took place. And thank God it's coming to an end. And, you know, $10 million asset aside -- 185 acres are set aside for the habitat of the dryland forest and all the plants, animals and insects, and -- and we pushed for Hawaiian cultural practice because I was a part of that, too, for years. This is the same thing. We're just following the law. We're doing what the law asks us, to put on the table, put some skin in the game, step up and define what your practices are and why it's important. We have done that and we would like the -- not just footnotes, but we would like it mentioned in the AIS, because it's a legal document, that the County of Hawaii -- the State of Hawaii and Land and Natural Resource --DLNR, Board of Land and Natural Resources, and the Land Use Commission use as a document to make legal decisions from. So this is really important. Everything matters. Plus, we want to continue teaching to the next generation how important and how invaluable their culture is, whether it's Kamehameha Schools or whether it's tourists that don't know but wanna know, or Maui Meadows who, new people moving in from the mainland, they wanna find out what the culture is 0029 can they do the right thing in the right way that is pono for respect. And we'll willing, we're putting it out there that this doesn't happen normally, where Hawaiians break out their family mo`oku`auhau, their `olelos to bring it to the table to save it. But we've seen too many hidden treasures of our culture gets blitzed because people didn't know, because nobody stepped up and put this information on the table for people to question, for people to observe, for people to do whatever they need to do to do the right thing.
under the law. And that’s what we’re looking for and that’s what we’re asking for.

Mahalo.

KIMOKEO KAPAHULEHUA: It is some of the things--this was the site that you went with us on Friday, yeah?

MICHAEL LEE: Yeah.

KIMOKEO KAPAHULEHUA: And was this document that you sent in to address the concerns?

MICHAEL LEE: Yes.

KIMOKEO KAPAHULEHUA: Can you flip each of the documents because there was a lot of--lot of things that you talked that--

MICHAEL LEE: Right.

KIMOKEO KAPAHULEHUA: -- was in your--your report--

MICHAEL LEE: Right. 0030

KIMOKEO KAPAHULEHUA: -- in the back end.

MICHAEL LEE: Right.

KIMOKEO KAPAHULEHUA: So we with Michael Lee and at his home, but he had some--he's already sent some photos of undocumented--undocumented areas in Kalanihakoi Gulch.

MICHAEL LEE: Right.

KIMOKEO KAPAHULEHUA: So he can--he can--as you can see that.

MICHAEL LEE: Yeah.

KIMOKEO KAPAHULEHUA: And then, also, on the back page--

MICHAEL LEE: Yeah.

KIMOKEO KAPAHULEHUA: -- you know--

MICHAEL LEE: In the back page, it has a description of the--the site numbers that--for the AIS.

KIMOKEO KAPAHULEHUA: Right.

MICHAEL LEE: The site numbers that were first recorded in 1997. And it goes into the boundaries and the sites of the gulches and it goes into the details of the areas.

You know, some of these that I was told were heiaus that, you know, people say, well, you know, it’s clearly that this was--the bulldozer came and it’s got--it’s got striations and cut from bulldozers. And I have to 0031 remind people, oh, before the bulldozers came to Hawaii, we had our heiaus and rock sites, then Ka’ahumanu came, she abolished that in Kuamo‘o, the battle on the Big Island.

And then what happened, the missionaries came and they defunct our religious practices.

But that doesn’t mean they stopped, just because the ali`i said you cannot do it anymore, burn the statues doesn’t mean the statutes weren’t taken underground in our ana caves. And the practices were still being done Monday through Friday. And on Saturday, Sunday, they went to church, yeah. So the bottom line is our practices have been--how come the hula didn’t die out when the missionaries said stop that, clothe them, don’t be naked, because people still continued in the family generational
life away from the missionaries. Because there aren't enough missionaries to be around you 24/7, so they don't know what's going on.

So the transmittal of these important places like the heiau on the Pi'ilani Promenade, the heiau was first, and then came the Mahele. Then after the Mahele, ranching came in, around the same time of the Mahele. And then they used the stones, also for cattle pens and stuff, they move 'em around. And then the military came in and thend they bulldozed for their purposes and stuff, over the ranches that -- you know, during the war, that -- 1940, World War II. And even before 1940, 1930s they came in. And they did their thing. Sometimes right over our sites, putting their emplacements and gunnery stuff. They did it right over our -- our sites.

So, you know, we still had knowledge of what was there before the military, before the ranches and cattle. And, of course, they used the rocks for boundary stones and highways and stuff like that. People took them because the -- the practice was defunct officially.

But every kanaka knows in their family that the practices were still done out of sight, out of mind. They did it out of sight so people -- just like when we (inaudible), we don't do it in the daytime. We do it new moon, at night, so that people who are jealous do not steal and turn the bones or crap in the skull or turn 'em into fishhooks or defile our family. Because there's some Hawaiian families that were jealous and competed. So for survival strategy, continuing the practice was done in secret.

So when it came to these sites and these areas -- and I talk about the neck of the property where the wind comes through, which was very important for cloud signs. And where the placement of water heiaus are because of where the clouds come in, that's where you're gonna offer sacrifice to Kane, (Hawaiian language), where are the waters of kane, to make the water come down, the limu bloom, the fishes to come in, the fish to come in, because they eat off the limu. Chant 1, Kumulipo, the 12 limus in the ocean are protected by the mauna, what's up in the mauna. Well, what's up in the mauna? The broad stream. That's the surface river that comes down from the mountain. And with it, what does it bring that's in the mountain that protects the fishes in the ocean? It brings with it fruits that fall seasonally. And the fish come to the ocean. And where there's awai, where there's plaiting, they gotta make a choice, do I eat the limu that's coming or do I take the fruit that's coming, I see, which one, the ho'okupu from the -- from mauka, or the limu. So they go for the ho'okupu and they leave the limu alone. Then the sand shifts, covers the limu, allows it to grow, seasonal. So it gets bigger in the summertime and grows prolific under photosynthesis of the sun, there's a lot of limu for fish and people. Because the fresh water brings nutrients, not nitrates. Those are -- are high chemicals that make the invasives grow. But it's the foundation of the food source,
the mountain, the midrange land and the ocean are all
connected by the broad stream, the wahine. Okay. And that
makes the fresh water estuary, where the magic of life
begins in breeding. Okay. Because all the food comes down,
because the fresh water wakes up the limu in the different
seasons with the temperature. Okay. 0034

The narrow stream, Kumulipo Chant 1, is the ana
cave, the male running in the pahoehoe lava tube. Okay.
That is a backup in case the top stream dries up, the bottom
stream continues to go.

In the State of Hawaii, they’ve closed down all
the natural streams and diverted the water for sugarcane and
human development and whatever. So why is the fishery not
collapsed? Well, we’ve seen the limu fall. I mean, there’s
great people from my generation, Lipoa Road and all of those
places, we have seen a decline of limu because of diversion
of fresh water. The limu needs to be healthy. Okay.

There’s a direct correlation. Several limus are indicator
species of fresh water, (inaudible), palalahala.

KIMOKEO KAPAHULEHUA: Eleele.

MICHAEL LEE: Eleele. You see that limugrowing,
you know there’s a spring around, you know the freshwater
is blasting. All of this are indicator species. Now, best
use, best practice of land, konohiki, is that you allow that
to flow because most endemic Hawaiian fish are like salmon.
Okay. They go out into the ocean, but, when they haveto
breed, they have to go in fresh water, moi, aholehole.

KIMOKEO KAPAHULEHUA: Mullet?

MICHAEL LEE: Mullet, o’opu, the list goes on,
awa. You go all the way through and you found out most of
our fishes are like salmon, but the people from the mainland
0035
don’t fish, don’t know. So why hasn’t it collapsed? We
have all of these ana springs and caves that are huge
are -- are pumping out water from beneath the ground, which
are these ana caves that I’m showing you to show that the
fresh water still goes even though -- even though you can’t
see it. It’s subsurface, it’s the kane. And so the
mountain is protecting the sea in many different ways.

And people don’t stop and ask the practitioner,
what does Kumulipo mean about Chant 1, the 13 limus in the
ocean being protected by all these plants in the land, what
is the connection, what is the interwoven web of life.
Well, the connector is the subsurface streams and drivers,
and we call auvais, that go into the ocean, and the
underground ana cave which continues sight unseen, but does
the same purpose.

So when we talk about a property, we know that the
name of the property is either named for the clouds that are
floating or the stars above, what the cultural practice, use
and the alignment. If it talks about makali’i, this is a
place to observe the rising of the (inaudible). Why do you
observe it? Because you have makahiki and you have for
farming and fishing. Makali’i is called kalawaiatofor
fishing and it’s called mahi for farming. It’s -- it’s
necessary in setting that time clock of ho’olio. So we know
the mahina eye, we farm and we fish by the moon. All of this has its practice and its time. Okay. The seatself, on hoaka, it’s the second day moon after Hilo, it naturally plants the limu, the ocean oki snaps the limu and vegetation reproduction and puts them into the reef to grow again. We know the seasons, we know the times. What you do on the land is gonna affect the sea. And that’s what our concern is as cultural practitioners and generational knowledge that we bring to the table. If you destroy this balance of Hale O Kaulike, the house of balance, it’s all gonna bekapakahi and then it’s all gonna start to fall apart. You cutdown too many trees, you’re gonna change the wind, the bees are not gonna be able to go there. It’s gonna be really hard when the rains come. Everything has a purpose the way it’s situated. The outside culture comes in, it doesn’t learn, it doesn’t care, shows no respect. Pull out the piligrass, put in California grass. Take down the natural trees, no more naulu winds and naulu mists from the oceanbreakers that come and condense and make two rains. They don’t know. They don’t care. They don’t think it matters. But we know everything matters. So we bring all of this knowledge to the table not to be an obstruction, but to say do the right thing for the right reason, which is pono. Because your order pipes, special order pipes, and they don’t fit, pono’ole. Same thing, what is connected to themountain, the midranging the ocean and deep in the ocean, it’s all connected. And you break the connection, pono’ole. And we’re putting this stuff down, especially in Pi’ilani, to say, look, where that ancient petroglyphs was, that was a sign marker for the well that was there for the intermittent village, the fishing village that was there. To take the water — when the streams weren’t flowing, there was water in the man stream below, the — the narrowcave, to support life on the land so they could do their cultural practice. That was removed. They didn’t -- the guys just took it, they didn’t know what the purpose, what the need was, what the survival strategy. I showed you documentations of my family on Maui. They knew, we’re bringing it to the table, so we can do the right thing and teach at the same time. Because this culture doesn’t belong to my family. It belongs to all our Hawaiian people so that — so that they can do what is pono in managing and being good stewards of the land. And that’s what — that’s what we bring to the table. We’re not saying to stop the project; we’re just saying, hey, these are important flags and markers, that what you do upat Pi’ilani — and if you block the gulches, you’re gonna destroy the estuary below, the brackish water estuary below. And it’s gonna modify the sand that’s there. It’s gonna change the limu. So knowing the patterns of the rain that come and the water that runs in the ana caves below and properly manage the drainage runoff so that piligrass stops that erosion and red water, the brown water that we hear about. Because if it’s managed properly, there is nobrown
water. Because there is no ripping and tearing of the land.

So that’s, again, the knowledge we’re bringing, to say,
look, this exists, we managed the land. When Captain Cook
came in March 1778, 400,000 Hawaiians living off the ocean
and not polluting, not shedding in the streams causing
havoc. They buried their crap. They buried their waste.

We all used the ocean. Thousands of monk seals. They only
became endangered when western man came and took the octopus
over -- overharvest octopus, overharvest lobsters, thenthey
started to starve. Kanakas used the -- their resources.

That monk seal is found in Chant 6 of the
Kumulipo, Line 500. Okay. We work together with the ocean.
That’s why we had local i`as, to -- and koas, we createthethe
koas in the ocean. They’re not just on the land, but
they’re in the ocean. We built them to train the opeluto
come in the net. We feed ‘em, we tame ‘em. You takewild
opelu and you feed ‘em vegetation matter, like taro, like
sweet potato, like fruits. What we do is we change their
behavior and they become tame and they become like dogs. So
we train ‘em go in the net, go out of the net, go intethe
net, go out of the net. Then when it’s time to harvest, we
take out the big breeders that’s gonna give hundreds of
thousands of eggs and hundreds of thousands of fish and we
selectively take fish for the village, for their needs, and
we take ‘em. Okay. But we’re not pirates. Hawaiian
fishermen were not pirates. They were farmers, theywere
mahi eyes of the ocean under mahina eye. And what they did
was they trained the next generation and planted the limu
and did everything so the harvest was ensured for an
abundance and an increase in opportunity for the children of
prosperity. That’s how you stave off hunger and famine, is
you plant in the ocean.

Same thing with our local i`as. Those are heiaus.

Why are they heiaus? Because you have the Ku stone and the
Hina stone both impregnated. The Ku stone always stay
underwater in the shape of the he’e. That’s why this kuula,
kuula, the standing octopus, Kanaloa, okay, this is always
underwater. The Hina stone can be half -- can be out of
water and in water. It symbolizes the moon, but she is the
informant. We pray in the morning to them before the sun
comes up. We touch the Hina stone, the Hina stone tell us,
with the akua noho inside of it, who’s been in the fishpond
at night. Did the puhi eel come in, did the red eel come
in, and -- and where is it now. She’s gonna tell us.

Because we cannot stand guarding that fishpond 24/7.

Nobody’s gonna do that. So how do we do that? The
informant is the Hina stone. Okay. And the way we situated 0040
it, it’s -- it’s based on Kane’s forehead of the makahaand
the makohelani, two stars in his forehead that show Kanaloa
Kane, fresh water ocean octopus. When it’s gonna -- the
makaha is gonna open and when to close the makaha gate of
the local i’a. It’s a natural time clock of two starsthat
rotate around -- one rotates -- the red one rotates around
alko, which is kane, which is makohelani, and makahais
Kanaloa which tells us when to open the sluice gates. All
of this knowledge has a purpose and need for survival strategy. And so we bring that to the table to say, look, this is not isolated. Everything matters. Everything fits. It doesn’t match your western model because your western model is not an island. And in that island, if you don’t take care of business correctly, you’re gonna starve to death because everything is your refrigerator. The forest is your refrigerator. The land is your refrigerator. The springs are your refrigerator. The ocean is your refrigerator with the limu. All places to eat and be taken care of feed off the land, ‘aina, ‘aina, to eat from the land. The land itself, you eat from. So all of this is very important when it comes back to the assessment that is being made and for what we--we put in both for the -- for the EIS and the AIS in our commentaries to highlight these areas for the broaderscope that we’re talking about in this interview with Kimokeo who has come down this morning from Maui to -- to givethis interview. And to back it up, what we’re putting here --and we’re laying the foundation of standing, that there is a place where we get it. We’re not making this up. Governor Abercrombie used to say all the time, “Oh, those Hawaiians, they just showed up 10 minutes ago and they made it up.” Well, no. In this case that’s not the case.

KIMOKEO KAPAHULEHUA: Way, way back. Couple hundred years.

MICHAEL LEE: Way, way ago, couple of hundred years.

KIMOKEO KAPAHULEHUA: And more. And more. And in our interconnectivity, we’re bringing this out, we’re --we’re trying to reveal the best use, best practice, so that it works out for everybody. Because Hawaiians managed and were good stewards of the land so people could live. Everything was waiola, the life of the land is perpetuated in righteousness in Ke Akua iō. Okay. So the spirituality of the land and our practices.

Since I came back to the land for the Wailea 670 project and we’ve done cultural practice up there, I’ve been told that it rains there consistently now for the last four years in that area. And that’s what our ancestors always knew, if you brought the ho’okupus, if you paid the respect, if you did the ha and you did the proper chants and did you what you needed to do, everything would be put in balance. The house of balance, Hale O Akaulike. So that’s what we’ve been doing and bringing to the table in these projects, to educate people on the best way. We figure if you know better, you can do better. And the -- the mainlanders say they wanna know, so, eh, we’re just doing what the law provides us to do for best use, best practice. And what people on Maui have been asking for, can you teach us, can you come, can you show us, so we have.

Mahalo.

KIMOKEO KAPAHULEHUA: So as can you see, we’reat

Piilani Promenade Cultural Impact Assessment
Michael Lee, practitioner for Papa Kilo—

MICHAEL LEE: And the limu.

KIMOKEO KAPAHOULEHUA: -- the limu and, also, protocol.

MICHAEL LEE: Yeah.

KIMOKEO KAPAHOULEHUA: And we share with you -- he share with you his mo`oku`auhau, his genealogy, the connection to mokopuniomau and the moku of Hana and the moku of Kula and differential and different ahupua`as. He share with you napoikalani the people of the heaven and how they're connected to us and napoi kamauana, the people that have see, and napoi konua, that we one big family. So he has explained that -- some of the things that, on there, is a physical example or things that was left behind and hehad expressed his concerns and addressed all of that forthe developer to include that in this report, and to addressit. And not to only address it, but see and -- and know that his and our ancestors, our kupuna, way, way back. So the documents that we shown you earlier was purely the mo`oku`auhau and the genealogy of his ohana from Hanaall the way to Lahaina, and how he expressed the connectionof the lehuula, which is the first fishpond made by Kula, connected to a local i`a right below the promenade project. And he was sharing with you the summer solstice and the winter solstice. And he also explained at the sitabout the winter solstice lined up when the moon sets on the north wall and the sunset -- rises on the north wall, that was winter solstice. And he was also explaining properly the-- where the sun rises on south wall and the moon set on the south wall, that was summer solstice. So throughout this document, he was explaining to all of us and teaching us what knowledge was left behind for us with his ohana, his family, and showing the connection of the -- connected from the ali`i all the way down to where he is today. And we had seen -- we heard Auntie Alice showing about -- talking about the stars. So Papa Kilo Hoku was one of the awardshes received because of the kupuna teaching him the many, many 0044 stars. And Auntie Alice was just sharing one example of following the stars from Pokai Bay to Nawiliwili. Now what does that have to do with (inaudible), were there other stories that never been told about the same situation of what Auntie Alice explains about Kauai. So I want to mahalo Mike this morning, brah, for being open and for sharing all your ohana genealogy. Such a rich genealogy you have. And we will send you a document what we just did now.

MICHAEL LEE: Oh, Mahalo.

KIMOKEO KAPAHOULEHUA: I like the video because it gives word for word, and no one can change it.

MICHAEL LEE: Right.

KIMOKEO KAPAHOULEHUA: So I'll send you a document of that. And with your permission, we would like to use your document --

MICHAEL LEE: Yes. Whatever, however.

KIMOKEO KAPAHOULEHUA: Yeah.
MICHAEL LEE: You have my permission. You have my permission.

KIMOKEO KAPA HULEHUA: Appreciate that very much.

MICHAEL LEE: Yeah.

KIMOKEO KAPA HULEHUA: So I'm gonna say mahalo akua.

MICHAEL LEE: Mahalo.

KIMOKEO KAPA HULEHUA: Mahalo na amaka.

MICHAEL LEE: Mahalo.

KIMOKEO KAPA HULEHUA: Mahalo no kupuna o kahiko.

And mahalo your oli and ohana oli.

MICHAEL LEE: Mahalo.

KIMOKEO KAPA HULEHUA: Ae mama uno.

MICHAEL LEE: Mahalo puni o ae.

KIMOKEO KAPA HULEHUA: Mahalo.

(Recording concluded.)

I, TONYA MCDADE, Certified Shorthand Reporter, do hereby certify that the electronically-recorded proceedings contained herein were, after the fact, taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; proofread under my supervision; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the electronically-recorded proceedings provided to me in the foregoing matter.

I further certify that I am not an employee nor an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 15th day of March, 2016.

Tonya McDade
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Captioner
Hawaii Certified Shorthand Reporter#447

Piilani Promenade Cultural Impact Assessment
Appendix C: Transcription of Cultural Consultation Meeting of February 25, 2014
Piilani Promenade Cultural Consultation Meeting

February 25, 2014
Sarofim Realty Investors, Inc. hosted a Cultural Consultation Meeting on February 25, 2014, from 6:00 p.m. to 8:00 p.m. at the offices of Goodfellow Bros., Inc., located at 1300 N. Holopono Street, Suite 201, Kihei, Maui, Hawaii. In attendance were:

Charlie Jencks Brett Davis
Eric Fredrickson Kimokeo Kapahulehua
Kelii Taua Mike Lee
Levi Almeida Basil Oshiro
Sally Ann Oshiro Clare Apana
Brian Nae`ole Florence K. Lani
Daniel Kanahele Jacob R. Mau
Lucienne deNaie

A copy of the sign-in sheet is attached as Exhibit A.
MR. JENCKS: Hi, everybody. Are we ready to go, Mr. Audio/video?

MR. KINNIE: We're good to go.

MR. JENCKS: Good deal. Okay, thank you all for coming. My name is Charlie Jencks. I'm the owners representative for Piilani Promenade, which is a project that you can see the land with dust control fences in north Kihei. We are in the process of doing an environmental impact statement, which as you all probably know and understand involves a couple can of things. One of those is a complete archaeological inventory survey that we need to do for the project, for the EIS.

Way back when, when the land was owned by Mr. Henry Rice, he -- in the mid, early '90s, he hired Zemaneck to go out and do the archaeological survey for the property. When we contracted with Chris Hart & Partners, and Brett Davis is here from Chris Hart & Partners, to do the AIS, I thought it would be best and most efficient to have Zemaneck redo the work as an update from the AIS. So Eric's firm was hired and
Eric has completed a draft AIS that contains two of the sheets that he's handing out right now.

The purpose of tonight's meeting is to,

number one, get a presentation from Eric on what was
found way back when and what we know about it today
and update it, because we have an updated AIS. And
number two, to take what he's going to tell you and
then have a discussion from a cultural perspective
what this property means to you and what you know
about the property, because what we'd like to do is
include that information as a part of the file when
they resubmit the AIS. The intent tonight is to
record video and audio. That information then will be
used to develop a transcript, which we will then
append to the AIS at some point in the future so the
file is complete.

You know, we've looked at the property
multiple times. I think it's decorum to ask you what
you think. I went to Lucienne and asked her who --
who should be invited to this meeting, and she came
up with a good list of people that I have (inaudible)
before and I think this should be a good discussion
and I look forward to it.

So without any further ado, may I present
to you Mr. Eric Fredrickson. We are going to go from
22  6:00 to 8:00, as is standard procedure here. If
23  you're going to speak, your name, so we know who it is
24  on the record so it's easy to transcribe. Remember
25  that, your name and then you talk. I said my name,
Charlie Jencks, so everyone knows who I am.

So, Eric, please, take it away.

MR. FREDRICKSON: Thank you, Charlie.

And hi, everyone. Thank you for coming. As Charlie said, I’m Eric Fredrickson. I grew up on Maui and have been doing archaeology for a long time. Does everybody have a handout? There are a couple pages that came out. Okay. (Inaudible).

What I’ll do is before we get started, if it’s okay, if everybody would just say hi, I’m -- (inaudible) -- just to say hi. So I probably won’t remember everybody’s name, but just at least so we can all kind of say.

MS. DeNAIE: Hi, I’m Lucienne deNaie.

MR. LEE: Aloha, I’m Michael Kumukauoha Lee.


MR. OSHIRO: Basil Oshiro.

MR. KANAHELE: Daniel Kanahele.

MS. APANA: Clare Apana.

MR. NAE`OLE: Aloha, Brian Nae`ole.

MS. LANI: Aloha, I'm Florence Kea`ala Lani.

MR. MAU: Aloha. My name is Jacob Mau.


MR. DAVIS: My name's Brett Davis. MR.

JENCKS: Charlie Jencks.

MR. FREDRICKSON: Again, thanks all for coming. The whole purpose of this is to -- for information and then of course to get input from you folks. As Charlie said, we originally carried out an inventory survey, an archaeological inventory survey of this parcel, which is this pink portion right here, it was 88 acres originally, and a portion of it now is going to be developed as housing that's not directly involved with this project, which is now known as Piilani Promenade. So I think the on the ground component is about 75 or so acres.

In 1994 the archaeological inventory survey that we conducted -- and I was on the ground for all of that. We located 20 sites, ranged from rock piles, some which were indeterminate function and
then some which were makers. Some really low, some were a bit higher. We also found some enclosures, and I'll discuss them in a bit, and we also found what we are called surface scatters, which basically is an area where folks in the past were doing something,
eating, maybe working on tools, whatever, because people were going mauka-makai, and this was an area -- it was kind of a stop point. It wasn't a place where people were living permanently because it's too dry.

We also found a petroglyph that was on a bolder, and it's a good-size boulder, three or so feet in diameter. It was out in the middle of basically a pasture area. It had all been -- it was owned previously by Honua`ula Ranch and they'd run cattle on it. That boulder was a (inaudible). It was actually removed during the project while we were working -- the report was in draft form and the prior owner took away. It went Upcountry, and it's in the same ahupua`a, but it's not on the property.

It was somewhere in this area, kind of near where this proposed Kihei-Upcountry highway is, originally. And that -- if you folks look at that, that map that came out is site 3746, which is kind of right up in this area. And again, that one was -- that was taken off site.

At the time of the 1994 survey, all of
the sites that we did locate were found to be significant, further information content under criteria D. No additional work was recommended at that time. The petroglyph, because of its cultural
significance, also was designated important under
criteria E. And there was a -- preservation was
recommended for it, but didn't get to that point
because it was removed. The recommendation probably
at the time would have been preservation on site
somewhere. It was in an area that was not very
secure. I mean, it was just out in the middle of just
an open field. So that's a synopsis of what happened
in the 1994 work.

Now here we are 2014. Happy new year, by the way, to all of you. There are some off site
portions of this project that, you know, that wasn't
even known in 1994 that anything was going to happen.
So recently we came back, there's one -- there's an
easement -- or, excuse me, there will be a road that
comes from this project out to Ohukai, and then
there's this -- it was titled a drainage easement, but
now it's actually going to be used just to reroute the
waterline. Right along the Wailuku-Makawao district
line, which on that map that you folks have there's
like an easement that's indicated, and that's the
central Maui transmission waterline. It's a really big waterline. It's a 36-inch diameter waterline. It was completed, at least in this portion of Kihei, in 1979, according to water department records. So that
comes across kind of the middle, diagonally across the property line -- or, excuse me, the project area, but that line is going to be diverted in this easement, and then it will be on the southern side in the project area, and then it connects down into the -- into where it is down on the other side of Piilani Highway, which is down this direction.

And, I don't know, Charlie, maybe you help. Is this -- is this going to be connecting in here?

MR. JENCKS: Yes, that's (inaudible). can

MR. FREDRICKSON: So it will come in toward the south, southwest, in the southwest borde and connect toward the system that's in place. Tha will be a major improvement and also action.

Other things that are proposed, all of this is required archaeological work to check out, this access road here and then it comes up here and then this is -- is it a million gallon watertank?

MR. JENCKS: Yes.

MR. FREDRICKSON: A million gallon watertank is proposed. So we covered this area as well. This -- this area here is I believe leased by Monsanto for -- they're growing corn there. This whole area has been previously impacted by that
activity associated with land clearing.

There's another area -- so there's these three -- four areas, actually. There's this access road that goes out to Ohukai. Then you've got this access road that goes up to the watertank, then this easement, which was proposed for drainage formerly, but that's no longer going to be used for that. It's just the -- there will be a waterline kind of on the makai side of the western side of the new waterline will be diverted -- or not diverted, but excavated and then laid in place and go down there.

The additional area that's going to be -- that was looked at, but, I mean, just basically, it's shoulder right-of-way, is this pink area over here. And that basically has to do with future improvements that this project is going to be required to do on the other side of the Piilani Highway.

So those areas we looked at this year, and no new sites were identified or anything in those areas. This area has been disturbed quite a bit. A lot of your sheet erosion, there's no more topsoil,
it's down to bedrock. This part of Kihei, not everywhere, but in a lot of areas has gotten really shallow soil, and over 100 or so years of grazing and everything, the grass has been eaten down and then in
the summer, it's stressed, you get rain, soil -- soil has been washed away. So you get some pedestaling effect of rocks and stuff. If anybody here has been to Kahoolawe, not quite as severe because there's not as much soil as there is on Kahoolawe in a lot of areas, but you'll see like rocks and stuff that are just stuck up on little pedestals of soil.

So let's take a -- just a brief look at the sites that we actually located in the 1994 survey, and what we did -- because a lot of time elapsed, we've reevaluated sites, and in the prior survey there wasn't additional work recommended for the sites that were located. The preservation issue for the petroglyph is something that was set on the side, because it's not here. If it was here, I certainly would -- that would be recommended for preservation.

There have been some discussions with the former landowner -- I don't know what's occurred yet -- about trying to have the petroglyph returned, but there's nothing that I've heard at this point.
3729, and there are 20 of them, so the petroglyph, the last one, is 3746. So sites 3729 through site 3746, those are the sites that were identified.

MS. DeNAIE: And did you take photos of
most of the sites?

MR. FREDRICKSON: Yeah, they're in --

MS. DeNAIE: They are --

MR. FREDRICKSON: In the appendix, in the back of the inventory survey from 2000 -- or 1994, they're in that, but not -- they may not be in this.

MS. DeNAIE: This was -- well, they were like sort of --

MR. FREDRICKSON: Yeah, they're black and white.

MS. DeNAIE: Yeah.

MR. FREDRICKSON: Which is -- that preserves the best.

MS. DeNAIE: Oh, I'm sorry, Lucienne, just asking about -- there's pictures of the sites. So you have these pictures in black and white --

MR. FREDRICKSON: Yes.

MS. DeNAIE: -- if anybody needed to see (inaudible)?

MR. FREDRICKSON: Yeah. So sites 3727 through, let's see, okay, 3728, this is 3729. What
22 are these, Charlie, I'm not quite --

23 MR. JENCKS: (Inaudible).

24 MR. FREDRICKSON: Oh, okay. Thank you.

25 These are -- these were stone piles that were just --
and we actually tested a couple of them to see what, if anything, was underneath, just trying to get an approximate idea of the age, that sort of thing. Most of the piles appear to be placed on bedrock, on outcrop bedrock. We didn’t locate anything in -- in the -- in the test phases. A couple of them had artifacts that were nearby, which isn't -- it's not a surprise. Hawaiians were transiting back and forth. Some of the other sites -- so there's -- 10 let's see, 28 -- 3728, 3729, 3730, those are stone piles, (inaudible). An interesting one is -- what's this one, Charlie? I'm trying to --

MR. JENCKS: I don't see the number on it.

MR. FREDRICKSON: I think that one is -- that's 37 I think 20 -- that's part of 3728, I believe. But that's a -- appeared to be a possible agricultural site, but we didn't find any evidence for it. I'm just going to get out my -- the other table.

MS. DeNAIE: Is that this one? Because that's 27.
MR. FREDRICKSON: 3727. Thanks. I've got my other table out. This has stone piles and there was some -- some -- the traditional -- traditional cultural remains were -- was on the
surface. That was when we tested and weren't sure what it was, and our -- at that point the guests that we had was possible agricultural function. This is one that merits more study. So this one will have what's called data recovery work done on it in the future, once the State Historic Preservation Division reviews the report and once they concur, if that's -- if that's reasonable. It was not recommendation in 1994, views of things were a bit different, and the state said no, no further work was needed.

I spent -- just a quick thing about myself, just a brief -- I was on the Cultural Resources Commission for ten years, two separate five-year terms, and times have changed, so there does need to be some more work done to try to get additional information. That one, site 3727, is recommended for data recovery, and so is the 3728.

There are other stone piles which we came across.

Thanks, Charlie.

Again, these -- if you folks can see this bedrock around, there's bedrock in many of these
areas, just more examples of stone--of stone piles,

some of them pretty high. 3731 was about--you know,

about like that tall, two and a half--two and a half feet or so. Some were a bit lower. This one, 3734
was only about 35 centimeters, maybe a foot and a half high.

One thing, that one we probably will be doing some more -- some more work on. That's one that I'm still thinking about it. It said no further work, but there are a lot of -- a lot smaller rocks in that pile, so it may merit some additional work, and basically it would be just taking a section and seeing what's underneath it.

Again, bedrock is right there, and it's not a really big, you know, deep pile. Any time I see piles that are, you know, kind of good size, always there's a possibility there could be iwi there. When there's bedrock and stuff around, it's a little bit less, because it's not -- especially if it's not that deep, but still we -- that's why we probably are going to check to make sure, see if we can get any more information on it.

The area in the past was -- have been under ranching for quite a while, hundred plus years. The military was in there, in this part all over in
Kihei during World War II and you see evidence of it all over the place. I worked on the Big Island a long time ago for Bishop Museum, and also on Maui, and you'll get these -- we found a couple of them.
C-shapes, is what they're called, and it was basically a place where they would set up practice for machine gun -- have a machine gun there, and sometimes you'll find spent shell casings from practice and stuff. But the military had been in the area.

We looked at a couple of enclosures too, which I think they're -- yes, are over here. Site 3735, 3736, we tested, didn't locate anything, but we probably will go back and do some more -- some more work on those. 3735 -- or, excuse me, 3736, this one. This one we think is probably military. We may go back and check that as well.

Then we had some alignments. 3737, 3738 and 3739, two of them, 3737 and 3738 were pretty long, especially 3737. I mean, 60, 70 feet long, linear, parallel. Some of the rocks and the alignments had been -- I mean, it wasn't like really carefully stacked. It's like a bulldozer had gone through and the rocks were on the edge. There are some heavy equipment scars on some of the rocks and lots of like exposed -- like bedrock, flat, but it's like the -- there was hardly any rocks on the
inside, so it's like it had been cleared of rocks.

looked like bulldozing, because there was metal --

excuse me, heavy equipment scarring on the rock, on

some of the rocks. Same with 3738. It wasn't as long
There is a possibility that because there's a lot of bulldozing that had happened on the parcel over the years in the past -- and some of it could have been related to like the fire department too, because sometimes Kihei has got the wild fires and they will take bulldozers out wherever need be just to try to -- for public safety.

Also, with the central -- central Maui transmission line was put in in the '70s, like I said, it's a three-foot diameter line. It's a big one, and they buried it pretty deep, and so when all of that work was going on, they had to have construction, you know, access roads and all that to get the equipment in and lay it, lay the pipe and everything, so that was a pretty big disturbance event that went through the middle of the property.

Yes, Lucienne.

MS. DeNAIE: Lucienne. Did you read in the report -- I guess it was Septric. They did a report for the parcel immediately mauka...
MR. FREDRICKSON: Mauka.

MS. DeNAIE: And they found an alignment -- I didn't see a picture of it, because I didn't see the actual report. I just saw it in
another report, the map, but it sounded like kind of a similar thing, an alignment of two things of stones that were, you know, so far apart. Did you ever encounter any pictures or anything to compare it, if it's the same?

MR. FREDRICKSON: We just have gotten that report. The state didn't have -- the SHPD didn't have --

MS. DeNAIE: Yeah, I tried to get it (inaudible).

MR. FREDRICKSON: Yeah, I will -- if you want to take a peek at it, I just got it in PDF.

MS. DeNAIE: I would love to.

MR. FREDRICKSON: And I will email it to you.

MS. DeNAIE: Oh, that would be great.

MR. FREDRICKSON: But what I was going to say is -- excuse me -- is near the watertank site, off the project, we just were -- just wanted to just take a look around the area. We did note a bulldozed -- an old bulldozed -- a road that had been bulldozed that
had kind of some rough alignment, you know, like

similar to these, but the -- there were smaller bits

of rock as they dug down a little bit more and there

was a little bit more soil, but again, it's probably
World War II era.

MS. DeNAIE: Be interesting just to even line them up and see just part of that history. I don't know if that's your job, but --

MR. FREDRICKSON: We found another one down -- it was off project, Piilani farm that Monsanto operates for their corn, near it, on another -- I think it was on Haleakala Ranch land, we saw another one of these. There was a World War II road that actually ran through that property that went off property and there was another one of these where a bulldozer had gone through relatively long ago, and you get this kind of a parallel alignment, and it's pretty -- you know, you've got basically a bulldozer blade width that goes through.

We found one more. There were three total. The other one was not as long, 3739 up here. Again, outcrop, bedrock, nothing in the interior portion of it. 3740, which is in the little gully that crosses the parcel -- a portion of the parcel, erosion containment walls, and it has like old fencing
stuff in it and probably ranch (inaudible), so things
didn't get washed -- washed out when that gully did
flow, because when it rains, the water comes down
pretty -- pretty fast.
MS. DeNAIE: And Lucienne here. We do have a former cowpoke here.

MR. FREDRICKSON: I'm looking forward to --

MS. DeNAIE: Brian Nae`ole, and he rode up and down here in his youth out of high school.


MS. DeNAIE: And so, you know -- and your ohana worked for the ranch too, yeah.

MR. NAIE`OLE: Yes.

MS. DeNAIE: Yeah, so, and Aunty Florence too. So they might be able to answer some questions about ranching practices.

MR. FREDRICKSON: Oh, yeah, no, I would hope that -- I'm just talking, and, you know, feel free to interrupt me and then I'll shush and then I'd love to hear information from you folks, because you've seen an awful lot of interesting things over the years.

MS. DeNAIE: And we also have Jacob Mau, who worked for DOCARE, and so he -- he took his Jeep all over the place, so we're just hoping that, you
23      know, some of the stuff, though, they'll know
24      something about.
25      MR. FREDRICKSON: That's great. I
appreciate everybody, again, taking the time on what is a Tuesday at 6:00, whatever, beautiful day, but I know there's other things you could be doing, so I appreciate it.

The -- and then the sites 3741 to 3745, those are what are termed surface scatter, and those are definitely traditional Hawaiian sites. They had shell fish, like marine shell fish scattered around, not lots, but some. Somebody stopped there maybe a couple times, and some -- some artifacts, or like pieces of coral that people brought in. We did find on another project further Makena way, south from here, but on the mauka side of Piilani Highway, similar elevation, a place that had been -- it's kind of a stop -- a resting station, a rest station, kind of had an enclosure, not real -- a lot of effort put into it, but it's because it was just used not that often, but that actually ended up being a workshop, if you will, where folks were coming up from the ocean and reducing volcanic glass, taking the opala stuff off so they didn't have as much to pack up the -- up
mauka. And that one -- that site also had food remains.

MS. DeNAIE: Excuse me. Lucienne. Was that the one that was preserve the sort of over near
the Monsanto area?

MR. FREDRICKSON: That's a different one.

That one had a possible religious or ceremonial function, but yes, that was a different one.

MR. LEE: Hi. Michael Lee. When you get into the Hawaiian traditional practice, when you find a lot of coral on one of these mounds and stuff, that links to the Ku ceremony of au`au, when you go to the ocean and you cleanse and then you bring back a piece for -- usually it's a heiau or an offering site.

MR. FREDRICKSON: Yeah, these -- we didn't find much -- much -- it was small -- small pieces of coral, not like branch --

MR. LEE: Yeah, usually (inaudible) --

MR. FREDRICKSON: -- (inaudible) chunks of branch coral.

MR. LEE: Right, chunks (inaudible) normally.

MR. FREDRICKSON: That site that Lucienne brought up that's further south that was preserved did have some --
MR. LEE: (Inaudible).

MR. FREDRICKSON: -- excuse me, branch coral in it, and that was one of the rationale -- one of the rationales we used to say, hey, you know, it's
possible ceremonial function, preserve.

MR. LEE: Right.

MR. FREDRICKSON: But these four surface scatters, 3741 to 3745, the biggest one is 3741, which we did -- it's pretty substantial. It's about 50, 60 feet, 60 feet in diameter, kind of, but it's not a clean circle or anything, but that's -- that one needs to have more work done, and so that would also be one that's going to be -- that we're going to recommend data recovery on. So we'll go back in and do some more testing. We didn't locate any subsurface component of it. It was only material on the top, and, again, shallow soil, a lot of erosion has occurred in the area, but that was certainly an area where people were stopping. There were some volcanic glass pieces that were there, but not good stuff, waste plates where it was just a place to lighten -- lighten the load so you can take the good stuff up mauka.

3742 is another one, and that one will -- it was just a few pieces of shell and a couple small
pieces of coral and a water worn rock, and it's

basically -- you know, somebody took it there, and

it's called a manuport, if it's not something that was

like an artifact or formal artifact. So that's
another one that we'll do some more excavation on --
or excavation on. We didn't excavate that one.

3743 is another one of these surface scatters that we'll also do some excavation,
excavation on. And 3744, that one we put in a couple test units. A good amount of food midden, not a ton,
but more than the others, and it was in the top 10 centimeters, which was about 6 1/2 -- 6 -- not even 6 inches, 5 -- less than 5 inches of soil is for the --
where the cultural material was and there wasn't anything deeper than that. It wasn't really deep soil deposited.

All of these areas have been traversed by cattle a lot. So it's possible the cattle just walking through might have pushed some of the shell down, but it's possible could have been covered by sheet erosion, water and dirt just going across, but it was certainly in the area where people were -- you know, they'd stop there, not on a regular basis, but they'd stop there at some point in the past. Again, a traditional site, though, it's not something that was
very recent.

3745, another one, we tested that, same thing, got a little bit of shell midden in the soil deposit and -- but nothing below that.

No charcoal or
anything. That was something we were looking for to try to -- so we could get a radiocarbon date -- sample so we could submit it to try to get an idea of about how old the site might be, but we didn't find any on all the testing that we did.

Yeah, Lucienne?

MS. DeNAIE: Lucienne. It looked like on your chart that the -- that last midden scatter was somewhat near where the petroglyph stone was --

MR. FREDRICKSON: Yeah, that one was about --

MS. DeNAIE: (Inaudible)?

MR. FREDRICKSON: It was -- I'm trying to remember how close it was. It was -- it wasn't right next to it. It was like -- just picture yourself out in the -- out in the field. It was probably 40 -- 30 or 40 meters, 100 plus feet away, maybe a little bit farther, but it went -- comparatively speaking, it was close, certainly closer than anything -- any other of the sites on the project. And then the petroglyph itself was itself was, again, it was on a boulder
about three feet in diameter and it was a real -- the
rock was pretty porous, like if you rubbed up against
it, really -- you know, you could get a pretty good
sanding off of it and it was weathered, and it may
indicate that it was really, really old, or it may
depict that, you know, the rock is just more prone
to getting weathered. But it's certainly interpreted
as a traditional -- traditional site. Figure of a
male, possibly with a basket or something, not sure,
but, again, this is what got taken away.

Yes, Mike.

MR. LEE: Mike Lee. That circle on the
bottom, was it like weather worn on one side that you
could see it was a circle but it wore down or someone
just completed what they thought should be the
completed portion?

MR. FREDRICKSON: It -- really good
question. This was our interpretation. It was kind
of like -- it was discontinuous. It's like over here,
we couldn't even -- you know, even see if the leg --
I'm sure the leg had been there, but it was -- again,
it was real weathered, but that was our -- it appeared
that it was circular, but this -- the part that's
dashed lines is -- that's what our interpretation was
that that's what it appeared to do. There were a
couple sections that were partial, partial
(inaudible).

MS. DeNAIE: Showing (inaudible).

MR. FREDRICKSON: Oh, yeah, thank you.
And again, this boulder was transported off site.

MS. DeNAIE: Lucienne. Do you have like a fairly clear black and white picture of it that is in electronic form at all? It might be interesting (inaudible) cultural practitioners.

MR. FREDRICKSON: I could go back and look -- look in some of our old project photos, and I -- I'm sure it wouldn't be difficult to scan it or anything. It would -- and I'm happy to send -- to send it, to distribute that.

MS. DeNAIE: Yeah, we'd really appreciate it.

MR. FREDRICKSON: So that's -- that's the summary of the sites that were located and what is going to be the proposal for -- because some additional work does need to get done on some of the -- on some of the sites, the ones that I shared with you folks. And, excuse me, the data recovery will -- I mean, it's -- that we do as much work as we can, get as best information as possible, and sometimes you don't -- you don't get a lot more.
information, sometimes you do. It just -- it just
depends. I'm not super optimistic, because of the
real shallow soil. It would be great to get a couple
carbon samples, but I don't know. All we can do is
try the best we can. Yeah.

MR. LEE: Mike Lee. Is there going to be a walkthrough for what these sites are, a consulting walkthrough?

MR. FREDRICKSON: Possibly later in the -- like when it's dry, prior to maybe data recovery.

UNIDENTIFIED MALE: Because it's like -- you cannot see anything now.

MS. DeNAIE: It's (inaudible).

MR. FREDRICKSON: (Inaudible), but nobody else. Nothing else. Yeah, Daniel.

MR. KANAHELE: Daniel Kanahele. Eric, yeah, before I ask my questions, I just want to preface it by saying that this is part of a consultation process, according to HAR 13-7-276, where -- you know, where you're asked to seek the views of those who may have knowledge of the history of the area with regards to site significance and site function and site identification, so first of all, I wanted to ask the 2014 -- well, I did read the 1994
archaeological inventory survey. I read it two years ago, so it's been awhile. My understanding, that was accepted --

MR. FREDRICKSON: Uh-huh.
MR. KANAHELE: -- by SHPD at the time.

MR. FREDRICKSON: Yeah.

MR. KANAHELE: So is this a supplement to that that you're undertaking? Is this something that you are going to be submitting for --

MR. FREDRICKSON: It will be submitted.

MR. KANAHELE: -- for review again and acceptance again?

MR. FREDRICKSON: Well, the 1994 -- this -- the 88-acre project area, that's -- that part of it was accepted before. There was no monitoring recommendation or no further work recommended at the time in 1994. This project, like I said earlier, takes this -- this lot is a different land owner, but still it was part of the original survey in 1994, so that -- there weren't any sites located on this at the time, but that's still, in my mind, I'm considering it part of the -- of this overall project, so to speak. The -- so the sites that were found in 1994, that's the reevaluations, just see, you know, is the -- are they still significant, would they still be -- are the
significance evaluations valid today.

The criterion D evaluations certainly --

you know, certainly are. The petroglyph under -- is

significant under criterion E for its cultural
importance. Again, it's in longer on the project; however, it's still -- doesn't mean its cultural significance goes away.

MR. KANAHELE: Just to -- just to follow up.

MR. FREDRICKSON: Yes.

MR. KANAHELE: So your recommendations -- because I don't see the 1994 recommendations on --

MR. FREDRICKSON: Yeah, there -- at the time the views about criterion D sites were -- the amount of work were a little different that was figured, that was agreed upon, like, okay, well, there's enough information that's been collected. And the State Historic Preservation Division concurred, yeah, no additional work needed in -- at that time.

In 2014, in my opinion, there should be some additional work done on the -- on close to half of the sites, to try to see if any additional information can be gathered. I mean, it's just -- just doing the best that can be done, and also, I mentioned a little earlier, in the 1994 inventory survey, no monitoring
requirement was put in place. So there was no
monitoring at all, and that was something that, again,
that's 20 years ago. That has changed, and I completely agree that, yeah, I mean, even though it is
shallow soil and everything, there should be archaeological -- precautionary archaeological monitoring carried out.

And the State -- the State Historic Preservation Division, actually in 2011, approved an archaeological monitoring plan that covers some of this property and some of the area mauka that -- of this property that Lucienne brought up that a 2008 survey had looked at on the -- not in this area, but the area mauka. So there is an archaeological monitoring requirement that covers much of the property right now, and the plan has been accepted by the State Historic Preservation Division.

Because this -- you know, it's not a project-specific monitoring plan, though, and SHPD has already indicated that, hey, this project has changed, because originally it was 88 acres, but now -- well, it's less, this part of the original survey is a little less, but there's this off site improvement areas that they were never surveyed when we did the original work. This was just this one -- this one
property. So these areas have been looked at.

The monitoring will also -- will extend -- it will be for this portion, the 88 acres, including the 13 acres or thereabouts, which is owned
by a separate entity, not part of the Piilani Promenade. It took me awhile to get my -- wrap my brain around this, but I finally do understand, so I know how frustrating it can be to not completely understand what a project is, because I saw this all the time on the Cultural Resources Commission, so I -- Charlie was very patient with me, but I -- but I do understand what the scope of the project is, because this is the first time I've been involved with it since 1994.

I mean, I didn't do -- we didn't do any of the work in 2011 for the monitoring plan, preparation or anything. This was just kind of -- Charlie called me last year about this and I was like, hmm, okay, I was always -- it was always difficult for me because of what had happened with the petroglyph, and I just -- it was something that just -- didn't have anything to do with them or anything. It was just one of those things that happened.

MR. LEE: Mike Lee. Was there an LCA for this whole property?
MR. FREDRICKSON: Yes, and I'm sorry, and

I know someone here -- it was a very large one. It's

5,000 plus acres to Heeiwa, and I don't have that --

MR. NAE`OLE: I have the apopuka. Brian
MR. FREDRICKSON: Oh, thank you.

MR. NAE`OLE: Land Commission Award, 3237.

MR. FREDRICKSON: 3237.

MR. NAE`OLE: Mahalo.

MR. FREDRICKSON: Thank you.

MR. NAE`OLE: And I have an apopuka.

MR. KANAHELE: Was there a consultation process in 1994, somewhat like this, that occurred?

MR. FREDRICKSON: No, not -- not like this at all. It was, again, different -- different time. I'm trying -- we -- I think I brought -- who came out (inaudible).

MR. KANAHELE: I'm sorry, Daniel Kanahele.

MR. FREDRICKSON: I think -- and I'll double check, Daniel, but I believe Les Kuloloio came out to look at some of the -- like some of the scatters and stuff, because he's been involved with
this for an awfully long time with -- you know, with
being interested in what is found, and he came out and
looked at -- looked at some of the sites, and I
believe he saw the petroglyph, but we didn't have, I
mean, as many folks -- and again, thank you for all,
you know, coming -- at the time who participated.

Yeah.

MR. KANAHELE: One other comment before I -- my understanding was in 1994 -- I don't know when the petroglyph was removed.

MR. FREDRICKSON: It was in 1994.

MR. KANAHELE: But it was removed without the permission of the state?

MR. FREDRICKSON: It was -- it was taken from the property before the inventory survey report had been finalized before the state had accepted it.

MR. KANAHELE: So still it was considered a historic property and removed from the site without permission of the state at that time?

MR. FREDRICKSON: As far as I know, there wasn't any permission, but I -- it was the land owner at the time, and they -- they took it, I believe with good intentions, because it was -- it would be in a safer -- you know, safer area.

MR. KANAHELE: But you couldn't do that today, for example?
MR. FREDRICKSON: Oh, no. Well --

MR. KANAHELE: Do you remove a site before a preservation plan was put in place?

MR. FREDRICKSON: It's -- it's pretty
tricky. You -- the preservation plan needs to get put in place, and if it's not, it's kind of a gray area, and I don't really want to say that too much, just because there are landowner rights that can be kind of -- override some things. I don't want to go too much into.

MR. LEE: (Inaudible) tried to do some research --

MR. FREDRICKSON: Uh-huh.

MR. LEE: -- for Hawaiian cultural significance under Article 12, Section 7. Mike Lee.

So -- thank you -- so we'll look at that, we'll look at survey notes and stuff like that.

MR. FREDRICKSON: It would be a lot -- if something like this were to happen now, it would be a lot different, I think, the result would be a lot different.

MR. LEE: This was in 19 --


understanding is that the state requested, subsequent
to the relocation of the stone Upcountry, they
requested that the land owner do the relocation --

MR. FREDRICKSON: There was some sort of
a relocation plan, but --

MR. JENCKS: Did you guys do that?

MR. FREDRICKSON: I don't think we did.

I don't remember, but that's --

MR. JENCKS: That was done --

MR. FREDRICKSON: That's something I will look at.

MR. JENCKS: That was done and accepted by the state.

MR. FREDRICKSON: Yeah, and there is reference to it, so --

MR. LEE: The relocation was to bring it back?

MR. FREDRICKSON: No, no, this was --

MR. JENCKS: To keep it up.

MR. FREDRICKSON: -- to -- (inaudible).

It wouldn't be -- yeah, it would be a relocation, because from here Upcountry.

MR. JENCKS: Charlie Jencks. The point there is that the state knew about the relocation, the state had asked a land owner to do a study to
formalize it, they blessed it --

MR. FREDRICKSON: Yeah, and --

MR. JENCKS: -- and closed it out.

MR. LEE: I see.
MR. FREDRICKSON: And again, not the ideal -- not the ideal, but there were some actions that were taken to I guess make it official.

MR. LEE: I see.

MS. DeNAIE: Lucienne deNaie. I did come across sort of (inaudible) SHPD file, and I think the basic discussion was, well, Mr. Rice's intentions were good. (Inaudible) see it defaced or (inaudible).

However, he didn't follow proper procedure, so our only choice here -- and they didn't -- they didn't really think that they might have a choice to contact lineal descendents of the land or anybody else and see if anyone else wanted to say anything. They felt their only choice was to provide a process to formalize what had already happened, because the intentions weren't bad.

MR. FREDRICKSON: Yeah.

MS. DeNAIE: You know, he didn't steal it to start his own museum.

MR. FREDRICKSON: Right, to do some
tourist attraction.

MS. DeNAIE: He just said, well, you know, it's out here in the open and I don't know what I'm going to develop and, you know, to keep it from
harm, I'll just move it some place else.

MR. FREDRICKSON: Yeah, it wasn't done with malice or anything. It was done with good intentions. Again, it was 1994. A lot different than 2014.

MR. LEE: Article 12 -- Mike Lee, Article 12, Section 7 was in 1978, so it -- it's still covered under the State Constitution, which because they did not contact the lineal descendents, they're technically in violation of the Constitution when it comes to our gathering rights and religious cultural practice rights were not considered. State has made many mistakes while being -- this is not grandfathered. It would have been grandfathered if it was '77, you know, under that action, but because it falls under that umbrella of we just have to find specifically what those cultural practices were, if we can find it as a findings of fact, that would be cause to bring it back when this property is secured for what it's supposed to do, to have a place back, you know, maybe as a pedestal and a cleaning to
(inaudible) to have it back on the property because of that significance. That's what I believe.

MR. FREDRICKSON: And the contact person (inaudible) anybody does have any questions at the
State Historic Preservation Division is Hinano Rodrigues. He's pretty knowledgeable about that stuff, so if anybody does have questions about it, I mean, certainly feel free to call him up. Thank you.

Good questions and info.

So any other questions?

MS. DeNAIE: Sorry. I have so many questions. Lucienne deNaie. This project is immediately bordered by a gulch. I notice that when SCS did the high school site, right across the gulch from it, they did note that there were sites in the gulch.

MR. FREDRICKSON: Oh, I'm sure there's sites in the gulch.

MS. DeNAIE: And outside the project scope, but they noted them when they did some work on the parcel on the other side of Waipuilani Gulch. They also noted that there were some sites in that gulch, even though it was outside the project area of the Hi-Tech center area. So are the land owners willing to have the portion of the gulch that kind of
surround here also surveyed, because it seems like it could inform us a little bit more about maybe what was going on here?

MR. FREDRICKSON: Yeah, good question.
The tricky part about that is it's a different -- this
is -- I believe this is all Haleakala Ranch; is that
correct?

MS. DeNAIE: (Inaudible).

MR. FREDRICKSON: Or, yeah, sorry,

(inaudible) Ranch.

MS. DeNAIE: So it's the same people
whose land you're surveying (inaudible).

MR. FREDRICKSON: At that time, yeah.

And it would be -- it would be an owner -- land owner
permission -- you'd have to have -- because you can't
any more just kind of go on to somebody's property and
go, oh, by the way, you have this site and this site
and this site and you need to do X, Y and Z.

MS. DeNAIE: Well, it's interesting
because, you know, they commissioned -- Honua`ula
commissioned a study of the area up until the property
line of this property, and yet recorded nothing in
this gulch, and, you know, people have seen sites in
that gulch, so it's sort of like a no man's land right
now. I mean, I guess we could take it up with SHPD
and ask that somehow, you know, it be included in the other review, but it just seems like there was no imaginary line between this gulch and this land. It's like they were functioning as --
MR. FREDRICKSON: Sure. Well, and mauka
and makai do.

MS. DeNAIE: And you saw a (inaudible) or
something around (inaudible) stone, it probably came
from this gulch, because it's (inaudible). Also,
Brian, what were you saying about the gulch had gone
down like it was eight feet higher before or something
like that?

MR. NAE`OLE: Well, when I used to work
on the ranch with my uncle, John Nauwau, we used to
ride horses all down through there. I remember the
gulch as very shallow, but as the years go by, it gets
heavier and heavier, and you can see the way the
action of the water coming down is like --

MR. FREDRICKSON: (Inaudible) big flood
events.

MR. NAE`OLE: It's like tidal waves.
Yes, exactly, you know, and it got really deeper, you
know, from the time I saw it, because you couldn't
get -- you couldn't go on these lands, only if you
were to work on the lands.
MR. FREDRICKSON: Uh-huh.

MR. NAE’OLE: So that's the only way you

could see them, but riding horse, you're practically

right next to the gulches.
MR. FREDRICKSON: Oh, yeah.

MR. NAE`OLE: You're seeing all -- more vegetation, a lot of paninis, a lot of walls, a lot of lava -- man-made walls. So when you're looking at it, you just vision what it was back then. The waters from old-timers, they used to say it was very heavy. It was dangerous. In fact, couple times my uncle had to just sleep right there because (inaudible) was just running.

MR. FREDRICKSON: Too much, yeah.

MR. NAE`OLE: And you would have had to wait at least 12 hours, maybe more or maybe less.

MR. FREDRICKSON: I remember down by Kamaole I, before they, you know, raise the road, I mean, there were times where it's like, oh, not going any further south --

MR. NAE`OLE: You know, it looks rainy up on the top and nice and sunny down here, but then when nature comes --

MR. FREDRICKSON: Just look out.

MR. NAE`OLE: -- wait 45 minutes. That's
why the ground is -- you can see it. You can vision.

It's getting -- you know, it's corroding, and how it's corroding, it's getting heavier and heavier, so...

MR. FREDRICKSON: So you think in your --
in your lifetime, like -- how long did you work for the ranch?

MR. NAE`OLE: I worked for the ranch five months. I went to high school, Baldwin High School, so I had the opportunity to go on a work furlough.

MR. FREDRICKSON: Oh, neat.

MR. NAE`OLE: With the job.

MS. DeNAIE: And what year was that, Brian?

MR. NAE`OLE: This is back in --

MR. JENCKS: Let's be careful about our names so we can keep track of what's going on.

MR. NAE`OLE: So Brian Nae`ole, (inaudible). Back in 1979 I had that opportunity, because uncle and in fact my grandfather used to do all the roads back then. They had many, many stories They told us certain places not to go, certain places to go to. So we were pretty much, you know, all word of mouth, but does the experience, by looking at it today, you can see a lot of devastation, you know, in this area. So how can we make it safe, you know? An a lot of these gulches, like this gulch or this that is coming across the property, it wasn't there. So you see the overload of water transferring to different areas. So we're diverting water that we
wasn't supposed to, because back in the old days the water just flowed naturally. So you see the difference.

And I know some of you guys in here, you know, by experience we see this all the time. Every year, every ten cycle, every twenty cycle, you know, it changes. So we don't know if we're coming to our catastrophic findings of disaster or is it naturally made that way. Because back in the old days they had, you know, the kupunas to -- the konahikis, the anuis had it all studied down, because they knew how to divert. Today we're just figuring out by word of mouth so we're not really pressing it by natural. We're just diverting it. So if you look by construction, I think that's where the problem is.

So --

MS. LANI: Florence Lani. I was born in Ulupalakua and my dad -- all my families were all cowboys. My brothers, I have two brothers that worked the ranch and one of my brothers, he works with -- my dad was a heavy equipment operator for Ulupalakua
Ranch.

UNIDENTIFIED MALE: (Inaudible).

MS. LANI: Yeah. And then in about --

when I was about almost ten years old we moved to
Kula. That's where the (inaudible) Rice arena is now.

That's where my dad worked for Harold Rice. He was the only operator that Harold Rice would have knocking all the kiawe trees. My sister and I, he used to take us on his bulldozer and go to red hill, and my mom -- he would pack us, and my dad used to find these big bombs.

MR. FREDRICKSON: Oh, yeah?

MS. LANI: And he would bring it home and he would put it by the door. Yeah, he don't even know it's alive, and we didn't know, and, you know, my mom always told him to take away that big thing, it's so heavy, and he told (inaudible). He puts the bomb right there and they don't know anything, but my dad had so much trouble with the ranch, and he would let my dad do anything. Harold Rice, my dad was one (inaudible) best purpose, and only he would get brand new trucks every year. He loves my dad so much, that's why he would take care. We always have presents every year, you know, from Harold Rice, and then came Aske, all of his family, we raised with his
two boys, you know, Freddie and Henry. So, you know,
we just like family, but he used to come from Kula all
the way down here to behind Maui Lou because he had
all --
MR. FREDRICKSON: Oh, the road.

MS. LANI: The area, yes, and we always going back and forth. And like Brian, they're the boys, so all of them was just riding on the trucks and everything with my dad, and we seen see many things, you know, through our years, you know, as we were growing up, but then after when they past down, then, you know, my brothers started working, and one past on and that's how our life was always. You know, so I'm still (inaudible) in the place where I was born and raised. So I know a lot, and our lineal descendents is all grave back there in Lahaina.

MR. FREDRICKSON: Oh, in Lahaina?

MS. LANI: Yes.

MR. FREDRICKSON: Now, did you -- this is Eric Fredrickson. I'll try to say my name too so whoever is transcribing this doesn't get too upset.

When you folks used to come from Ulupalakua down -- did he come to Kihei area a lot?

MS. LANI: We would use that top road from the highway in the back road coming all down to
22 Makena.

23 MR. FREDRICKSON: Uh-huh.

24 MS. LANI: That's our road every day going La Perouse, all the way to Kihei, we'll never
forget the areas, how (inaudible). Only (inaudible)

kiawe trees, so we can park anyplace, you know.

MS. DeNAIE: Lucienne. Aunty Florence, what years were these?

MR. FREDRICKSON: Yes, thank you.

MS. LANI: This is back like in the '70s, I mean in the '50s, you know, because I was born in 1939 here in Ulupalakua, and by the time five, six years old he took us to Kula and Makawao, and from then on my dad worked ranch all the time from then on.

MR. FREDRICKSON: So all for -- go ahead, I'm sorry.

MS. LANI: And, you know, when he brought us -- that is about like '52, '53. My dad always had to drive the bulldozer, because he knocks every tree down, you know, the kiawe tree. Red hill is his favorite spot. Always go there and camp up here (inaudible).

MR. MAU: Get all the fire wood.

MS. LANI: Yes, yes. And the bulls. Oh, my mom and dad, I remember they used to trick a lot,
and they would sleep on the roadside, and my sister
and I just running around and (inaudible) bulls, ho,
just fighting and fighting, and they were just
sleeping because they were all drunk (inaudible). But
I remember these days, you know, like before, so --

and I never thought I gonna see that and remember

those things, but I -- we always used to come out, and

there was mean stories about that point, all the rain

used to come from behind (inaudible), comes down a lot

of times, you know, my mom said they know about these

wheelbarrow. When this wheelbarrow is making noise,

they hear the noise from up there coming down, you

better make room, because it's -- before they have all

this kind of stories and the wheelbarrow would just

come from up there, going full speed, and you -- they

know, and they just move on the side. (Inaudible),

you know, they use these kind of words. We tell them,

we don't know what they telling us. Why you moving

over there, daddy? We supposed to be on the road, but

no, he tells no, you wait, wait. Wait and keep quiet,

no say nothing, just respect, okay. Yeah, and big

wheelbarrow just come swishing right down, right down

to the ocean.

And my dad travels all the way down from

Makena going to La Perouse, he says he's going
(inaudible) nighttime by himself. He going with the
car and he see this cow walking in the middle road and
he telling the cow, go blowing the horn, telling him
to the move, the cow, the cow's going, he's taking his
time, taking his time, and he said when the bull --
the cow turned around and look at him, had mad face
(Inaudible) those kind of stories they tell us, and
(inaudible) my mom and dad (inaudible) never taught
to -- you know, don't -- you know, this is only to
respect. They have things that way, but respect
things and we were taught that, you know. Don't
damage or don't go -- do anything talk back and say
anything, just respect that, and that's how we were
raised today to respect. Know who you come from, yo
know, that's how we have to teach our children, our
grandchildren, the generations going down, and I'm
happy that I (inaudible), I continue to learn what
tutu, because we used to -- we was raised with the
olden tutu ways, yeah, so we know how to survive.
lights, no water, wash hands.

MR. FREDRICKSON: You remember -- you
remember that. Kids now --

MS. LANI: I went through hell.

MR. LEE: Mike Lee. Aunty, how did
No
guys find springs, since you needed water, or did yo
pack water?

MS. LANI: Yes.

MR. LEE: Pack water?

MS. LANI: Yes. We had a lot of water.
catchment, and (inaudible) big property we had, tutu
to used to make us early in the morning, we have to
get up, learn how to work, and no more this kind
toilet you have today. It's outhouse, you know, and
it's not near and in the house. You have to walk.

MR. MAU: (Inaudible).

MS. LANI: We still have that today,
because where I'm staying now, I living like that.

My kids didn't want that, but today they're used to that.
Just not (inaudible). They know, and they love it.
They (inaudible) they look up to going to the country,
do what you want, you know, in the country.

MS. DeNAIE: Lucienne. Aunty Florence,
so have you ever like hiked down the gulch that runs
down, you know --

MS. LANI: Oh, yeah.

MS. DeNAIE: -- all the way --

MS. LANI: With my dad sometimes.

MS. DeNAIE: (Inaudible).

MS. LANI: Yes, and that's very true what
Brian is saying, because sometimes we can't cross
over. We have to, you know, stay -- stay there, but

(inaudible) --

MS. DeNAIE: (Inaudible) along the side?

How did you folks (inaudible) --
MS. LANI: Walk, and there's horse to --

you know, he packs us on the horse, or sometimes he

can use the bulldozers to come down and follow.

That's why sometimes it blocks up and he has to be the

one to knock the kahawai, you know.

UNIDENTIFIED MALE: So there's like big
trees or stuff --

MS. LANI: Yeah, sometimes.

UNIDENTIFIED MALE: -- flood came, yeah.

MS. LANI: Yeah, and he has to go, yeah,
to go and clean it, yeah. And if he can't pass, we

have to just find an area. My dad knew where to go

and, you know, make sure that we are, you know,
safety, yeah, yeah. So we knew how to live life the

hard way, but, you know --

MR. FREDRICKSON: When you were -- this

is Eric again. Aunty, when you folks -- you know,

when you were a kid like walking in some of the

gulches or, you know, like Lucienne just said, the

Kulanihakoi Gulch, do you remember seeing anything

anywhere like coming down the gulch from anyplace
anywhere, like caves, anything like that?

MS. LANI: Well, before it wasn't like that. Once in a big while we used to have a lot of, you know, rain, rain day -- then that's the only time
we see big boulders come down, then, yeah, it will hit
the side, so, you know, on the side sometimes you just
hits the side, and that's where the bank gets soft,
yeah, hits the bank and the water hits it again and it
will just fall, and it gets wider. Yeah, it's when he
has to go in and clean it out, make room again so the
water can, you know, go down.

MR. FREDRICKSON: Go down the channel.

MS. LANI: Yes. Yeah. So he always
taught us about being careful to go, where to go in
the -- you know, when you see water, don't go
(inaudible).

MR. FREDRICKSON: It comes fast. It's scary.

MR. LEE: Aunty Florence, did your father
ever talk about pahoehoe lava tubes on this property
or that came from the side gulch or something that
went around this property or through this property,
like lava tube for a cave?

MS. LANI: Oh, no, but -- no, he was
all -- no, we never did enter, you know, through --
always following the -- either the roadside or making roads. You know, sometimes the roads get all block up, and he -- damaged by rain and everything, stones cover 'em up, so he has to (inaudible). (Inaudible),
Yeah. And sometimes he goes to the kahawai too, but
then, you know, he has to go look all the way --
that's why from up there to down here he has to look
the safest place to make the (inaudible).

UNIDENTIFIED MALE: (Inaudible).

MS. LANI: Yeah, (inaudible), yeah.

MS. DeNAIE: Lucienne here. Now, I know
both of you folks used to go down to the shoreline
here too.

MS. LANI: Yes.

MS. DeNAIE: Over where like Menehune Shores is, like that. What was that like? What did
(inaudible) --

MS. LANI: (Inaudible). Yes, yeah, a lot, we could go hukilau down the beaches, you know.
That was when nothing was (inaudible), just kiawe
trees (inaudible).

MS. DeNAIE: And what kinds of stuff --
Lucienne again. What kind of stuff did you find down
there?

MS. LANI: Used to pick up limu and all
kind of limu, all the Hawaiian limus that you could get, that's our area, just enough for us to take home to eat, you know. It was -- and the water wasn't liked to. Today there's slimy, the limu is slimy.
When you eat it, you can taste the (inaudible), the
taste of the lotion, yeah. So that's why I hardly --
hardly get it now. There's laws you can only take so
much, so, you know, everything's changed today.

MR. FREDRICKSON: It's Eric here. A
question actually for both of you folks. You know
when you folks were let's say small kid times going
like down to the -- to the shore, like Lucienne and
Mike were talking about, compared to like then to more
recent, what's your impressions of like how much limu
is there now compared to like when you were -- you
know when you were younger and -- because, you know,
you folks --

MS. LANI: A lot. A lot.

MR. FREDRICKSON: -- a resource, just
because -- to see the changes, you know. So, I'm
sorry, I interrupted you.

MS. LANI: Yes, my uncles were all
fishermens too. We'd go down Makena, La Perouse and
they would put a building there and that's what did
their job every day, and they would gather -- when
they gather, they pull the nets and they get fish,
limu, they always would share for all the families,
you know, because before we didn't have the kind that you can go paddle or sell, you know, we would trade
our goods that we have, but there's rare, not today,
you don't see that kind of limu hardly, huh-uh.

MR. LEE: Aunty Florence, are we talking
about like lipoa, palahalaha, aalaula, lipeepee?

MS. LANI: Lipoa, lipeepee, all those,
yeah, huluhuluwaena.

MR. LEE: (Inaudible).

MS. LANI: Yeah, tutu taught us how to,
you know, make all the -- and it was not liked to.
Today you don't hardly see all those. It's all -- the
rocks -- every rock when you take, you know how to
take it out, there's always -- next time there's
always more, but today you don't -- you scrape the
rock, so that's why hardly.

MR. NAE`OLE: Brian Nae`ole. Back in the '70s when we used to go pick up limu, remember we used
to go down there all the time, we were told numerous
times not to go in certain areas. We used to always
stay in like more towards the makai -- well, more
Makena side, because there were certain things that
you couldn't go more by the fishpond, but I remember
the limu that was so plentiful before.

was -- they were like right there. Not liked to,

they're pretty much disappearing.

But I remember when we go gathering, we
lay nets, and the limus was like lipeepee, wawae`iole, ogo, you know, you never had to go too far, because everything was right in the area. Now you have to go like further down to St. Theresa's. Even St. Theresa's is pretty much getting, you know, wiped out. I guess corrosion. But by experience, the fish was like -- you didn't have to go far. Now it's -- you walk -- or you go in the water, everything is just dead, more sand, everything is all covered up. Back in the days, you can see the difference from that times to what it is today. So we're pretty much destroying things right in front of our eyes, and how to do it, I think it takes the whole community to really save it. Because this place has food, resources, and I think that's part of our culture of living, because that was what we used to cut up tomatoes, you know, just basic stuff that we grow and we add to the limu, because that was part of our -- like rice, you know. So now you look at it now, we don't go there, because we know it's -- there's no gain, you know, and even the -- you know, things are
just different now, compared to what it was back then.

So like aunty was saying, you know, all that years, you know, we only hear from our ohana what they tell us to do and what not to do. So I don't
know if anyone here ever went there lately or ever tried to go and see if it came back alive.

MS. DeNAIE: Kimokeo?

MR. LEE: Yeah, we've been doing for the last four years around that place, where Kimo is (inaudible) -- oh, Mike Lee -- for the good work that they're doing, you know, with the young people and trying to teach them to bring it back. Like we went down there on the lauo o Pele is coming out, the pakapaka is there. This is not the season for the palahalaha, usually April, May or August or October, because water has to be warm for that one, but that one loves freshwater. On the northern side of the fishpond is where you have the spring coming down and it feeds all the limu.

Limu and freshwater are one and one. You know, certainly limu like limu kala and also your limu koko needs the Jacuzzi of the ocean crashing, not just the water, and sand going over crashing, like the wawae`iole. They live off the sand inside their little pods. And the aalaula, because you've gotta
clean, hard time cleaning that limu because the sand inside.

MR. MAU: Plenty rubbish.

MR. LEE: Plenty rubbish inside. So
unless you know how to clean it properly, you don't want to, you know, handle, a lot of work to clean that one. So -- and lipoa needs plenty, plenty freshwater, and that's like December that the (inaudible) moon cuts that -- that limu to replant.

So we've been down there. We've taken films of where you guys have been working, and palahalaha was there profusely, which we use for medicine and stuff for the lungs, yeah, and the lauo o Pele we use for cultural practice. That one you have to lawala and imu because like (inaudible), tough, but it can be eaten when you put it in the hot water and blanch it and it gets soft. But manawaea needs plenty Jacuzzi action and freshwater, and you got six different kinds from the very purple purple to the rice type, you know, the green one, kane wahine one, so all of this stuff, the health of the ocean depends on two things, the estuary -- see, used to have pili grass that used to grow, hold everything in place so when the water comes down, you don't tear off the sides of the gulches, yeah, so, dig, dig, dig, dig, if
it's all pili grass. The invasive have come in so the tearing takes place. That's one of the reasons. And then when you get to the estuary -- they kind of made it narrow, so instead of having the
natural plants so when the water does flow down from up mauka -- that water is supposed to be crystal clean coming into the ocean. That doesn't destroy anything. It actually adds, yeah. But because it's coming down muddy, because you don't have pili grass to bend over and deep roots that go like this like limu in the water, holding everything together so the water does pilau, it doesn't turn red, so by the time you get to the ocean, you also had your grasses down makai and big so it spreads out, so when hits the energy doesn't (indicating) and all the rubbish and everything and red water going in and then getting inside.

So, you know, a project like this, because the gulches are so important for the drainage -- you cannot do -- you know, the arrogant thing in the state, they said you have to have drainage for this project. The drainage was natural. The mauka takes care of the drainage, but you have to make sure that the right kind of grasses -- it was known that pili grass grew inside, but you now have to plant it because the invasive -- the birds kukai and
then they take over and so you literally have to replant that and take out the invasives, so that when this happens --

And concretizing isn't good.
Concretizing is when, you know, they did that in New Orleans, and they don't do that any more, and they did it at Iao. Think don't do that. I mean, nowadays you don't do it, because it has to percolate down, because there's an underwater natural channel freshwater that's going into the ocean.

So all of these protocol for safety, when you get -- as you said, Brian, when this builds up and it let's loose, those big boulders will crack all the concrete stuff, you know, and you cannot house water underneath to settle in. It's going to have a devastating effect, because you're going against the flow. And when you go against the flow on a -- say, a one-week straight rain, it's going to bust over the banks and just go like this.

I mean, we see that in Manoa, we see that down when you go to Waikiki when it -- those big ditches were flooding over, and it's those events health and safety, not the regular small event, but the fishery is dying. That's a native cultural resource that ties into this property and this
project, and that's Article 12, Section 7.

7 -- Article 11, Section 7, the natural flow is supposed to be protected, surface and subsurface.

So there are -- there are a win-win for
everybody. It's a doable, is what I'm saying, if the proper things are put into place. It's a doable. I mean, we're not here to be in the middle ages, but so long as we can keep the ocean clean and that water coming down fresh, this is a plus for everybody, you know, if that is part of the mitigation plan. Because Army Corps of Engineers will do a 10 million dollar grant, you know, not out of the pocket of the developers but to make sure that the Clean Water Act and all of that stuff, the protocols are kept, something to really keep in mind, you know.

MR. KAPAHULEHUA: Kimokeo Kapahulehua. Another good example is Malama Maunaloa in Oahu, where they have taken mauka-makai and remove all the invasive seaweed and now they're moving back in the land and going up and taking care, like (inaudible) field in Maunaloa.

MR. LEE: Exactly.

MR. KAPAHULEHUA: So you talking exactly that kind of idea.

MR. LEE: Because I live -- Mike Lee.
lived on Summer Street from '62 to '79, so when we went out Paiku lagoon, palahalaha all over. It was one of the most known places, besides Ewa, for ogo, okay. People took bags, big bags of ogo out there, I
mean huge bags. This is before any, you know, (inaudible), and the octopus, the he`e, pulling he`e, you know, like crazy, but that ended when they busted into the springs and for the (inaudible) and they were literally not letting the springs (inaudible) ocean.

And so then we see a big turn over and change and all the palahalaha disappeared, the ogo started -- the invasive started coming in and the problem.

And then the governor, when he was a congressman, put this bill in and they really brought it back. It can be brought back is the good news, is what you're saying. We can bring all of this back, if we do proper management plans for it.

MR. ALMEIDA: Levi Almeida, and to further speak, to touching, you know, the (inaudible). I'm actually kama`aina of lao and (inaudible) near the ocean, so is my family, and, you know, concretizing and tampering with the natural flow of -- you know, the natural waterways has been extremely detrimental to the ocean resources in that area.

What it's akin to, you know, you have an
ordinary garden hose, yeah. You can water your plants, you can -- you know, it's gentle, yeah, but when you start concretizing and tampering with it, what happens is you no longer have a garden hose.
You now have a fire hose, and we turn it on and it blasts everything, you know, causing further erosion. So I think with the gulches, it's important for us to, you know, really be precise and to have a really, really deep and clear understanding of what the effects is going to have from, you know, touching these waterways.

UNIDENTIFIED MALE: Go ahead, Basil.

MR. OSHIRO: Basil Oshiro. From what I've been hearing from everybody is we've got to be in spirit with the land. We've got to know what the land is telling us. We with cannot create -- actually, we are creating pollution by industrialization, but there's solutions to it. We've got to look at -- like Kihei, the deep floods we having. Somebody's not in spirit with the land. (Inaudible) ranch was one of the faults of that. I can say that much because they just -- they forest the whole area over there, and what came down here, all the (inaudible) from up there came out down here. Yeah.

And we just overdeveloping our wetland.
We putting concrete where the water supposed to settle. Because you can look up mauka, the Hawaiian homes are there, those gulches are huge. So you know water comes down through there in -- you know, you can
say catastrophic amounts. And where it's gonna end up
if you have concrete? It cannot flow in the land. It
comes out to a certain amount, it disperses itself and
settles and creates a water table, because we on
volcanic islands, and the dirt is only so thick. It
will settle on the bedrock and that's our water table.

And that's a common sense kind of thing.

We've gotta listen what the land is
telling us, and industrialization is going to happen,
whether we like it or not, but we gotta be in spirit.

If the land tells us something, listen. We cannot
just develop. Listen to the land and find solution to
that, what's happening. Otherwise, we're not gonna
have Hawaii. We're only -- we're so limited on our
land space. You look mauka, you think, oh, we get a
whole bunch of land. We don't. We just a needle in a
haystack right now looking at it.

Look at our rain forest. It's moving
farther and farther up the mountain. Yeah, you go up
to Polepole, oh, it's a big area, because we one speck
of dust in that area, but look down from there, you
see the vast area, it's actually all wetlands. Yeah,
you look at where Aunty Florence guys, they talking
about right here, that's part of our wetland. The
water comes down, disperses and goes down to our
bedrock, but that water table is being depleted. They think we have a lot of water, west Maui, east Maui, Kula, but (inaudible) Haleakala, I'm quite sure there's just maybe at the most two water tables that we keep drawing. Water from Mokuhau coming to Kihei. They want to pump it (inaudible) Kula because Kula don't have enough water. Farmers starving out there.

So we better listen to the land instead of growing homes and making industrializations. Let's grow farm land and food so we can be self-sustainable, because within my lifetime I hope to see something happen, that the -- we will be self-sustainable, in a way that we don't have to depend on the outside so much.

I come from -- I the only one from my family as a commercial fisherman, and a lot to do with the -- what we have on land, up mauka, makai, gonna affect our waters. And everybody's talking about the same -- same thing, and if we not in spirit with what we have here, we all gonna suffer. Our future generations are gonna suffer. So whenever you folks
22 decide -- we not trying to stop all developments, but
23 to be in spirit with what our kupuna had, how they did
24 it, and listen and be in spirit. It's the main thing
25 I'm talking about.
Right now I see Kihei, the land is fighting back with the flooding, you know. Can see enough already, slow it down. Study. Do studies or research before you go ahead and do things, and right now that promenade, I live right up mauka of that, and the grass, the forest is the one that containing the water. If it rains -- you have to have real big rains. If it's concrete, the jungle over there, we're gonna lose it, yeah.

Like (inaudible) Kula gulch, (inaudible) Kula gulch, you don't see it flow too often. When it comes, it's crazy, and if you're gonna concrete around that and divert the gulches, what's gonna happen? Like Mike said, it's gonna overflow. You cannot fool nature. You gotta build in spirit with nature and it's part of our land. So I think I talk enough already. Thanks.

MR. KANAHELE: Yeah, getting -- you know, speaking of.

UNIDENTIFIED MALE: Your name.

MR. KANAHELE: Oh, Daniel Kanahele.
Sorry. Speaking of the archaeological inventory survey, really to understand site significance of any individual cultural feature, you have to understand the cultural landscape that surrounds it. And so
often, you know, we look at just a small slice of a pie. We look at it through, you know, sort of tunnel vision. We can't do that, because we know as Hawaiians that it's a much bigger picture, and we're talking about a cultural landscape.

And so we're talking about the gulches, Kulanihakoi and Kaonoulu, which Basil says doesn't flow very often, but when it flows, it's crazy. It means a lot of water comes down. We have to look at our cultural landscape, and the gulches are cultural resources, and it's part of the reason why you have traditional sites there.

MR. FREDRICKSON: Sure.

MR. KANAHELE: Because of the water, because of the access (inaudible) ocean. And we know there was a lot of activity going down near the ocean, you know, this makai -- you had Kalepalepo (inaudible). You have a lot of people down there. So I have hiked Kulanihakoi gulch many times. I know for a fact that if you go along the southern boundary of the project area and the gulch and as you make
(inaudible) left turn in the gulch, gulch (inaudible)

and it turns north. There are sites, there are walls

along the gulch there, which is, you know, adjacent to

the property.
So I think it's important to -- in order to understand the sites that you're looking at, to understand the sites that are adjacent to it, what's next to it, especially the sites in the gulch, because it's apparent that that was used a lot. So who is -- who is going to cover that? Who is going to look at those sites that are just right, right next to this project area right along the gulch? Because the project area will impact the gulch, Kulanihakoi. It will impact Kaonoulu Gulch.

So who is going to look at those sites?

Will it be -- will it be part of this reassessment that, you know, the survey is undergoing?

MR. FREDRICKSON: Really the question -- Eric here, Fredrickson. Again, the gulch area per se, though, is -- it's not the same landowner, and trying to look at that -- one has to absolutely have permission, one, and -- because landowners tend to be -- especially large landowners, tend to be somewhat sensitive about having sites identified on their property that they're not necessarily wanting to do
anything with or know about really.

Having said that, some landowners are --

you know, they have like land managers, et cetera that

they do have a level of interest about it -- if they
do know of something, making sure that they don't inadvertently bulldoze through a site complex or something, but actually looking at sites that are off the project area that have not been surveyed before, trying to do that is something that -- I mean, it sounds -- it would be neat to do, but that can't -- that can't be done with this project. It's a -- I mean, it would be neat from an archaeological point to do that.

MR. KANAHELE: Is that a potential area of impact for the proposed -- proposed --

MR. FREDRICKSON: I'll let Charlie answer that, because that's -- I'm looking at the archaeology. My understanding -- I will say one thing, Daniel, that this easement -- excuse me, here, that's on the mauka, the eastern side, this originally was classified as a drainage easement, which would have brought drain and from up slope and just emptied it into the gulch. That -- that has been taken -- that potential use is no longer something that's proposed. It's just going to be used for this
waterline, the central Maui transmission waterline that will go around -- more around the property.

MR. KANAHELE: Okay. Close to the fence?

MR. FREDRICKSON: It will be -- it will
be next -- it will be mauka of the fence and then it
will be on the southern part of -- in the property
itself.

MR. KANAHELE: Okay.

MR. FREDRICKSON: But Charlie can speak -- Charlie Jencks can speak to your question
about, you know, are actions of the project -- I mean,
like development actions going to potentially do
something to the gulch.

MR. JENCKS: Charlie Jencks. I would just say, Daniel, that, you know, we -- Eric described
fairly accurately how the engineering plans for the
project changed because I learned very quickly I
didn't want to divert water and put it in Kulanihakoi
gulch for a lot of reasons. Number one, I didn't to
mess with the gulch in any fashion. And number two, I
didn't want to be influencing stream flows down stream
from the property, because that affects other people
unfairly.

So for those reasons, we backed completely out of that approach to the stream,
diverting any water to the Kulanihakoi Gulch, and
we've -- we had a conscious effort to make sure that
we were not doing any work close to the (inaudible).
With that said, however, I'll take under advisement
your request and look at that in the context of the plans we have today and we’ll fiddle with that.

MR. KANAHELE: So -- Daniel Kanahele.

So, Charlie, your plans aren’t to divert Kaonoulu Gulch to the east side of the project area into Kulanihakoi Gulch? There’s no plans to divert Kaonoulu Gulch?

MR. JENCKS: That stream -- that intermittent stream bed is not being diverted to Kulanihakoi Gulch, that’s correct.

MR. KANAHELE: Is it being changed in any way, shape or form?

MR. JENCKS: What it does, it comes down -- it comes down here. It's going to be diverted in a culvert over here, then down with the exact same spot that it crosses under Piilani Highway.

MR. KANAHELE: I see. You are diverting it.

MR. JENCKS: So there is no increase in flow or velocity as a result of that diversion.

MR. KANAHELE: On the map there is drawn
the actual gulch, Kaonoulu Gulch, are you changing

that, that's what I'm asking?

MR. JENCKS: It's going over from here,

over here, then down here.
MR. KANAKELE: So you're diverting?

MR. JENCKS: Yeah, but not in -- not into Kulanihakoi Gulch. It was at one time. Henry's original proposal was to take it over to here and put it in the gulch over here.

MS. DeNAIE: Lucienne deNaie. I think it might be interesting, just from an archaeological perspective, to look at this project in terms of what the land might have looked like 400 years ago or so. And I'm really intrigued by what Brian and aunty are saying about Kulanihakoi Gulch being so much more shallower, because imagine if this is kind of a piece of land between two gulches. Because if you look at the 1922 topo map, Kaonoulu Gulch is pretty prominent on that. It's a little dotted blue line. It's not just, you know, some little checkered marks saying there's sort of a gully. It -- it had a life of some sort. It joined in to Kulanihakoi Gulch down below what is now Piilani Highway. There probably was sort of a wetlands or something there, because two water places coming together, because it's very low lying
22 (inaudible).

23 UNIDENTIFIED MALE: (Inaudible).

24 MS. DeNAIE: And if you look at the 1930s maps you see as then the conjoined flow goes
through -- now it's Kaonoulu Estates and down near
that place where it always floods near the whale
sanctuary, where, you know, this gulch, Kulanihakoi
Gulch comes out at that point there. There was a big
(inaudible), and it's on the map. So in other words,
it was a big, open lagoon swampy area. Now there's
like a little channel, like Michael referred to
earlier, Michael Lee noted this.
So in essence what you have was land that
might have been between two areas that had maybe some
spring feeding and certainly intermittent flow and
certainly not intermittent flow like 15, 20 feet
below, maybe 5 feet down or 6 feet down. And so I
heard you say earlier, well, nobody lived here because
there was no water, but 400 years ago it could have
been --

UNIDENTIFIED MALE: Down closer to the
coast there certainly would have -- were people living
there, yeah.

MS. DeNAIE: Right. And I just wonder,
because, you know, when you look at the archaeological
surveys for a number of other places that are at this same elevation, a lot of times they're fairly empty.

They've been pretty smashed up by military -- the activities or by ranching activities. It's
interesting that this one had all these mitten scatters and other, you know, the petroglyph, that there's more petroglyphs further up the gulch that were found in Socheck's report.

You know, I'm with whoever said we need -- I think it was Daniel. You need to look at the cultural landscape. And I realize you can't go out and do other people's work, but I'm really happy that we're looking at this report, because I know you're a hard working archaeologist. I've read so many of your reports and I really respect your work and I really respect the fact that you like to dig. You're personally curious about this.

So I would just say that let's take a look at this land. It may be that the reason that we have these mitten scatters is that so much soil that used to be there was washed away earlier simply because the same erosion effect that has cut down that gulch, Kulanihakoi Gulch, and sort of (inaudible) in Kaonolu Gulch, has kind of, you know, impacted the flatter part of the land. Because there's sheet flow...
that comes across it too.

UNIDENTIFIED MALE: Oh, yeah, definitely.

MS. DeNAIE: Plenty of sheet (inaudible).

That's why we had that big cement thing there. It's
not just for the gulch. It's for all the sheet flow too. So in terms of the significance, I mean, I hope that, you know, your investigations shed more light on what's there, but even if they don't, I think we may have to assume that some of it may have been washed away, but if there's a way to design this project as (inaudible) parking lots, just so there's a sense of history left here, so there's a couple plaques that say, oh, here's a little -- here's a little -- I notice there was an enclosure that was near one of the mitten scatters, and it seemed like that mitten scatter, number 3744 had two layers, had kind of a larger selection artifacts, maybe a grinding stone, this and that, maybe there's a little bit going on there. I mean, if that can be preserved in a parking lot somewhere and you give up like four parking spaces, but you have a sense of -- Kaonoulu is not a very wide ahupua`a. I mean, I bet you wouldn't oppose that if that could be arranged, but just throwing this out, that there may be a whole other landscape view of this as we put the pieces together of what conditions
were like 400 years back when people were using these kind of implements, what things were like further up the gulch, and what was happening down at the ocean, which was pretty busy. So end of rant.
MR. MAU: Jacob Mau. You know, I started working for the state Department of Land and Natural Resources in 1961, and part of my responsibility was once a week I would read the rain gauges from Cosner Grove, I go down Puluau, Puniiau, I come out Waikamoi, and I go inside the reservoir, read the rain gauge. I come out, I go inside Waiahole spring, which is Olinda. I come back down, I go up Pulipuli. I take the sky road, I come down on the skyland ridge, come down Pulipuli, go read the rain gauge. And there were times, especially in the winter months when you get the Kona wind or the Kona rain, there's a river. I don't know if you guys been up Pulipuli, get one concrete crossing (inaudible).

UNIDENTIFIED FEMALE: Yeah, yeah.

MR. MAU: Sometime I cannot even come home until the water go down. And I stand up there, I sit down, I look. You see the water going all the way down to Kihei and all the dirt and mud and everything down there. I go, wow, I wish I had a video camera, you know, just to show the devastation.
Another thing, I was fortunate in 1963 or '64, I worked on Kahoolawe. We did a first reforestation -- first we did eradication, get rid of all the sheep and the goats that were -- I think
Kaonoulu Ranch, yeah, the Rice family had use of --

MS. DeNAIE: They had some use, yeah.

MR. MAU: Kahoolawe, so we had to get rid of all of the goats and the sheep, and you like see the damage, you know, over there, the erosion, the damage. I look at that, you know, and (inaudible) no more money for camera, but you look at the damage, the erosion, you know, all over that island, the devastation to all the native (inaudible), the kiawe tree, the goats get so hungry, they climb the kiawe tree and they go up on the limb, eat as much as they can on the trees, because that's all they can eat. On the ground no more nothing, you know, all gone. So things like that can happen again, yeah, but today (inaudible) we did all the reforestation on Kahoolawe, so now get plenty rain, plenty rain. Everything stay pono now, I hope. Okay, that's it.

MR. NAE`OLE: Brian Nae`ole real fast.

Talking about what Lucienne was saying about 400 years ago, does anybody in here knows Hewahewahapakuka, who
MS. DeNAIE: EldenLiu does, but he couldn't come tonight.

MR. NAE`OLE: Hewahewa was a kahu for
Kamehameha the Great, and he had some kind of significant thing back in here, because back then over here was green. Now we're like vacant, you know, we cannot go on the land, but back in the old days they used to work the lands before, so maintenance was pretty well organized. So had a significant life here in Kaonoulu, because Kamehameha the Great trusted Hewahewa, because Hewahewa was his high priest at the time.

So what was significant was vegetation, food, resources, fishpond was all in one area, and that land mass is so magnificent, it's high and it's low, you know, and it makes sense, because we're just trying to find --

MS. DeNAIE: Pili grass too. Lucienne. Pili grass was on this site. It was in your report. It's still there.

MR. LEE: Mike Lee. Hewahewanui was my 8th great grandfather. His granddaughter Kapele, was mother of Neole, who married Kawaha, who had Julia Alapa`i, who is my grandmother, who when she was with
Nahili or Nahele, the child that she had in the Maui genealogy's keiki na miki, Captain Meek's daughter, Liza Meek, ali'i haole, who is my 4th great grandmother. The secret was that so long as you keep...
the natural forest going, okay, the (inaudible) keep
double rain, okay.

So what happens is the water from the
ocean condenses and then it goes down in dew from the
morning time all the way to 1:00 and then you get the
secondary rain that takes place. The cloud forms.

This is the neck for the area. It's the neck. It comes down and shoots over to -- this is the naulu.

UNIDENTIFIED MALE: Naulu.

MR. LEE: Naulu for the uaulu rain that comes down. So long as you keep -- now, what happened was Kahona set this on fire, burned this, stopped this. This is the neck, and it's related to the mo`o that goes through here, which everything is made for the mo`o from east to west to clear everything from the mountain to the sea, but if you keep this in check up here, the neck run, the naulu rain will take -- the cloud will form, and that's part of Puumahoi's job over here.

So this takes the moisture. In October the moisture that comes off of the south -- the
southeast and south, what happens is there's plankton inside that moisture from the surf. It gets very cold in mauka, but it comes cold down below and it condenses all of that. And what happens is it
fertilizing everything. It's more fertile than weeks and weeks of rain of the so you never see one drop of rain come, and everything turn green. And it's like --

MS. DeNAIE: From the fog?

MR. LEE: From the mist that comes down.

That's the secret in the family structure of doing that. So when you keep that in check, then naulu comes and the uaulu rain takes place. You wipe that out here, it stops it here, and then this no longer -- the fishery no longer proliferates because the underground pahoehoe lava tube and the mo`o is used to clear all of that stuff, so that the fishery is going to be impacted in a positive way, and that's why the nakoas are set up here, here, here, it intersects with the fishery and in December, through the right moon, (inaudible) can go right across. Just suck you right across.

So if it's kept in check, then everything goes. Keokea Lani, which on the earth is part of Puumahoi and her breast and Keokea Lani in the sky
match up together, and everything flows. Break that cycle, you choke it all off, right down the whole thing.

MR. KANAHELE: Question. Eric, yeah, I
know our time is running short, the cultural impact assessment for this project area was done in 1994? I know there was a CIA done -- no, I think it was 2000 -- (inaudible).

MR. FREDRICKSON: We didn't do the CIA -- there was no requirement in '94 and we didn't do the -- I believe there was one done, but we didn't do one on this project.

MR. KANAHELE: Okay. (Inaudible) 2004, because I read a CIA for the project.

UNIDENTIFIED MALE: Yeah.

MR. KANAHELE: (Inaudible) did that? I think around 2004, something like that. And it was very short, because there was actually no one interviewed. There was no one found to interview, but, I mean, I'm just wondering if that should be redone, if there should be a CIA, because there's like two people here.

The other quick question -- oh, I see (inaudible). Another -- the other quick question is, you know, can we set a date for a site visit at green
dry season, Charlie?

MR. JENCKS: Charlie Jencks. Yes, you can. We will. And number two -- that's with regard to the site visit. And number two with regard to the
cultural impact assessment, it has been redone by Hanapono as a part of this project application. It will be in the AIS.

MR. KANAHELE: It's done or it's going to be done?

MR. JENCKS: It has been done. It will be included in the draft AIS when it's published for review.

MR. KANAHELE: I wasn't aware that it was underway.

MR. JENCKS: Done.

UNIDENTIFIED MALE: Did you hear, (inaudible)?

UNIDENTIFIED MALE: No, I just heard about it now.

MR. LEE: Mike Lee. Can you do a supplemental for aunty and uncle over there for the CIA? Because they are cultural resources that are valuable and lineal descendents of the --

MR. JENCKS: What I would suggest you do or they do is comment, as a part of the draft comment,
and then we have to address that.

MR. LEE: Okay. Good.

MR. JENCKS: That's basically the purpose of that document is to put out a draft document. You
have a chance to comment on every aspects of the document, and then we have to address those comments.

MR. LEE: Okay. Fair.

MR. JENCKS: Okay, it is literally straight up 8:00. I want to thank every -- hold on.

I want to thank everybody for coming. Clare, you didn't say a word.

MS. APANA: (Inaudible). I just have a question. So everyone has given such great input, I mean, it's a record meeting. Seems like all the kanaka are pretty much in agreement about the flow of water and preserving the coastline, keeping the water clean, flowing down and keeping it flowing, but -- so how does -- where do you take this? Where do you take this, Charlie, these comments and --

MR. JENCKS: Well, like I said when I started the meeting, we have an audio man here. We'll take this audio recording, it will be put into a transcript. That transcript will then be attached to the AIS, which is part of the EIS for the project.

Okay. And you will then have a chance to comment on
the transcript, if you wish, and also comment on the
AIS as a part of the project and the cultural impact
determination.

MS. APANA: Does this comments get to
be -- does it have a chance to be seen as an impact,
as a cultural impact?

MR. JENCKS: You'll see it in context in the document and you'll be able to read that and you can comment on that. Okay?

UNIDENTIFIED MALE: (Inaudible).

MR. JENCKS: As I understand your question, that's a yes. Okay, thank you for coming.

UNIDENTIFIED MALE: Thank you, Charlie.

MR. JENCKS: Have a good evening.

(End of audio-recorded proceedings.)
CERTIFICATE

I, Jessica R. Perry, Certified Shorthand Reporter for the State of Hawaii, hereby certify that the audio-recorded proceedings were transcribed by me in machine shorthand and thereafter reduced to typewritten form; that the foregoing represents to the best of my ability, a true and correct transcript of the audio-recorded proceedings had in the foregoing matter.

I further certify that I am not attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 21st day of March, 2014, in Honolulu, Hawaii.

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Jessica R. Perry, CSR, RPR Hawaii CSR# 404
Appendix D: Transcription of Cultural Consultation Meeting of April 27, 2016
TRANSCRIPT OF VIDEOTAPPED PROCEEDINGS HELD ON

APRIL 27, 2016

PI’ILANI PROMENADE PROJECT

PRESENT:
Charlie Jencks, Owner's Representative Kimokeo
Kapahulehua, Cultural Consultant Brett Davis, Chris Hart &
Partners Lucienne de Naie
Florence Keala Lani Brian Naeole
Basil Oshiro Sally Ann
Oshiro

Transcribed by:
Tonya McDade, CSR, RPR, CRC Certified Shorthand
Reporters Maui 2145 Wells Street, Suite 302
***

MR. JENCKS: I'll just open this up. My name is Charlie Jencks. And I am -- I am the owner's representative for Sarofim Realty out of Dallas, Texas, and the guy on Maui working with -- with Brett and Kimokeo on the Pi`ilani Promenade project. I think maybe the first thing to do today is to go around the room and introduce ourselves and who we're representing, if you are representing someone. So you've heard from me, you know who I am. Let's go, and then we'll go around the table this way back to me.

MR. KAPAHULEHUA: Kimokeo Kapahulehua, Hana Pono, working with Charlie Jencks on this project, as he identified.

MR. DAVIS: My name is Brett Davis, I'm a planner with Chris Hart & Partners. And we are preparing the environmental impact statement.

MR. NAEOLE: Brian Naeole, lineal descendant to Hewahewa Hapakuka in that area. Good morning.


MS. LANI: Florence Keala Lani. I am here to represent myself as a lineal descendant to Hapakuka today. Thank you.

MS. SALLY OSHIRO: Hi. Sally Ann Oshiro with the
Makai Kula Moku. Mahalo.
MR. JENCKS: Thank you. Thank you for coming.

MR. NAEOLE: Thank you.

MR. JENCKS: Some of the folks that are here -- I think, actually, all of the folks that are here were present at a meeting we had in my office February, it was a year ago, February 2015. We had the same videographer and we had the same --

MR. NAEOLE: Same.

MR. JENCKS: Same drill, right? We had the same discussion points, the same idea to get input and learn more about this property from a cultural perspective. And we --

that meeting was concluded, we took the information that we gained from the video and the audio and had a transcript done, so we have good documentation as to what was talked about in that meeting.

Fast forward to today, there's been a lot of work done on the project, EIS and Cultural Impact Assessment, and, also, I'm pleased to say, an Archaeological impact -- excuse me -- Archaeological Inventory Survey was done for the property again. It was originally done in the early nineties for Henry Rice and then was redone and then redone again. And what we did do is we had, as a part of learning more about the process -- I think every time I open up a book about process in this County, I learn something more I need to do or should have done and then I have to revise and --
work. We had a site visit months ago out on the property.

It was --

MR. KAPAHULEHUA: January.

MR. DAVIS: January, yeah.

MR. JENCKS: January. It was requested -- that site visit was suggested and I agreed to it in the meeting we had in February of 2015. And we had a site visit. And Brett and Kimokeo was there. Brian, were -- who -- did anyone --

MR. DAVIS: Everybody was there.

MR. NAEOLE: Yeah, we went to walk the site, yes. Yes.

MR. JENCKS: Okay. Which is --

MR. KAPAHULEHUA: And Daniel Kanahele and --

MR. JENCKS: Right.

MR. KAPAHULEHUA: -- Lucienne De Naie.

MR. NAEOLE: Yes.

MR. JENCKS: Which was, I think, a good idea. We learned more about the property during that visit. The Archaeological Inventory Survey has been -- I think we told you folks at that site visit that the office of SHPD has accepted our Archaeological Inventory Survey, accepted it. That doesn't mean we're done, by any stretch of the imagination. That report proposed, just as a matter of background, in deference to the prior report, which
suggested data recovery and further work on a limited number
of sites, we've expanded that to include, I think, pretty
much almost every site we identified of any significance
as -- for more data recovery work and research. And the --
the project archaeologist, Erik Frederickson, was to have
developed and submitted to SHPD a data recovery plan that
they will review and approve. And we've also made it clear
that it is our intent to pursue the data recovery sooner
than later and involve the cultural community in that
process. And I know everybody here has a job. Most of us
work every day, we gotta be someplace, whether it's a
nonprofit or taking care of children, we have something we
need to do. But the idea here is -- and I've done this on
another project where I actually invited people to
participate in the process, I think it's -- I think it's a
great experience. Having him in the field and being there
while this data recovery work is underway, I think would be
beneficial to everybody. We would learn -- all learn more
about the property and what is there and what is not there,
whatever the case may be. So that's -- that's an event
that's coming. And as I said earlier, I would prefer to
have that work underway sooner than later so that we know
more about this as we get farther into the project.
Hopefully, that work will start this summer sometime, early
in the summer. And if you do have time, we'll reach out to
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everybody and tell you what, when and where, what to bring, what the rules are. Because we have to organize, you know, there's a liability issue, but we want everybody to participate. We'll start that process. And I encourage those that want to attend and participate to do so because I think it will be -- it will be an interesting process.

Generally speaking, the idea here is to -- you know, this project is one that requires some significant infrastructure development. One critical piece is the initial increment of the Kihei/Upcountry Highway that we're obligated to build for the State.

MS. SALLY OSHIRO: Right.

MR. JENCKS: Some of the sites that are on the property -- well, I should say all of the sites that are on the property that we are aware of will not exist at their existing grade when the project is done; however, what we've talked about with Erik Frederickson and others, and the project ownership, which they -- they have agreed to do, is -- is when we find significant issues on the property, significant features -- and I hope you understand what I'm gonna communicate here -- we want to bring those vertically into the project. There may be walls, there could be midden, there could be -- I'm not quite sure what it is we're going to find, but bringing those sites, those features vertically into the project and making them --
creating a place for them, creating recognition --

MS. SALLY OSHIRO: Right.

MR. JENCKS: -- that that activity was on that

property, I think, is an important thing to do. You can do

the data recovery and say, okay, we're done, finish it up,

we don't need this anymore, but I would prefer, and the

owner prefers, to recognize that cultural history and bring

it vertically into the project. So it's incorporated into

the project in some way.

And -- and Brett did a really good job in the

project EIS talking about the archaeological section and the

work we've done to date in bringing you folks into that

process. So that we -- whatever vertical (inaudible) we

bring in, once we have all the data recovery done, we can --

we can then sit down together and say, okay, what is it we

want to bring vertically, what's the most important piece of

this, how do we most effectively -- how do we most

effectively represent the host culture on this property as a

finished product. Okay.

That's -- that's where we are now. There's a lot

of things to do. We wanted to have this meeting because

Kimokeo had been working on the Cultural Impact Assessment.

And I know there was communications, Basil, between you and

Kimokeo on setting up a meeting.

MR. BASIL OSHIRO: Yeah.
MR. JENCKS: I think you were ill or there was a lot of stuff going on.

MR. KAPAHULEHUA: Aha Moku meeting and --

MR. JENCKS: So we wanted -- we wanted to pull the meeting together, sit down as a group and, once again, tell us what you know -- hi, Lucienne --

MS. DE NAIE: Hello.

MR. JENCKS: -- about the property in the context of your knowledge -- you've been out there a couple of times, you've walked it, you've seen it -- just so we can document further the knowledge of the property. So we've got -- you know, we've got the ownership represented here, we've got Kimokeo, we've got Brett. We're gonna record this and then do a transcript so that it's well documented, so there's no fudging around what people say. It's all a matter of record, which is good, I think.

MR. BASIL OSHIRO: I tell you what, you know, for me --

MR. JENCKS: So with that, I'll just open it up.

Brett, if you want to add anything, or Kimokeo.

MR. KAPAHULEHUA: No. We just wanted to get us guys together knowing that this is not, you know, the final meeting. There's more things to happen. So we know it's tough on you guys, tough on all of us. I mean, every one of us will just do that. But we thought we -- since January
meeting, we would meet and we should just -- and I know
everybody be busy, but, that way, we get some -- some kind
of discussion ongoing. And it really happened that Charlie
could be here to update all of us on what's -- what's coming
on this summer, you know, and how do we proceed together in
looking at it. And I know that they didn't have as much
what we talked about earlier about Wailea 670, but there are
sites that you guys had shown that's significant and
everything else. So it's a good time to go out with the
archaeological guy. And, you know, not necessarily
everybody here, but those who can, you know. So I think the
reason for the meeting was just to give ongoing discussion,
you know, and ongoing update with -- with the owners and the
developers.

MR. BASIL OSHIRO: So this part is -- we're
looking at updating or looking at the EIS, AIS.

MR. JENCKS: The EIS was drafted.
MR. BASIL OSHIRO: Uh-huh.
MR. JENCKS: Went out for public comment. Public
comments were received. Those letters were then reviewed by
the ownership and the various technical members of the team.
Responses were written, and those responses are included in
the final EIS, which has not been finalized.

MR. BASIL OSHIRO: Yeah, because I don't think I
got anything.
MS. DE NAIE: I didn't get anything.

MR. BASIL OSHIRO: Because you have my email address, can you send me all that -- I know it's probably 400 pages long.

MR. DAVIS: I'm sorry. What are you asking for --

MR. KAPAHULEHUA: The EIS.

MR. BASIL OSHIRO: EIS, AIS or whatever you guys did already.

MR. DAVIS: The draft EIS?

MR. BASIL OSHIRO: Yeah.

MR. DAVIS: Yes, we can -- I can email that.

MR. BASIL OSHIRO: I hope it -- I hope it's not 400 page long.

MR. DAVIS: It's longer than 400 pages.

MS. SALLY OSHIRO: Do we have it mailed?

MR. DAVIS: It's available on the State website. The Office of Environmental Quality Control has what's called an EA and EIS library. So every EA and EIS that's ever been written is in there. And it's in PDF and you can review it right there or you can download it and print it.

MR. BASIL OSHIRO: What's the website?

MR. DAVIS: It's OEQC.

MR. BASIL OSHIRO: All in capital?

MR. DAVIS: If you went to like a Google search.
engine and just typed in O-E-Q-C, it will take you to their website.

MS. DE NAIE: You have to do "Hawaii" because there's other OEQCs.

MR. DAVIS: Okay. Okay. Hawaii OEQC. I can forward you --

MR. BASIL OSHIRO: Yeah.

MR. DAVIS: -- a link to the website.

MR. BASIL OSHIRO: Yeah.

MR. NAEOLE: Yeah.

MS. SALLY OSHIRO: That would be better.

MR. DAVIS: Not a problem.

MR. KAPAHULEHUA: What's your email?

MR. NAEOLE: I'll give you my -- okay.

MS. SALLY OSHIRO: While we doing this, would you like to introduce yourself?

MR. KAPAHULEHUA: Yeah.

MS. DE NAIE: Thank you. Lucienne de Naie. I'm on the Advisory Board of Maui Cultural Lands and, also, I'm President of Maui Tomorrow, which is one of the organizations that did ask that this be reviewed and has submitted comments on the EIS in great volume. We haven't heard anything back yet.

MS. SALLY OSHIRO: Thank you.
MR. JENCKS: Everybody is so popular.

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: You gonna get your turn too, Charlie, you watch, they gonna be calling you next.

MR. JENCKS: Who is that?

MR. BASIL OSHIRO: I don't know.

MR. JENCKS: That was my wife.

MS. DE NAIE: That counts.

MR. JENCKS: Always take those calls. You can never tell what's happening at home or at the office. Okay.

MS. SALLY OSHIRO: Thank you.

MR. DAVIS: So, yeah, I can email that link to you, no problem.

MR. BASIL OSHIRO: Yeah.

MR. DAVIS: I'll do that today.

MR. BASIL OSHIRO: Because, Brett, I look at the fishery stuff and I get 400 or 500 pages. It gonna take me six months to look at that, so just glance through it. So this meeting is actually about the AIS or the EIS?

MR. JENCKS: No. This meeting, Basil --

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: -- is about what you know about the property, what you have to offer from a cultural perspective with regard to the property. That's what this meeting is about and that's what it's being held for.
curious, if someone could explain to me clearly what the
function of your organization is. Because I've -- I've
looked at a lot of data on the website and I've read -- I've
read through, but I --

MS. SALLY OSHIRO: You can't comprehend?
MR. JENCKS: No, I can comprehend.
MS. SALLY OSHIRO: Oh, okay.
MR. JENCKS: I'm just looking for the substance,
what is -- I looked for a mission statement, I looked for
goals. I just didn't see -- maybe -- maybe it's somewhere
else and maybe I didn't go to the right spot, but if,
perhaps, you could communicate what it is you're all about,
I think that will be helpful.

MR. BASIL OSHIRO: Well, it's -- I will do the
best I can. It's the ancient ways. If you know how the old
Hawaiians, like, say, our ancestors, actually survived
without outside intervention. We're trying to meet halfway,
yeah. The system is almost about how we can conserve our
natural resources, whether it's land, ocean --

MS. SALLY OSHIRO: Air.
MR. BASIL OSHIRO: -- air, all that. We had a
whole (inaudible) of it. But it's mostly our natural
resource, the conservation, the use of it. Not the ban --

banding of it. So it's a sharing of our natural resources.

MR. JENCKS: And your organization, if I may, what
I did get from it, from what I read, was that the organization focuses on the various ahupua`a in the state. So there's a -- there's a council for geographical areas, is that --

MR. BASIL OSHIRO: Yeah. So it starts with the ahupua`a. It's, you know, like the single person, one person.

MR. JENCKS: Uh-huh.

MR. BASIL OSHIRO: It's a community. The ahupua`a is part of the moku. The towns in the moku --

MR. JENCKS: Like Honua`ula is a moku?

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: They have districts inside of that moku. That's what they call ahupua`a.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: So that -- from -- you know if you have a concern from the ahupua`a or a single person, like Bully says, I have a concern, okay, they going talk to the leader of his community. And from his community, they going get together, okay, let's do this, and they go through the moku. And the moku rep comes out and they have their discussion. From their discussion, the people, the community involved, not just for special -- special interest group, it's the community.
know, you know what you have, what happens, you gonna be
left out in the -- in the cold. But (inaudible) the
ahupua`a, the community or the town has a -- has a concern
or problem, comes to the moku, the moku of the ahupua`a can
get together, what they wanna do. This is all the moku,
now. Like you have -- like the stream that's flowing in a
certain place. Then we all get together and then discuss
that.

MS. SALLY OSHIRO: How we can get it back.
MR. BASIL OSHIRO: How can we get it back to
actually not take all the water, but --
MS. SALLY OSHIRO: Share.
MR. BASIL OSHIRO: -- how we can share the water.

Not one ahupua`a who get all the water and this other side,
they lo`i dry. No. We try to share all that. And that's
the conservation. And that's how the old Hawaiians worked
before.

MR. JENCKS: Does the organization do annual
reports on what they've accomplished or what they've engaged
in?

MR. BASIL OSHIRO: Yeah.
MR. JENCKS: Does that -- is that also done?
MR. BASIL OSHIRO: Get all those --
MS. DE NAIE: It's up to the legislature.

MR. BASIL OSHIRO. Yeah. It's written in Hawaiian
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and English. It goes to our (inaudible). From the
(inaudible), from there, she supposed to be our -- our
middleman that takes it to the DLNR, if we having problems
there, it get stuck, you know, stays (inaudible).

MS. SALLY OSHIRO: It's not supposed to.
MR. BASIL OSHIRO: It's not supposed to do that,
but nets is something else, but what --

MR. JENCKS: Are you funded by the State?
MR. BASIL OSHIRO: No.
MR. JENCKS: Is there any funding?
MR. BASIL OSHIRO: Not --
MR. JENCKS: So how do you -- how do you cover
your expenses?
MS. SALLY OSHIRO: Right there.
MS. DE NAIE: Well, actually, isn't there some
money for Leimana's salary?
MR. BASIL OSHIRO: We -- it hasn't gone through
yet.
MR. JENCKS: Got somebody that --
MR. KAPAHULEHUA: No, but the moku and ahupua`a --
MS. SALLY OSHIRO: No. No.
MR. BASIL OSHIRO: Not --
MR. KAPAHULEHUA: Like this moku is called Kula,
and you live in the ahupua`a, but the moku is -- this
MS. DE NAIE: Yeah, there's no funding for the moku.

MR. KAPAHULEHUA: The moku -- down from the moku all the way to the shoreline, there's no funding, everybody is volunteer. Actually, they volunteer, documents --

MR. JENCKS: Okay.

MR. KAPAHULEHUA: So -- but what he's saying is how it works from the concern of the division, you know, the island, the moku and then ahupua'a. But it goes down to the kuleana of the lineal of Konohiki, you know. So in the ahupua'a, you still have kuleana, kuleana, you have (inaudible), you have Konohiki.

MS. SALLY OSHIRO: Do you understand what they --

MR. JENCKS: Yeah. Yeah. That's helpful. I mean, I --

MR. KAPAHULEHUA: So that is a particular person like when we just talked about this morning and told him about our fishpond get all the -- the ama, the ama is like this, then the mullet which are (inaudible). So the deal is to report to DLNR that nobody bother that fish so the thing can get big enough so it can go on its own.

MR. BASIL OSHIRO: Yeah, it can actually leave the fishpond, but the fishpond was actually made as a conservation district, yeah, it's our resource.
talking about monk seal getting in there, that's why they
kill the monk seal. He eating all my kaukau, what -- get
out of here, you know what I mean.

MR. KAPAHULEHUA: So the Aha Moku information,
when he that, through the Aha Moku Kula.

MR. JENCKS: On the website.

MR. KAPAHULEHUA: The moku Kula.

MR. BASIL OSHIRO: Well, the thing is, on the
Federal side, the ahamoku.org.

MR. JENCKS: That's where I went.

MR. KAPAHULEHUA: Yeah.

MR. JENCKS: That's where I went. And there was
some information there.

MS. SALLY OSHIRO: Then you didn't get to see the
Act 212 and --

MR. JENCKS: I have a copy of that as well.

MS. SALLY OSHIRO: Okay. Yeah.

MR. JENCKS: And I just started reading that.

MR. BASIL OSHIRO: That's all looking through it.

That's -- it's a old, really old, 1,000-year-old system that
the Hawaiians did to actually live sustainably without
outside --

MS. SALLY OSHIRO: Intervention.

MR. BASIL OSHIRO: -- intervention.
live is it's kapu, there are times that you don't go after
fish or certain plant, you know. We've just lived our way
that way. And that's what the moku is all about. It tries
to have everybody, doesn't matter what race, but we all live
as one. And like he was trying to explain, you have a
problem because you don't want -- you want to develop, let
me put it that way. Okay. We don't want you to develop in
the area, but now you tell us, okay, let's work this out.
It's the same thing. It the same principle.

MR. BASIL OSHIRO: About conservation.

MR. JENCKS: All right.

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: Okay. I just -- I needed to
understand that from your perspective.

MR. BASIL OSHIRO: It's not about no do this, no
do that. The kapu system is -- you know, it's like all
resources, that put in the fishery, when it's spawning --

MS. SALLY OSHIRO: You don't -- yeah.

MR. BASIL OSHIRO: -- it's kapu. And then every
moku is different, the spawning cycle is different.

MR. JENCKS: It's all different.

MR. BASIL OSHIRO: You go to the ahupua`a, if it
goes out on the ocean, too, it's different, yeah. It's like
the moon calendar, you plant some certain things at certain
times of the moon phase.

Everything is done the Hawaiian
science. And then it's -- if you folks can actually take
this plant, and then take it back to the mainland and say,
see how these guys used to survive without outside
intervention. They had -- Hawaiians -- had about a million
of Hawaiians here. It's the same population, close to,
right now, and, yet, we gotta import 90 percent of our food.
The Hawaiians didn't have anything but their own. The
(inaudible), they took care of themselves.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: So that's -- that's what we
trying to work partway, yeah. Bully knows about it, yeah,
but he's been working on the wrong side of da kine fence.

MR. NAEOLE: Yeah, to protect the resources.

MR. BASIL OSHIRO: Well, you got to get him in
there so he can --

MR. JENCKS: I thought we were all on the same
side of the fence, looking in.

MR. KAPAHULEHUA: Take us 11 years to build a
wall, so we still in. They not finished yet.

MR. BASIL OSHIRO: No. That just was a joke on
that portion.

MR. JENCKS: Yeah, yeah.

MR. BASIL OSHIRO: We got to work together.

MR. KAPAHULEHUA: Together.

MR. BASIL OSHIRO: Otherwise, we gonna be bucking
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heads. We not gonna be drinking from the same cup.
No,
separate, the cups. The cups from the same pitcher.
MR. JENCKS: Okay. Well, just for my edification,
I want to understand.

MS. DE NAIE: The word you see in Act 121 over and over again is to bring traditional knowledge into the process because it was a big puka. It was not -- it was missing. You -- you -- you heard from the folks at DAR, you know, they trying to do their job, you heard from folks who own the properties and their consultants, they're trying to do their job, but what you weren't hearing from is people who knew about these places for generations. And their knowledge was not in books, it was not like made into a video somewhere on YouTube, for the most part, it was within their families. And so this was a place where people could feel safe to gather and come and share their family knowledge and know that it was supposed to actually have some part in the process because aha moku is -- it's designed by law to advise the DLNR, which is in charge of cultural sites, fish and wildlife, plants, you know, the reefs, the oceans, you know, all these kinds of things, and is also designed to be a voice within the community to talk to folks at the County, to talk to landowners, you know. So it's a relatively young organization. I've watched the formation. I serve on the Aha Moku Council over in
Hamakualoa. It's not confined only to people who are Hawaiian. If -- if you have an interest, our Aha Moku Council has several non-Hawaiians on it. It's just if you live in the moku, you have knowledge of the moku from your own practices or from just learning from your neighbors or learning over time, you know, then you're -- you're considered a valuable asset because you're passing on that traditional knowledge and that is --

MR. BASIL OSHIRO: It's generational.

MS. DE NAIE: -- generational knowledge.

MR. BASIL OSHIRO: That's not written down in the books.

MR. JENCKS: Well, let's see if there's something that we can pull out of this history that we can translate into a benefit for the project.

MR. BASIL OSHIRO: Yeah, but --

MR. JENCKS: And demonstrate that connection.

MR. BASIL OSHIRO: The thing is, Charlie, we wanna benefit the people, not just the project. Our main concern is the people of Hawaii. You know, doesn't matter where you're from.

MR. JENCKS: I don't disagree with you at all. I don't disagree.

MR. BASIL OSHIRO: Yeah, because the people the one gonna suffer, our next generation, you folks, your...
grandkids, if you're gonna hang around, Kimokeo's grandkids,

and --

MR. NAOLE: Not knowing --

MR. BASIL OSHIRO: They're so westernized that

they forget their -- where they came from. So what we talk

about a lot of times is if there's a natural disaster, which

is probably gonna happen, if we don't have the military, we

sunk. So you go to Oahu, you ask them, "Where you get your

food? The supermarket. Where else? The supermarket." You

gonna starve, yeah. You don't know how to gather, you don't

know how to hunt. And that's the culture of the Hawaiian

people. And they keep taking away, so -- and that's what

we're actually fighting, eh, don't take away any more from

us. That's all we have, you know. We don't have -- you

know, like auntie here, she has a lineal, Brian has a lineal
to that land you folks trying to build. And Jacob Mau who

I'm quite sure is lineal to that, too.

MS. DE NAIE: EldenLiu, Hewahewa, that's his

ancestors.

MR. BASIL OSHIRO: They --

MS. SALLY OSHIRO: They all --

MS. DE NAIE: Hewahewa was the Konohiki there.

That's whose name is on the TMK.

MS. SALLY OSHIRO: That's right.
to those people, too, what their mana'o is or their generational knowledge of the land.

MR. JENCKS: Well, in terms of, you know, the reason why we're here today is to get some input from you --

MR. BASIL OSHIRO: You getting it now.

MR. JENCKS: Okay. So continue.

MR. BASIL OSHIRO: Yeah. So Brian would know because he's part of it, Auntie Flo. And if you get the other guys in here, too, they probably tell you, you know, we weren't alone, but what is progress. If you can be pono and build, for me, I don't know, I don't have a lineal to that, so I gonna stick in only for myself. If you guys gonna build, the cultural sites should be used as education, to teach whoever's in there, whoever's gonna be using the land, that this is Hawaiian culture in here. It's not just come here, bulldoze or anything. When you walk in there, say, oh, my God, they bulldozed everything in there, how many of the sites did they damage already that we don't know about because it's buried. Because I went in there, I was by myself, I walked off by myself.

MR. JENCKS: Yeah.

MR. BASIL OSHIRO: I found that -- I don't know if it's -- it's probably a old dam. I don't see any place where they bulldozed. And I can see that the punawai over there from the -- the gulch come down and raise the waters.
to collect and used to flow down. 'Til this day, I see that
flow. And if it gets big rain, if you're gonna build in
that area, somebody's gonna be underwater. Because even
like few months back, had rain, you can see that gulch was
flowing.

MR. JENCKS: The area that Basil is talking about,
is that located on the map? Did you make note of that?
MS. DE NAIE: It's the small gulch. It's the
small gulch that's shown.

MR. JENCKS: All right.
MS. DE NAIE: If you look at where Site 3740 is,
that's on that natural gulch.

MR. DAVIS: Drainage Way A.
MR. JENCKS: All right.
MS. SALLY OSHIRO: You can't --
MR. BASIL OSHIRO: It's not a drainage. If you
plowed there now --

MS. SALLY OSHIRO: That's what he's calling it.
MR. BASIL OSHIRO: -- you folks gonna have
problem. Like, you know, the sanctuary, that area is gonna
flood because I can see where -- I don't know if the kupuna
actually showing me that, but that place is filled in
with -- with dirt and silt now. When I going through, that
place was one punawai, was a reservoir. And the people used
from mauka to makai. You cannot fill up it. If you folks want to fill in that gulch, yeah, eh, gonna have problems.

MS. SALLY OSHIRO: I don't know if you're familiar with the Kula, where they built the homes. Yes.

MR. NAEOLE: The Hawaiian Homes.

MS. SALLY OSHIRO: Yes. Thank you.

MR. NAEOLE: I was just going to mention that.

MS. SALLY OSHIRO: Please.

MR. NAEOLE: That gulch.

MR. BASIL OSHIRO: It's the same gulch that come down. And that place, when it rained --

MR. JENCKS: That was Keokea?

MS. SALLY OSHIRO: Hawaiian Homes.

MR. NAEOLE: There was an incident back many years ago where that house got washed off the foundation.

MR. JENCKS: December 5th, I think, is the big storm, multi-day storm.

MR. NAEOLE: Yeah. That house.

MS. DE NAIE: It was Henry Lau's house, yeah.

MR. NAEOLE: Yeah.

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: Yeah, sad.

MR. NAEOLE: Ripped right off the foundation.

MS. SALLY OSHIRO: Right through.
Kihei.

MS. DE NAIE: Yeah.

MR. KAPAHULEHUA: Where that big stream come right down to the left, inside that Kulanihakoi Gulch.

MR. NAEOLE: Yeah.

MS. DE NAIE: Yeah.

MR. KAPAHULEHUA: By Maui Lu.

MR. NAEOLE: Yeah, right.

MR. KAPAHULEHUA: So that went down that whole area. So they're trying to get the new bridge, but this is a temporary bridge, they gonna build a big bridge.

MS. SALLY OSHIRO: See, the thing is that you folks don't understand is our islands, we have all natural --

MR. NAEOLE: Drainage.

MS. SALLY OSHIRO: -- drainage and, you know, from the -- like he said, from mauka to makai, from the mountain to the sea.

MR. JENCKS: Uh-huh.

MS. SALLY OSHIRO: Anytime you destroy that and you try to divert something, it don't work because, for some reason, it will go right back and say, "This is my place, this is the way I want to flow, but thank you very much, now
you put all this rubbish, now I'm gonna block up down below." So you only causing more mishap.
MR. JENCKS: Right.

MR. BASIL OSHIRO: Gotta work with nature.

MS. SALLY OSHIRO: Yeah.

MR. BASIL OSHIRO: And that -- that gulch is natural. And the run right next, by the school, it overflows pretty often, too.

MR. KAPAHULEHUA: Kulanihakoi.

MR. JENCKS: Kulanihakoi.

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: That's a big one.

MR. BASIL OSHIRO: Yeah.

MR. KAPAHULEHUA: Where?

MR. JENCKS: Kulanihakoi. Yeah, that's a big one.

MR. BASIL OSHIRO: That place flows. And one time I was wondering how come that other -- that ditch was flowing. And I found out the tank that -- I don't know how many million gallon tank, was broken. So where this water came from, no rain.

MR. JENCKS: It was in -- the water was in Kulanihakoi Gulch?

MR. BASIL OSHIRO: Yeah, flowing.

MS. DE NAIE: Where was the tank that was broken, up in Kula?

MS. SALLY OSHIRO: Right above our house.

MR. BASIL OSHIRO: Right above us.
MS. DE NAIE: Oh.

MR. BASIL OSHIRO: And it was flowing for like three months. And I was wondering where the hell this water coming from.

MR. JENCKS: I'm not sure.

MR. BASIL OSHIRO: No. That tank is --

MS. SALLY OSHIRO: No. It's --

MR. BASIL OSHIRO: Right above (inaudible). So that -- that was flowing.

MR. JENCKS: So it was flowing across, then down into the Kulanihakoi Gulch?

MR. BASIL OSHIRO: Yeah.

MS. SALLY OSHIRO: See, what happened was they blocked it off with -- they started making the cornfields or whatever they had.

MS. DE NAIE: Monsanto guys.

MS. SALLY OSHIRO: Yeah.

MS. DE NAIE: Yeah.

MS. SALLY OSHIRO: When they first started the thing. So they blocked it off. And then, right behind our house, I noticed that there was a natural gulch that had come down and then come across and joined. Well, now they blocked that off. So I told him -- right by the gate, I told him, eh, look, they blocked that off, where is it gonna go, down on this side, not going down the road.
thought, how dumb can they be, you know.

MR. JENCKS: Hard learners.

MR. BASIL OSHIRO: It's the engineers that not from Hawaii. Actually, you gotta talk to the kupuna. All that water used to flow. If they were generational, how the waters flow, you guys gotta follow, you know, that pattern. Otherwise, oh, boy, problems. And you can see the problems with the whale sanctuary. When they built all the wetlands, we were telling them, watch out because this place gonna be underwater when they get the 100-year rain. Sure enough. Lucky, nobody got injured or what. But my friend lives down there, he had 18 inches of water. He couldn't leave his house, and months. And what that thing smell like? Cow dung. (Inaudible).

MR. JENCKS: Not pleasant. Not pleasant at all.

MS. DE NAIE: So, Basil, was this down off of Kaonoulu Street like where it comes down?

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: And then there's that big wetlands on the -- across from Maui Lu? Yeah.

MR. BASIL OSHIRO: And (inaudible) on the ranch --

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: -- said it was about six inches deep of mud, if they dig. Couple of the trees down, they said this one rain, eh, we gonna get it.
MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: And didn’t take maybe about a year later had that big rain, constant rain --

MS. DE NAIE: Yeah. And all the rubbish flushed down.

MR. BASIL OSHIRO: Yeah. It was -- was a good smell for a little while.

MS. DE NAIE: Well, you know, I have a map from the 1930s that has that area there, right where the new bridge is, you know, where the little narrow water is coming across, it was like a much bigger area, and it was labeled muliwai. So it was known as a muliwai at that time. And even the 1950s maps, when you look at it, you know, it looks different than it does today. In fact, this little gulch comes out down by the ocean on those maps, as far as I could tell. Yeah.

MR. BASIL OSHIRO: Well, if you get the old maps, Sally, you can see, actually, how the water -- you can -- I'm quite sure you will be able to see how the water actually flows. And if you try to divert that thing like they did on mauka side of the lower Kihei Road, South Kihei Road, try diverting all that water.

MR. NAEOLE: Flush it.

MR. BASIL OSHIRO: That's why it was underwater for a little while.
MR. JENCKS: Yeah.

MR. BASIL OSHIRO: If they kept to the natural flow and they didn't build so much on the wetland, I don't think we would have that --

MS. DE NAIE: Well, then the water can spread out. The wetland is for the water to spread out. By making it the small channel like that, then, yeah, then it just --

MR. JENCKS: Speaking of the development, on the makai side of the highway --

MR. BASIL OSHIRO: (Inaudible).

MR. JENCKS: Kaonoulu Estates.

MR. BASIL OSHIRO: Both sides of South Kihei Road.

MR. JENCKS: Yeah.

MR. BASIL OSHIRO: That's all wetland, from Maalaea all the way to -- past Kalama Park.

MS. DE NAIE: So where Maui Lu is, too?

MR. BASIL OSHIRO: Maui Lu is wetland, too.

MR. NAEOLE: Azeka.

MR. JENCKS: It was -- it was at one time before it was filled.

MR. NAEOLE: Ditches.

MR. BASIL OSHIRO: Yeah. Yeah, so that place gets flooded, too. (Inaudible) --

MS. DE NAIE: It's a bad flood -- yeah.

MR. NAEOLE: St. Theresa's.
MR. JENCKS:  St. Theresa's, same.

MR. NAEOLE:  Yeah.

MR. BASIL OSHIRO:  If they -- I think they follow the right channels and watch how the drainage, the ditches and stuff, and then save enough wetland where the water can collect.  By St. Theresa's is only place that's left.

MR. NAEOLE:  Well, get that other one in the back of -- what is the -- Longs --

MS. DE NAIE:  Yeah, Longs Drugs.  Yeah, they --

MR. NAEOLE:  Longs Drugs, in the back.

MS. DE NAIE:  They created it, yeah, which it functions good.  And they're gonna do one at that new place, the courts, whatever they are.  Yeah, they have to -- they have to do a part there.

Daniel Kanahele asked me, said -- because he can't be here this time, he said would I bring up that many cultural practitioners have commented and feel that that small gulch is a cultural feature of the land and that it definitely should not just be, you know, viewed as some convenient drainage that you can get rid of and have a drainage someplace else.  Everybody here sort of feel that way?

MS. SALLY OSHIRO:  Yes.

MS. DE NAIE:  So is there any consideration in this project not to -- not to fill that up and obliterate it...
forever?

MR. JENCKS: Well, you know, we've looked at that -- at that drainageway a couple of ways. Originally, the original plan for the drainageway, when we bought the land from the original owner, Henry Rice, it was gonna be diverted to Kulanihakoi Gulch, 100 percent of it was going to go over to the gulch. And I realized that if I did that -- or if I allowed the civil plans to be completed to do that, then that would be creating problems for other people downstream, and that wouldn't be fair and wouldn't be equitable. So the current plan provides for intercepting the gulch, the drainageway, whatever you want to call it, on the mauka side of the property and then putting it in a culvert, down the alignment of East Kaonoulu Street with the same terminus at the makai side of the property with no increase in either quantity or speed.

MS. DE NAIE: So that means it gets filled in because you're intercepting it?

MR. JENCKS: So what we're going to do is we're going to use -- you know, the gulch crosses diagonally across the land.

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: Two parcels. A parcel, the 1,300 acre, which is at the very corner, which is designated to be

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an affordable housing site, and then the larger piece below
that similar to -- and if you, in your mind, think about
the -- the overall acreage, there's a water line that the
County built years ago which serves Central and South Maui.
It cuts it diagonally right across. It's now the
hypotenuse. That's going to be rerouted as well.
Similarly, this drainageway cuts across these two pieces,
one more than the other. And no matter what we do here on
this property, whether it's -- it's the grading for the --
for East Kaonoulu Street or the project itself, it's gonna
be a problem. So, you know, we -- we tried to develop a
scenario within which we would divert it at the top, across
and down, without, A, increasing the volume or the capacity
or the quantity of water. So that we're not harming
downstream properties, which is important. And you can't do
that. It's not fair and equitable. With respect to
Kulanihakoi Gulch, there is no increase from that
drainageway, which complicates, Basil, what you were talking
about makai of the highway.

MS. DE NAIE: So that's not the question. The
question is not whether it has flow or not. That's one
question. You're saying it won't have flow, so it won't be
a problem because the flow --

MR. JENCKS: I'm saying -- what I said was we're
not diverting to Kulanihakoi Gulch to --

MS. DE NAIE: Yeah.
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<td>1</td>
<td>MR. JENCKS: -- increase the flow there. We are</td>
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<td>going to intercept at the top, bring it right down East</td>
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<td>Kaonoulu Street to the existing exit under the Piilani Highway. There's a series of culverts under the highway</td>
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<td>now, very large culverts, that -- that move water from -- you know the gas station area? There's a drainage easement --</td>
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<td>MS. SALLY OSHIRO: Right.</td>
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<td>MR. JENCKS: -- on the highway.</td>
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<td>7</td>
<td>MS. DE NAIE: Yeah, it's a big trough.</td>
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<td>8</td>
<td>MR. JENCKS: Yeah. It's a concrete deal, that's there as well. So those culverts handle all that water.</td>
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<td>9</td>
<td>MS. DE NAIE: Yeah.</td>
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<td>MR. JENCKS: But the water that we're going to channel down will exit at the --</td>
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<td>MS. DE NAIE: But it's not about the water, it's about the feature itself, where it exists. It's a cultural feature because folks lived along -- I mean, you can see it's green when other things are dry, you know, there's groundwater there, the water is following it. Brian, what were you saying? You were saying there was like trees, you couldn't even see the gulch when you were young.</td>
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<td>MR. NAEOLE: You can't see. It was all covered, that's why. Water was flowing, that's why you have the greenery, yeah.</td>
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<td>1</td>
<td>MR. BASIL OSHIRO: It's so green.</td>
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<td>MS. DE NAIE: Yeah.</td>
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<td>MR. JENCKS: Well, and that's the plan. We have -- you know, whether you agree or disagree with the Archaeological Inventory Survey, that's the plan. And we have to move on from there.</td>
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<td>MR. NAEOLE: Yeah.</td>
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<td>MR. BASIL OSHIRO: Because the thing is, is what you trying to say --</td>
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<td>MS. DE NAIE: See, the green part is the gulch, yeah.</td>
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<td>MR. JENCKS: What do you mean, the low part?</td>
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<td>MS. DE NAIE: Well, yeah, but there's -- there's groundwater there, you know, too. It's like those trees can keep living while everything else dries up.</td>
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<td>MR. BASIL OSHIRO: Water is still flowing underneath.</td>
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<td>10</td>
<td>MS. DE NAIE: Yeah.</td>
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<td>MR. BASIL OSHIRO: The thing what we trying to tell you, you folks, is when you folks develop, you know you guys gonna develop, to keep the natural drainage, don't divert it, (inaudible) problems, you know. It's -- I don't know. Maybe it's just, like I say, a gut feeling that -- because where you folks want to put the affordable housing is where you folks have the big culverts. Right below that.</td>
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culverts is where the reservoir or the punawai, when the
rain comes down, collects there, goes over that little
waterfall and goes down in the gulch and drains across the
road, you know, makai. And if you're going to divert that,
the water has its own mind on what way it wants to go.

MR. JENCKS: Sure.

MR. BASIL OSHIRO: You're going to try to divert
it, that lower side of Pi`ilani, problems. They're having
problems over there.

MR. JENCKS: Okay. Well, it's worth taking a look
at, then. We can certainly go back and talk about this
issue and see if there's -- if there's any way we can
address your concerns. Be happy to do that.

MS. SALLY OSHIRO: Excuse me. I think we brought
this up the second meeting we had at your office.

MS. DE NAIE: Yeah.

MS. SALLY OSHIRO: We did bring all this up.

MR. JENCKS: In the transcript for that meeting,
at the very end of the meeting, there was a discussion about
this drainageway. And I believe Daniel Kanahele asked me a
direct question. My response then is the same as it is
today. So, yes, it was brought up at the February --
February --

MS. SALLY OSHIRO: Yeah.
transcript. Yeah, you're right.

MS. SALLY OSHIRO: And is he not gonna listen,
then --

MR. JENCKS: Well, I --

MS. SALLY OSHIRO: No. But I'm telling you so you
can go back and explain.

MR. JENCKS: I'm listening -- I'm listening to you
as a different group. That was a group of people we pulled
together. This is a different group.

MS. DE NAIE: Actually, I think --

MR. JENCKS: Different --

MS. DE NAIE: I think all the same, all these
people.

MS. SALLY OSHIRO: Except we don't have the rest.

MS. DE NAIE: Yeah.

MR. JENCKS: What I'm saying is I'll take back
your concerns, see if there's something we can do. We'll
talk about it.

MS. SALLY OSHIRO: Yeah. Because if you don't
want any problems with the development --

MR. JENCKS: We certainly don't.

MS. SALLY OSHIRO: Yeah. So --

MR. JENCKS: I agree. I agree.

MS. DE NAIE: I don't know, Basil, you want to
talk about the shelter along the gulch, too? Again, a few
pictures.

MR. BASIL OSHIRO: Yeah. It's cultural kind of stuff. Charlie should look at it.

MS. DE NAIE: Wait a second. Let me find that stuff. So if you look from --

MR. JENCKS: Do you have a location map, Lucienne?

MS. DE NAIE: Yeah. Yeah, yeah. So we have a location map --

MR. BASIL OSHIRO: Everyone is --

MS. DE NAIE: So you find 3740, Site 3740, you see there's kind of like a bend in the --

MR. JENCKS: Yeah, it's right here.

MS. DE NAIE: Okay. So just makai of that --

MS. SALLY OSHIRO: 3740?

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: I think the only thing we didn't find was picture of --

MS. DE NAIE: Yeah. So just -- just --

MR. BASIL OSHIRO: Somebody cleared the area out, like the homeless.

MS. DE NAIE: Just makai. So here's the gulch. And the gulch is about to make that -- that bend.

MR. JENCKS: Oh. So you're talking this area right here?
(Multiple speakers.)
MS. DE NAIE: 3740 is just a little bit mauka of that.

(Multiple speakers.)

MR. JENCKS: So this is kind of going like this? MS. DE NAIE: Yeah. The gulch is going like this. MR. JENCKS: Wrapping around.

MS. DE NAIE: Yeah, it's wrapping around. This is like a little hill above the gulch.

MR. JENCKS: Okay. All right.

MS. DE NAIE: So you see these two rocks. Then when you get near, you realize that it's actually like a little shelter that's been, you know, formed into a shelter.

MR. JENCKS: So did you -- when you guys did the site walk, did you point this out to Erik?

MS. DE NAIE: No, because we didn't go down there. We went further up.

MR. BASIL OSHIRO: I went up to the dam. And they didn't have enough time.

MR. JENCKS: Did you know about this when you did the site walk?

MR. KAPAHULEHUA: No.

MS. DE NAIE: I'm not sure if we did.

MR. JENCKS: So you've been back out on the
property since --

MS. DE NAIE: Yeah. This is -- this is -- this
is -- yeah, because we wanted to find the thing to show --

to show the archaeologist. We wanted to find -- this is the

other site, the talking stone, the oracle stone, yeah.

MR. JENCKS: Can I make a note on this map?

MR. DAVIS: Yes.

MS. DE NAIE: Yeah.

MR. JENCKS: All right. So may I have this?

MS. DE NAIE: Yeah, you may.

MR. KAPAHULEHUA: Makai side of 3740.

MR. JENCKS: So -- so if I see --

MS. DE NAIE: So here's 3740. That's what 3740

looks like. It's -- it's rocks stacking along the side.

MR. JENCKS: So these -- these rocks, the rocks

you're talking about in this picture --

MS. DE NAIE: Yeah.

MR. JENCKS: -- are on the mauka side of the

channel, of the drainageway, and on this side or this side?

MS. DE NAIE: They're on the south side. Yeah,

the south side. And they're makai of this site. So this

site is -- is lining --

MR. JENCKS: Are we looking -- are we looking

makai or we're looking --

MS. DE NAIE: Yeah. This would be mauka, this

would be makai.

MR. JENCKS: Okay. So we're -- so these are the
rocks you're talking about?

MS. DE NAIE: Those are the -- yeah, you see those.

MR. JENCKS: So if this is the drainageway, then these rocks are on this side of the drainageway, looking mauka?

MS. DE NAIE: They're on the south. Yeah.

MR. JENCKS: Okay.

MS. DE NAIE: Well, they're -- they're on -- they're going towards Makena.

MR. JENCKS: On this side. Yeah, on the Makena side. So --

MS. DE NAIE: Yeah.

MR. JENCKS: Okay. So this is --

MS. DE NAIE: And so on -- on both sides, there's some stacking similar to this. There's a lot more stacking that's associated with this site.

(Multiple speakers.)

MS. SALLY OSHIRO: This must be at the site she talking about?

MS. DE NAIE: Yeah, we were taken --

MR. JENCKS: Is this 3740?

MS. DE NAIE: This is 3740. There's a flag there. We were taken to that site.

MR. JENCKS: Okay.
(Multiple speakers.)

MS. DE NAIE: Then the other thing is about that site is it appears --

MR. JENCKS: Okay, guys, we got to limit because we're recording.

MS. DE NAIE: Sorry.

MR. JENCKS: We're going to get a transcript. So we gotta limit who is talking at the same time. Okay?

MS. DE NAIE: So it appears that a Pueo is using this because there were droppings and then there's the pellets underneath that have all the little mice -- you know, these are typical Pueu pellets. So --

MR. JENCKS: And where is this?

MS. DE NAIE: This is -- this is the little shelf. So this site, the picture I gave you has --

MR. JENCKS: Oh.

MS. DE NAIE: -- has like a little shelf in it.

MR. JENCKS: That's all right here? Oh, I see the rock.

MS. DE NAIE: Yeah. You can see the droppings.

MR. JENCKS: Okay.

MS. DE NAIE: So that's a Pueo habitat in -- in our opinion, anyway, from --

MR. JENCKS: Okay.
from that site -- so here's the top of that big rock, and
then there's modifications from there, too, it's filled in,
leading up to Site 2740. So --

MR. JENCKS: 3740?

MS. DE NAIE: 3740. So those are -- 3740 --

MR. JENCKS: So these were all the same rock area?

MS. DE NAIE: Yeah. In other words, you had the
two sides of the gulch. 3740 are stackings on two sides of
the gulches -- of the same gulch.

MR. JENCKS: All right.

MS. DE NAIE: On the north side and the south
side. And then this is a little bit makai of where those
were recorded. Those were recorded, you know, back in
the -- 1994. And then this is a little bit makai. You
know, the feeling that we had is that the general area,
though, should be like cleaned. And you would probably see
more features because there's just, you know, a lot of -- a
lot of alignments of pohaku in that particular area. And,
you know, it's -- it's another wrinkle in the -- in the
mystery of what -- you know, what this whole gulch was
utilized for.

MR. JENCKS: Okay. Thank you. We'll take a look
at that.

MS. DE NAIE: Okay.

MR. BASIL OSHIRO: If you see historical, we would
like to preserve it so we can teach, yeah, the younger
generation that don't have a clue what's going on, show how
our ancestors used to live.

MS. SALLY OSHIRO: (Inaudible).

MS. DE NAIE: That's the dam.

MR. BASIL OSHIRO: (Inaudible). It's not about
trying to stop --

MS. DE NAIE: The one other thing that we noticed
is that when you're in the gulch at that point, right below
the rock, you're really looking straight at Kahoolawe, very
much aligned with Kahoolawe. I mean, it's what you see, is
that, you know -- yeah. So, you know, for -- for a Hawaiian
sense of things, that is something to take into account,
what you're seeing from a particular place.

MR. JENCKS: Okay. Thank you.

MR. BASIL OSHIRO: Like you said, it's -- it's a
pathway, mauka to makai. I'm quite sure that area was a
resting area. (Inaudible.)

(Multiple speakers.)

MR. BASIL OSHIRO: A circle of flat rocks, I
couldn't -- I didn't have a GPS so I couldn't actually mark
it. So going back, when you folks was down side, I was up
there, where is that place at now, you know.

MS. DE NAIE: Yeah. See, Basil saw a lot of stuff
on the site visit that we didn't have time to go because,
you know, we had so much to see already.

MR. BASIL OSHIRO: I didn’t want to go to old sites, I wanted to go to the -- look for something, somebody was pointing where to go.

MS. SALLY OSHIRO: Exactly.

MS. DE NAIE: Well, it was good to see the other ones, too, but it would have been nice if we could have like, you know, checked out more stuff, yeah.

MR. JENCKS: Well, we modified the -- subsequent to that site visit, we modified the AIS to reflect things that were discovered or found or added. We added additional sites to the -- to the AIS. Correct me if I’m wrong, Brett, but we added --

MR. DAVIS: I don’t think that we did, Charlie.

MR. JENCKS: Okay. But we noted them?

MR. DAVIS: We noted -- yeah, we noted the extra sites.

MR. JENCKS: And I think there are -- some of them would be included in the data recovery?

MR. DAVIS: I think that we -- that we agreed to that.

MR. JENCKS: Okay.

MS. DE NAIE: Okay. But I have my notes from that right here. And so we asked that Sites 3736, 3730, 3731, 3732 and 3745, as well as the natural stone that Kumu Lee.
felt was associated with eclipses, all be considered for
preservation. So Daniel also asked, you know, could you get
an update on what happened from that request. That's why I
brought my notes.

MR. JENCKS: What we can do is have Brett get back
to you on those. Okay?

MR. DAVIS: Charlie, the stone that she's
mentioning is Number 1 there on my -- circled right there.

MR. JENCKS: Okay.

MR. DAVIS: And that's -- you know, that's
where -- Lucienne, right before you came in, we were
talking -- Charlie was talking about vertical preservation
of sites.

MS. DE NAIE: Uh-huh.

MR. DAVIS: And that was the site that was really
important during our site visit.

MR. JENCKS: Okay. All right.

MR. DAVIS: About keeping it in that location and
bringing it straight up.

MR. JENCKS: And context is important.

MS. SALLY OSHIRO: Are you folks talking about
this one?

MS. DE NAIE: No. No, not yet.

MS. SALLY OSHIRO: Different one, oh.
that one.

MS. SALLY OSHIRO: Oh, okay.

MS. DE NAIE: No. We saw the -- the eclipse stone.

MR. DAVIS: Eclipse.

MS. DE NAIE: Yeah, the -- yeah. Yeah.

MR. DAVIS: There was a second stone that we talked about, but we didn't visit it.

MS. DE NAIE: Here are pictures of it.

MR. DAVIS: Those are pictures?

MR. JENCKS: Is that Number 2 here?

MR. DAVIS: That is.

MS. DE NAIE: Sally, you like talk about that?

MS. SALLY OSHIRO: Okay. We went and -- we had a meeting and then we ended up going down there one night. And we had a lady with us that insisted on taking a picture. And I was telling her that, no, because she -- this rock is a female. And she was adamant about being left alone. She doesn't want to be moved. She wants to be here. And she plopped things on it and whatnot. I kept taking it off. And, finally, when she did plop it, it knocked it down, something knocked it down. So she picking everything up and redoing it and putting on top. The next time it went down, a mouse came along and ate it. That's what she said. And I said, "No."
MR. JENCKS: No. No.

MS. SALLY OSHIRO: But Daniel was playing on the rocks like a little child, because this was all childrenly, for a place where the children played. So that the adults would be around here and they were doing -- they stargazing and whatnot, and mapping out things. Okay. That's this area. So she was overly protective. Finally, in the end, she insist -- the lady that was there insisted on taking a picture. So I asked permission, and she said, "Yes, two."

She already took pictures of Danny playing on the rock.

MR. JENCKS: Dan --

MS. SALLY OSHIRO: Kanahele, okay. And was cute because he was like a little child, like something just came over him and he was hopping around and enjoying himself.

MR. JENCKS: So, this is -- all these rocks are located in this Number -- Number 2?

MS. DE NAIE: No.

MS. SALLY OSHIRO: This is makai side.

MS. DE NAIE: No. This rock is --

MS. SALLY OSHIRO: Way down.

MS. DE NAIE: There's a road over here. There's a corral.

MR. JENCKS: Yeah.

MS. DE NAIE: You know there's a corral. And there's a road that kind of goes right beyond the corral.
MR. JENCKS: Yeah, right. Right.

MS. DE NAIE: And if you go a little bit beyond
the corral, maybe 300 feet, something like that --

MR. JENCKS: Okay.

MS. DE NAIE: -- right to the left-hand side of
that road is this little grouping of rocks. I mean, you can
see 'em because it's like -- it looks different from
other -- I mean, here's the -- here's kind of a picture of
what they look like. So this is the lock -- the rock that
Sally is referring to, but it lines up with a bunch of other
rocks. Like this is that same rock and you can see that
there's rocks all in a line here.

MR. JENCKS: So it's pretty obvious.

MS. DE NAIE: It's pretty obvious, yeah. And it's
just right off that -- that little dirt road if you -- if
you walk the dirt road right past the corral on the -- you
know, on the Kihei side of the corral, you'd see this little
spot. We didn't get a chance to go to it.

MR. JENCKS: So was this a part of the site walk
that you did?

MS. SALLY OSHIRO: No, not with you folks.

MS. DE NAIE: We -- we said we were going to go
back.

MR. JENCKS: I feel obliged to ask you --
MS. DE NAIE: -- if you're going to go onto this property --

MS. SALLY OSHIRO: Yes.

MR. JENCKS: -- that you let somebody know you're going to be out there.

MS. SALLY OSHIRO: Oh, we always ask permission.

MR. JENCKS: From who?

MS. SALLY OSHIRO: The land.

MR. JENCKS: Okay. And, look, I respect that. I think that's important.

MS. SALLY OSHIRO: I knew that was going to happen.

MR. JENCKS: The problem is there's a whole bunch of attorneys who really don't care about that. I do. Okay?

So if you're going to go out on this property, just so it's on record, you need to call me.

MS. SALLY OSHIRO: Okay.

MR. JENCKS: And ask permission.

MS. SALLY OSHIRO: All right.

MR. JENCKS: Okay. I'm not going to object to it. I just need to know who is going out there and when. Going on the property at night is not a good idea.

MS. SALLY OSHIRO: Oh, we went early evening.

MS. DE NAIE: This was years ago.

MS. SALLY OSHIRO: This was years, okay.
want to tell you that she took picture, first one, it's all black. So she said, "No. Wait, wait. Got to take one more." It didn't come out. So she took another one. It didn't come out. And I said, "Don't take any more. She already said two." And it was so funny because she took another picture later, but not of the rock, and it came out. And the two didn't come out.

MR. JENCKS: Interesting, yeah. Okay. Just call me, call my office, let me know when you want to go. Just so we know, so if something happens, we know people were out there. There's poachers. It's not as comfortable a place as it could be. And that's why I just -- if I know you're out there, then you're covered and I'm covered. Okay?

Good. All right.

MS. DE NAIE: You know, they live right around the corner from here.

MR. JENCKS: That's fine. That's fine. They don't live on the property, though.

MS. DE NAIE: No, no, no, no, no. I mean, Sally -- Sally, she was telling, she goes, "I remember coming here years ago when I worked at the farm." She worked at the farm that used to be -- you know where Monsanto fields are.

MR. JENCKS: There are clear rights as Hawaiians for gathering, cultural practices. And I am telling you!
honor those rights, okay, but it's for Hawaiians.

MR. BASIL OSHIRO: What's that law that --

MR. JENCKS: And it's also -- it's also -- well,

this is (inaudible), okay, state law, it's also for people

who live in that area. I don't want to get into that. I'm

just saying --

MS. SALLY OSHIRO: I know what you're saying.

MR. JENCKS: -- there's just proper protocol. And

even then, you're supposed to at least discuss I want to go

on the property, just respect both sides.

MS. SALLY OSHIRO: Okay.

MR. JENCKS: Okay. Any more comments, Basil?

MR. BASIL OSHIRO: Okay. I know Willy and I went

through these, at least give us time, like, say, a couple

weeks, so we can get our people together, too, you know, in

the moku. So it didn't happen. Brett sent me email on

Monday. So good thing that I looked at the email on that

Monday. Otherwise, I wouldn't be here, because we're having

other kind of crazy things happening and --

MR. JENCKS: Everybody is busy, Basil.

MR. BASIL OSHIRO: Yeah. So --

MR. JENCKS: Everybody.

MR. BASIL OSHIRO: Sometimes I don't look at my

email for three or four days, and then just so happen I was
on the site and then it clicked on, said, ooh, somebody --

MR. KAPAHULEHUA: We'll give advance notice.

MR. JENCKS: Sorry?

MR. KAPAHULEHUA: We'll give advance notice.

MR. BASIL OSHIRO: Yeah. This way it's not a surprise.

MR. KAPAHULEHUA: Advance notice.

MR. JENCKS: Okay. I think -- I think it's a good idea that, in the context of this project, as we move on, that we probably should meet on a regular basis to discuss where we are, the status of what's going on. I think that's a good idea.

MR. BASIL OSHIRO: Keep us posted.

MR. JENCKS: And keep you posted. I think that's fine. That probably should come from Brett, actually, not this character here.

MR. BASIL OSHIRO: Well, he --

MR. JENCKS: Because he's busy. But I think if we're gonna -- if we can -- we have some things we got to get done, the process will start, whether it's design issues, even the data recovery concept that we talked about earlier, the participation on that. Giving you good notice, I think, is important. And we'll definitely do that.

MR. BASIL OSHIRO: Yeah, so we can actually pass the word out to the -- to the people that's involved in the Certified Shorthand Reporters Maui 808-244-3376.
area. This way, they -- they got to bring out their mana'o.

MR. JENCKS: Okay. Basil, if -- instead of us shooting in the dark -- and maybe I shouldn't use that term -- if you could help us with some names and some -- some contacts, that would be helpful.

MR. BASIL OSHIRO: The thing is the contacts, I have Brian here, Vernon Kalanikau, (Inaudible) Lani, Keaumoku, Daniel, Kay, Lucy, Timmy Bailey.

MS. DE NAIE: EeldenLiu --

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: -- should meet us in the moku.

MR. BASIL OSHIRO: Yeah. And then we'll hui with Honua`ula so (inaudible), me and Tanya, and then Aha Moku O Maui, we have Nadine, Genai.

MR. JENCKS: So, Basil, if you wouldn't mind, when he emails you, when Brett gets that email, send 'em back so that we have the names.

MR. BASIL OSHIRO: Yeah. See, all the email that Brett sent me, without -- you know, a few of us only got it. The rest of 'em, I got kinda huhu because I said (inaudible). Then Lucienne calls me and said, oh, I get one (inaudible) that's good, you know. So we're here, it's a small group, otherwise, we would be about 12 people here, not including you four guys over here.
MS. DE NAIE: Yeah, yeah, yeah.

MR. NAEOLE: Actually, was too fast.

MS. DE NAIE: Yeah, too fast.

MR. NAEOLE: Notification was --

MS. DE NAIE: Yeah. Daniel was very disappointed that he couldn't be here.

MR. BASIL OSHIRO: Yeah, couldn't come.

MS. DE NAIE: Yeah.

MR. NAEOLE: Auntie -- you get all that information, Brett?

MR. DAVIS: I'm going to ask for it.

MR. NAEOLE: (Inaudible).

MR. DAVIS: If you could email me the list, I think --

MR. BASIL OSHIRO: Well, the thing is if I --

MR. DAVIS: Or I can --

MR. BASIL OSHIRO: If you send me the stuff, then whatever is happening, instead of BCC that I can put these guys all on CC, then you gonna have their email. I'm quite sure they wouldn't mind. One another one, Jacob Mau, which I don't know how to get in touch with him.

MS. DE NAIE: Yeah, you have to call Jacob. Yeah.

(Multiple speakers.)

MS. DE NAIE: And we got -- we gotta pick him up because he cannot drive no more.
MR. BASIL OSHIRO: And then you can contact the other lineals that you know.

MS. DE NAIE: Yeah. And people keep -- keep appearing, too. I keep meeting more people. You know, you meet other folks who have the other pieces of the puzzle.

MR. BASIL OSHIRO: This way, Charlie, you can get the manao from the -- from the kupuna, how the -- that place was actually utilized. Once the cattle went in there, wow.

MR. JENCKS: Well, I remember at the meeting we had in February a year ago, we had a really good discussion. It was really interesting reading the transcript again because we had -- we had a number of people that talked about living on the ranch, some of the people that they worked with, worked for.

MS. DE NAIE: Fishing, gathering below.

MR. JENCKS: And that was, I thought, very, very helpful.

MR. BASIL OSHIRO: And Flo here is one of the --

MS. LANI: My dad.

MR. JENCKS: Right. I think you spent a lot of time talking on the transcript about driving up and down, getting water in Kulanihakoi Gulch and using dynamite. I didn't want to get into that too much.

MS. LANI: My dad.
things. And, also, there was a lot of discussion about what was happening on the makai side of the Pi`ilani, the gathering that was happening on the shoreline.

MS. DE NAIE: Yeah.

MR. JENCKS: You know, how that's evolved over time. So it was a really good thorough discussion. I suggest to you, when you have a chance, you know, look at that, when that document comes out, read the transcript, because it will be in the appendices. It's very interesting.

MS. DE NAIE: And you know what, when we was on the site visit -- and I think Brett took some notes on it -- but when Michael Lee -- when we were at the eclipse stone and Michael and -- and Kimokeo were really tuning in to the view planes there and how they connected, and, you know, they were like just -- really some valuable information as far as generational knowledge kind of thing was coming out. So I hope there's a way that that can be captured, too, because people don't always remember exactly what they said. You know, in the moment sometimes you're just inspired to -- to -- thoughts come through, you know. So that -- that walk was, in my opinion, very valuable because we got to hear from everybody, you know, when we went to places. And the archaeologists were so helpful. They really -- they really seemed very interested in wanting to find more things and,
you know, wanting to figure out how they related to one another. So it was -- it was a pleasant experience, I think, all the way around. I mean, I know Mr. Lee felt a little bit like no one was taking good notes, but, you know, I think that we found out there were some notes being taken and --

MR. JENCKS: Well, the interview was done.
MS. DE NAIE: Yeah. And then he’s had an interview, too, to share more. But, anyway, I think continuing it -- Daniel definitely wanted to ask about the status of the sites. And I think people here would say that data recovery is not the answer for the sites. We want to know if there’s any possibility that they are going to be preserved within any of the project design and, you know, because data recovery could even show they’re very important. And if there’s no intention to preserve them, it’s like that’s just all for nothing. So --

MR. JENCKS: Well -- okay.
MR. BASIL OSHIRO: It’s a education.
MR. JENCKS: Prior to you arriving, I went through that.

MS. DE NAIE: Okay.
MR. JENCKS: I’ll go through it one more time. We have -- we have an accepted Archaeological Inventory Survey from SHPD. That report includes a recommendation for data.
recovery. And my recollection is that the vast majority of
the sites, Brett, are gonna have data recovery.

MR. DAVIS: Uh-huh. That's correct.

MR. JENCKS: -- done. We don't know what these
sites are until we do the data recovery. So to say what
they are prior to doing that is really not proper. The
assumption that we're making at this point is that the data
recovery will be done, the documentation will be complete.
The cultural community is invited to participate in that
process and learn and work. It's gonna be hot, it's gonna
be dusty, but it's gonna be a learning experience. And the
goal here is to learn as much about -- through the data
recovery process of this site, learn more about the site,
and bring that knowledge vertically into the project. If
that is -- and I -- you know, I think this is rather
intriguing, these rocks, their location. What if we took
those rocks and put them in the same configuration --

MS. DE NAIE: No.

MR. JENCKS: -- way up on the property.

MS. DE NAIE: No.

MR. JENCKS: Okay.

MS. DE NAIE: No.

MR. JENCKS: All right.

MS. DE NAIE: No. That is not cultural. That's a
simul con. That's you're simulating Hawaiian culture.
Please.

MR. JENCKS: Moving on to another idea.

MS. DE NAIE: We got to move on, but I'm gonna say.

MR. JENCKS: That wasn't received very well.

Taking the data we receive from the data recovery process, putting it all together, and, like I said earlier, taking that and bringing it vertically into the project in a way that we can recognize the cultural history on the property. This is -- this is assuming that we don't find something hugely significant to the data recovery process. We don't know what we're gonna find. We have to go through the process. But the approach right now is we gather all that material, all the documentation, the knowledge, and we bring that vertically into the project and create something in the project or in a variety of places in the project that reflect this history on the property.

MS. DE NAIE: Okay. Daniel asked me to say one other thing. You know, he likes the law. And he said, you know, an AIS was accepted that said six of the sites were missing and couldn't be relocated. We now know that they are relocated. So that AIS, under the law, is -- is not sufficient. It should be reopened. And someone can request
that it be reopened. So if you want to go through that process, there are people who would request that it be
reopened, would challenge it, and so forth and so on.
if new information is available like that, the law allows an
AIS to be reopened. Or we can do it the nice way and just
say, look, the AIS should be amended and it should include
this information that those six sites are not lost, that
some of them are considered very culturally important by
folks. And, yeah, you could do data recovery, whatever, but
let's not like pretend that that AIS was complete when it
said six sites were -- were lost and they're not lost.
They're right there and we visited all of them. So,
anyway --

MR. JENCKS: We'll --

MS. DE NAIE: I didn't put this as diplomatically
as Daniel would have, but he said --

MR. JENCKS: That's fine.
MS. DE NAIE: -- please -- please bring this up.
MR. JENCKS: I -- I get it and I understand the
issue and we'll work to address it.

MS. DE NAIE: Okay.
MR. JENCKS: Thank you very much for your comment.

MS. SALLY OSHIRO: I had explained about that
rock. And you -- it went right over you. So if you're not
going to pay attention to it --

MR. JENCKS: No. I --
Marco? Marco was very willing to --

MR. JENCKS: Who is Marco?

MS. DE NAIE: Marco is --

MR. KAPAHULEHUA: The archeological guy who works for --

MS. DE NAIE: Marco Molina. He works with Erik.

He was very willing to, with your permission, schedule a re-thing to go out there with folks who knew where that site was and look at some of the stuff. Because Basil brought out about how he had seen this dam area and so forth and so on. Should we try to do that officially, and -- and show it to him so that it's not like we're showing you a picture?

MR. JENCKS: I think that's a possibility --

MS. DE NAIE: And he could GPS it on a map.

MR. JENCKS: -- in the future. We still have some things we're working on right now. And let's see where we go. It's a possibility.

MS. DE NAIE: He's -- he's your consultant, but he gave us his email, and -- and I'm seeing it right on my map here, and telephone number. And he was actually very interested in seeing these other things, but, you know --

MR. JENCKS: We may get -- we may get to the point where another site visit like that is needed. And certainly --

MR. BASIL OSHIRO: Yeah. We look forward to that.
because --

MR. JENCKS:  Okay.

MR. BASIL OSHIRO:  If that thing wasn't so overgrown, I think we can see most stuff.

MR. JENCKS:  It's pretty dry now.  Pretty dry.

MS. DE NAIE:  Yeah.  So it could be a good time in the near future.  And then he could check out the areas around 3740, too, and, you know, see -- see how much they had recorded in the past.  I mean, they recorded, obviously, the fact that there's something there.  It's just it didn't go far enough makai.

MR. BASIL OSHIRO:  Yeah, because the water -- water control with the walls and stuff.

MR. JENCKS:  Yeah.  That's how they're described.

MR. BASIL OSHIRO:  And like I say, I'm quite sure that punawai is filled up over there through the hundreds of years of nobody doing anything to it, silt built up.  Because you can't, you see, one side -- no -- mauka, higher, and then makai a little bit lower where the thing would channel out.  If that punawai would get overflowed and then the dam itself, and then it goes -- from the dam, it goes pretty deep.  More to mauka you go, the deeper that gulch gets.

MS. DE NAIE:  And, Basil, do you think anything like this maybe was done because it needed to work with the

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fisheries practices down below or anything?

MR. BASIL OSHIRO: I'm quite sure they wanted to control the flow of that big water.

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: That's what it's all about.

MS. DE NAIE: Yeah. And when you say "they," it's not maybe the ranch, it's --

MR. BASIL OSHIRO: No, no.

MS. DE NAIE: -- maybe people before the ranch that --

MR. BASIL OSHIRO: The ancestors.

MS. DE NAIE: Yeah.

MR. KAPAHULEHUA: They always try to control the silt.

MS. DE NAIE: Yeah. Because not dumb, you know, they figured it out.

MR. BASIL OSHIRO: They knew how to flow the water down so all that opala wouldn't go in the water.

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: And you can see in that gulch where all the old branches from the kiawe all piling up because --

MR. KAPAHULEHUA: Outside.

MR. BASIL OSHIRO: Yeah.
That's -- every time I've been in that gulch, it's --

MR. BASIL OSHIRO: You can tell the water, you know, just recent that water that flow in the last -- you know, had a pretty good rain.

MS. SALLY OSHIRO: Good thing (inaudible).

MS. DE NAIE: Yeah, we could (inaudible).

MR. JENCKS: Is there anything else you want to add so we can wrap this up?

(Multiple speakers.)

MR. BASIL OSHIRO: The last thing I would kind of recommend, if leave the natural drainage for the gulches.

Is it a filling in? Because I'm quite sure, you fill it in, like makai of Pi`ilani --

MR. JENCKS: Uh-huh.

MR. BASIL OSHIRO: -- you're gonna have problems up there with flood, yeah. Because Mother Nature has its own way of doing things. The Kula Hawaiian Homes, see their -- their problems -- still having their problems up there because of diversions of the water flow.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: So we would very much to keep that --

MR. JENCKS: That's kind of a recurring theme in your desire discussion, that's been something that you've focused on in a number of ways.

And so I think that's --
MR. BASIL OSHIRO: Do good consideration on it because it probably -- I don't know if Goodfellows gonna be around yet to fix the problem if it ever happens. I can see I probably not gonna be around, but it's gonna happen when they get that big water come down.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: If you fill up the area in divert the streams.

MR. JENCKS: Okay.

MR. NAEOLE: I got one question to ask.

MR. JENCKS: Sure.

MR. NAEOLE: Maybe if you look into the history of that area, like maybe with the County, you know, and like future damages, how severe it was, you know, what year, you might have a calculation of when the storms occur. Because there's findings that it happens every like 10 years, maybe less, but it all depends on the climate.

MR. JENCKS: As it relates to flooding and --

MR. NAEOLE: Correct.

MR. JENCKS: -- that kind thing.

MR. NAEOLE: Okay. Because I remember when we were little -- well, when I was a little kid, I used to go with uncle, you know, on the ranch, used to work for Henry Rice. So we used to check water, the trucks.
sometimes we cannot come home because the water is so big
and you're in between two gulches and they're like tidal
waves. And you gotta sleep right there. So, you know, it's
good to analyze in those areas how severe it is because you
don't want to build something right in that area and you're
gonna have, you know, one catastrophic damage. And, you
know, the -- the weather today is getting a little stronger
than what it was, you know, before, yeah. If you look all
around the world, what is happening, you know. And, you
know, we don't want to see that -- that disaster coming in
right in arm's where -- you know, arm way -- arm's way. So
you, you know -- something to check into.

MR. JENCKS: Sure.

MR. BASIL OSHIRO: Yeah, historical records.

MR. NAEOLE: Because you can kind of get a better
knowledge, you know.

MS. DE NAIE: Brian, what year frame was that when
you and your uncle would go and do those runs?

MR. NAEOLE: Back in '79.

MS. DE NAIE: Okay.

MR. NAEOLE: Yeah.

MR. JENCKS: Seventies, huh?

MR. NAEOLE: The truck with Henry Rice, you know
that one through radio. Once upon a time, I was fortunate
to have that opportunity to work on the ranch, you know.
And you can -- as you grow old, where do you go, you know.
So my -- my history was a meat cutter all my life, so, you
know, it's good to go back to that history and remember all
these, you know -- these -- these memories.

MR. JENCKS: Sure. That's good input, Brian.
Good idea.

MR. BASIL OSHIRO: Gotta look for the kupuna.
MR. NAEOLE: Yeah.
MR. BASIL OSHIRO: And then the guys that used to
live up the ranch that took care of the water and stuff like
that, that passed already. So they would know about.
The other person, I cannot remember his name, I know his first
name is Joe, and had that Kaonoulu Ranch. And they're
working for Ulupalakua Ranch. They're the ones that spread
that Buffalo grass seed all over the place that has been
invasive.

MR. JENCKS: Everywhere.
MS. DE NAIE: Thank you.
MR. BASIL OSHIRO: So he told me they used to ride
the horses down and just throw seeds. So they were working
as young kids over there, too. I cannot remember his name.
They still have part of the ranch. When they gone -- dad
died, there was a big hassle, so they had to get rid of half
of the ranch to pay for the lawyers.

MR. JENCKS. Pay for the what?
MS. DE NAIE: Inheritance tax, probably. MR. JENCKS:
They get their share first.

MR. NAEOLE: Joseph, I don’t remember his last name.

MR. JENCKS: They take it off the top, Basil.

Attorneys get their money first and everybody gets whatever is left.

MS. LANI: What year was that?

MR. BASIL OSHIRO: Oh, this was back way in the -- I guess, the fifties because he’s about my age now.

MR. NAEOLE: You figure --

MR. BASIL OSHIRO: Oh, Joe Thompson. Thompson Ranch.

MR. JENCKS: Oh, yeah.

MS. DE NAIE: Oh, yeah.

MR. JENCKS: Huh.

MR. BASIL OSHIRO: And Joe’s in Oahu. The brother’s running the ranch now, only half of it.

MS. DE NAIE: That’s the Akina family, too.

They’re related to Thompson Ranch.

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: We could get some Akinas in. I’ve been working with some of the Akina ohana. And Daniel --
Charlie don’t mind that the lineals come in and give manao from their generational knowledge of the area, that way you can work together.

MR. JENCKS: Well, I think that’s a -- as we move on to the project, I think that’s a good idea, getting the input. You know, as we move on --

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: -- that’s a good idea.

MR. BASIL OSHIRO: We gotta work together; otherwise, we gonna be bucking heads. Yeah, all the thing is we gotta save water. I don’t know what kind of usage you’re gonna get for that area, yeah. Because Olowalu, two, three million gallons a day. Do you have that much water?

MR. JENCKS: We’re certainly not that much, far less.

MR. BASIL OSHIRO: I hope not because we -- everybody’s on conservation, conservation of our water supply.

MR. JENCKS: Okay.

(Recording concluded.)
CERTIFICATE

I, TONYA MCDADE, Certified Shorthand Reporter, do hereby certify that the electronically-recorded proceedings contained herein were, after the fact, taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; proofread under my supervision; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the electronically-recorded proceedings provided to me in the foregoing matter.

I further certify that I am not an employee nor an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 16th day of May, 2016.

/s/ Tonya McDade

Tonya McDade
Registered Professional Reporter
Certified Realtime Reporter Certified Broadcast Captioner
Hawaii Certified Shorthand Reporter #447
(The certified hard copy contains original signature.)
Aloha kāua,

At the request of Mr. Charles Jencks, Honua‘ula Partners, LLC (landowners), Scientific Consultant Services, Inc. is preparing an supplemental Cultural Impact Assessment (CIA) in advance of the proposed Piilani Promenade Project. The supplemental CIA follows an existing CIA which was prepared by Hana Pono (2016). The proposed project area consists of approximately 75-acres located in Kihei, Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawai‘i [TMK: (2) 3-9-001:016, 170, 171, 172, 173, 174] (Figures 1 through 3).

The proposed project involves the development of Light Industrial, Business/Commercial land uses and affordable multi-family residences in North Kihei. The project will include associated onsite and offsite infrastructure improvements including, but not limited to, water, sewer, roads, drainage, and electrical. Amenities will include bicycle, and pedestrian pathways, and landscaping. A Maui Electric Company (MECO) substation is also proposed on the project site.

Also at the request of Mr. Jencks, Honua‘ula Partners, LLC (landowners), SCS, is preparing a separate CIA in advance of the proposed Honua‘ula Offsite Workforce Housing Project on 13.0 acres of land located in Kihei, within Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawai‘i [TMK: (2) 3-9-001:169]. The proposed project site will be located mauka (east) of Pi‘ilani Highway at the future East Ka‘ono‘ulu Street (see Figures 1 through 3).

This Cultural Impact Assessment (CIA) is in compliance with the statutory requirements of the Federal National Environmental Policy Act (NEPA), the State of Hawai‘i Revised Statute (HRS) Chapter 343 Environmental Impact Statements Law, in accordance with the State of Hawai‘i Department of Health’s Office of

According to the Guidelines for Assessing Cultural Impacts (Office of Environmental Quality Control, Nov. 1997):

The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs...The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...

The purpose of this Cultural Impact Assessment (CIA) is to identify and understand the importance of any traditional Hawai‘ian and/or historic cultural resources or traditional cultural practices associated with the subject property and the surrounding ahupua‘a. In an effort to promote responsible decision-making, the CIA will gather information about the project area and its surroundings through research and interviews with individuals and organizations that are knowledgeable about the area in order to assess potential impacts to the cultural resources, cultural practices, and beliefs identified as a result of the proposed project. We are seeking your kōkua (help) and guidance regarding the following aspects of our study:

- General history as well as present and past land use of the project area;
- Knowledge of cultural resources which may be impacted by future development of the project area (i.e. historic and archaeological sites, as well as human burials);
- Knowledge of traditional gathering practices in the project area, both past and on-going;
- Cultural associations of the project area and surrounding area, such as legends, traditional uses and beliefs;
- Referrals of individuals and organizations who might be willing to share their cultural knowledge of the project area and the ahupua‘a; and
- Due to the sensitive nature regarding iwi kūpuna (burials) remains discovered, mana‘o (thoughts) regarding nā iwi kūpuna (burials) will be greatly appreciated.

Thus, we are asking you for any information that you or other individuals have which might contribute to the knowledge of traditional cultural activities that were, or are currently, conducted in the vicinity of the two proposed project areas. We are also asking for any information pertaining to traditional cultural activities or traditional rights which may be impacted by the proposed undertakings. The results of the cultural impact assessments are dependent on the response and contributions made by individuals, such as you.
Enclosed are maps showing the two proposed project areas. Please contact me at the Scientific Consultant Services, Honolulu, office at (808) 597-1182 with any information or recommendations concerning these Cultural Impact Assessments. Individual meetings will be scheduled with anyone who would like to talk in person. Interviews can also be conducted via telephone or e-mail.

Sincerely yours,

Cathleen Dagher
Senior Archaeologist
cathy@scshawaii.com

Enclosures (3)
Cc:
November XX, 2015

Aloha kāua,

This is our follow-up letter to our November XX, 2016 letter which was in compliance with the statutory requirements of the State of Hawai‘i Revised Statute (HRS) Chapter 343 Environmental Impact Statements Law, and in accordance with the State of Hawai‘i Department of Health’s Office of Environmental Quality Control (OEQC) Guidelines for Assessing Cultural Impacts as adopted by the Environmental Council, State of Hawai‘i, on November 19, 1997.

At the request of Mr. Charles Jencks, Honuaʻula Partners, LLC (landowners), Scientific Consultant Services, Inc. is preparing an supplemental Cultural Impact Assessment (CIA) in advance of the proposed Piilani Promenade Project. The supplemental CIA follows an existing CIA which was prepared by Hana Pono (2016). The proposed project area consists of approximately 75-acres located in Kihei, Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawai‘i [TMK: (2) 3-9-001:016, 170, 171, 172, 173, 174].

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001:169]. The proposed project site will be located *mauka* (east) of Pi’ilani Highway at the future East Kaʻonoʻulu Street.

We are asking you for any information that you or other individuals have which might contribute to the knowledge of traditional cultural activities that were, or are currently, conducted in the vicinity of the two proposed project areas. We are also asking for any information pertaining to traditional cultural activities or traditional rights which may be impacted by the proposed undertakings. The results of the cultural impact assessments are dependent on the response and contributions made by individuals.

Please contact me at the Scientific Consultant Services, Honolulu, office at (808) 597-1182 with any information or recommendations concerning these Cultural Impact Assessments. Individual meetings will be scheduled with anyone who would like to talk in person. Interviews can also be conducted via telephone or e-mail.

Sincerely yours,

Cathleen Dagher  
Senior Archaeologist  
cathy@scshawaii.com

Cc:
APPENDIX D: SIGNED INFORMATION RELEASE FORMS
INFORMATION RELEASE FORM

I, the undersigned, personally participated in an interview with, Cathleen Dagher from Scientific Consultant Services, Inc., on December 15, of the year 2016. The interview was conducted by telephone, by e-mail, or in person.

I understand that the information I have provided to Scientific Consultant Services, Inc., shall be submitted as part of a Cultural Impact Assessment report on the proposed Piilani Promenade Project. The propose project will be located on approximately 75-acres located in Kihei, Ka'ono'u'ula Ahupua'a, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawai'i [TMK. (2) 3-9-001.016, 170, 171, 172, 173, 174] This information will be subject to publication which will be submitted to the public for general review.

I have read the summary of the interview and the information is true and accurate to the best of my knowledge. By signing this release form, I am providing my approval for the release of the information to Scientific Consultant Services, Inc., for the purpose outlined above (i.e., making the contents of this interview available for publication to the general public).

Print Name: Basil Oshiro
Signature: [Signature]
Release Dated: [Date]

Print Name: Sally Ann Oshiro
Signature: [Signature]
INFORMATION RELEASE FORM

I, the undersigned, personally participated in an interview with, Cathleen Daguer from Scientific Consultant Services, Inc., on December 15, of the year 2016. The interview was conducted by telephone, by e-mail, or in person.

I understand that the information I have provided to Scientific Consultant Services, Inc., shall be submitted as part of a Cultural Impact Assessment report on the proposed Piilani Promenade Project. The proposed project will be located on approximately 75-acres located in Kihei, Ka‘ono‘ulu Aliupua‘a, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawai‘i [TMK: (2) 3-9-001-016, 170, 171, 172, 173, 174] This information will be subject to publication which will be submitted to the public for general review.

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Print Name: [Signature]

Release Dated: 11/17/17
APPENDIX E: LAND COMMISSION AWARD 3237 AND ROYAL PATENT 7447
### Document Delivery

**Mahele Database Documents**

**Number: 03237*M**

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Coconut: Road/Path: Yes
Coffee: Burial/Graveyard: No
Oranges: Wall/Fence: No
Bitter Melon/Gourd: Stream/Muliwai/River: No
Sugar Cane: Pali: No
Tobacco: Disease: No
Koa/Kou Trees: Claimant Died: No
Other Plants: Other Trees:
Other Mammals: No Miscellaneous: claims ili

No. 3237*M, Hewahewa, Wailuku, December 30, 1847
N.R. 48-49v6

To the Land Commissioners: Here is my claim in the `Ilis of Kepuakeeo and Peap
The boundaries at Kepuakeeo are: north, the lo`i of Napaina, east, the road goir
Waihee, south, the land of Waikani nui, west, a water course. Six lo`i are in anot
place in the `Ili. These were given by Kailihiwa.

The boundaries of Peapea; north, a lot of Hapakau, east, Lupeloi, south, an "acre
west, the lot of Kaauwai. This was given by Kulhelani in 1847. That is my claim at
Wailuku on the Island of Maui.

Here is my claim on the Island of Hawaii: An Ahupua`a, Mahukona, and Kalaoa ir
Hawaii - those are the ancient claims from my makuas. Kamehameha I gave ther
1782. /Also/ Alakahi in Hilo, Hawaii and Kaleohiu in Kekaha, Hawaii.

On the island of Maui, /I claim/ Kalepolepo. On the island of Oahu, /I have/ a kup
Kaluaipulu, in Kalihi. The Ahupua`a of Makaaua in Koolau Loa was given me by
Kamehameha II. The kupono of Papaa in Ewa was given by Kamehameha III to n
makuas have lived continuously under Kamehameha I and Kamehameha II and
Kamehameha III in this time of 1847. My fixed place of residence is Kalepolepo. /I
my claim under the Mo`I.

HEWAHEWA

F.T. 463v7
Cl. 3237, Hewahewa

Kikane, sworn, The claimant's lands. They consist of 3 pieces in Wailuku, Maui.
No. 1 is one loi in Kipuhakuo
No. 2 is one loi in Kepuhakuo.
No. 3 is a section of loi in Kepuhakuo.

The claimant received these lands from Kailihewa in 1837, and his title was never disputed up to his death in 1848. His widow's name is Nawelu and she and Keaka Claimant's sister are is heirs. They live in Kula (See Mr. II about this claim.)

No. 1 is bounded:
Mauka by Naea's land  
Waihee by Kuapuu's land  
Makai by Kekuapahipahi's land  
Maalaea by the Paahao lois.

No. 2 is bounded:
Mauka and Waihee sides by Kuapuu's land  
Makai by the Poalima lois  
Maalaea by Opunui's land.

No. 3 is bounded:
Muka by the ili of Kaluaopu  
Waihee by the ili of Holu  
Makai by the King's land  
Maalaea by Lonohiwa's land.

**N.T. 649v9**
No. 3237, Hewahewa, July 12, 1849

Kikane sworn: I know his parcels of taro land in the 'Ili of Kepuhakeeo, Wailuku, parcels. Parcel 1, one taro lo'i, Parcel 2, one taro lo'i, Parcel 3, taro pauku. His li was from Kailihewa in 1837. No opposition. Hewahewa died in 1848. Nawelu, his \_ was his heir to these lands. Keaka is the kaikuahihi of H. Hewahewa.

[No.] 1 is bounded:
Mauka by the land of Naea  
Waihee by the land of Kuapuu  
Makai by the land of Kekuapahipahi  
Maalaea by lo'i pa`ahao.

[No.] 2 is bounded:
Mauka by Kuapuu  
Waihee by the same [Kuapuu]
Makai by the land of Naea
Maalaea by land of Opunui.

[No.] 3 is bounded:
Mauka by the ‘Ili of Kalua‘opu
Wahee by the ‘Ili of Holu
Makai by the land of the Mo‘i
Maalaea by the land of Lono‘iwa.

N.T. 249v10
No. 3237, Hewahewa

H. Hewahewa’s land (2) as listed in the Mahele Registry.
Kaluapulu ili for Kalihi, Kona, Oahu.
Kaonoulu ahupuaa, Kula, Maui.
TRUE COPY
(signature) A.G. Thruston, Clerk.
Interior Dept.
6 August 1853

[Award 3237; R.P. 7447; Kaonoulu Kula; 1 ap. 5715 Acs; R.P. 6888; Kapua‘ako Wailuku; 1 ap.; 4.67 Acs; R.P. 8536 Wailuku]
Helu 7447, Hewahewa, H., Kaonoula Ahupuaa, Makawao District [former Kula District], Island of Maui, Volume 25, pps. 201-202 [RP Reel 13, 01029-01030.tif]

[Great Seal]

No. 7447
ROYAL PATENT.
Upon Confirmation by the Land Commission.

Whereas, The Board of Commissioners to quiet Land Titles have by their decision awarded unto H. Hewahewa, Land Commission Award 3237, part 2, an estate of Freehold less than Allodial, in and to the land hereafter described, and whereas proper application having been made to the Minister of the Interior by H.A. Widemann for a Royal Patent on the within described land, a certificate defining the boundaries of the same being filed, and the Government commutation thereon relinquished by an order of the Privy Council.

Therefore, Lunalilo Kalakaua, by the Grace of God, King of the Hawaiian Islands, by this Royal Patent, makes known to all men, that he has, for himself and for his successors in office, this day granted and given absolutely, in Fee Simple, unto H. Hewahewa all that certain piece of land situate known as Kaonoulu Makawao in the Island of Maui and described as follows:

Commencing at a cross cut on a stone amongst a lot of stones on sand beach a place called Kapahina; from which cross the Government Survey Station Puuhele bears North 44° 58’ West true and running:

1. North 66° 28’ East true 2302 feet along Waiakoa, to a cross cut on a stone; thence
2. South 89° 57’ East true 14404 feet along Waiakoa to a pile of stones;
3. South 86° 21’ East true 5575 feet along Waikaoa to a pile of stones;  
4. South 46° 20’ East true 4803 feet along Alae 1, 2 to a pile of stones;  
5. South 69° 3’ East true 3730 feet along Alae 1, 2 to a stone marked thus [right arrow] at a rocky place on edge of gulch;  
6. South 72° 50’ East true 4146 feet along Alae 1, 2 to a cross cut on a stone;  
7. South 72° 32’ East true 4355 feet along Alae 1, 2 to a stone marked thus [right arrow] a little north of a cave and stone pen;  
8. Thence along Alae 1, 2 following up the bottom of the Kaakaulua gulch to an iron pin on edge of same, the traverse up being as follows:  

1. South 73° 39’ East true 4989 feet to an old grave on edge of gulch;  
2. South 61° 14’ East true 4647 feet to point on edge of gulch above water hole called Kupalaia;  
3. South 55° 25’ East true 5063 feet to Iron pin; thence  

9. South 39° 6’ East true 3169 feet up gulch along Alae 1, 2 to point on south edge of same;  
10. South 47° 57’ East true 7153 feet along Alae 1, 2 to pile of stones at upper corner of same on side of mountain; thence  

[Page 202]  
11. South 50° 9’ East true 5718 feet along Waikaoa to pile of stones on top of mountain; thence  
12. South 53° 55’ West true 3395 feet along Papanui to a cross cut on the rock over a sort of cave at a place called Kalepeamo;  
13. North 50° 46’ West true 9571 feet along Waiohuli to an iron pin on ridge, thence  
14. North 51° 20 West true 9709 feet along Kohoe [Koheo] to an iron pin on edge of gulch at a place called Keanawai; thence  
15. along Koheo following down the bottom of the gulch to a stone marked thus [right arrow] on South West edge of same; Traverse down the gulch being as follows:  

1. North 63° 7’ West true 5292 feet to a cross on a stone on edge of gulch;  
2. North 59° 31’ West true 7952 feet to a cross on stone at edge of gulch;  
3. South 70° 10’ West true 1200 feet to post on edge of gulch;  
4. North 64° 40’ West true 1883 feet to a stone marked thus [right arrow]; thence  

16. North 71° 29’ West true 6899 feet along Koheo to pile of stones;  
17. North 82° 5’ West true 19825 feet along Koheo to a stone marked thus [right arrow] at a place called Kaulaula; thence  
18. North 84° 1’ West true 2874 feet along Waiohuli;  
19. South 35° 35’ West true 548 feet along Waiohuli;  
20. North 85° 3’ West true 340 feet along Waiohuli along the Kuapa of an old fish pond at Kalepolepo to sea; thence  
21. North 4° 55’ West true 2325 feet following along sea shore to initial point.  
area 5715 acres

Containing an area of Five thousand seven hundred fifteen Acres, more or less; excepting and reserving to the Hawaiian Government, all mineral or metallic mines of every description.
To Have and to Hold the above granted Land in Fee Simple, unto the said H. Hewahewa Heirs and Assigns forever, subject to the taxes to be from time to time imposed by the Legislative Council, equally upon all Landed Property held in Fee Simple.

In Witness Whereof, I have hereunto set my hand, and caused the Great Seal of the Hawaiian Islands to be affixed, this ninth of Aperila 1880

Kalakaua R [Rex]
S.G. Wilder

[Royal Land Patent No. 7447, Hewahewa, H., Kaonoula Ahupuaa, Makawao District [former Kula District], Island of Maui, 5715 Acres, 1880]
Aloha Mr. Hart:

SUBJECT: Chapter 6E-42 Historic Preservation Review – Maui County
Draft Archaeological Inventory Survey for the Pili Mai Promenade Project
Kāʻanē‘ulu Ahipua‘a, Wailea and Makawao Districts, Island of Maui
TMK (2) 2-2-002:016, 077 and 082 and 3-9-001:016, 148, 169-174 and 3-9-048:122

Thank you for the opportunity to review the draft report titled An Archaeological Inventory Survey for On- and Off-Site Improvements Associated with the Proposed Pili Mai Promenade Project, and Updated Recommendations for Sites Identified in 1994 Archaeological Survey, Kāʻanē‘ulu Ahipua‘a, Wailea and Makawao Districts, Island of Maui (On-site TMK (2) 3-9-001:16, 169-174, and off-site TMK (2) 2-2-002:016, 077 and 082, (2) 3-9-001:148, (2) 3-9-048:122) by Fredericksen (Revised August 2015). We received the draft plan submittal on September 2, 2015 and apologize for the delayed review. We requested revisions to an earlier draft of this report on May 2015 (Log No. 2014.04433, Doc No. 1505MD54).

This report was prepared for Mr. Robert Poyner of Sarolin Realty Advisors in advance of planned construction of commercial development of 74.871 acres (including off-site affected areas the total acreage for this project was 191.858 acres) located mauka of Pili Mai Highway in North Kihei on Maui Island. An archaeological inventory survey (AIS) was originally conducted for this project in the early 1990s; however, following changes both to the land and to the project’s anticipated area of potential effect a revised survey report has been prepared as part of the environmental impact statement pursuant to the Hawai‘i Revised Statutes § 343 requirements following the recommendation of SHPD.

Fieldwork for the subject AIS was initially conducted in January and February of 2014 by three archaeologists with Erik M. Fredericksen, M.A. as the principal investigator. Three shovel-test pits were manually excavated. Twenty historic properties were identified in the earlier 1994 AIS associated with this project, all were re-identified during the current survey following a second period of fieldwork in July and August 2015. Results of consultation and information previously requested by SHPD regarding required changes to County utilities have been included as Appendices.

One new site was identified, State Inventory of Historic Places (SIHP) 50-50-10-8266. SIHP 8266 has been identified as a pre-Contact temporary habitation area, significant under criterion “d” for its information content. We concur with that assessment. Data recovery has been recommended as mitigation and we concur with that recommendation.

The original 1994 AIS identified 20 SIHPs, two of these, SIHP 3734 and 3739, have since been destroyed or lost. For the remaining SIHPs 3727-3733, 3735-3738 and 3740-3745 were all previously determined eligible for their information content under criterion “d.” Of these 18 sites, one was removed in late 1994 (SIHP 3746); seven (7) are recommended for no further work (SIHPs 3730, 3731, 3733, 3737, 3738 and 3740); while the remaining 12 (SIHPs 3727-3729, 3732, 3735, 3750 and 3741-3745) have been recommended for data recovery. We concur with these recommendations and look forward to reviewing an archaeological data recovery plan which will also include the newly-identified SIHP 8266 for a total of thirteen (13) historic properties.
Revisions we previously requested, including results from additional fieldwork recommended in consultation with concerned citizen groups, have been adequately addressed. The draft AIS meets the requirements specified in Hawai‘i Administrative Rule §13-276 and is accepted as final. Please send one hardcopy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office, attention SHPD Library. Please contact me at (808) 243-4641 or Morgan.E.Davis@hawaii.gov if you have any questions or concerns about this letter.

Mahalo,

Morgan E. Davis
Lead Archaeologist, Mauim Section

cc: County of Maui
Department of Planning
Planning@co.maui.hi.gov

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