APPENDIX I -2

Cultural Impact Assessment for the proposed Honua’ula offsite workforce housing project dated April 2017
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, Kaʻonoʻulu 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
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 Kameʻelehiwa, 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

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

CULTURAL HISTORICAL CONTEXT

The environment factors and resource availability heavily influenced pre-Contact settlement patterns. Although an extensive population was found occupying the uplands above the 30-inch rainfall line where crops could easily be grown, coastal settlement was also common (Kolb et al. 1997). The existence of three fishponds at Kalepolepo, southwest of the project area, and at least two heiau identified near the shore confirm the presence of a stable population relying mainly on coastal and marine resources.

Agriculture may have been practiced behind the dune berms in low-lying marshland or in the vicinity of 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 Kalaihaʻōhia, during the time of the aliʻi Kakaʻalaneo (Beckwith 1979:383; Fornander places Kakaʻalaneo at the end of the 15th century or the beginning of the 16th century [Fornander 1919-20, Vol. 6:248]). Land was considered the property of the king or aliʻi ʻai moku (the aliʻi who eats the island/district), which he held in trust for the gods. The title of aliʻi ʻai moku ensured rights and responsibilities to the land, but did not confer absolute ownership. The king kept the parcels he wanted, his higher chiefs received large parcels from him and, in turn, distributed smaller parcels to lesser chiefs. The makaʻāinana (commoners) worked the individual plots of land.
In general, several terms, such as moku, ahupuaʻa, ʻili or ʻiliʻāina were used to delineate various land sections. A district (moku) contained smaller land divisions (ahupuaʻa), which customarily continued inland from the ocean and upland into the mountains. Extended household groups living within the ahupuaʻa were therefore, able to harvest from both the land and the sea. Ideally, this situation allowed each ahupuaʻa to be self-sufficient by supplying needed resources from different environmental zones (Lyons 1875:111). The ʻili ʻāina or ʻili were smaller land divisions next to importance to the ahupuaʻa and were administered by the chief who controlled the ahupuaʻa in which it was located (Ibid: 33; Lucas 1995:40). The moʻoʻāina were narrow strips of land within an ʻili. The land holding of a tenant or hoa ʻāina residing in an ahupuaʻa was called a kuleana (Lucas 1995:61). The project area is located in the ahupuaʻa of Kaʻonoʻulu, which translated means literally “the desire for breadfruit” (Pukui et al.:86).

TRADITIONAL SETTLEMENT PATTERNS

The Hawaiian economy was based on agricultural production and marine exploitation, as well as raising livestock and collecting wild plants and birds. Extended household groups settled in various 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 officinarum) 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 fishermenʼs 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
Umi’s konohiki (land manager) ordered all the people from Maui to help repair the walls of Kalepolepo’s fishponds. A man named Kikau protested that the repairs could not be done without the assistance of the menehune who were master builders (Wilcox 1921:66-67). The konohiki was furious and Kikau was told he would die once the repairs had been made. Kēōkea-kai was the first to be repaired. When the capstone was carried on a litter to the site, the konohiki rode proudly on top of the rock as it was being placed in the northeast corner of the pond. When it was time for repairs on Waiohuli-kai, the konohiki did the same. As the last pond, then known as Ka’onoʻulu-kai, was completed, the konohiki once again rode the capstone to its resting place. Before it could be put into position, the capstone broke throwing both the rock and konohiki into the dirt. The workers reportedly said “Ua konohiki Kalepolepo, ua eku i ka lepo” (the manager of Kalepolepo, one who roots in the dirt)” (Ibid: 66). That night a tremendous storm threw down the walls of the fishponds. The konohiki implored Kikau to help him repair the damage. Kikau called the menehune who rebuilt the walls in one night. Umi sent for Kikau who lived in the court of Waipiʻo valley from then on. The region of Kēōkea-kai and Kaʻonoʻulu-kai Fishpond became known as Kalepolepo Fishpond (Ibid.).

The Kalepolepo fishponds were rebuilt by Kekaulike, chief of Maui in the 1700s. During that period of time, the Kalepolepo fishponds supplied ʻamaʻama (mullet) to Kahekili. Kamehameha I subsequently restored Kalepolepo fishponds when he ruled as governing chief over Maui. The fishponds were restored for the final time in the 1840s, when prisoners from the Kahoolawe 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 ʻŌlaʻi south of Kihei and enumerates the observed animals, thriving groves of breadfruit, the excellence of the taro, and almost prophetically, says the sugar cane is of an unusual height. Seen from this distance and the mention of breadfruit suggest the uplands of Kipahulu-Kaupo and ʻUlupalakua were his focus.

In the ensuing years, LaPérouse (1786), Nathaniel Portlock and George Dixon, (also in 1786), sailed along the western coast, but added little to our direct knowledge of Kihei. 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 Hawaiiʻi Island causing the land to be neglected and human resources wasted (Vancouver 1984:856).

MĀHELE

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

Among other thing, foreigners demanded private ownership of land to insure their investments (Kuykendall Vol. I, 1938:138, 145, 178, 184, 202, 206, 271; Kameʻeleihiwa 1992:178; Kelly 1998:4). Once lands were made available and private ownership was instituted
the makaʻāinana (commoners) were able to claim the plots on which they had been cultivating and living (kuleana lands, Land Commission Awards, LCA). These claims could not include any previously cultivated or presently fallow land, ʻokipū (on Oʻahu), stream fisheries or many other resources necessary for traditional survival (Kelly 1983; Kameʻelehiwa 1992:295; Kirch and Sahlins 1992). This land division, or Māhele, occurred in 1848. The awarded parcels were called Land Commission Awards (LCAs). If occupation could be established through the testimony of two witnesses, the petitioners were awarded the claimed LCA, issued a Royal Patent number, and could then take possession of the property (Chinen 1961: 16).

Fifty-five LCA claims were made for land in Kaʻonoʻulu Ahupuaʻa. However, a search of the Waihona ʻAina Database (2016) indicated that Hapakuka Hewahewa, the last high priest (kahuna nui) under the traditional religion and primary kahuna of Kamehameha I, received most of the ahupuaʻa, comprising 5715 acres, under LCA 3237*M/Royal Patent 7447 in 1853 (Appendix E). According to the Waihona ʻAina Database (2016), seven LCAs were issued in Kaʻonoʻulu Ahupuaʻa, in addition to Hewahewa’s lands:

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

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

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

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

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

Land Commission Award 5407/ Royal Patent 2791; consisting of two ʻāpana comprised of 3.491 acres in Kaʻonoʻulu Ahupuaʻa, Kula District was awarded to in 1856.
Land Commission Award 5465/ Royal Patent 7653; consisting of three ʻāpana comprised of 10.25 acres in the ʻili of Kailua, Kaʻonoʻulu Ahupua’a, Kula District was awarded to Makahahi in 1882.

The Office of Hawaiian Affairs Kipuka Database (2016; [Figure 5]) indicated the entire ahupuaʻa of Kaʻonoʻulu was awarded to Hewahewa. 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 IV, Lot Kamehameha (V), and Lunalilo. Wilcox (1921:67), giving a glimpse of the surroundings before abandonment stated, “…Kalepolepo was not so barren looking a place. Coconut trees grew beside pools of clear warm water along the banks of which grew taro and ape…”. However, by 1887 this had changed. Wilcox (1921) continues: …the Kula mountains had become denuded of their forests, torrential winter rains were washing down earth from the uplands, filling with silt the ponds at Kalepolepo…ruins of grass huts [were] partly covered by drifting sand, and a few weather-beaten houses perched on the broad top of the old fish pond wall at the edge of the sea, with the Halstead house looming over them dim and shadowy in the daily swirl of dust and flying sand…”

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

The Kaonoulu Ranch has been in the Rice family since 1916. Previously, both the Haleakalā and Kaonoulu Ranches leased the then Crown lands for pasture and other ranching activities. According to Fredericksen et al. 1994:32):

Land Commission Award 8452: 20 consisted of a portion of the 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 Kihei.

**PREVIOUS ARCHEOLOGY**

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

The barren zone areas of this study have recently been subject to a proliferation of archaeological studies as residential and business endeavors expand from the coastline into other reaches of the Kihei area. Concomitant with modern expansion involves necessary historic preservation work. The following section provides a general overview of archaeological studies in the general Kihei area, focused on the barren zone.

As noted by Hammatt and Shideler (1992:10), “what is particularly striking in the many archaeological reports on Kihei 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.
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 Kihei, Kaʻonoʻulu Ahupuaʻa, Wailuku District, Maui [TMK: (2) 3-9-1:83,86, and 120]. No historic properties were identified.

Xamanek Researches (Fredericksen et al. 1994) conducted an Archaeological Inventory Survey of 88 acres of land located in Kaʻonoʻulu Ahupuaʻa, 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 Kihei, Waiohuli and Kaʻonoʻulu Ahupuaʻa, Wailuku (Kula) District, Kihei, 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, Ka‘ono‘ulu Ahupua‘a, Makawao District, Maui Island, Hawai‘i [TMK: 2-2-002: 015 por.], located immediately adjacent and east of the current project area (see Figure 6). During the survey, forty archaeological sites were newly identified. Of these forty sites, eight were interpreted as associated with pre-Contact activities. These pre-Contact sites consisted of temporary rock shelters with petroglyph components, enclosures, platforms, a mound and a wall. Historic sites identified during this survey were interpreted as having agricultural and military training functions.

In 2006, Xamanek Researches (Fredericksen 2006, 2009) conducted an archaeological field inspection of 8.274 acres of land in Ka‘ono‘ulu Ahupua‘a [TMK: (2) 3-9-001:157 and 158]. No historic properties were identified. The original field inspection report was turned in to the State Historic Preservation Division (SHPD) for review and comment. However, the archaeological field inspection reports are not subject to the SHPD review process. The SHPD subsequently requested that the report be resubmitted as an archaeological assessment survey.

Cultural Surveys Hawai‘i, Inc. (McCurdy and Hammatt 2013) conducted an Archaeological Inventory Survey for the proposed Kūlanihāko‘i Bridge Replacement Project, Ka‘ono‘ulu Ahupua‘a, Wailuku District, Maui Island [TMK: (2) 3-9-001: 999, 162, 143 (pors)]. During the survey, the Kūlanihāko‘i Bridge (State Site 50-50-10-7606) was documented. No additional historic properties were identified. Prior to the Archaeological Inventory Survey, Cultural Surveys Hawai‘i, Inc. (Medeiros et al. 2012) conducted an archaeological literature review and field inspection for the Kūlanihāko‘i 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 Kihei was settled along the coastline, nearer resources, while lands above 2,000 ft. amsl. were
also heavily occupied from the c. A.D. 1400s. Thus, the “barren zone” became a medial zone between a coastal and inland population. Coupling the lack of major water resources and the shallow depths of the soils, the barren zone became an infrequent occupation area. Given the paucity of significant sites in the barren zone, the sites that are identified in this zone become much more significant.

CONSULTATION

Hana Pono, LLC (2016) conducted a CIA, in support of the DEIS, for the proposed Piilani Promenade Project, 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 ‘Ohana, Jacob Mau and Tim Baily and ‘Ohana (from Mauka) to discuss
a Site Preservation Plan” (Ibid).

FEBRUARY 25, 2014, CULTURAL CONSULTATION MEETING

On February 25, 2014, 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, ‘Ao‘ao O Na Loko‘ia O Maui;
Leslie Kuloloio, cultural practitioner and former member of the Maui/Lānaʻi Islands Burial Council;
Andrew K. Phillip, State Historic Preservation Division, Burial Sites Specialist, Maui;
Kapulani Antonio, Chair Maui/Lānaʻi Islands Burial Council and representative of the Moku of Kula;
Clare Apana, cultural practitioner;
Elden Liu, descendent of Hapakuka Hewahewa;
Kahele Dukelow, Maui/Lānaʻi Islands Burial Council District Representative;
Keʻeamoku Kapu, Chair, Aha Moku;
Basil Oshiro, ‘Aha Moku Representative for Kula;
Kaonohi Lee, Honua‘ula Moku Representative;
Kamoa Quitevis, Cultural Consultant;
Joylynn Paman, ‘Ao‘ao O Na Loko‘ia 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, Kihei, 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, Kihei, 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 Kihei residents who wanted to learn about the historical and cultural importance of Kalepolepo Fishpond. These Kihei 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 Kaelolepo 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 Kaʻōnoʻulu 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, Kaʻōnoʻulu 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; Ke‘eaumoku Kapu, Chair, Aha Moku o Maui; and Joylynn Paman, ‘Ao‘ao O Na Loko‘ia 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/Lāna‘i Islands Burial Council; Kahele Dukelow, Honua‘ula District Representative, Maui/Lāna‘i Islands Burial Council; and Ke‘eaumoku 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 Ka‘ono‘ulu are Ke‘eaumoku Kapu and Kamoa Quivevis.

Ke‘eaumoku 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 Honua‘ula moku rep Kaonohi Lee, so that they can assist with coordinating meetings with descendants of those ahupua‘a and also hunting and fishing families which may frequent those areas of the project site.

Joylynn Paman, ‘Ao‘ao O Na Loko‘ia 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
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]. 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 ahupua‘a to be impacted by the proposed undertaking (i.e., naturally occurring flooding and run-off generated by construction activities within the project area which may negatively affect the adjacent areas, including Kalepolepo Fishpond and the Pacific Ocean). As these concerns pertain to the environment, please refer to the Drainage discussion in the Potential Impacts and Mitigation Measures section in the Final Environmental Impact Assessment (FEIS).

CONCLUSION

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

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

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

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

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

See *Ka Pa‘akai*, 94 Hawai‘i at 47, 7 P.3d at 1084.
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 Kihei, Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawaiʻi [TMK: (2) 3-9-001:169]..
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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

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

Sarofim Realty Advisors is proposing the construction of a mixed-use development just mauka (upland) of Pi'ilani Highway at Ka'ōno'ulu Road. The entire project sits in the moku of Kula and the ahupua'a of Ka'ōno'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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Appendix A: Transcription of interview with Daniel Kanahele
Appendix B: Transcription of interview Michael Lee
Appendix C: Transcription of Cultural Consultation Meeting of February 25, 2014
Appendix D: Transcription of Cultural Consultation Meeting of April 27, 2016

Pillani Promenade Cultural Impact Assessment 3
Introduction

At the request of Mr. Charles Jencks, owner representative for Sarofim Realty Advisors, Hana Pono LLC has completed a report for the Cultural Impact Assessment of the proposed Pilani 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) 2-2-02:977, (2) 2-2-02:916 (portion), (2) 2-2-02:882 (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

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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 ahuapa'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 descendants, cultural descendants, 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-sufficient 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 Kalanianaole. Handy relates that, "Kula was an arid region, throughout its long, low shoreline, vast, sandy kula [open country] lands and broad uplands. Both on the coast, where fishing was good, and on the lower westward slopes of Haleakala a considerable population existed" (ESC Handy, 114). The moku of Kula is so called for its kula lands, meaning broad open expanses, likened to pasture land by the ranchers of the last century.

Although Kīhei 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) affected 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 Kīhei, on the Mā'alea 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 Kīhei 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 Honolulu 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 bire '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'ā 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‘i nui (Head Chief) Mō‘ihe‘a 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 fishermen 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 Waiakapū and ʻulu (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,

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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.

**Waikoua**
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.

**Waiohulu**
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.
Koʻieʻie

The name of the major ancient fishpond in the Kaʻonoʻulu ahupuaʻa, that along with others supplied a variety of food to the residents. See the following sections for more detailed information on the history of Koʻieʻie.

Kaipukaiolahina

A section of beach named for the bounty of its waters, Ka ipu ka 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 Haleakalā that stretch out into the channel sometimes connecting to Kahoʻolawe and Lānaʻi.

Traditional Hawaiian Uses & Practices

The inhabitants of the coastal areas of Kaʻonoʻulu sustained themselves through the bounty of the ocean. Nearby to them was the fishpond of Kalepolepo, commonly called Koʻieʻie. Kalepolepo was built by an early Maui chief and by the 16th century King Umi of Hawaiʻi 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 Alala o Maui, the broad highway of Maui constructed by King Piʻilani crosses through the ahupuaʻa of Kaʻonoʻulu 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 maʻa (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 imu 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. Iliʻiha in Hawaiian, the sandalwood tree has a fragrance highly prized by the Chinese and entire forests were demured 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 Iloko 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 Kīhei 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 Kō‘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 Kalamikau**

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 Kīhei. Paula married into the Kalamikau ‘ohana, the family who owned the ahupuna of Kaonoulu. She stated that there were three families involved in the ownership prior to the Great Māhele: the Waiwaiolo’s and the Kalamikaukealaeo’s.

Paula Kalamikau 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 Pilani 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 Kalamikaus were all active in the Kihei community.

Mrs. Kalamikau 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:

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“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 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 gulches 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.”

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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 Jenels
Brett Davis
Eric Fredrickson
Kimokeo Kapahulehua
Kali Tala
Mike Lee
Levi Almeida
Basil Oshiro
Sally Ann Oshiro
Clare Apana
Brian Na‘ole
Florence K. Lani
Daniel Kanabele
Jacob R. Ma‘u
Lucienne DeNae

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 DeNae 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 the property in the mid-1990’s. The petroglyph stone was moved prior to relocation being approved by SIIPD. 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 A15 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 Kaouolu 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 Jenels
- 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 extend 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 Kaonolu 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 Pillani 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 Haleakalā. 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 silting 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 Pillani 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

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(portion). (2) 2-2-02:082 (portion) could benefit from further meetings with the Aha Moku Council members as well as other members of the community during the site data recovery process to further understand the cultural and archaeological nature of the site and where possible, development of a preservation plan for those sites.

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

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

[Text of transcription]

Phiniki Poncinadlo Cultural Impact Assessment
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1. KINOOKO KAPELIELI: I think that's really important, in this interview, people understand that.
2. DANIEL KARIMU: I agree.
3. KINOOKO KAPELIELI: And to think -- the importance of the Aha Moku of Kula and having Basel as Aha Moku was important, you know, an naa ai one.
4. DANIEL KARIMU: Yes.
5. KINOOKO KAPELIELI: And, yet, to connect with Taimu. So can you explain about the Aha Moku to people understand in this thing how -- that we're talking about the 11.12. Aha Moku, you know.
6. DANIEL KARIMU: Yeah.
7. KINOOKO KAPELIELI: And the Aha Moku person.
8. Basel was there and the reason why Aha Moku exists today.
9. DANIEL KARIMU: As best as I can.
10. KINOOKO KAPELIELI: Yes.
11. DANIEL KARIMU: And, probably, Basel could do a better job of it because he's actually the rep, or I'm Bailey. I don't know if you're gonna interview him, too.
12. KINOOKO KAPELIELI: Shuh.
13. DANIEL KARIMU: But the -- the Aha Moku system was created under Act 1959. 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.
14. [0003]
15. 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 'ai 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.
16. KINOOKO KAPELIELI: Right.
17. DANIEL KARIMU: And as -- as -- as we speak today, there are 12 moku. Each of these 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 kipuna to you, you know, the next generation, the next generation. And they use that knowledge to help determine how to best take care, kama'a, you know, that -- the resources of that moku down to the 'a'a, the [inaudible] ahu'a.
18. So it's fairly new. It's just a couple years old.
19. But Maui has probably the most organized Aha Moku on the [0004]
20. island because we have all the moku reps, there's 12 of them. We have a kulea, which is, right now, Kii Kohra Imai, 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

Fili`ani Pono`ma Cultural Impact Assessment

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Daniel Kamanaeli: Yeah. So it's the way I see 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 --

Kunio Koapaa: -- the residents, yeah, to be their representatives.

Daniel Kamanaeli: Were they -- were they chosen by residents, one, and would you say that they were chosen by genealogy, connection or lineage of the land?

Kunio Koapaa: Yeah, both.

Daniel Kamanaeli: Both, yeah.

Kunio Koapaa: Both lines and people who live there and may -- you know, may not be kanaka, may or 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 --

Kunio Koapaa: I think the idea was lineage and knowledge of the area.

Daniel Kamanaeli: Was the key, yeah.

Kunio Koapaa: Yeah.

Daniel Kamanaeli: Knowledge. You know, knowledge and lineage, those are both important. But knowledge is very important.

Kunio Koapaa: But both of 'em live within the moku?

Daniel Kamanaeli: Yes.

Kunio Koapaa: And both of them is identified as kanaka, which is in Tim Bailey.

Daniel Kamanaeli: Yeah.

Kunio Koapaa: -- and kanaka -- I mean kanaka is kanaka.

Daniel Kamanaeli: Yeah.

Kunio Koapaa: Yeah.

Daniel Kamanaeli: Yeah.

Kunio Koapaa: Yeah. That's right.

Kunio Koapaa: And kanaka, like you said, live right in the moku.

Daniel Kamanaeli: Right. Yeah. I think he lives in the -- does he live in Helemano, too?

Kunio Koapaa: Yeah.

Daniel Kamanaeli: I don't know if he's Kaneolu or he's in the next one over. I think he's -- yeah, I think he's in the Kaneolu Ahupua'a.
KINOKO KAPAMELEHUA: I no think Hana‘ula. I
think the next one is Waikoloa.
DANIEL KABARANLE: Right. Next is Waikoloa.
KINOKO KAPAMELEHUA: You know. If you had -- if
I asked you the question does -- the Pi‘ilani Promenade, I
think Pi‘ilani Promenade project --
DANIEL KABARANLE: Yeah.
KINOKO KAPAMELEHUA: -- have a impact on you
culturally?
DANIEL KABARANLE: Uh-huh. Cultural practices
or --
KINOKO KAPAMELEHUA: Yeah. Practices, culture
land, culture flora, culture fauna, culture insects, various
culture sections.
DANIEL KABARANLE: Well, if we’re talking
about this -- I don’t know what the proposed project is
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 on what I
know --
KINOKO KAPAMELEHUA: Yeah.
DANIEL KABARANLE: -- that they’re planning to
build right now and that they are -- based on what I know
from the NPS, they are not planning to preserve any sites,
to my knowledge. They may, but not to my knowledge. And
they’re also planning to cultivate the galah.
KINOKO KAPAMELEHUA: Ok.
DANIEL KABARANLE: I would have to say -- speaking
just for myself as Kauai Mo‘ole that lives in this area --
KINOKO KAPAMELEHUA: Yeah.
DANIEL KABARANLE: -- that, you know, my family is
from Hanu, from different -- from different mo‘ole. Maybe had
family in Kula, but it cannot say right now, right now, I
don’t know, that for me personally, it will have impact on
my traditional cultural practices.
KINOKO KAPAMELEHUA: That is important.
DANIEL KABARANLE:ardon me?
KINOKO KAPAMELEHUA: I think that’s important
they know --
DANIEL KABARANLE: Yeah.
KINOKO KAPAMELEHUA: -- from a Kauai Mo‘ole,
Daniel Kabarale that --
DANIEL KABARANLE: Yeah.
KINOKO KAPAMELEHUA: -- there is a impact, you
know.
DANIEL KABARANLE: On my -- on what I do as a
cultural practitioner, yeah, it will have a impact on me.
KINOKO KAPAMELEHUA: 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 CIAY?
DANIEL KABARANLE: Yeah. So maybe you can
explain -- well, maybe I’ll just kind of say what you told
me before that. The -- the video will be turned into a
transcript. So someone will type up what --

KINGOLE KAPAINELUA: Exactly what we’re saying.

DANIEL KARAMASILE: And that transcript will be

included in the Cultural Impact --

KINGOLE KAPAINELUA: Yeah.

DANIEL KARAMASILE: -- 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?

KINGOLE KAPAINELUA: My understanding, that State

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1 Hawaii -- State of Hawaii Preservation --

2 DANIEL KARAMASILE: Yeah.

3 KINGOLE KAPAINELUA: -- gets to look at it. And

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

5 would be one of the decision people. I think the other

6 person -- it included a QCC. Quality of Environment -- you

7 know. So they get it read it and see it and they would make

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

9 recovery and not significant, you know what I mean. So this

10 will go to them. They would -- they would -- and it also

11 goes to Office of Hawaiian Affairs. So they would be the

12 agency that would tell the developer, my understanding, this

13 is what should be done, you know.

14 DANI� KARMASILE: Okay. So the firm that's

15 interviewing us that you work for is --

16 KINGOLE KAPAINELUA: Te Hart -- is Hart -- Chris

17 Hart & Associates.

18 DANI� KARMASILE: Chris Hart & Associates. So

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

20 Hart & Associates?

21 a --

KINGOLE KAPAINELUA: They -- they contract us as

22 --

DANIEL KRAMASILE: They contract you.

KINGOLE KAPAINELUA: Yeah.

DANIEL KARAMASILE: And then you're -- are you Mui

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1 Fono or --

2 KINGOLE KAPAINELUA: Mana Fono.

3 DANI� KARMASILE: Oh, Mana Fono. Okay.

4 KINGOLE KAPAINELUA: Yeah.

5 DANI� KARMASILE: Okay. So does Mana Fono make

6 any recommendations to -- do you take the interviews and

7 then any -- make a summary of -- based on what we --

8 KINGOLE KAPAINELUA: We -- we make a summary.

9 And so our summary will show, you know, that -- what we had

10 discussed --

11 DANI� KARMASILE: Uh-huh.

12 KINGOLE KAPAINELUA: -- with interviews that

13 there is impact.

14 DANI� KARMASILE: So you'll make a conclusion

15 as --

16 KINGOLE KAPAINELUA: We'll make a --

17 DANI� KARMASILE: -- to whether or not there are

18 impacts or not?

KINGOLE KAPAINELUA: Yeah. So our recommendation
would be based on our interviews.

KINOKO KAPANUIKA: Okay. Just thought I would share -- maybe share something. I have talked to SHIP, the State Historic Preservation Division.

DANIEL KAMANESI: -- about cultural impact

KINOKO KAPANUIKA: Yeah.

DANIEL KAMANESI: -- the archaeologist here in Maui. They don't have any purview over CIAs.

KINOKO KAPANUIKA: No. It goes to --

DANIEL KAMANESI: The one that review CIAs is the

KINOKO KAPANUIKA: Yeah.

DANIEL KAMANESI: The Office of Environmental --

KINOKO KAPANUIKA: Environmental --

DANIEL KAMANESI: -- Control. So SHIP won't make any recommendations based on this interview only OEC.

What SHIP has purview 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 Hiana Rodrigues and Morgan Davis.

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

DANIEL KAMANESI: Okay.

KINOKO KAPANUIKA: -- from the people.

DANIEL KAMANESI: Should I state what the cultural

KINOKO KAPANUIKA: impact is going to be to me?

KINOKO KAPANUIKA: That's important.

DANIEL KAMANESI: 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 come 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 --

KINOKO KAPANUIKA: -- the past.

DANIEL KAMANESI: 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 take -- in western vision, they take something, they dissect it into little tiny pieces, and then they try to understand things, how they work better. Hawaiian --
Hawaiian approach is completely different. We look at
things as a whole, as a complete. We try to understand how
tings work in relationship to each other. You know, to
the -- the stars, to the streams, to the plants, to the
local l'a, to the sea. Everything is connected --
KINOKO KAPAULUA: Connected.
DANIEL KAPUWELE: -- 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 NISE, tax amp. key.
Right? You're not looking at the whole maka. You're not
looking at the mokapu. 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 a impact
things around it, not just on the land, but around it, from
mauk to maka, 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 l'a, it's all related. And the
sites not even in the project area. There are sites in
Kanahauwai 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 the kupuna. And
whether it's a rock, whether it's a cultural site, whether
it's a native plant, or whatever-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 manage 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
Newelins would have a chance to look at that? Not too
many. But if it's still there, it's still present, then we
1 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 polaha,
whether it’s a local (inaccessible), 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 us.

KINOKE KAPUAHLEHUA: 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 KAMASUKE: Oh, thank you so much.

KINOKE KAPUAHLEHUA: So also it’s about your mana’a
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 Kinoke Kapuahehu interview with Daniel Kamahale
Kaaiola —

DANIEL KAMASUKE: Kaaiola. Daniel

KAMASUKE: Kaikolu is on Saturday — I think today is —

2016

1. DANIEL KAMASUKE: February 6, I think.


3. DANIEL KAMASUKE: February 16.

4. KINOKE KAPUAHLEHUA: Appreciate it.

5. DANIEL KAMASUKE: Aloha. That was good.

(Recording concluded.)

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CERTIFICATE

I, TONYA MCEVA, 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

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I hereby certify that I have read the transcript of the proceedings and that the following 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.

[Signature]

Todra McDade
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Captioner
Hawaii Certified Shorthand Reporter 047
Appendix B: Transcription of interview Michael Lee

MICHAEL LEE: — fifteen and sixtine. And my father was there in the — the fifties and sixties. And then he opened the Royal Hawaiian Beach Hotel in 1962. So we moved from Hana to —

KINDRED KAPUNUKU: 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 transmising the land and going to the ocean, learning more about the seaweed and everything. So this was my — this was my Hawaiian tunk and her half Hawaiian child which was Jacob Martin Lee. His father was Peter Lee of Peter Lee Rhode at the Volcano sugarhouse.

KINDRED KAPUNUKU: Oh, yeah.

MICHAEL LEE: He was manager before the Curtises. Yeah, so that was him in the 1950s. And that’s him in the 1940s, Jacob Martin. So — and then this is his mother with her sister, our kamaka side. So we were steeped in family culture because my mother’s a quarter Hawaiian and my father is a quarter Hawaiian, making us half 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, — —

the — from the archives. Go is from Lahaina, June —
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KINNEDO KAPAMILHUE: 18 --
MICHAEL LEE: 1865.

KINNEDO KAPAMILHUE: -- 607
MICHAEL LEE: Yeah, 1865. This is the Maui
genealogy, okay. And this is one of the best genealogies
because it lists everybody, you know. And on Page 66, this
is Alauli. This is Alauli. This is Julia Meek. And at
the time she was married to Meek. This was before
Kokua. Her child was Teaki Meek, the child of Meek.
And the Meek we're talking about is Eliza Meek. Because,
she was known as the 'ali'i noble. So this lady is from Princess
Julia Alauli Keana, who Olowalu land and Mokua land.

KINNEDO KAPAMILHUE: Oh,
MICHAEL LEE: And then her grandchildren from Teaki
Namiki, John Meek Kalawina, he has land in Hana, too, so the
connection in our family was always Hana. Maui on both
sides. All sides was always Hana.

KINNEDO KAPAMILHUE: From the beginning,
MICHAEL LEE: From the beginning, it's always
Hana. And Hana people always knew who they are.

KINNEDO KAPAMILHUE: Yeah.
MICHAEL LEE: They know because there's the
connection to the Big Island. Because that's the back door
of the Big Island.

KINNEDO KAPAMILHUE: 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 get connected to Princess Julia Alauli Keana 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 --

KINNEDO KAPAMILHUE: 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.

KINNEDO KAPAMILHUE: 74.
MICHAEL LEE: Yeah, '75 at 83.

KINNEDO KAPAMILHUE: What is that on the top?
1866-87?

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

KINNEDO KAPAMILHUE: Oh, the record book.

MICHAEL LEE: Book of records. So that's for the
book of records. And this then 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 Hawaiian to two full-blooded Hawaiians, but, on
his certificate of death, it says Hapa Haole.

KINNEDO KAPAMILHUE: Oh.
MICHAEL LEE: So how can two Hawaiians make one --

KINNEDO KAPAMILHUE: Hapa Haole.
MICHAEL LEE: -- Hapa Haole, yeah. So he died in
1891. He was born in 1883. Okay. And then, of course,
this is the Lahaina side of this family that come from Kacy
Anna Nuner. She's the one who has this blood. She was a
great granddaughter of Captain Meek and Eliza Meek. So

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that's how we jump into that -- that -- that pool.

MICHAEL LEE: Yeah.

KINSEO KAPAEKANUI: It shows -- on the death

MICHAEL LEE: Yeah.

KINSEO KAPAEKANUI: -- shows like skeleton.

MICHAEL LEE: Yeah. It says -- it says like what

they died of over there.

KINSEO KAPAEKANUI: It says fever.

MICHAEL LEE: Right.

KINSEO KAPAEKANUI: And maimau.

MICHAEL LEE: Yeah.

KINSEO KAPAEKANUI: [inaudible].

MICHAEL LEE: Yeah. Yeah.

KINSEO KAPAEKANUI: That you know the record

shows everything.

MICHAEL LEE: Yeah.

KINSEO KAPAEKANUI: And registered as so.

MICHAEL LEE: Yeah. So this is from Moses's

journals. And it says -- this is from 1898, baptism, 4th of

OCTO

1 Only. Says today the children were baptized. I was
2 godfather of son of John Meek. John Meek's son is very
3 important because John Meek's son marries Princess Harriet
4 Kawailiko in June of 1897. She is the daughter of George
5 Huihohe, the heir of Kauai.
6 KINSEO KAPAEKANUI: Oh.
7 MICHAEL LEE: Now, that's really interesting.
8 This is how we're related to Hula Logan is because Eliza
9 Neoh, she's the older sister of John Meek, Jr. He marries
10 Princess Harriet Kawailiko, he gets one daughter from her
11 because Kauhaahali is her grandmother and the heir to Kauai
12 in George Huihohe.
13 KINSEO KAPAEKANUI: So Kauhaahali is from Kauai?
14 MICHAEL LEE: From Kauai.
15 KINSEO KAPAEKANUI: All '17
16 MICHAEL LEE: All '17. So this is how we jump into
17 the Kauai all '17 rule was that this boy married Princess
18 Harriet Kawailiko. She died in 1942, but, before she
19 died, she had a daughter. Her name is Becky Elizabeth.
20 Fliscath Meek. From her comes Hula Logan and Hula Logan.
21 KINSEO KAPAEKANUI: Oh.
22 MICHAEL LEE: That's how they're related to us.
23 KINSEO KAPAEKANUI: So the Logan now is
24 [inaudible].
25 MICHAEL LEE: Yeah, yeah.

OCTO

1 KINSEO KAPAEKANUI: His papa out there!
2 MICHAEL LEE: Yeah, his papa out there, yeah. And
3 then this is John Meek in 19 -- the year 1913, he said I was
4 known -- I lived in a grass hut next to the hotel and it
5 stood where the market is now on -- the hotel was outside my
6 grass hut. Okay. And this is certified. This is
7 certified. So it says that he lived there on the property.
8 It says, this property in Honolulu I was given to John Meek
9 by [inaudible] in the year 1897, when I arrived. Okay. And
10 this sets up -- this is the property downtown. This was the
11 next door neighbors. They said there were chiefs from

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KHUEALANI: who were the chiefs on Oahu, a noble man.  
Mr. Klein, that’s Jack, for Jack Meek, who is living with a  
vahine, and has some children from hence the occupation of  
my parents lives were there. But this was — this is very important because what this does, in the — it says  
that Princess Julia Alapai Kaona.  
KINHEGO KAPAMaluHUA: Oh, really.  
MICHEAL LEH: Yeah, it is that. On this certified  
house lot for Number 150 Kahu, for Ika, Elikai, okay. It  
says, at the time when Kamahameha I --  
KINHEGO KAPAMaluHUA: First.  
MICHEAL LEH: -- wrote -- yeah -- from Kauai to --  
and -- and KHUEALANI and the chiefs on Oahu, a noble man.  
So this was before he died in 1816, yeah, in May. So  

0009  
Captain Meek had children during the time of Kamahameha 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 narrative and  
autobiography, he said, yeah, Captain Meek originally came  
from Monoschouto, who married a native girl in the 1820s  
and settled in the islands. But he had children, according  
to the Hawaiian testaments and everything, before 1820.  
yeah. And the Nireh’s journal, 1819, the boy is being  
baptized.  

KINHEGO KAPAMaluHUA: Before —  
MICHEAL LEH: On the 4th of July.  
KINHEGO KAPAMaluHUA: Before 1820.  
MICHEAL LEH: Before 1820. So all the -- all the  
evidence that certified —  
KINHEGO KAPAMaluHUA: They were the documents that  
showed it was 1819, too.  
MICHEAL LEH: Yeah. So bracketed had that. But  
that’s how we jumped into Julia Alapai Kaone’s, her —  
KINHEGO KAPAMaluHUA: Lineage.  
MICHEAL LEH: -- lineage, yeah. So -- and that’s  
very important because Julia Alapai, she has land on Maui.  
0009  
in Olowalu and, also, in Hana, that links up to our Hana  
connection as well. So this establishes that, you know, we  
were around for quite some time. And it goes back to the  
Pi’ilani genealogy.  
Now, what is very important on this tape, which is  
kind of really rare, was one of my teachers, back in the  
sixties — 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 dancer’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 Salk, from Milneu,  
so this is her talking about —  
(A recording is being played out loud and is not  
being transcribed.)  
KINHEGO KAPAMaluHUA: 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.

KINIGEO KAPAMELEUH: Okay.

MICHAEL LEE: Auntie Alice, she would be 116.

KINIGEO KAPAMELEUH: And her real name?

MICHAEL LEE: Alice Holokai. Her father came from -- he was lii master -- lii practitioner from Kohala.

He broke lii and taught her how to do the (inaudible). She killed her husband and then she brought him back and he 0010 never beat her up again. She lived with the queen from 1905, when she was 15 years old, to right before the queen died in 1928. 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 lii 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 so Ema Kilo Hoku from the City Council. They recognized me in two certificates, and my genealogy to the Kamahawae.

KINIGEO KAPAMELEUH: 0027

MICHAEL LEE: 2012. And then this one was -- this is Hoy. That one was December. And the cultural practices of doing the maualii ceremony, which I've done for children out here, it's a cultural practice from Kau on the big island for kiows, but we do it in Hawaiian. So they were recognition certificates. But all of this stuff, on all my certificates, I put my teacher, my grandfather, all the people who -- who -- 0011

KINIGEO KAPAMELEUH: Who taught you.

MICHAEL LEE: She taught me. Because, for me, you know, they kept out of the limelight. Auntie Alice Holokai taught David Kalilii'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 told 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 1997 at 93 years old. And the wealth of knowledge that I got from my kipunes -- 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

Fiharii Pemeneado Cultural Impact Assessment
please write it down, because I knew this was important. Historically and, you see, 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 moon 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 Molekai looked like. So
my grandfather was the master keeper of the stars for me and
the petrophylas. 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 Hali has always been very close to me
because, you know, we’ve all had landholders but also,
keepers of our record in ‘oloa. And when we were talking
about the Kihai 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 Reoahului is, pu‘u mokii
redirects from nakes, the breezes of the mountain, pulling
the naulu rains to feed the child. It’s almost like a
recoating child here on hala leaves. And to feed the child
the -- the life-giving mother’s milk of the rains coming
down in the clouds that are getting out as the Kihai 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 Hali as well as Tama’e are and the lawas in
Nala Bay and in Hana, where my grandfather fished, where he

made his lawn spear, 12-foot spear. And he had the -- the
turtle glasses and he would take a breath at five minutes,
then he would come up with all this red fish and everything at Hono 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 that 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 50s, 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 900 to 1,000. I gotta work for
my living. I gotta -- I gotta pay the bills. And she goes,
no, you’ll see. And sure enough, when I hit 50, exactly
what she said, no longer a $100 to $10,000, but actually
taking all this knowledge that they showed us and actually
doing something with it to save the Hawaiian culture.

So as a community have to move on on procreaw,
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 nagsmai Hali‘i Procsanda,
there are certain rocks and features that I was taught and
told how to distinguish what their purpose was
through generational knowledge of this family line. And

Fihaili Procsanda Cultural Impact Assessment
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 functionality --
KINDRED KAPUHELENA: Let me stop one minute.
MICHAEL LEE: Yeah.
KINDRED KAPUHELENA: So I can get a new tape.
MICHAEL LEE: Okay, break in audio.
KINDRED KAPUHELENA: Hang on one more, a little bit. Okay.
MICHAEL LEE: Aloha again. You know, from our --
our family lineage, this niohapa has come from my fifth
grade grandfather found in the entrance channel of the
opening of Kaneohe, with the proposed channel, which we
stopped regarding, we got into it and went up to our own
attorney for the Supreme Court to stop, 'cause other family
members are buried there. And so we got recognition. And
our tuu was holding these niohapa in her hand at the
time. Two, one for male, one for female. And this in part
of -- this is part of our world, our mo'oku'aauku, our
genealogy, links all kanaka, 966 generations, but it links
us to hula. And all of us are linked to how hula is as the
root, yeah, to our mo'oku'aauku. And it's important for
anybody who's kana to know, this is the paper that was
found, to know the will. She had a cache of all those
Hawaiian jewelry. She was like 25 years old in -- in 1796.

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 knea the Kamehameha Preservation
Division's found my grandmother's iwi kupuna.
And it took me years to get her back into the ground in
Kaneohe and do a long fight. And this is the local --
how our genealogy of how family goes to the Filimami side and Kainau
side.

KINDRED KAPUHELENA: And the Kamehamea.
MICHAEL LEE: And the Kamehamea. We're all
family. We all family in -- on my dad's side. The marriage
looked everybody in through (inaudible), who was the
Descendants of the 1700s, who married Lana Hoyapu, my
grandfather of Kaulana, and linked us all in. Kualii lies in
my direct eighth grade grandfather, so he was from the Kau
(inaudible) line to both Kaulana and Oahu. Kaulana and Oahu
are connected. And the channel is only a river between them.
Because Kanai would spend every January, February or Kauai
as so it's Kauai, but that bloodline is what locks in the
islands, that all Kauai is locked into north Kohala. The
islands are one Big Island with three little rivers in
between that we call channels, native 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

know, we have 98 different canoes and the 98 different ways
of using the canoes, 'cause today people use the airplane,
but the canoe's shape, our family would stay two years on
one island, go to Molokai, Kona, Kula, Kau was Chief Kula
Koa's daughter who was all i of Molokai. That's my great,
great, great, great grandfather. My sixth great grandfather. The family lineage goes back 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 no'oku'okus used to say. So when they try to look me in and they say, oh, Mr. Lee, you can't go to the Big Island or right for the Kohala side because your kupuna is in Kaua'i. And I go, here's the chest of [voice over]. Kanehili is picking three limu, halabalaha, lipu and rumu. And I'm saying it goes to the Big Island, six months later, and, on the Kilo side, he's picking the same limu. 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 defines who we are. Place, presence and our cultural practice that we have been taught by our kupuna defines who we are. And to have people who live in

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. Sometime, that's why Queen Emma, runner palace. It's not -- they didn't stay in one place. They lived on different islands at different times, different motions of the island and their lovers, their mood, their children, their family needed them to help out in the ło' wię or whatever. We constantly moved around. That knowledge that on the tape of Auntie Alice, this is what you see is underneath Pu'u We'e, Kohala on the Big Island. This is the underground aquifer, the river, the -- the caves, the puna, and this is the keeper. I know her and her family.

Now, honules are getting into this cave. And I wrote to Alan Downer, saying what are hanales doing in here when there's a keeper from the Kanehali family for hundred of years. And what are foreigners doing for our fresh water system. That fresh water goes to (inaudible) and makes the lion go for our fisheries because the lion's algae, and algae is the foundational food source for our fisheries. So I wrote to Alan Downer saying what -- how come DLNR is allowing people to go into our ma'ki 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

of these caves we put our kea, we put our iwi kupuna. You see the shelves down here? Well, sometimes there are niches above where with pat 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, there are our cultural places that are being infested by everybody, just because they think they can.

And there's, 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

Filani Pono Kepani Cultural Impact Assessment
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 those things. We don't talk about that because look
what happens once the secret gets out. It's infected like
a virus to go and use it as Disneyland. So, you know,
proper pono, what fits. This does not fit in our Hawaiian
cultural practice.

The Hawaiians, or some
cultural practice that I was taught in generational,
knowledge is konohiki, makahiki and kapu. So when people do
a KIA or AIA, the first thing I ask is if you're gonna

define the Hawaiian culture, our practices surround
konohiki, makahiki and kapu, so where does your planter
feature, your sea shape, your terraces fall into konohiki,
makahiki and kapu. Because this was a spiritual land, with
spiritual people who every day they did everything was
through loi and prayer, the rising of the sun, ku to wakea
and nape'o, the hoku ven, zenith of the sun and the sky, and
the setting of the sun, moana, the sea, 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 shouted 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 waikai mai, fortune.
Fresh water at the king, had to take place in November.
December and January. The fisheries had to be reset. The
laua rights for the terraces and the planting had to be
reset. The kahanam could not eat the -- they would have to
feed themselves on food. Nobody could work. It was like a
giant mokapu 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

written in Keahou, Hawaii, Abraham Fornander, Papa I'oi
Keala, Kamehameha, [indecipherable] I through 5. Everything talks
about konohiki and makahiki and kapu in a spiritual way, a
spiritual way. Here I am up at Kealakekua and Tutu Felix
reading the red -- she's sending me the red kahili saying --
she's my 27th great grandmother, she's saying, oh, you gotta
wear the red, not the blue. But my teacher, Auntie Alice
never gave me permission. You know, we always listen to our
ciders. We don't do unless they give -- they give us
permission to do. And for me, it was too late. So until my
student was saying, oh, my kahili's turning red that Tutu
Felix gave me permission to wear red kahili. I didn't wear
red kahili. So -- and then what -- what happens in when we
do practice, we're too young to hold certain practices. You
gotta be on akua. I'm not kupuna, but my hair will turn

A-83
white and I will turn 60 years old when I do a cultural
practice that needs me to be in my eighties because of the
Tutu Pule Handbook. We will turn -- our hair will turn
color and we'll grow old. From being young to being very
old. But that's the superhighway in the spirituality of what
takes place for us, you know, that's something where, as you
can see, my hair isn't this white, yeah. But it will happen
because it's supposed to happen, yeah. Two pictures side to
side, salt and pepper.

KINDERO KAPAMELEHUA: This way. Yeah. Right
0022-1
1 there.
2 MICHAEL LEH: So you see one salt and pepper --
3 KINDERO KAPAMELEHUA: This side. This side.
4 Wait, wait, wait. Right there.
5 MICHAEL LEH: So you can see the -- the
6 transformation from salt and pepper to extremely old.
7 KINDERO KAPAMELEHUA: The green one or the red
8 one. There you go. Right there. Right there.
9 MICHAEL LEH: Yeah. So, for us, this is not
10 something that, you know, in -- in try go see because my
11 sisters and uncles could do all of this stuff. And it's
12 just in the family -- it's in the family line of our
13 cultural practice when we go out. And this was on the
14 Pi'ilani Promenade side. We're doing the -- the eclipse.
15 And behind is the willow forest showing up that used to be
16 there 1,000 years ago, the dryland willow forest on the
17 Pi'ilani Promenade. And there was like 40 people up there
18 that night. The bahu or bolulu, all we do is open portals
19 and we close portals. And we bring ho'oponopono and thanks and
20 care and ha'a to our ancestors who are what other people call
21 god, but they're just family to us, they're just family,
22 you know. What we were taught in our mo'oku'aua and the
23 proper mahina stone at Ha'aheo I use for divination of
24 family genealogy. Only take knaukau for that one, you know,
25 because the stones are very important. Our --
0022-2
1 KINDERO KAPAMELEHUA: Who that guy? Who is this?
2 MICHAEL LEH: Oh. This is Jack Fergusstrom. I
3 took him to the -- the pu'a at Mauaulo in Mā'ili to meet
4 his -- his son that had passed away. Michael. So there's
5 certain pu'u that we go to meet your family. And you go up
6 and you close your eyes, and we do a chant. You put the
7 lavender salt from Kainoa on your forehead and then your
8 family members come to talk to you from the other side.
9 Then the mo'o. The mo'o (inauila) up at Wailuku 670, yeah.
10 You can see her -- her hands. She's kind of translucent
11 white. KINDERO KAPAMELEHUA: Really close, so I can your
12 hand.
13 MICHAEL LEH: Yeah, translucent white. Okay.
14 This is when we did a cultural access with Charlie Jencks
15 and we went up on the land. It's important -- our
16 connection to the land is very important because our loi
17 kupuna is there. And that's our connection.
18 KINDERO KAPAMELEHUA: There was a -- there was
A-85

Fihani Promenade Cultural Impact Assessment

...
was used primarily by fishermen but you had your Papa Kule. To show you the size, I ask for the rain to come so the fish would grow in more fish would come. And the basic big fishing was summertime, May, June, July, August, September, October, because the rain was prolific, always up, the fish grew, and that’s when the fishing season of all the fish took place. So, you know, this site primarily is going to concentrate on fishing. Fish, kule — by — kilo means the vision by being up and kilo, to be able to see and then to thank the gods and offer the right sacrifices, koa, maka, maka and kapa, and the different practices of the ku and the loko 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 HIR, the drainage issue, very important, because part of the cultural features in sites are the gullies and gullies that go down to the ocean. And it’s going affect the loko. If you’re 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, 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 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 pillikes, especially if there’s a 500-year rain event. So, you know, all of these things we point out to the developers are best use, best practice. Also, cost, benefit, ratio. Who is getting the benefit and who’s carrying the risk and the cost? We don’t want the ocean, the loko — you know, as I said, their heavy, myself and Uncle Walter (inaudible) founded the Maui Loko Project and went out like apostles to all islands because we want best, best practice conservation of our Hawaiian natural resources. Article 12, Section 7, which 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 koa, maka, maka and kapa. So within these 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 not be destroyed or moved off the property. Certain planes, because the orientation of the sun, has to be kept in that area. If you gotta go up, go up, but it in our books, it is our ‘oheo, it’s our library.
And to say no practice is done there, tell me what Hawaiian puts a mean 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 Kealohalii li‘i have their iwi kupuna underground. Because if they do, outsiders, unwelcome 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 Ala Mo’au Council, to help guide DLNR on a body that would give recommendations on proper usage of natural resources, cultural resources. This is so — this is a pure example of what takes place when the outside culture doesn’t take time to respect and find out how significant pill grass is for stopping erosion. And invasive come in and their roots are like concrete and the water runs off and doesn’t percolate into our aquifer. So where we gonna get the water to live on a desert island? So all of these things are foundational and functional for survival. And it’s been part of our cultural generational knowledge for thousands of years. What we bring to the table is what the law allows us to do, to give us our concerns. And we would like that respect under the law because, if it doesn’t happen, we end up suing as Whales 670 and the cultural preserve took place. And thank God it’s coming to an end. And, you know, $15 million is put aside — 106 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 footnote, but we would like it mentioned in the AHP, because it’s a legal document, that the County of Hawaii — the State of Hawaii and Land and Natural Resources — DLNR, Board of Land and Natural Resources, and the Land Use Commission are as a document to make legal decisions from. So it’s really important. Everything matters. Thus, we want to continue teaching to the next generation how important and how invaluable their culture is, whether it’s Hawaiian Schools or whether it’s tourists that don’t know but wanna know, or Paul Meadrow who, new people moving in from the mainland, they wanna find out what the culture so they can do the right thing in the right way that is proper 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’ikes, shoot their ‘oleole to bring to the table to save it. But we’ve seen too many hidden treasures of our culture gets blotted 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.

KINOKO KAPAMELEHUA: It is one of the things --
this was the site that you went with us on Friday, yeah?

MICHAEL LEE: Yeah.

KINOKO KAPAMELEHUA: And was this documents that
you sent in to address the concerns?

MICHAEL LEE: Yes.

KINOKO KAPAMELEHUA: Can you flip each of the
document because there was a lot of -- lot of things that
you talked that --

MICHAEL LEE: Right.

KINOKO KAPAMELEHUA: -- was in your -- your
report --

MICHAEL LEE: Right.

KINOKO KAPAMELEHUA: -- in the back end.

MICHAEL LEE: Right.

KINOKO KAPAMELEHUA: So we with Michael Lee and
at his home, but he had some -- he's already sent in more
photos of undocumented -- undocumented areas in Kulanakakoi
Salch.

MICHAEL LEE: Right.

KINOKO KAPAMELEHUA: So he can -- he can -- as
you can see that,

MICHAEL LEE: Yeah.

KINOKO KAPAMELEHUA: And then also, on the back
page --

MICHAEL LEE: Yeah.

KINOKO KAPAMELEHUA: -- you know --

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

KINOKO KAPAMELEHUA: Right.

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

You know, some of those that I was told were
hainan that, you know, people say, well, you know, it's
clearly that this was -- the bulldozer case and it's got --
it's got strictions and cut from bulldozers. And I have to
remind people, oh, before the bulldozers came to Hawaii, we
had our hainan 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 all said you cannot do it anymore, burn the statues
doesn't mean the statues weren't taken underground in our
name even. 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 bails didn't die out when the
missionaries said stop that, clothed 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 transmission of these important places like the hauia on the Pālani Promenade, the hauia was first, and then came the Mahale. Then after the Mahale, ranching came in, around the same time of the Mahale. And then they used the etones, also for cattle pens and stuff, they moved ‘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 II.

And even before 1940, 1930s they came in. And they did their thing. Sometimes right over our sites, putting their employmens and granary stuff. They did it right over our sites.

No, 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 as people -- just like 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 shell 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.

And I talk about the neck of the property where the wind comes through, which was very important for cloud signs. And where the placements of water helicon are because of where the cloud comes in, that’s where you’re gonna offer sacrifices to Kane (Hawaiian language), where are the waters of Kane, to make the water come down, the limu blow, the fishes to come in, because they eat off the limu. Chant 1, Kukulipo, the 12 limus in the ocean are protected by the maulo, what’s up in the maulo. Well, what’s up in the maulo? 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 maulo 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 mauna, or the limu.

And then they go for the ho’okupu and they leave the limu alone. Then the wind shifts, covers the limu, allows it to grow. And 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 nitrate. Those are — are high chemicals that make the

invasive 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 waimea. Okay. And that
makes the fresh water eatuary, where the magic of life
begins in breeding. Okay. Because all the food comes down,
because the fresh water washes up the li`u in the different
seasons with the temperature. Okay.

The narrow stream, Kamulipoa Chant 1, is the ana
cave, the male running in the yellowish lara 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 li`u fall. I mean, there's
great people from my generation, Lipona Road and all of those
places, we have seen a decline of li`u because of diversion
of fresh water. The li`u needs to be healthy. Okay.
There's a direct correlation. Several li`u are indicator
species of fresh water, (inaudible), palahala.

KINNEDO KAPENELHER: Eelele.
MICHAEL LEE: Eelele. You see that li`u growing.
you know there's a spring around, you know the fresh water
is blazing. All of this are indicator species. Now, keep
the 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, and, aholehole.
KINNEDO KAPENELHER: Mullet?
MICHAEL LEE: Mullet, `apu, the list goes on.
swa. You go all the way through and you found out most of
the fishery are like salmon, but the people from the mainland

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the nation eye, we farm and we fish by the moon. All of
this has its practice and its time. Okay, the sea itself,
on house, it's the second day noon after Hilo, it naturally
plants the limu, the ocean oil snap the lip and vegetation
reproduction and puts than into the reef to grow again. We
know the seasons, we know the tides. 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'kauake, the house of balance, it's all gonna be kapahukai
and then it's all gonna start to fall apart. You cut down
too many trees, you're gonna change the wind, the beer 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 pill grass,
pulled in California grass. Take down the natural trees, no
more naulu winds and naulu uleks from the ocean breakers
that come and makes 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 pipe, special order pipe, and they don't fit.
pono 'ole. Same thing, what is connected to the mountain,
the ni'ihau 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 maker for the well that was shared 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,
support life on the land so they could do their cultural
practices. That was removed. They didn't -- the guys just
took it, they didn't know what the purpose, what the need
was, what the survivals strategy.
I showed you documentaries of my family on Maui.
They know, 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, there are
important ridge and markers, that what you do up at
Pi'ilani -- and if you block the galas, you're gonna
destroy the estuary below, the bioclimatic 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 pill 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 rippling and tearing of the land.
So that's, again, the knowledge we're bringing, to say,
1998, this exists, we managed the land. When Captain Cook
came in March 1778, 406,000 Hawaiians living off the ocean
and not polluting, not reddening in the streams causing
harsh. They buried their crap. They buried their wants.
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. Kamakae used the -- the resources.
That monk seal is found in Chart 6 of the
Kumalipo, Line 350. Okay, we work together with the ocean.
That's why we had local i'a, to -- and kalo, we created the
kalo 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 raise '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
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
maile eyes of the ocean under maile 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 store off hunger and famine, so
you plant in the ocean.

Same thing with our local i'a. There are reasons.
Why are they heroes? Because you have the Kino stone and the
Kino stone both ingrained. The Kino stone always stay
underwater in the shape of the haka. That's why this kula,
kula, the standing octopus, Kino, okay, this is always
underwater. The Kino stone can be half -- can be out of
water and in water. It symbolizes the moon, but she is in the
informant. We pray in the morning to them before the sun
comes up. We touch the Kino stone, the Kino stone tell us,
with the skum noko inside of it, who's been in the fishpond
at night. Did the polu eel come in, did the red eel come
in, 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 Kino stone. Okay. And the way we situated

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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 in 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, limu, limu, to eat
from the land. The land itself, you eat from.
So all of this is very important when it comes
back to the government that is being made and for what we --
we put in both for the -- for the IRS and the AIS in our
commentaries to highlight these areas for the broader scope
that we’re talking about in this interview with Kukooko who

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
Abernathy used to say all the time, “Oh, these Hawaiians,
they just showed up 10 minutes ago and they made it up.”
Well, no. In this case that’s not the case.

KUKOOKO: Ku, way, way back, couple hundred
years.

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

KUKOOKO: Ku, way back.

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

Since I came to the land for the Mailes 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

1 knew, if you brought the ho’opau, if you paid the respect,
2 if you did the ha and you did the proper chants and did you
3 what you needed to do, everything would be put in balance.
4 The horn of balance, Haole 0 Akamai. So that’s what we’ve
5 been doing and bringing to the table in these projects to
6 educate people on the best way. We figure if you know
7 better, you can do better. And the -- the mainlanders say
8 they wanna know, so, oh, we’re just doing what the law
9 provides us to do for best use, best practice. And what
10 people on Maui have been asking for, can you teach us, can
11 you come, can you show us, so we have.

Mahalo.

KUKOOKO: So as can you see, we’re at
Michael Lee, practitioner for Papa Kilo --

MICHAEL LEE: And the lii u'a.

KINIKINO KAPAMELEHU: -- the lii u'a also.

MICHAEL LEE: Yeah.

KINIKINO KAPAMELEHU: And we share with you -- he share with you his mo'oku'aauau, his genealogy, the connection to mo'o'ai and the mo'oku'aauau, the mo'oku, the mana and the nuku of Fula and differential and different shaka'aua. We share with you nuku'aiakai the people of the heaven and bow they're connected to us and napoi kanaka, the people that have see, and napoi kanaka, that we are big family. So he

has explained that -- some of the things that, on there, is a physical example or things that was left behind and 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 kipuna, way, way back. So the documents that we shone you earlier was purely the mo'oku'aauau and the genealogy of his obian from Honokaa all the way to Lehua, and how he expressed the connection of the lehua, which is the first flower made by Fula, connected to a local it's right below the promenade project. And he was sharing with you the nuku'aauau 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 the 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 winter solstice. So throughout this document, he was explaining to all of us and teaching us what knowledge was left behind for his family, his family, and teaching the connection of the -- connected from all the way down to where he is today. And we had seen -- we heard Auntie Alice saying about -- talking about the stars. So Papa Kilo Nuku was one of the awa'i he received because of the kupuna teaching him the many, many

stars. And Auntie Alice was just sharing one example of following the stars from Kona Bay to Hawiiana. Now what does that have to do with (indiscernible), were there other stories that never been told about the same situation of what Auntie Alice explains about Fula?

So I want to naka Mike this morning, brah, for being open and for sharing all your shaka genealogy. Such a rich genealogy you have. And we will send you a document what we just did now.

MICHAEL LEE: Oh, Mahalo.

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

MICHAEL LEE: Right.

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

MICHAEL LEE: Yeah, Whatever, however.

KINIKINO KAPAMELEHU: Yeah.
MICHAEL LEE: You have my permission. You have my
permission.
KENNEDO KAPAMILUSA: Appreciate that very much.
MICHAEL LEE: Yeah.
KENNEDO KAPAMILUSA: So I'm gonna say mahalo
though.
MICHAEL LEE: Mahalo.

KENNEDO KAPAMILUSA: Mahalo mahalo.
MICHAEL LEE: Mahalo.
KENNEDO KAPAMILUSA: Mahalo no lupuna okahiko.
MICHAEL LEE: Mahalo.
KENNEDO KAPAMILUSA: Ae manu uve.
MICHAEL LEE: Mahalo purn o a.
KENNEDO KAPAMILUSA: Mahalo.
(Recording concluded.)

I, TONYA MCDOUD, 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 case.

DATED this 15th day of March, 2016.

__________________________
Tonya McDoode
Registered Professional Reporter
Certified Realtime Reporter
Appendix C: Transcription of Cultural Consultation Meeting of February 25, 2014