APPENDIX I -2

Cultural Impact Assessment for the proposed Honua'ula offsite workforce housing project dated April 2017

SCS Project No. 1987 CIA-1

CULTURAL IMPACT ASSESSMENT FOR THE PROPOSED HONUAʻULA OFFSITE WORKFORCE HOUSING PROJECT

KĪHEI, KAʻONOʻULU AHUPUAʻA
WAILUKU AND MAKAWAO (KULA) DISTRICTS
ISLAND OF MAUI
HAWAIʻI

TMK: (2) 3-9-001:169

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FINAL

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INTRODUCTION

At the request of Charles Jencks, Owner Representative, Scientific Consultant Services, Inc. prepared a Cultural Impact Assessment (CIA) in advance of the proposed Honua‘ula Offsite Workforce Housing Project. The proposed undertaking will be located on approximately 13.0 acres of land, owned by Honua‘ula Partners LLC (HPL), in Kīhei, 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 (Figures 1 through 3).

The current CIA for Honua`ula Offsite Housing follows an earlier CIA prepared by Hana Pono, LLC (2016; Appendix A) for the Piilani Promenade Project. Scientific Consultant Services, Inc. (Dagher and Dega 2017) prepared a Supplemental Cultural Impact Assessment (SCIA) in advance of the proposed Piilani Promenade Project. The proposed Piilani Promenade Project will be located on lands immediately adjacent to the south and west of the HPL property, on approximately 75-acres in Kīhei, 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].

The proposed undertaking will consist of 250 workforce housing units in six (6) multi-family residential buildings within the project area. The project will consist of 125 rental housing units and 125 ownership units for sale with sales prices and rental rates to be determined through a housing agreement with the County of Maui. Surface parking, 2.5 acres of park space, and related improvements are also proposed. Access to the site will be via the future East Ka‘ono‘ulu Street.

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 Hawaiian 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 this manner" (Pele Defense Fund v. Paty, 73 Haw.578, 1992).

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).

Thus, 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, and 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

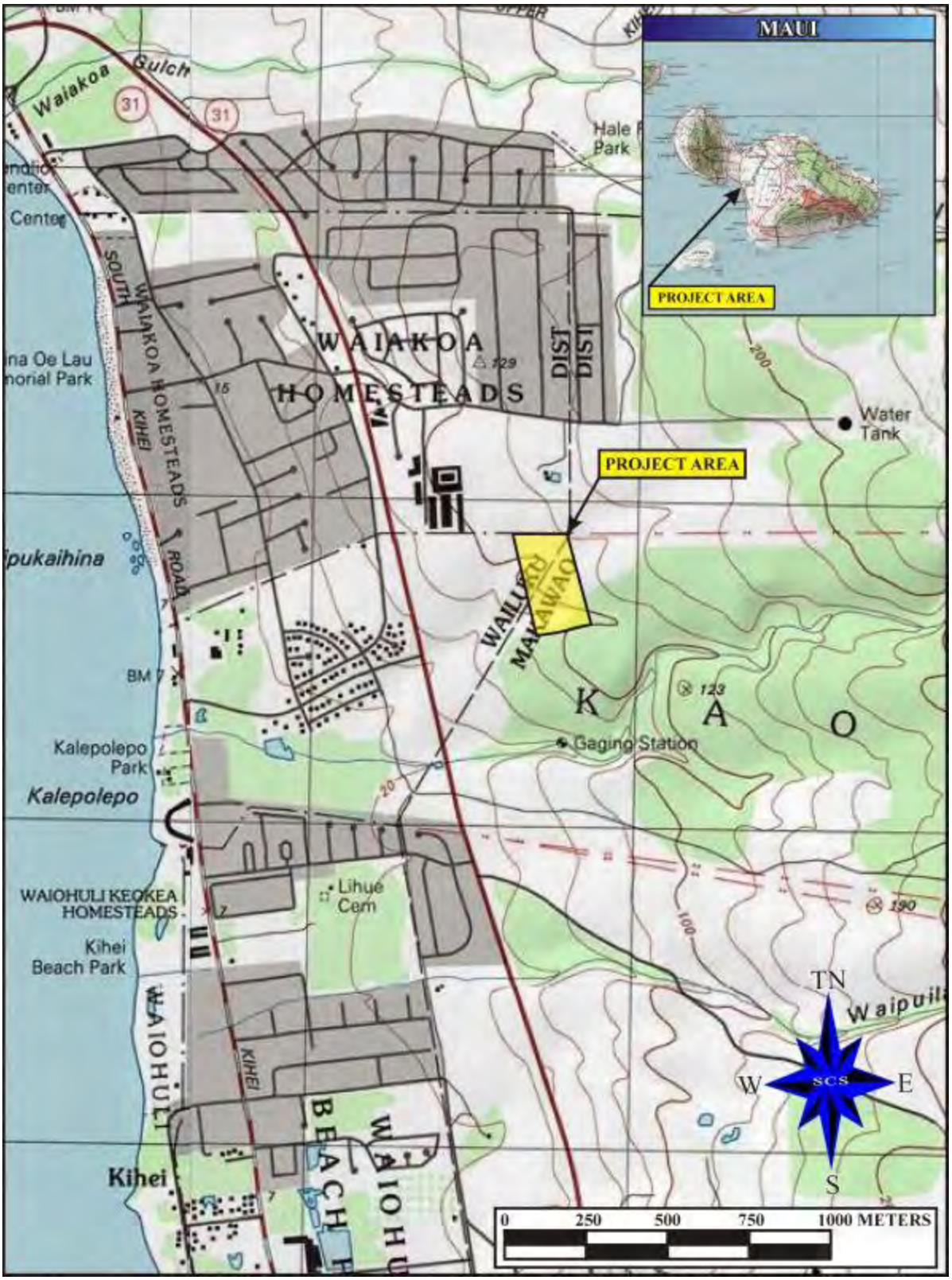

Figure 1. USGS Quadrangle (Puu O Kali, 1992; 1:24,000) Map Showing the Proposed Project Area Location.

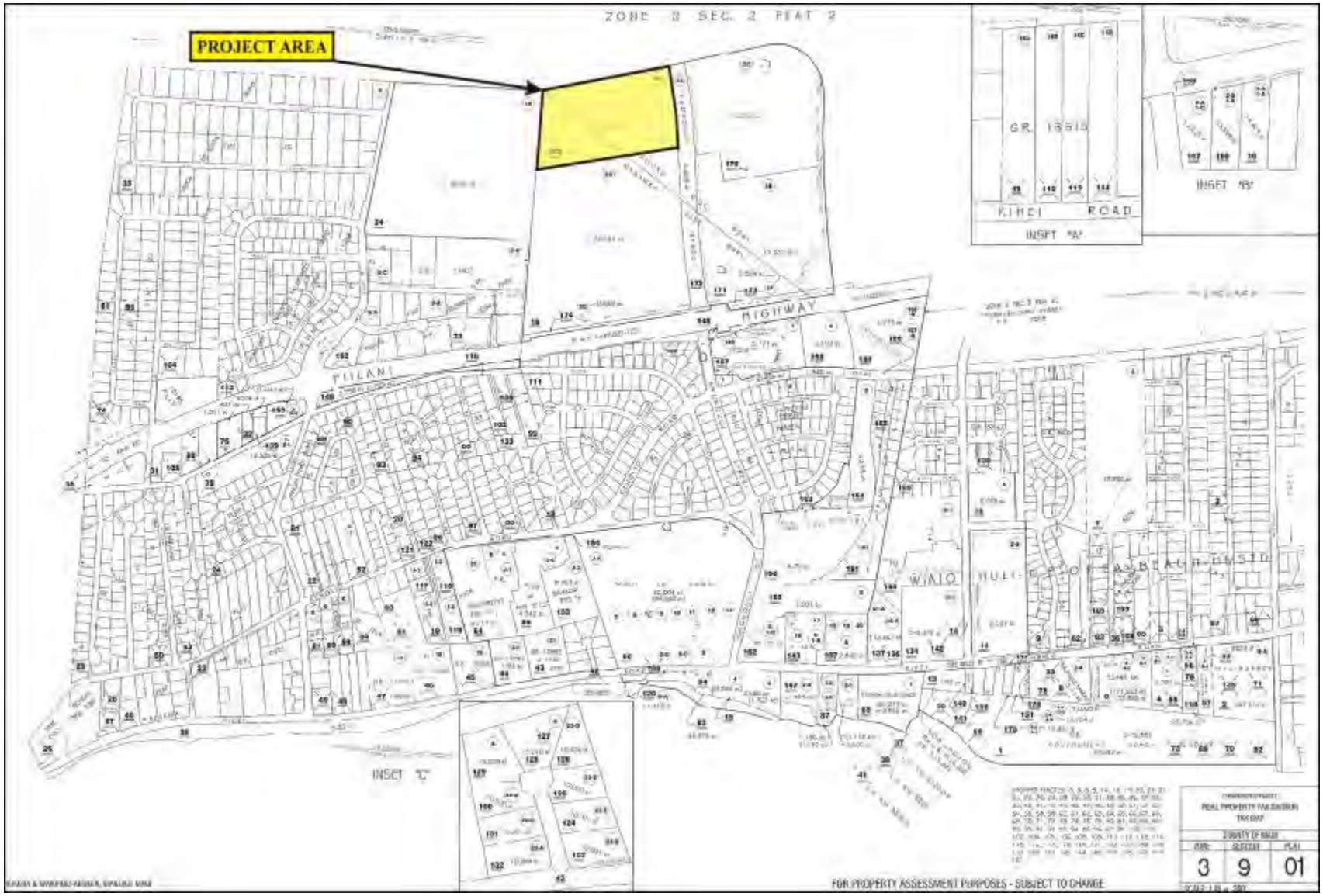

Figure 2. Tax Map Key [TMK: (2) 3-9-001) Showing the Proposed Project Area Location.

Figure 3. Google Earth Image (Dated 1/12/2013) Showing the Proposed Project Area Location.

'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 *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 current CIA for the HPL project area follows an earlier CIA prepared by Hana Pono, LLC (2016; see Appendix A). The current CIA also follows a supplemental CIA (Dagher and Dega 2017, which was prepared at the request of Sarofim Realty Investors, in advance of the proposed Piilani Promenade project. Honua`ula Partners LLC requested the current CIA be prepared, in advance of the proposed HPL proposed workforce housing project.

This CIA was prepared as much as possible 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 C. An example follow-up letter is presented in Appendix C. Responses to SCS's inquiries are presented in the Consultation discussion in this document. The signed information release forms are presented in Appendix D. This CIA 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 Kameʻeleihiwa, 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 Pukuʻi and Samuel H. Elbert continue to contribute to our

knowledge and understanding of Hawai'i, 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 'Aina 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 13 acres of vacant land in North Kīhei, Kaʻonoʻulu Ahupuaʻa, and straddles the boundary between Wailuku and Makawao Districts, Island of Maui, Hawaiʻi [TMK: (2) 3-9-001:169]. The project at is bordered on the north by Waiakoa Ahupuaʻa and by currently vacant lands to the east, west, and to the south. The entire parcel was part of the Kaonoulu Ranch lands. The project area is situated approximately 1.0 miles inland at an elevation of approximately 110 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-period 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 Ka‘ono‘ulu) area into three environmental zones (or subzones when one considers the entire *ahupua‘a*): coastal, transitional/barren, and inland. The current 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, specifically Waiakoa Extremely Stony Silty Clay Loam, 30 to 70 percent slopes (WlD2). 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).

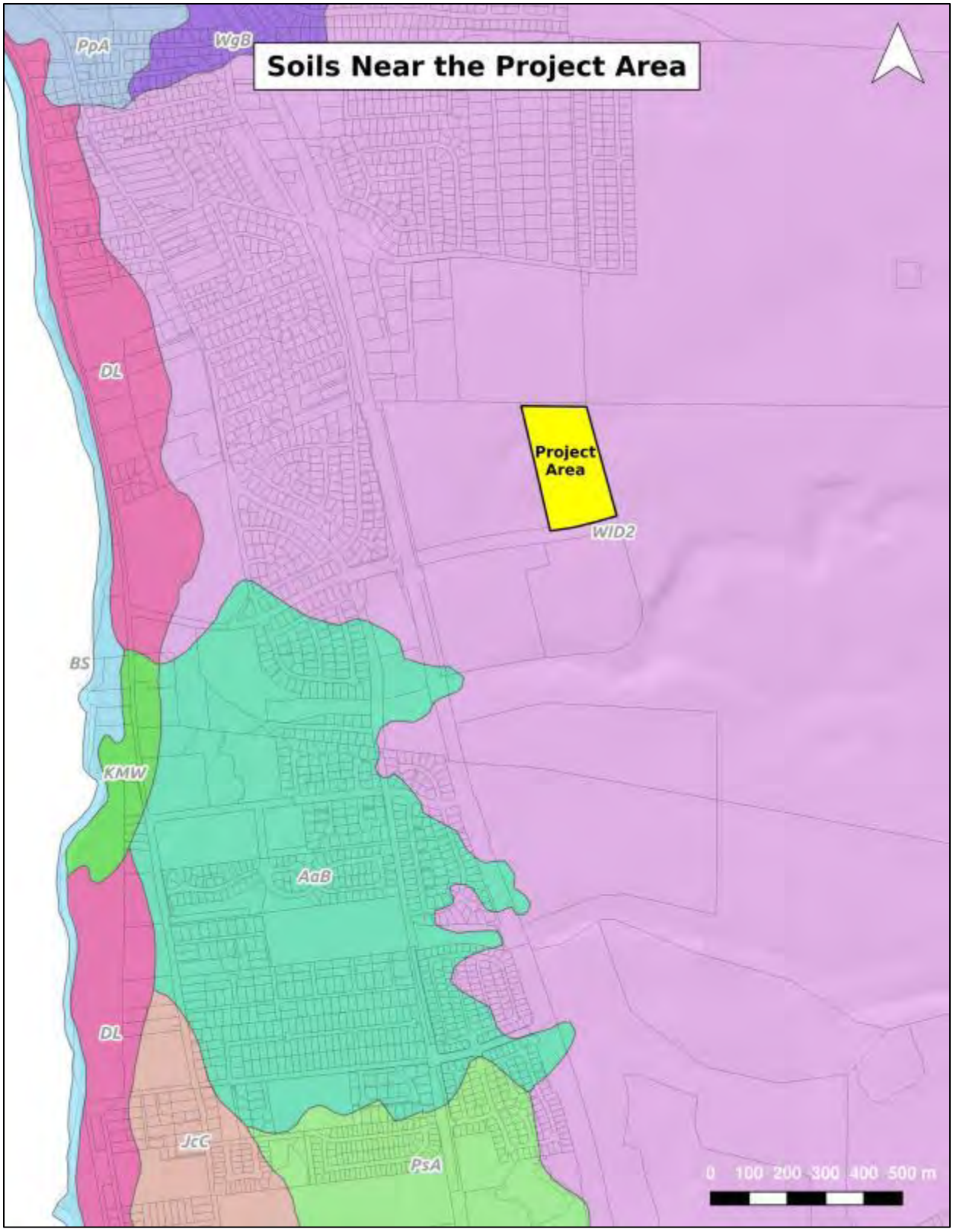

Figure 4. Soils Map Showing the Proposed Project Area Location (NRCSS 2017).

CLIMATE

Kīhei receives an average of 11 inches of rainfall per year (Giambelluca *et al*.2013). According to Armstrong (1983: 62), the Kīhei 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 Kīhei 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 Kealia 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 Kalaiha'ōhia, during the time of the *ali'i* Kaka'alaneo (Beckwith 1979:383; Fornander places Kaka'alaneo 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 *ali'i 'ai moku* (the *ali'i* who eats the island/district), which he held in trust for the gods. The title of *ali'i 'ai 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 *maka'āinana* (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 *ahupuaʻa*. Within the *ahupuaʻa*, residents were 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).

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 *maiʻa* (banana, *Musa* sp.), were also grown and, where appropriate, such crops as *ʻuala* (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 Maʻalaea to Honokahua, in old Hawaiian times, must have supported many fishing settlements and isolated fishermenʻs 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 Kihapiʻilani, extended along the coast passing through all the major communities between Lāhainā and Mākena, including to Kīhei. Kolb noted that two traditional trails extended through Kēōkea. One trail, named "*Kekuawahaʻulaʻula*" or the "red-mouthed god", went from Kīhei 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).

WAHI PANA (LEGENDARY PLACES)

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 Hawaiʻi

Island. Umi's *konohik*i (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 Ka'ono'ulu-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 Waipi'o valley from then on. The region of Kēōkea-kai and Ka'ono'ulu-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 *'ama'ama* (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 Kaho'olawe 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 Kīpahulu-Kaupo and ʻUlupalakua were his focus.

In the ensuing years, LaPérouse (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 *maka'āinana* (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, *'okipū* (on O'ahu), stream fisheries or many other resources necessary for traditional survival (Kelly 1983; Kame'eleihiwa 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 Ka'ono'ulu Ahupua'a. However, a search of the Waihona 'Aina 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 *ahupua'a,* comprising 5715 acres, under LCA 3237*M/Royal Patent 7447 in 1853 (Appendix E). According to the Waihona 'Aina Database (2016), seven LCAs were issued in Ka'ono'ulu Ahupua'a, in addition to Hewahewa's lands:

> Land Commission Award 9021/ Royal Patent 7885; consisting of one *'āpana* (piece) of land comprising 0.5 acres in the *'ili* of Kapukahawai, Ka'ono'ulu Ahupua'a, Kula District and one *'āpana* comprising 5.54 acres in the *'ili* o Kupalaia, Ka'ono'ulu Ahupua'a, Kula District was awarded to Kamai in 1888.
>
> Land Commission Award 3108/Royal Patent 2814; consisting of one *'āpana* comprised of 0.4 acres in the *'ili* of Kalepolepo, Ka'ono'ulu Ahupua'a, Kula District was awarded to Konohia in 1856.
>
> Land Commission Award 5299/Royal Patent 7468; consisting of one *'āpana* comprised of 1.4 acres in the *'ili* of Puuokuhihewa, Ka'ono'ulu Ahupua'a, Kula District was awarded to Kalio in1880.
>
> Land Commission Award 5328/ Royal Patent 6575; consisting of one *'āpana* comprised of 2.04 acres in the *'ili* of Kupalaia, Ka'ono'ulu Ahupua'a, Kula District and *'āpana* comprised of 5.14 acres in the *'ili* of Puuokuhihewa, Ka'ono'ulu Ahupua'a, Kula District was awarded to Pupuka in1874.
>
> Land Commission Award 5376/ Royal Patent 2792; consisting of one *'āpana* comprised of 2.04 acres in the *'ili* of Kupalaia, Ka'ono'ulu Ahupua'a, Kula District and *'āpana* comprised of 0.22 acres in the *'ili* of Kalepolepo, Ka'ono'ulu Ahupua'a, Kula District and one *'āpana* comprised of 2.17 in Ka'ono'ulu Ahupua'a was awarded to Lono in1856.
>
> Land Commission Award 5407/ Royal Patent 2791; consisting of two *'āpana* comprised of 3.491 acres in Ka'ono'ulu Ahupua'a, 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 in1882.
>
> The Office of Hawaiian Affairs Kipuka Database (2016; [Figure 5]) indicated the entire *ahupuaʻa* of Kaʻonoʻulu was awarded to Hewahewa. 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 Hawaiʻi's ruling monarchs stayed at the Koa House, including Kauikeaouli (Kamehameha III), Kamehameha the 1V, 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 Kīhei. 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 Kīhei 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 Kīhei 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 ahupuaʻa 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 ahupuaʻa of Koheo, again to A.

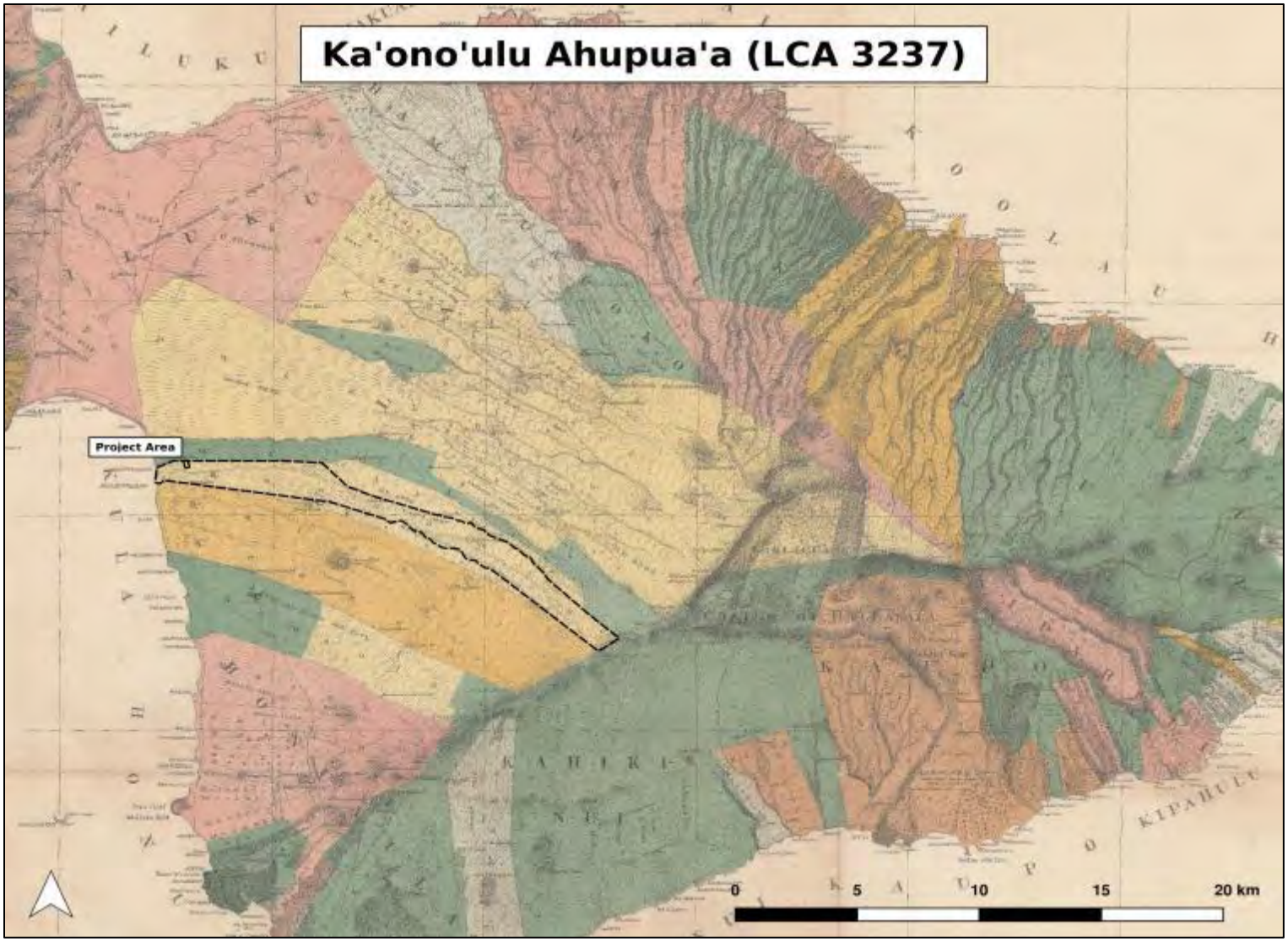

Figure 5. Kaʻonoʻulu Ahupuaʻa, LCA 3237, awarded to Hewahewa in 1860 (basemap: "Maui, Hawaiian Islands" by F.S. Dodge 1885:1:90,000 scale).

> 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 Kīhei.

PREVIOUS ARCHAEOLOGY

Archaeological studies in the greater Kīhei 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 Kīhei area. Concomitant with modern expansion involves necessary 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

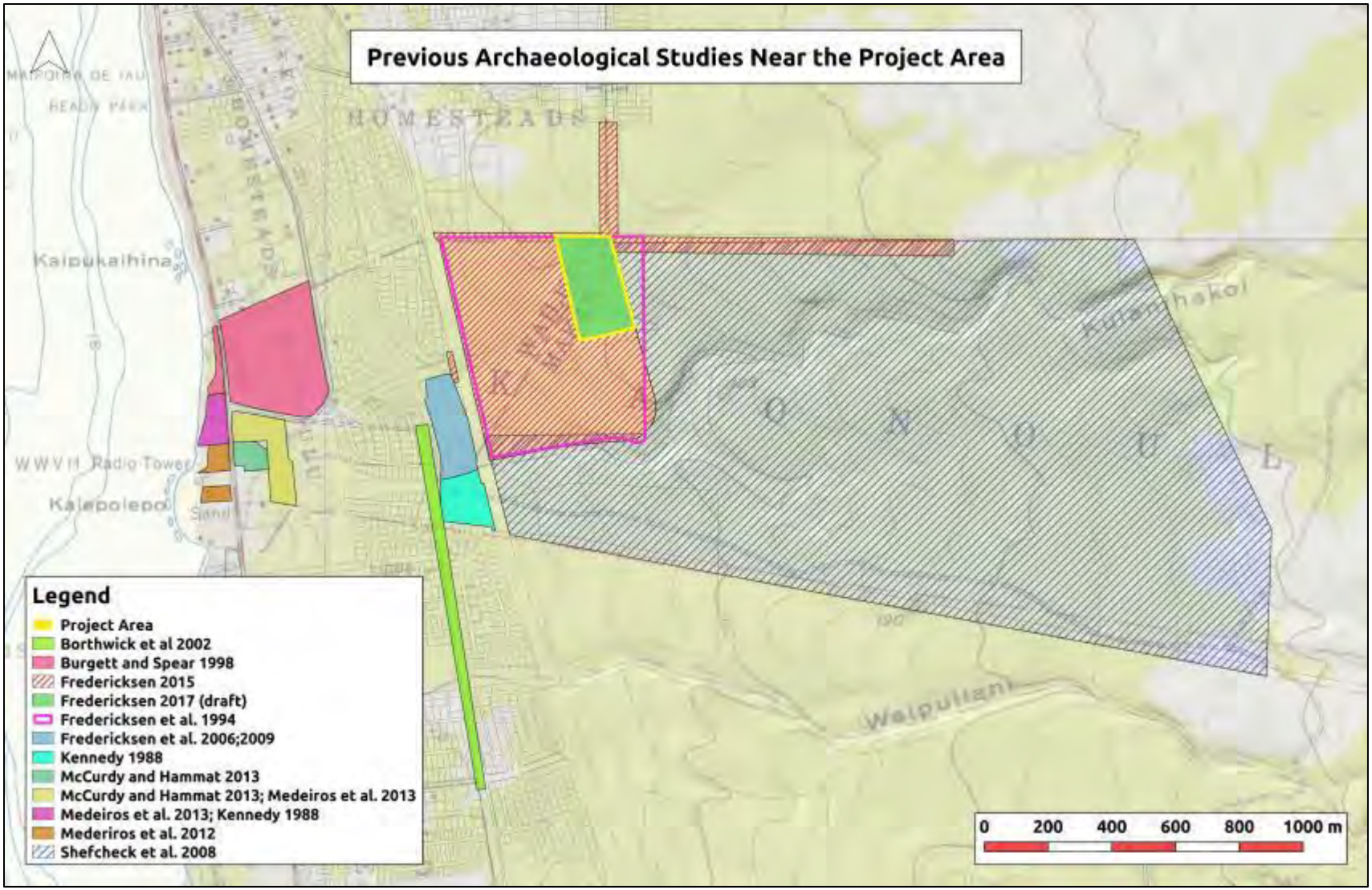

Figure 6. Previous Archaeology in Vicinity of the Proposed Project Area.

recordation of only small, temporary habitation or temporary use sites. Several other studies in this zone of Kama‘ole 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, Ka‘ono‘ulu 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 Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao Districts, Maui Island [TMK: (2) 3-9-01:16 and 2-2-02 por. 15]. This survey included the adjacent 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 Kīhei 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 Kīhei, Waiohuli and Kaʻonoʻulu Ahupuaʻa, Wailuku (Kula) District, Kīhei, Maui Island, Hawaiʻi [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 Kīhei, Kaʻonoʻulu Ahupuaʻa, Makawao District, Maui Island, Hawaiʻi [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 Ahupuaʻa [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 Hawaiʻi, 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 Hawaiʻi, 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 Ka‘ono‘ulu Ahupua‘a, 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 adjacent 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 (*i.e*., the current project area; see Figure 6). The project area is located within Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao Districts, Island of Maui [TMK: (2) 3-9-001:169]. 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 Kīhei 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, which includes the currently proposed HPL project area. 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 Kīhei offices of Goodfellow Bros., Inc., on February 25, 2014. HPL 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 ʻOhana, Brian Naeole and ʻOhana, Jacob Mau and Tim Baily and ʻOhana (from Mauka) to discuss a Site Preservation Plan" (Ibid).

FEBRUARY 25, 2014, CULTURAL CONSULTATION MEETING

On February 25, 2014, HPL Realty Investors, Inc. held a Cultural Consultation Meeting at Kīhei 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 Naeʻole
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. Jencks 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, HPL Realty Investors, Inc. held a Cultural Consultation Meeting with the Aha Moku Council to discuss the Piilani Promenade Project, which included the currently proposed HPL project area. 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 HPL 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).

CONSULTATION FOR THE CURRENT CULTURAL IMPACT ASSESSMENT

Consultation for the current CIA Consultation 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, ʻAoʻao O Na Lokoʻia 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, descendent of Hapakuka Hewahewa;
Kahele Dukelow, Maui/Lānaʻi Islands Burial Council District Representative;
Keʻeaumoku Kapu, Chair, Aha Moku;
Basil Oshiro, ʻAha Moku Representative for Kula;
Kaonohi Lee, Honuaʻula Moku Representative;
Kamoa Quitevis, Cultural Consultant;
Joylynn Paman, ʻAoʻao O Na Lokoʻia O Maui;
William Hoʻohuli, community member;
Sally Ann Oshiro, Makai Kula Moku;
Brian Naeʻole, descendant of Hapakuka Hewahewa;
Sharon Rose, community member; and
Jacob Mau, community member

CULTURAL IMPACT ASSESSMENT INTERVIEWS, RESPONSES, AND CONCERNS

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 current consultation process, 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 Elden Liu at Kalepolepo Beach Park, on November 30, 2016. During a subsequent telephone conversation on January 18, 2017, Mr. Liu has requested that his testimony not be included in the Supplemental CIA. 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. These interviews are summarized below.

INTERVIEW SUMMARIES

Joylynn Paman, ʻAoʻao 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 ʻAoʻao 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, ʻAoʻao 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 ʻAoʻao 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 Kūlanihākoʻi 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 Keeaumoku 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 Keeaumoku 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 Honuaʻula Offsite Workforce Housing 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]. Subsequently, Fredericksen (2015) conducted a subsequent Archaeological Inventory Survey, which included the current HPL project area and the area surveyed by Fredericksen *et al*. (1994). No historic properties were identified with the current project area. The project ownership has committed to a continuation of the cultural consultation process with additional participation in the data recovery effort proposed for the archeological 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 Pi`ilani Promenade Supplemental Cultural Impact Assessment did not focus on traditional cultural practices previously or currently conducted within the general project area. However, there is the potential for traditional cultural practices conducted within the greater *ahupuaʻa* 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, this 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 Paʻakai O Kaʻ Aina v. Land Use Comm'n, State of Hawaiʻi, 94 Hawaiʻi 31, 7 P.3d 1068 (2000) (hereinafter, "***Ka Paʻakai***"). 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 Hawaiʻi 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 Paʻakai, 94 Hawai`i at 46, 53, 7 P.3d at 1083, 1090.

The Hawaiʻi Supreme Court in Ka Paʻakai 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 Paʻakai, 94 Hawaiʻi at 47, 7 P.3d at 1084.

The culture-historical background presented in the CIA prepared by Hana Pono, LLC (2013), the SCIA (Dagher and Dega (2017), in addition to the findings of prior archaeological studies in the project area and in the neighboring areas, support the finding of the current CIA 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.

Based on the information presented in the current 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 Honuaʻula Offsite Workforce Housing Project to be located on approximately 13.0 acres of land, owned by Honuaʻula Partners LLC, in Kīhei, Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawaiʻi [TMK: (2) 3-9-001:169]..

REFERENCES

Armstrong, R. W.
1983 "Climate." In *Atlas of Hawaii*. The University Press of Hawaii, Honolulu.

Beaglehole, John, Ed.
1967 *The Journals of Captain James Cook on his Voyages of Discovery*. Vol. 3. *The Voyage of the Resolution and Discovery, 1776-1780*. Cambridge: Hakluyt Society, Cambridge University Press, London.

Beckwith, Martha
1979 *Hawaiian Mythology*. The University Press of Hawaii, Honolulu.

Borthwick, D.F., T. Tulchin, and H.H. Hammatt
2002 *Archaeological Inventory Survey for the Proposed Alignment of the North-South Collector Road (Kaʻonoʻulu Street to Waipuʻilani Road), Waiohuli Ahupuaʻa, (Kīhei), District of Makawao, Island of Maui. (TMK 3-9-001)*. Cultural Surveys Hawaiʻi, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Wailuku.

Burgett, B., L. Humphrey, R.L. Spear
1998 *An Archaeological Inventory Survey of Lots A and B of the Maui Lu Resort, Kihei, Kaonoulu Ahupuaʻa, Wailuku District, Maui, Hawaiʻi (TMKL 3-9-1:83, 86, and 120*. Scientific Consultant Services, Inc., Honolulu.

Chaffee, David, Berdena B. Burgett, Mike T. Carson, and Robert L. Spear
1997 *An Archaeological Inventory Survey of a Portion of the Proposed Expansion of the Maui Research and Technology Park, Kīhei, Maui Island, Hawaiʻi (TMK: 2-2-2:54)*. Prepared for Maui Research and Technology Park. Scientific Consultant Services, Inc., Honolulu.

Chinen, Jon
1961 Original Land Titles in Hawaii. Copyright 1961 Jon Jitsuzo Chinen. Library of Congress Catalogue Card No. 61-17314.

Clark, John
1980 *The Beaches of Maui County*. A Kolowalu Book, University Press of Hawaii, Honolulu.

Condé, Jesse, and Gerald Best
1973 *Sugar Trains, Narrow Gauge Rails of Hawaii*. Glenwood Publishers: Felton, California.

Cordy, R.
1977 *Kihei Flood Control Project: Archaeological Reconnaissance and Literature Search.* U.S. Army Corps of Engineers, Honolulu.

2000 *Exalted Sits the Chief.* Mutual Publishing: Honolulu.

Cox, D.
1976 *The Archeology of Kula Maui from Pulehu Nui Ahupua'a to Kama'ole Ahupua'a: Surface Survey, Pi'ilani Highway*. Department of Transportation, Honolulu.

Dagher, Cathleen A. and Michael F. Dega
n.d. *Supplemental Cultural Impact Assessment for the Proposed Piilani Promenade, 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]*. Scientific Consultant Services, Inc., Honolulu. In prep.

Daws, G.
1968 *Shoal of Time: History of the Hawaiian Islands.* University of Hawai'i Press, Honolulu.

Day, A. Grove
1984 *History Makers of Hawaii*. Mutual Publishing of Honolulu, Honolulu.

Dega, Michael
2003 *An Archaeological Assessment Report on Approximately ¾ Acres of Land at Elleair Maui Golf Club in Kihei, Keokea Ahupu'a, Kula District, Island of Maui, Hawai'i [TMK: 2-2-02-054]*. Scientific Consultant Services, Honolulu.

Dodge, F.S.
1885 Maui, Hawaiian Islands. (Registered Survey Map 1268).

Donham, Theresa K.
1989 *Archaeological Inventory Survey, Piilani Residential Community, Phase I, Land of Keokea, Makawao (Wailuku) District, Island of Maui* (TMK:2-2-02:42). Paul H. Rosendahl, Inc., Hilo.

Folk, W.H., M. Heidel, V. Creed, T.K. Devereux, J.A. Masterson, K. Hillyard, and H. H. Hammatt
1999 *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 and 2-3)*. Cultural Surveys Hawai'i, Inc., Kailua.

Foote, D.E., E. Hill, S. Nakamura, and F. Stephens
1972 *Soil Survey of the Islands of Oahu, Maui, Molokai, and Lanai, State of Hawaii*. U.S. Department of Agriculture Soil Conservation Service. Washington. D.C.

Fornander, Abraham
1919 *Hawaiian Antiquities and Folklore*. Bishop Museum Press: Honolulu.

1969 *An Account of the Polynesian Race, Its Origins and Migrations*. Vol. 1 to 3. Charles E. Tuttle Co. Inc.: Jutland.

Fredericksen, Erik

2006 *An Archaeological Field Inspection of an 8.274 acre Portion of Land Identified as Ka'ono'ulu Phase VI (formerly known as Ka'ono'ulu Phase IV), Ka'ono'ulu Ahupua'a, Wailuku and Makawao District, Maui (TMK 3-9-001: 157 and 158).* Xamanek Researches, Pukalani. Manuscript on file at the State Historic Preservation Division, Kapolei.

2009 *An Archaeological Assessment Survey of an 8.274 acre Portion of Land Identified as Ka'ono'ulu Phase VI (formerly known as Ka'ono'ulu Phase IV), Ka'ono'ulu Ahupua'a, Wailuku and Makawao District, Maui (TMK 3-9-001: 157 and 158).* Xamanek Researches, Pukalani.

2015 *An Archaeological Inventory Survey For On- And Off-Site Improvements Associated With The Proposed Piilani Promenade Project, And Updated Recommendations For Sites Identified In A 1994 Archaeological Inventory Survey Ka'ono'ulu Ahupua'a, Wailuku 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)*. Xamanek Researches, Pukalani.

2017 *An Archaeological Assessment Survey for the Proposed 13-Acre Honua'ula Off-Site Workforce Housing Project, Ka'ono'ulu Ahupua'a, Wailuku and Makawao Districts, Island of Maui. (TMK: 2-3-009:169)*. Draft Report, Xamanek Researches, Pukalani.

Fredericksen, E.M., D.L. Fredericksen, and W.M. Fredericksen

1994 *Archaeological Inventory Survey and Botanical Survey Report, Kaonoulu Light Industrial Project, Kaonoulu Ahupua'a, Wailuku and Makawao Districts, Maui Island (TMK: 3-9-01:16 and 2-2-02 por. 15).* Xamanek Researches, Pukalani.

Giambelluca, T.W., Q. Chen, A.G. Frazier, J.P. Price, Y.-L. Chen, P.-S. Chu, J.K. Eischeid, and D.M. Delparte

2013 Online Rainfall Atlas of Hawai'i. Bull. Amer. Meteor. Soc. 94, 313-316, doi: 10.1175/BAMS-D-11-00228.1. Accessed November 2016.

Hammatt, H. H. and D. W. Shideler

1990 *Archaeological Reconnaissance Survey for a Kihei Employee Housing Project at Kama'ole, Wailuku District, Maui*. Cultural Surveys Hawai'i, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Kapolei.

1992 *Archaeological Survey and Testing of a 54-Acre Parcel at Kama'ole, Wailuku District, Island of Maui (TMK: 3-9-18)*. Cultural Surveys Hawai'i, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Kapolei.

2000 *Archaeological Inventory Survey for Fuji Chemical Industry Co., LTD.'s 4.75-Acre Algae Farm Site in Ka'ono'ulu Ahupua'a (Kihei), District of Makawao, Island of Maui (TMK:2-2-02: por 42)*. Cultural Surveys Hawai'i, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Kapolei.

Handy, E.S.C.
1940 The Hawaiian Planter. B.P. Bishop Museum Bulletin 161. Bishop Museum Press, Honolulu.

Hana Pono, LLC
2016 *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)*. Kihei.

Hibbard, Don
1994 *County of Maui, Historic Preservation Review of the Silversword Single Family Subdivision Development Waiohuli, Makawao District, Island of Maui. TMK: 2-2-24: 12 & 13.* State Historic Preservation Division, Honolulu. Letter report on file at the State Historic Preservation Division, Kapolei.

Kamakau, S.M.
1961 *Ruling Chiefs of Hawaii*. Honolulu: The Kamehameha Schools Press, Honolulu.

Kameʻeleihiwa, Lilikalā
1992 *Native land and Foreign Desires: Pehea Lā E Pono Ai?* Bishop Museum Press, Honolulu.

Kelly, Marion
1983 *Na Māla o Kona*: *Gardens of Kona*. Report 83-2, Department of Anthropology. Bishop Museum. Bishop Museum Press, Honolulu.

1998 Gunboat Diplomacy, Sandalwood Lust and National Debt. In *Ka Wai Ola o*. Office of Hawaiian Affairs, Vol. 15, No. 4, April 1998.

Kennedy, J.
1986 *Preliminary Archaeological Reconnaissance of Proposed Golf Course, Ahupuaʻa of Waiohuli, Island of Maui.* Archaeological Consultants of Hawaii, Haleʻiwa. On file at the State Historic Preservation Division, Kapolei.

1988 Archaeological Walk-Through Survey of the Proposed Kaonoulu Subdivision, *(TMK 3-9-01:15,148 and 149, Located at Kihei. Maui, Ahupuaʻa of Kaonoulu.* Archaeological Consultants of Hawaii, Haleʻiwa. On file at the State Historic Preservation Division, Kapolei.

Kikiloi, S., D. Shideler, and H.H. Hammatt
2000 *Archaeological Inventory Survey for the Expanded 20-Acre Algae Farm Site, Kaʻonoʻulu Ahupuaʻa, District of Makawao, Island of Maui (TMK 2-2-02: por 42)*. Cultural Surveys Hawaiʻi, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Kapolei.

Kirch, Patrick
1985 *Feathered Gods and Fishhooks: An Introduction to Hawaiian Archaeology and Prehistory*. University of Hawaii Press, Honolulu.

2011 "When Did the Polynesians Settle Hawai'i? A Review of 150 Years of Scholarly Inquiry and a Tentative Answer," in *Hawaiian Archaeology*. 12 (2011) pp. 3-26.

Kirch, P.V. and M. Sahlins

1992 *Anahulu: The Anthropology of History in the Kingdom of Hawaii, Vol. I. Historical Ethnography by Marshall Sahlins, Vol. 2*, The Archaeology of History by Patrick V. Kirch, University of Chicago Press, Chicago.

Kolb, Michael, Patty Conte, Ross Cordy (eds.)

1997 *Kula: The Archaeology of Upcountry Maui in Waiohuli and Keokea*. Prepared for the Department of Hawaiian Home Lands. State Historic Preservation Division, Honolulu.

Kuykendall, R.S.

1938 *The Hawaiian Kingdom*. Vol.1. University of Hawai'i Press, Honolulu.

Lucas, Paul F. Nahoa

1995 *A Dictionary of Hawaiian Legal Land-terms*. Native Hawaiian Legal Corporation. University of Hawai'i Committee for the Preservation and Study of Hawaiian Language, Art and Culture.. University of Hawai'i Press, Honolulu.

Lyons, C.J.

1875 Land Matters in Hawaii. *The Islander*, Vol. I. Honolulu.

McCurdy, Todd and Hallett H. Hammatt

2013 *An Archaeological Inventory Survey for the Proposed Kūlanihāko'i Bridge Replacement Project, Ka'ono'ulu Ahupua'a, Wailuku District, Maui Island TMK: (2) 3-9-001: 999, 162, 143 (pors)*. Cultural Surveys Hawai'i, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Kapolei.

McDermott, M.

2001 *Archaeological Inventory Survey for the Proposed Pi'ilani Mauka Detention Basin No.1, Waiohuli Ahupua'a (Kihei), District of Makawao, Island of Maui (TMK 2-2-024: por 14).* Cultural Surveys Hawai'i, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Kapolei.

McGerty, Leann, William R. Fortini, and Robert L. Spear

2000 *An Archaeological Inventory Survey of Areas within the Maui Golf Club, Kīhei, Maui Island, Hawai'i [TMK 2-2-24: Por 012 and 013]*. Scientific Consultant Services, Inc., Honolulu.

Medeiros, Colleen P., Robert H. Hill and Hallett H. Hammatt

2012 *An Archaeological Literature Review and Field Inspection for Kulanihako'i Bridge Replacement Project, Ka'ono'ulu Ahupua'a, Wailuku District, Maui Island TMK: (2) 3- 9-001:999, 015, 147, 162, (pors)*. Cultural Surveys Hawai'i, Inc., Kailua. Manuscript on file at the State Historic Preservation Division, Kapolei.

Menzies, Archibald
1928 *Hawaii New, 128 Years ago*. W.F. Wilson, ed. New Freedom Publishers, Honolulu.

Monahan, Chris
2003 *An Archaeological Inventory Survey of 28.737 Acres of Land Located within the Maui Research and Technology Park in the Ahupua'a of Waiohuli, Wailuku (Kula) District, Maui Island, Hawai'i [TMK: 2-2-24: Por. 13 & 9].* Scientific Consultant Services, Inc., Honolulu.

2004 *An Archaeological Inventory Survey Report on 56.647 Acres of Land on Two Undeveloped Lots Near the Elleair Golf Course in Waiohuli and Keokea Ahupua'a, Wailuku (Kula) District, Kihei, Maui Island, Hawai'i [2-2-024: Portion 12 and Portion 13].* Scientific Consultant Services, Inc., Honolulu.

Office of Hawaiian Affairs
2016 Kipuka Database (http://kipukadatabase.com/kipuka). Accessed October 2016.

Office of Environmental Quality Control
2012 G*uide to the Implementation and Practice of the Hawaii Environmental Policy Act*. State of Hawai'i, Honolulu.

Parker, Patricia L., and Thomas F. King
1998 *Guidelines for Evaluating and Documenting Traditional Cultural Properties*. National Register Bulletin 38. Washington, D.C.: National Park Service.

Pukui, Mary K., Samuel H. Elbert and Esther Mookini
1974 *Place Names of Hawaii,* University of Hawaii Press, Honolulu.

Shefcheck, Donna, Shayna Cordle, and Michael Dega
2008 *An Archaeological Inventory Survey on a 516.2-Acre Parcel Located in Kīhei Ka'ono'ulu Ahupua'a, Makawao District Maui Island, Hawai'i [TMK (2) 2-2-002:015 por.]*. Scientific Consultant Services, Inc., Honolulu.

Sinoto, A., L. Rotunno-Hazuka, and J. Pantaleo
1999 *An Archaeological Inventory Survey of the Proposed Douglas Spencer Subdivision, Kama'ole Ahupua'a, Wailuku, Maui, TMK 3-9-04:129*. Aki Sinoto Consulting, Honolulu.

2001 *An Archaeological Inventory Survey of the Proposed U.S. Post Office Facility Maui Research and Technology Park, Waiohuli Ahupua'a, Makawao, Maui, Hawai'i (TMK: 2-2-24: por. 08)*. Aki Sinoto Consulting, Honolulu.

Speakman, Cummins
1978 *Mowee, An Informal History of the Hawaiian Island*. Cal Central Press, San Francisco.

Stokes, J.F.G.
1909–1916 *Maui Heiau.* Manuscript on file at the Bernice Pauahi Bishop Museum, Honolulu.

Stoddard, Charles Warren
1894 *Hawaiian Life: Being Lazy Letters from Low Latitudes*. F.T. Neely, 1894: Chicago.

Thrum, T.G.
1909 Heiau of Maui. In *Hawaiian Annual*. Compilation at State Historic Preservation Division, Kapolei.

Tome, G. and M. Dega
2002 *Archaeological Inventory Survey on a 3-Acre Parcel in Kihei Town, Kama'ole District, Maui Island, Hawai'i [TMK: 3-9-17:31].* Scientific Consultant Services, Inc., Honolulu.

Walker, W.
1931 *Archaeology of Maui.* Department of Anthropology, Bernice Pauahi Bishop Museum, Honolulu.

Wilcox, Charles
1921 Kalepolepo. *Paradise of the Pacific*. 34 (12):65-67.

Vancouver, George
1984 *Voyage of Discovery to the North Pacific Ocean and Round the World 1791-1795*. Kaye Lamb, ed. The Hakluyt Society. Cambridge University Press, London.

Waihona Aina Database
2016 Website: http://www.waihona.com. Accessed October 2016.

APPENDIX A: HANA PONO, LLC CIA (2016)

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, Hawai'i 96753

December 2013
Revised March 2016 & August 2016

Management Summary

Report	Cultural Impact Assessment for the proposed Piilani Promenade project
Date	December 2013, revised March 2016 & August 2016
Project Location	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)
Acreage	Approximately 88 acres
Ownership	Sarofim Realty Advisors
Developer/Applicant	Sarofim Realty Advisors
Project Description	The proposed project will include residential, light-industrial, commercial, and public/ quasi-public uses.
Region of Influence	Ka'ono'ulu ahupua'a, Kula Moku
Agencies Involved	SHPD/DLNR, Maui County, State Land Use Commission
Environmental Regulatory Context	The undertaking is subject to both State land use laws and County zoning regulations, and other environmental regulations
Results of Consultation	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.
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 Haleakalā 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 Mā' 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 Haleakalā, south of our project area, down through Honua'ula and landing at the surf of Mākena 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'ā (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'ao, the ali'inui (Head Chief) Mō'ikeha and his sons Kiha and La'amaikahiki, and high chief Hawai'iloa. 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'ao 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 Mā'alaea plain in Waikapū and uala (sweet potato) from the mauka slopes of Haleakalā, 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'ono'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 Mākena 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 nā poki'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
Jacob R. Mau
Lucienne DeNaie

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 Nae'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 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.

Bibliography

Ashdown, Inez
Stories of Old Hawai'i. Ace Printing Company, Inc., Honolulu, Hawaii.

Fornander, Abraham
1969 An Account of the Polynesian Race: Its origins & migrations. Charles Tuttle, Rutland, Vt.

Handy, E. S. Craighill; Handy Elizabeth Green; Pukui, Mary Kawena
1972 Native Planters in Old Hawai'i: Their Life, Lore, and Environment. Bishop Museum Press, Honolulu, Hawaii.

Handy, E.S.C.
1940 The Hawaiian Planter Volume I: His Plants, Methods and Areas of Cultivation. Bishop Museum Bulletin 161, Honolulu, Hawaii.

Hawaii State Office of Environmental Quality Control
1997 Guidelines for Assessing Cultural Impacts, (taken from OEQC website)

Holt, Hokulani & Budnick, Rich
1991 Maui Street Names: the Hawaiian dictionary and history of Maui street names, Aloha Press, Honolulu, HI

Kamakau, Samuel M.
1961 Ruling Chiefs of Hawaii. Kamehameha Schools Press, Honolulu, Hawaii

Kay, Alison
1994 A Natural History of the Hawaiian Islands, University of Hawaii Press

Kyselka, Will & Lanterman, Ray
1980 Maui: How It Came To Be, University of Hawaii Press

Sterling, Elspeth P.
1998 Sites of Maui. Bishop Museum Press, Honolulu, Hawaii.

Stoddard, Charles Warren
1894 Hawaiian Life: Being Lazy Letters from Low Latitudes. F.T. Neely, Chicago, Ill.

Waihona 'Aina
1995 Waihona 'Aina Database. Waihona 'Aina Corporation.
www.haihona.com. 20 Oct 2013
1895

Appendix A: Transcription of interview with Daniel Kanahele

0001

INTERVIEW OF DANIEL KANAHELE
BY KIMOKEO KAPAHULEHUA

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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 makai one.

DANIEL KANAHELE: Yes.

KIMOKEO KAPAHULEHUA: And, yet, to connect with Timmy. So can you 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 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

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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.

KIMOKEO KAPAHULEHUA: Right.

DANIEL KANAHELE: And as -- 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, 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

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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 process in

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, one that represents Kula makai, you know, near the ocean, and one 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 the moku 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, to be their representatives.

KIMOKEO KAPAHULEHUA: Were they -- were they chosen by residents, one, and would you say that they were

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chosen by genealogy connection or lineage of the land?

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 not be from here, but -- you don't have to be kanaka to have generational knowledge, you know. You don't have to be 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 knowledge is very important.

KIMOKEO KAPAHULEHUA: But both of 'em live within the moku?

DANIEL KANAHELE: Yes.

KIMOKEO KAPAHULEHUA: And both of them is 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.

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DANIEL KANAHELE: That's right.

KIMOKEO KAPAHULEHUA: And Basil, like you said, live right in the moku.

DANIEL KANAHELE: Right. Yeah. I think he lives in the -- does he live in ahupua`a, too?

KIMOKEO KAPAHULEHUA: Yeah.

DANIEL KANAHELE: I don't know if he's Kaonoulu or he's in the next one over. I think he's -- yeah, I think he's in the Kaonoulu Ahupua`a.

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, I think Pi`ilani Promenade project --
DANIEL KANAHELE: Yeah.
KIMOKEO KAPAHULEHUA: -- have a impact on you culturally?
DANIEL KANAHELE: Uh-huh. Cultural practices or --
KIMOKEO KAPAHULEHUA: Yeah. Practices, culture land, culture flora, culture fauna, culture insects, various culture sections.
DANIEL KANAHELE: Well, if we're talking about this -- I don't know what the proposed project is

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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: Gulch.
DANIEL KANAHELE: I would have to say -- speaking just for myself as Kanaka Maoli that lives in this area --
KIMOKEO KAPAHULEHUA: Yeah.
DANIEL KANAHELE: -- that, you know, my family is from Maui, from different -- from 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.

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KIMOKEO KAPAHULEHUA: -- from a Kanaka Maoli, Daniel Kanahele that --
DANIEL KANAHELE: Yeah.
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 into a

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 interviews that are done, does someone make a determination as to whether or not, based on the interviews, there is cultural -- impact to cultural traditional practices?
KIMOKEO KAPAHULEHUA: My understanding, that State

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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 the other person -- it included a QECC, Quality of Environment -- you know. So they get it read it and see it and they would make a recommendation of preserving or, just like you said, data recovery and not significant, you know what I mean. So this will go to them. They would -- they would -- and it also goes to Office of Hawaiian Affairs. So they would be the 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 & Associate?
KIMOKEO KAPAHULEHUA: They -- they contract us as a --
DANIEL KANAHELE: They contract you.
KIMOKEO KAPAHULEHUA: Yeah.
DANIEL KANAHELE: And then you're -- are you Hui

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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 interviews and 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 we had discussed --
DANIEL KANAHELE: Uh-huh.
KIMOKEO KAPAHULEHUA: -- with interviews that there 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

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

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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 here in Maui. They don't have any purview over CIAs.
KIMOKEO KAPAHULEHUA: No. It goes to --
DANIEL KANAHELE: The ones that review CIAs is the OEQC.
KIMOKEO KAPAHULEHUA: Yeah.
DANIEL KANAHELE: The Office of Environmental --
KIMOKEO KAPAHULEHUA: Environmental --
DANIEL KANAHELE: -- 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, but 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

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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 things through like tunnel vision. We have a very narrow view. We takes -- 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 -- the stars, to the streams, to the plants, to the local i`a, to the sea. Everything is connected --

KIMOKEO 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. 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 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 the 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 Daniel Kanahele Kealoha --

DANIEL KANAHELE: Kaleoaloha.

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

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DANIEL KANAHELE: February 6, I think.

KIMOKEO KAPAHULEHUA: 6th. Mahalo, Daniel.

DANIEL KANAHELE: February 16.

KIMOKEO KAPAHULEHUA: Appreciate it.

DANIEL KANAHELE: Aloha. That was good.

(Recording concluded.)

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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 13th day of March, 2016.

_____

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

Appendix B: Transcription of interview Michael Lee

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INTERVIEW OF MICHAEL LEE
BY KIMOKEO KAPAHULEHUA

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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 trampsing the land and going to the ocean, learning more about the seaweed and everything. So this was my -- this was my Hawaiian tutu and 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 was 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

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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 Hana land.
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.

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 Kauwa was 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 -- the -- 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, 1886-87?
MICHAEL LEE: Oh, these are the book of records.
KIMOKEO KAPAHULEHUA: Oh, the record book.
MICHAEL LEE: Book of records. So that's for the 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 --

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 KAPAHULEHUA: It shows -- on the death thing --
MICHAEL LEE: Yeah.
KIMOKEO KAPAHULEHUA: -- shows like makimole.
MICHAEL LEE: Yeah. It says -- it says like what they died of over there.
KIMOKEO KAPAHULEHUA: It says fever.
MICHAEL LEE: Right.
KIMOKEO KAPAHULEHUA: And maimau.
MICHAEL LEE: Yeah.
KIMOKEO KAPAHULEHUA: (Inaudible).
MICHAEL LEE: Yeah. Yeah.
KIMOKEO KAPAHULEHUA: That you know the record shows everything.
MICHAEL LEE: Yeah.
KIMOKEO KAPAHULEHUA: And registered as so.
MICHAEL LEE: Yeah. So this is from Moren's journals. And it says -- this is from 1819, baptism, 4th of

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July. Says today the children were baptized, I was godfather of son of John Meek. John Meek's son is very 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 KAPAHULEHUA: 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. He marries Princess Harriett Kawaikipi, he gets one daughter from her because Kamohoalii is her grandfather and the heir to Kauai is George Humehume.
KIMOKEO KAPAHULEHUA: So Kamohoalii is from Kauai?
MICHAEL LEE: From Kauai.
KIMOKEO KAPAHULEHUA: Ali`i?
MICHAEL LEE: Ali`i. 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 KAPAHULEHUA: Oh.
MICHAEL LEE: That's how they're related to us.
KIMOKEO KAPAHULEHUA: So the Logan now is (inaudible).
MICHAEL LEE: Yeah, yeah.

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KIMOKEO KAPAHULEHUA: 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 was the 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 is very important because what this does, in the -- it says 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 haole man. So this was before he died in 1819, yeah, in May. So

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Captain Meek had children during the time of Kamehameha I, yeah.

And so we also have Buster Crabbe, the famous movie star that was Flash Gordon and everything, he was a 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,

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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 it 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 change the 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 -- 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 on 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 `olelo. 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`u makoi redirects from nuakea, the breasts of the mountains, pulling the naulu rains to feed the child. It's almost like a 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 Kihei opens up and her breast milk goes to -- which is the fresh water, 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, where he

made his lama spear, 12-foot spear. And he had the -- the turtle glasses and he would take a breath at five 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 these people who are my family teach this knowledge, which at the time I never thought anything of it. I just thought it was family stuff. But then as I got into my 50s, Auntie Alice, in my 20s, said, Governor, with one day you're gonna be doing what I'm doing. And I said, oh, auntie, that's never gonna happen because I'm a 9:00 to 5:00er. I gotta work for my living, I gotta -- I gotta pay the bills. 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 taking all this knowledge that they showed me and actually doing something with it to save the Hawaiian culture.

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. And

what we bring to the table is to educate, to you know better, you can do better. And if you know why this pile of rocks is what it is, and once its functionary --

KIMOKEO KAPAHULEHUA: Let me stop one minute.

MICHAEL LEE: Yeah.

KIMOKEO KAPAHULEHUA: So I can get a new tape.

MICHAEL LEE: Okay. Break in audio..

KIMOKEO KAPAHULEHUA: Hang on one more, a little bit. Okay.

MICHAEL LEE: Aloha again. You know, from our -- our family lineage, this nihopalaoas came from my fifth grade grandmother found in the entrance channel of the marina of Ewa, walking the proposed channel, which we stopped regarding, we got into it and went up as our own attorney for the Supreme Court to stop, 'cause other family members are buried there. And so we got recognition. And our tutu was holding these nihopalaoas in her hand at the 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 it links us to hauloa. And all of us are linked to how hauloa as the root, yeah, in our mo`oku`auhau. And it's important for anybody who's kanaka to know, this is the pupee that was found, to know the well to. She had a cache of all these Hawaiian jewelry. She was like 25 years old in -- in 1796,

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1795 where the burials were -- were found. And so you don't destroy our world. I was never an attorney, but I'll do an attorney. I helped kanu the SHPD State Historic Preservation Division's found my grandmother's iwi kupuna. And it took me 10 years to get her back into the ground in Ewa, had to do a long fight. And this is the local -- how genaology of how family goes to the Pi`ilani side and Kaiwe side.

KIMOKEO KAPAHULEHUA: And the Kamoalii.

MICHAEL LEE: And the Kamoalii side. We're all family. We all family in -- on my dad's side. The marriage locked everybody in through (inaudible), who was the Keopuolani of the 1700s, who married Luna Haipu, my grandfather of Kauai, and linked us all in. Kuali`i is my direct eighth grade grandfather, so he was from the Oahu (inaudible) line to both Kauai and Oahu. Kauai and Oahu are connected. And the channel is only a river between them because Kuali`i would spend every January, February on Kauai as mo`i of Kauai, but that bloodline is what locks in the islands, just as Hana is locked into north Kohala. The islands are one Big Island with these little rivers in between that we call channels, kaiiwe channel, but they're rivers 'cause it's the family blood lines that lock in everything which is the back door to the front porch or whatever. So in our family lineage, there is no -- you

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know, we have 88 different canoes and the 88 different ways of using the canoes, 'cause today people use the airplanes, jets. The canoe's usage, our family would stay two years on one island, go to Molokai, Kola Kula Koa was Chief Kula Koa's daughter who was ali`i of Molokai. That's my great,

great, great, great grandfather, my sixth -- seventh great 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. So when 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

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Nebraska on a farm for 200 years or whatever and says that's how you guys should live is false because we constantly move, nomadic. Summertime, that's why Queen Emma, summer palace. 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 Keakeolani 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

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of these caves we put our keai, we put our iwi kupuna. You see the shelves down here? Well, sometimes there are niches 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 notice for

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 do a EIS or AIS, the first thing I ask is if you're gonna

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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, to wakea 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 the 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 year ends and the resetting of the covenant of waiwai 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

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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 until my 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 spiritualty 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 side to side, salt and pepper.

KIMOKEO KAPAHULEHUA: This way. Yeah. Right there.

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

KIMOKEO KAPAHULEHUA: This side. This side. Wait, wait, wait. Right there.

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

KIMOKEO KAPAHULEHUA: The green one or the red one. There you go. Right there. Right there.

MICHAEL LEE: Yeah. So, for us, this is not something that, you know, is -- is try go see because my 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 wiliwili forest showing up that used to be there 1,000 years ago, the dryland wiliwili forest on the Pi`ilani Promenade. And there was like 40 people up there 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 --

KIMOKEO KAPAHULEHUA: Who that guy? Who is this?

MICHAEL LEE: Oh. This is Hank Fergerstrom. I took him to the -- the pu`u at Hunuulu 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 other side. 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 can your 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 iwi kupuna is there. And that's our connection.

KIMOKEO KAPAHULEHUA: There was a -- there was

some concerns that you had, and you wrote them the concerns.
MICHAEL LEE: Yeah.
KIMOKEO KAPAHULEHUA: So can you share that concerns that you had, you went over with on --
MICHAEL LEE: The --

KIMOKEO KAPAHULEHUA: -- the promenade?
MICHAEL LEE: The promenade, yeah.
KIMOKEO KAPAHULEHUA: (Inaudible), yeah.
MICHAEL LEE: Yeah. The -- the concerns were that the -- and we went over with the archaeologist.
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 is there, the mound of stones for offering for rain to come, the solar area that has the solstices, the area that we -- the eclipse site, Hina Ake Ahi, and Hina Ake Ahi is Tutu Pele. Tutu Pele, this is her niho palaoa that we were given on Haleakala by tutu herself. She said take it. Okay.
Our concerns is that these things can be raised up, because they have to flatten out that property, to make it level and plain. And these cultural sites need to be 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. And these features are Hawaiian cultural resources. They are our books, our observations and practice in place for our presence of our history. And to destroy them is like to

destroy the books in the library of Alexandria of Egypt when it was burned. And we come to the forefront to put our mo`oku`auhau, our ike, our `olelo out to define under law what needs to be -- is what they call a finding of fact, to show that these things existed, they had form, they had function, they had a foundation for the purpose and need of makahiki, konohiki and kapu in their observations and in their time clock as our `olelo book through our chants. And we're not stopping the project, but we're asking people, because we've identified these cultural resources, what they are, what the practices were, why they're important. And they're not a lot around. There's some major ones that we just said, raise it up. For the ones that have alignments, 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 zone around it in your landscaping for our cultural landscape. And incorporate it into what makes this place so special and should not be destroyed. Because it connects in to the rising of the sun who -- and directly overhead and Hina and, also, the nighttime practices for the fishermen, which was, basically, like a -- a temporary fishing village that took advantage of all the fish that came and during a certain time because you dried fish. You dried fish and octopus and for survival strategies and food sustainability. This place

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was used primarily by fishermen, but you had your Papa Kilo 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 is going to concentrate on fishing, by kilo, kilo -- by -- kilo means the vision by being up and kiloea, to be able to see and then to thank the gods and offer the right 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 drainage issue, 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 -- besides the archaeological inventory survey, 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 of Engineers with -- what you're doing on the drainage above. Because what concerned me is they wanted to go over and

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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 and 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 practice 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

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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 -- 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

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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 is set 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 so

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they can 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 documents that you sent in to address the concerns?
MICHAEL LEE: Yes.
KIMOKEO KAPAHULEHUA: Can you flip each of the document 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.

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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 in 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

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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 the missionaries aren't around -- there are not enough of 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 then they bulldozed for their purposes and stuff, over the ranches that -- you know, during the war, that -- 1940, World War

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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

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of kane, to make the water come down, the limu bloom, the fishes 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 and the ocean? It brings with it fruits that fall in seasonally. And the fish come to the ocean. And where the auwai comes out, 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. So as 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.

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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), palahalaha.

KIMOKEO KAPAHULEHUA: Eleele.

MICHAEL LEE: Eleele. You see that limu growing, you know there's a spring around, you know the fresh water 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 have to 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

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don't fish, don't know. So why hasn't it collapsed? We have all of these ana springs and caves that are huge that 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 rivers, and we call auwais, 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 kalawaia for fishing and it's called mahi for farming. It's -- it's necessary in setting that time clock of ho`oilo. 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 sea itself, 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 be kapakahi and then it's all gonna start to fall apart. You cut down 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 pili grass, put in California grass. Take down the natural trees, no more naulu winds and naulu mists from the ocean breakers 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 you order pipes, special order pipes, and they don't fit, pono`ole. Same thing, what is connected to the mountain, the midrange and 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 petroglyph 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 narrow cave, 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 stop the project; we're just saying, hey, these are important flags and markers, that what you do up at 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 pili grass stops that erosion and red water, the brown water that we hear about. Because if it's managed properly, there is no brown

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, then they started to starve. Kanakas used the -- the 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 created the koas in the ocean. They're not just on the land, but they're in the ocean. We built them to train the opelu to come in the net. We feed 'em, we tame 'em. You take wild 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 in the 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

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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, they were 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

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it, it's -- it's based on Kane's forehead of the makaha and 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 stars that rotate around -- one rotates -- the red one rotates around alko, which is kane, which is makohelani, and makaha is 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 -- 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 broader scope that we're talking about in this interview with Kimokeo who

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has come down this morning from Maui to -- to give this 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.

MICHAEL LEE: 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 io. 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

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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're at

Michael Lee, practitioner for Papa Kilo --
MICHAEL LEE: And the limu.
KIMOKEO KAPAHULEHUA: -- the limu and, also, protocol.
MICHAEL LEE: Yeah.
KIMOKEO KAPAHULEHUA: And we share with you -- he share with you his mo`oku`auhau, his genealogy, the connection to mokopuniomaui 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 kamuana, the people that have see, and napoi konua, that we one big family. So he

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has explained that -- some of the things that, on there, is a physical example or things that was left behind and he had expressed his concerns and addressed all of that for the developer to include that in this report, and to address it. 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 Hana all the way to Lahaina, and how he expressed the connection of 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 site about 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 awards he received because of the kupuna teaching him the many, many

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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 KAPAHULEHUA: I like the video because it gives word for word, and no one can change it.
MICHAEL LEE: Right.
KIMOKEO KAPAHULEHUA: 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 KAPAHULEHUA: Yeah.

MICHAEL LEE: You have my permission. You have my permission.
KIMOKEO KAPAHULEHUA: Appreciate that very much.
MICHAEL LEE: Yeah.
KIMOKEO KAPAHULEHUA: So I'm gonna say mahalo akua.
MICHAEL LEE: Mahalo.

KIMOKEO KAPAHULEHUA: Mahalo naamakua.
MICHAEL LEE: Mahalo.
KIMOKEO KAPAHULEHUA: Mahalo no kupuna okahiko. And mahalo your oi and ohana oli.
MICHAEL LEE: Mahalo.
KIMOKEO KAPAHULEHUA: Ae mama uno.
MICHAEL LEE: Mahalo puni o ae.
KIMOKEO KAPAHULEHUA: Mahalo.
(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 15th day of March, 2016.

_____
Tonya McDade
Registered Professional Reporter
Certified Realtime Reporter

Certified Broadcast Captioner
Hawaii Certified Shorthand Reporter #447

Appendix C: Transcription of Cultural Consultation Meeting of February 25, 2014