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

Transcribed by: Jessica R. Perry, CSR, RPR

RALPH ROSENBERG COURT REPORTERS, INC.
Honolulu, HI  (808) 524-2090
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. Holoopono Street, Suite 201, Kihei, Maui, Hawaii. In attendance were:

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

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

MR. KINNIE: We're good to go.

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

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

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

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

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

So, Eric, please, take it away.

MR. FREDRICKSON: Thank you, Charlie.

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

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

MS. DeNAIE: Hi, I'm Lucienne deNaie.

MR. LEE: Aloha, I'm Michael Kumeka'ouha Lee.


MR. OSHIRO: Basil Oshiro.

MR. KANAPAHELE: Daniel Kanapahele.

MS. APANA: Clare Apana.

MS. OSHIRO: Aloha, Aunty Sally Oshiro.

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

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

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


MR. DAVIS: My name's Brett Davis.

MR. JENCKS: Charlie Jencks.

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

In 1994 the archaeological inventory survey that we conducted -- and I was on the ground for all of that. We located 20 sites, ranged from rock piles, some which were indeterminate function and then some which were makers. Some really low, some were a bit higher. We also found some enclosures, and I'll discuss them in a bit, and we also found what we are called surface scatters, which basically is an area where folks in the past were doing something,
eating, maybe working on tools, whatever, because
people were going mauka-makai, and this was an area --
it was kind of a stop point. It wasn't a place where
people were living permanently because it's too dry.
We also found a petroglyph that was on a bolder, and
it's a good-size boulder, three or so feet in
diameter. It was cut in the middle of basically a
pasture area. It had all been -- it was owned
previously by Honua'ula Ranch and they'd run cattle on
it. That boulder was a (inaudible). It was actually
removed during the project while we were working --
the report was in draft form and the prior owner took
away. It went Upcountry, and it's in the same
ahupua'a, but it's not on the property.

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

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

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

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

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

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

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

MR. JENCKS: Yes.

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

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

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

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

So let's take a -- just a brief look at
the sites that we actually located in the 1994 survey,
and what we did -- because a lot of time elapsed,
we've reevaluated sites, and in the prior survey there
wasn't additional work recommended for the sites that
were located. The preservation issue for the
petroglyph is something that was set on the side,
because it's not here. If it was here, I certainly
would -- that would be recommended for preservation.
There have been some discussions with the former
landowner -- I don't know what's occurred yet -- about
trying to have the petroglyph returned, but there's
nothing that I've heard at this point.

These sites -- the sites started from
3729, and there are 20 of them, so the petroglyph, the
last one, is 3746. So sites 3729 through site 3746,
those are the sites that were identified.

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

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

MS. DeNAIE: They are --

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

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

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

MS. DeNAIE: Yeah.

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

MS. DeNAIE: Oh, I'm sorry, Lucienne, just asking about -- there's pictures of the sites.

So you have these pictures in black and white --

MR. FREDRICKSON: Yes.

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

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

MR. JENCKS: (Inaudible).

MR. FREDRICKSON: Oh, okay. Thank you.

These are -- these were stone piles that were just --
and we actually tested a couple of them to see what,
if anything, was underneath, just trying to get an
approximate idea of the age, that sort of thing. Most
of the piles appear to be placed on bedrock, on
outcrop bedrock. We didn't locate anything in -- in
the -- in the test phases. A couple of them had
artifacts that were nearby, which isn't -- it's not a
surprise. Hawaiians were transiting back and forth.

Some of the other sites -- so there's --
let's see, 28 -- 3728, 3729, 3730, those are stone
piles, (inaudible). An interesting one is -- what's
this one, Charlie? I'm trying to --

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

MR. FREDRICKSON: I think that one is --
that's 37 I think 20 -- that's part of 3726, I
believe. But that's a -- appeared to be a possible
agricultural site, but we didn't find any evidence for
it. I'm just going to get out my -- the other table.

MS. DeNAIR: Is that this one? Because
that's 27.

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

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

Thanks, Charlie.

Again, these -- if you folks can see this bedrock around, there's bedrock in many of these areas, just more examples of stone -- of stone piles, some of them pretty high. 3731 was about -- you know, about like that tall, two and a half -- two and a half feet or so. Some were a bit lower. This one, 3734...
was only about 35 centimeters, maybe a foot and a half high.

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

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

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

We looked at a couple of enclosures too, which I think they're -- yes, are over here. Site 3735, 3736, we tested, didn't locate anything, but we probably will go back and do some more -- some more work on those. 3735 -- or, excuse me, 3736, this one. This one we think is probably military. We may go back and check that as well. Then we had some alignments. 3737, 3738 and 3739, two of them, 3737 and 3738 were pretty long, especially 3737. I mean, 60, 70 feet long, linear, parallel. Some of the rocks and the alignments had been -- I mean, it wasn't like really carefully stacked. It's like a bulldozer had gone through and the rocks were on the edge. There are some heavy equipment scars on some of the rocks and lots of like exposed -- like bedrock, flat, but it's like the -- there was hardly any rocks on the inside, so it's like it had been cleared of rocks. It looked like bulldozing, because there was metal -- excuse me, heavy equipment scarring on the rock, on some of the rocks. Same with 3738. It wasn't as long
of a segment.

There is a possibility that because there's a lot of bulldozing that had happened on the parcel over the years in the past -- and some of it could have been related to like the fire department too, because sometimes Kihei has got the wild fires and they will take bulldozers out wherever need be just to try to -- for public safety.

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

Yes, Lucienne.

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

MR. FREDRICKSON: Mauka.

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

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

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

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

MS. Denaie: I would love to.

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

MS. Denaie: Oh, that would be great.

MR. FREDRICSON: But what I was going to
say is -- excuse me -- is near the watertank site, off
the project, we just were -- just wanted to just take
a look around the area. We did note a bulldozed -- an
old bulldozed -- a road that had been bulldozed that
had kind of some rough alignment, you know, like
similar to these, but the -- there were smaller bits
of rock as they dug down a little bit more and there
was a little bit more soil, but again, it's probably
World War II era.

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

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

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

Mr. Fredrickson: I'm looking forward to --

Ms. Denaie: Brian Naeole, and he rode up and down here in his youth out of high school.

Mr. Naeole: 1979.

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

Mr. Naeole: Yes.

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

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

Ms. Denaie: And we also have Jacob Nau, who worked for DOCARE, and so he -- he took his Jeep all over the place, so we're just hoping that, you know, some of the stuff, though, they'll know something about.

Mr. Fredrickson: That's great. I
appreciate everybody, again, taking the time on what
is a Tuesday at 6:00, whatever, beautiful day, but I
know there's other things you could be doing, so I
appreciate it.

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

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

MR. FREDRICKSON: That's a different one. That one had a possible religious or ceremonial function, but yes, that was a different one.

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

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

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

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

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

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

MR. LEE: (Inaudible).

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

MR. LEE: Right.

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

3742 is another one, and that one will --
it was just a few pieces of shell and a couple small
pieces of coral and a water worn rock, and it's
basically -- you know, somebody took it there, and
it's called a manuport, if it's not something that was
like an artifact or formal artifact. So that's
another one that we'll do some more excavation on --
or excavation on. We didn't excavate that one.

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

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

3745, another one, we tested that, same
thing, got a little bit of shell midden in the soil
deposit and -- but nothing below that. No charcoal or
anything. That was something we were looking for to
try to -- so we could get a radiocarbon date -- sample
so we could submit it to try to get an idea of about
how old the site might be, but we didn't find any on
all the testing that we did.

Yeah, Lucienne?

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

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

MS. DeNAIE: (Inaudible)?

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

Yes, Mike.

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

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

(inaudible).

MS. DeNAIE: Showing (inaudible).

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

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

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

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

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

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

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

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

MS. DeNAIE: It's (inaudible).

MR. FREDRICKSON: (Inaudible), but nobody

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

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

MR. FREDRICKSON: Yeah.

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

MR. FREDRICKSON: It will be submitted.

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

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

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

MR. FREDRICSON: Yes.

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

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

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

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

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

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

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

**MR. LEE:** Mike Lee. Was there an LCA for this whole property?

**MR. FREDRICKSON:** Yes, and I'm sorry, and I know someone here -- it was a very large one. It's 5,000 plus acres to HeeIwa, and I don't have that --

**MR. NAE'OLE:** I have the apopuka. Brian
Nae'ole.

MR. FREDICKSON: Oh, thank you.

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

MR. FREDICKSON: 3237.

MR. NAE'OLE: Mahalo.

MR. FREDICKSON: Thank you.

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

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

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

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

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

Yeah.

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

MR. FREDRICKSON: It was in 1994.
7 MR. KANAHELE: But it was removed without
8 the permission of the state?
9 MR. FREDRICKSON: It was -- it was taken
10 from the property before the inventory survey report
11 had been finalized before the state had accepted it.
12 MR. KANAHELE: So still it was considered
13 a historic property and removed from the site without
14 permission of the state at that time?
15 MR. FREDRICKSON: As far as I know, there
16 wasn't any permission, but I -- it was the land owner
17 at the time, and they -- they -- they took it, I
18 believe with good intentions, because it was -- it
19 would be in a safer -- you know, safer area.
20 MR. KANAHELE: But you couldn't do that
21 today, for example?
22 MR. FREDRICKSON: Oh, no. Well --
23 MR. KANAHELE: Do you remove a site
24 before a preservation plan was put in place?
25 MR. FREDRICKSON: It's -- it's pretty
tricky. You -- the preservation plan needs to get put in place, and if it's not, it's kind of a gray area, and I don't really want to say that too much, just because there are landowner rights that can be kind of -- override some things. I don't want to go too much into.

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

MR. FREDRICKSON: Uh-huh.

MR. LEE: -- for Hawaiian cultural significance under Article 12, Section 7. Mike Lee. So -- thank you -- so we'll look at that, we'll look at survey notes and stuff like that.

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

MR. LEE: This was in 19 --


MR. JENCKS: Charlie Jencks, My understanding is that the state requested, subsequent to the relocation of the stone Upcountry, they requested that the land owner do the relocation --

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

MR. JENCKS: Did you guys do that?

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

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

MR. JENCKS: That was done --

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

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

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

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

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

MR. JENCKS: To keep it up.

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

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

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

MR. FREDRICKSON: Yeah, and --

MR. JENCKS: -- and closed it out.

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

MR. LEE: I see.

MS. DeNAIE: Lucienne deNaie. I did come across sort of (inaudible) SHPD file, and I think the basic discussion was, well, Mr. Rice's intentions were good. (Inaudible) see it defaced or (inaudible). However, he didn't follow proper procedure, so our only choice here -- and they didn't -- they didn't really think that they might have a choice to contact lineal descendents of the land or anybody else and see if anyone else wanted to say anything. They felt their only choice was to provide a process to formalize what had already happened, because the intentions weren't bad.

MR. FREDRICKSON: Yeah.

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

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

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

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

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

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

So any other questions?

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

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

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

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

MS. DeNAIE: (Inaudible).

MR. FREDRICKSON: Or, yeah, sorry, (inaudible) Ranch.

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

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

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

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

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

MR. FREDRICKSON: (Inaudible) big flood events.

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

MR. FREDRICKSON: Uh-huh.

MR. NAE`OLE: So that's the only way you could see them, but riding horse, you're practically right next to the gulches.
MR. FREDICKSON: Oh, yeah.

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

MR. FREDICKSON: Too much, yeah.

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

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

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

MR. FREDICKSON: Just look out.

MR. NAE'OLE: -- wait 45 minutes. That's
why the ground is -- you can see it. You can vision.
It's getting -- you know, it's corroding, and how it's
corroding, it's getting heavier and heavier, so...

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

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

MR. FREDRICKSON: Oh, neat.

MR. NAE'OLE: With the job.

MS. DE'NAIE: And what year was that,
Brian?

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

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

MR. NAE'OLE: So Brian Na'e'ole,

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

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

So --

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

UNIDENTIFIED MALE: (Inaudible).

MS. LANI: Yeah. And then in about -- when I was about almost ten years old we moved to
Kula. That's where the (inaudible) Rice arena is now. That's where my dad worked for Harold Rice. He was the only operator that Harold Rice would have knocking all the kiawe trees. My sister and I, he used to take us on his bulldozer and go to red hill, and my mom -- he would pack us, and my dad used to find these big bombs.

MR. FREDRICKSON: Oh, yeah?

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

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

MR. FREDRICKSON: Oh, in Lahaina?

MS. LANI: Yes.

MR. FREDRICKSON: Now, did you -- this is

Eric Fredrickson. I'll try to say my name too so
whoever is transcribing this doesn't get too upset.

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

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

MR. FREDRICKSON: Uh-huh.

MS. LANI: That's our road every day
going La Perouse, all the way to Kihei, we'll never
forget the areas, how (inaudible). Only (inaudible)
kiawe trees, so we can park anyplace, you know.

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

MR. FREDRICKSON: Yes, thank you.

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

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

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

MR. MAU: Get all the fire wood.

MS. LANI: Yes, yes. And the bulls. Oh,
my mom and dad, I remember they used to trick a lot,
and they would sleep on the roadside, and my sister
and I just running around and (inaudible) bulla, ho,
just fighting and fighting, and they were just
sleeping because they were all drunk (inaudible). But
I remember these days, you know, like before, so -- and I never thought I gonna see that and remember those things, but I -- we always used to come out, and there was mean stories about that point, all the rain used to come from behind (inaudible), comes down a lot of times, you know, my mom said they know about these wheelbarrow. When this wheelbarrow is making noise, they hear the noise from up there coming down, you better make room, because it's -- before they have all this kind of stories and the wheelbarrow would just come from up there, going full speed, and you -- they know, and they just move on the side. (Inaudible), you know, they use these kind of words. We tell them, we don't know what they telling us. Why you moving over there, daddy? We supposed to be on the road, but no, he tells no, you wait, wait. Wait and keep quiet, no say nothing, just respect, okay. Yeah, and big wheelbarrow just come swishing right down, right down to the ocean.

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

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

MS. LANT: I went through hell.

MR. LEE: Mike Lee. Aunty, how did you
guys find springs, since you needed water, or did you
pack water?

MS. LANT: Yes.

MR. LEE: Pack Water?

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

MR. MAU: (Inaudible).

MS. LANI: We still have that today,
because where I'm staying now, I living like that. My
kids didn't want that, but today they're used to that.
Just not (inaudible). They know, and they love it.
They (inaudible) they look up to going to the country,
do what you want, you know, in the country.

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

MS. LANI: Oh, yeah.

MS. DeNAIE: -- all the way --

MS. LANI: With my dad sometimes.

MS. DeNAIE: (Inaudible).

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

MS. DeNAIE: (Inaudible) along the side?

How did you folks (inaudible) --
MS. LANI: Walk, and there's horse to --
you know, he packs us on the horse, or sometimes he
can use the bulldozers to come down and follow.
That's why sometimes it blocks up and he has to be the
one to knock the kahawai, you know.

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

MS. LANI: Yeah, sometimes.

UNIDENTIFIED MALE: -- flood came, yeah.

MS. LANI: Yeah, and he has to go, yeah,
to go and clean it, yeah. And if he can't pass, we
have to just find an area. My dad knew where to go
and, you know, make sure that we are, you know,
safety, yeah, yeah. So we knew how to live life the
hard way, but, you know --

MR. FREDRICKSON: When you were -- this
is Eric again. Aunty, when you folks -- you know,
when you were a kid like walking in some of the
gulches or, you know, like Lucienne just said, the
Kulanihakoi Gulch, do you remember seeing anything
anywhere like coming down the gulch from anyplace
anywhere, like caves, anything like that?

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

MR. FREDRICKSON: Go down the channel.

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

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

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

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

UNIDENTIFIED MALE: (Inaudible).

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

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

MS. LANI: Yes.

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

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

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

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

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

MS. LANI: A lot. A lot.

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

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

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

MS. LANI: Lipoa, lipepee, all those,
yeah, huluhuluwena.

MR. LEE: (Inaudible).

MS. LANI: Yeah, tutu taught us how to,
you know, make all the -- and it was not liked to.

Today you don't hardly see all those. It's all -- the
rocks -- every rock when you take, you know how to
take it out, there's always -- next time there's
always more, but today you don't -- you scrape the
rock, so that's why hardly.

MR. NAKEOLE: Brian Nakeole. Back in the
'70s when we used to go pick up limu, remember we used
to go down there all the time, we were told numerous
times not to go in certain areas. We used to always
stay in like more towards the makai -- well, more
Makena side, because there were certain things that
you couldn't go more by the fishpond, but I remember
the limu that was so plentiful before. The fishes
was -- they were like right there. Not liked to,
they're pretty much disappearing.

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

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

MS. DeNAIE: Kimokeo?

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

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

MR. MAU: Plenty rubbish.

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

So we've been down there. We've taken
films of where you guys have been working, and
palahalaha was there profusely, which we use for
medicine and stuff for the lungs, yeah, and the lauo o
Pele we use for cultural practice. That one you have
to lawala and imu because like (inaudible), tough, but
it can be eaten when you put it in the hot water and
blanch it and it gets soft. But manawaha needs plenty
Jacuzzi action and freshwater, and you got six
different kinds from the very purple purple to the
rice type, you know, the green one, kane wahine one,
so all of this stuff, the health of the ocean depends
on two things, the estuary -- see, used to have pili
grass that used to grow, hold everything in place so
when the water comes down, you don't tear off the
sides of the gulches, yeah, so, dig, dig, dig, dig, if
it's all pili grass. The invasive have come in so the
tearing takes place. That's one of the reasons.

And then when you get to the estuary --
they kind of made it narrow, so instead of having the
natural plants so when the water does flow down from
up mauka -- that water is supposed to be crystal clean
coming into the ocean. That doesn't destroy anything.
It actually adds, yeah. But because it's coming down
muddy, because you don't have pili grass to bend over
and deep roots that go like this like limu in the
water, holding everything together so the water does
pilau, it doesn't turn red, so by the time you get to
the ocean, you also had your grasses down makai and
big so it spreads out, so when hits the energy doesn't
(indicating) and all the rubbish and everything and
red water going in and then getting inside.

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

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

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

I mean, we see that in Manoa, we see that down when you go to Waikiki when it -- those big ditches were flooding over, and it's those events health and safety, not the regular small event, but the fishery is dying. That's a native cultural resource that ties into this property and this project, and that's Article 12, Section 7. Article 7 -- Article 11, Section 7, the natural flow is supposed to be protected, surface and subsurface.

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

MR. KAPAHULEHUA: Kimokeo Kapahulehua.

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

MR. LEE: Exactly.

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

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

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

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

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

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

UNIDENTIFIED MALE: Go ahead, Basil.

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

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

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

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

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

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

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

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

UNIDENTIFIED MALE: Your name.

MR. KANAHELE: Oh, Daniel Kanahele.

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

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

MR. FREDRICKSON: Sure.

MR. RANAHELE: Because of the water,
because of the access (inaudible) ocean. And we know
there was a lot of activity going down near the ocean,
you know, this makai -- you had Kalepalepo
(inaudible). You have a lot of people down there. So
I have hiked Kulanihakoi gulch many times. I know for
a fact that if you go along the southern boundary of
the project area and the gulch and as you make that
(inaudible) left turn in the gulch, gulch (inaudible)
and it turns north. There are sites, there are walls
along the gulch there, which is, you know, adjacent to
the property.
So I think it's important to -- in order to understand the sites that you're looking at, to understand the sites that are adjacent to it, what's next to it, especially the sites in the gulch, because it's apparent that that was used a lot. So who is -- who is going to cover that? Who is going to look at those sites that are just right, right next to this project area right along the gulch? Because the project area will impact the gulch, Kulanihako. It will impact Kaonoulu Gulch.

So who is going to look at those sites? Will it be -- will it be part of this reassessment that, you know, the survey is undergoing?

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

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

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

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

MR. KANAHELE: Okay. Close to the fence?

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

MR. KANAHELE: Okay.

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

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

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

MR. KANAHELE: So -- Daniel Kanahele.

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

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

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

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

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

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

MR. KANAHELE: On the map there is drawn the actual gulch, Kaonoulul Gulch, are you changing that, that's what I'm asking?

MR. JENCKS: It's going over from here, over here, then down here.
MR. KANAHELE: So you're diverting?

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

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

UNIDENTIFIED MALE: (Inaudible).

MS. DeNAIE: And if you look at the 1930s maps you see as then the conjoined flow goes...
through -- now it's Kaonolol Estates and down near
that place where it always floods near the whale
sanctuary, where, you know, this gulch, Kulanihakoi
Gulch comes out at that point there. There was a big
(inaudible), and it's on the map. So in other words,
it was a big, open lagoon swampy area. Now there's
like a little channel, like Michael referred to
earlier, Michael Lee noted this.

So in essence what you have was land that
might have been between two areas that had maybe some
spring feeding and certainly intermittent flow and
certainly not intermittent flow like 15, 20 feet
below, maybe 5 feet down or 6 feet down. And so I
heard you say earlier, well, nobody lived here because
there was no water, but 400 years ago it could have
been --

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

MS. DeNAIR: Right. And I just wonder,
because, you know, when you look at the archaeological
surveys for a number of other places that are at this
same elevation, a lot of times they're fairly empty.
They've been pretty smashed up by military -- the
activities or by ranching activities. It's
interesting that this one had all these mitten
scatters and other, you know, the petroglyph, that
there's more petroglyphs further up the gulch that
were found in Socheck's report.

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

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

UNIDENTIFIED MALE: Oh, yeah, definitely.

MS. DeNAIE: Plenty of sheet (inaudible).

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

UNIDENTIFIED FEMALE: Yeah, yeah.

MR. MAU: Sometime I cannot even come home until the water go down. And I stand up there, I sit down, I look. You see the water going all the way down to Kihei and all the dirt and mud and everything down there. I go, wow, I wish I had a video camera, you know, just to show the devastation.

Another thing, I was fortunate in 1963 or '64, I worked on Kahoalawe. We did a first reforestation -- first we did eradication, get rid of all the sheep and the goats that were -- I think
Kaanoulu Ranch, yeah, the Rice family had use of --

MS. DeNAIRE: They had some use, yeah.

MR. MAU: Kahoolawe, so we had to get rid
of all of the goats and the sheep, and you like see
the damage, you know, over there, the erosion, the
damage. I look at that, you know, and (inaudible) no
more money for camera, but you look at the damage, the
erosion, you know, all over that island, the
devastation to all the native (inaudible), the kiawe
tree, the goats get so hungry, they climb the kiawe
tree and they go up on the limb, eat as much as they
can on the trees, because that’s all they can eat. On
the ground no more nothing, you know, all gone.

So things like that can happen again,
yeah, but today (inaudible) we did all the
re forestation on Kahoolawe, so now get plenty rain,
plenty rain. Everything stay pono now, I hope. Okay,
that’s it.

MR. NA`OLE: Brian Na`ole real fast.
Talking about what Lucienne was saying about 400 years
ago, does anybody in here knows Hawahawahapukaka, who
he was back then?

MS. DeNAIRE: Eldon Liu does, but he
couldn’t come tonight.

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

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

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

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

So what happens is the water from the
ocean condenses and then it goes down in dew from the
morning time all the way to 1:00 and then you get the
secondary rain that takes place. The cloud forms.
This is the neck for the area. It's the neck. It
comes down and shoots over to -- this is the nauulu.

UNIDENTIFIED MALE: Nauulu.

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

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

MS. DeNAIE: From the fog?
MR. LEE: From the mist that comes down.

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

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

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

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

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

UNIDENTIFIED MALE: Yeah.

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

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

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

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

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

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

MR. JENCKS: Done.

UNIDENTIFIED MALE: Did you hear,
(inaudible)?

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

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

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

MR. LEE: Okay. Good.

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

MR. LEE: Okay. Pair.

MR. JENCKS: Okay, it is literally
straight up 8:00. I want to thank every -- hold on.
I want to thank everybody for coming. Clare, you
didn't say a word.

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

MR. JENCKS: Well, like I said when I
started the meeting, we have an audio man here. We'll
take this audio recording, it will be put into a
transcript. That transcript will then be attached to
the AIS, which is part of the EIS for the project.
Okay. And you will then have a chance to comment on
the transcript, if you wish, and also comment on the
AIS as a part of the project and the cultural impact
assessment.

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

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

UNIDENTIFIED MALE: (Inaudible).

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

UNIDENTIFIED MALE: Thank you, Charlie.

MR. JENCKS: Have a good evening.

(End of audio-recorded proceedings.)
CERTIFICATE

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

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

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

Jessica R. Perry, CSR, RFR
Hawaii CSR# 404
# Piilani Promenade Cultural Consultation Meeting
**February 25, 2014**

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**EXHIBIT "A"**
### Piilani Promenade Cultural Consultation Meeting
#### February 25, 2014

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Appendix D: Transcription of Cultural Consultation Meeting of
April 27, 2016
TRANSCRIPT OF VIDEOTAPE PROCEEDINGS
HELD ON APRIL 27, 2016

PI‘ILANI PROMENADE PROJECT

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

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

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

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

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


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

MR. JENCKS: Thank you. Thank you for coming.

MR. NAPOLE: Thank you.

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

MR. NAPOLE: Same.

MR. JENCKS: Same drill, right? We had the same discussion points, the same idea to get input and learn more about this property from a cultural perspective. And we -- that meeting was concluded, we took the information that we gained from the video and the audio and had a transcript done, so we have good documentation as to what was talked about in that meeting.

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

It was --

MR. KAPAHILOHEUA: January.

MR. DAVIS: January, yeah.

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

MR. DAVIS: Everybody was there.

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

Yes.

MR. JENCKS: Okay. Which is --

MR. KAPAHILOHEUA: And Daniel Kanahele and --

MR. JENCKS: Right.

MR. KAPAHILOHEUA: -- Lucienne De Naie.

MR. NAOELE: Yes.

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

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everybody and tell you what, when and where, what to bring, what the rules are. Because we have to organize, you know, there's a liability issue, but we want everybody to participate. We'll start that process. And I encourage those that want to attend and participate to do so because I think it will be -- it will be an interesting process.

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

MS. SALLY OSHIRO: Right.

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

MS. SALLY OSHIRO: Right.

MR. JENCKS: -- that that activity was on that property, I think, is an important thing to do. You can do the data recovery and say, okay, we’re done, finish it up, we don’t need this anymore, but I would prefer, and the owner prefers, to recognize that cultural history and bring it vertically into the project. So it’s incorporated into the project in some way.

And -- and Brett did a really good job in the project EIS talking about the archaeological section and the work we’ve done to date in bringing you folks into that process. So that we -- whatever vertical (inaudible) we bring in, once we have all the data recovery done, we can -- we can then sit down together and say, okay, what is it we want to bring vertically, what’s the most important piece of this, how do we most effectively -- how do we most effectively represent the host culture on this property as a finished product. Okay.

That’s -- that’s where we are now. There’s a lot of things to do. We wanted to have this meeting because Kimokeo had been working on the Cultural Impact Assessment. And I know there was communications, Basil, between you and Kimokeo on setting up a meeting.

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

MR. KAPAHULEHUA: Aha Moku meeting and --

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

MS. DE NAIE: Hello.

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

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

MR. JENCKS: So with that, I'll just open it up. Brett, if you want to add anything, or Kimokeo.

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

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

MR. JENCKS: The EIS was drafted.

MR. BASIL OSHIRO: Uh-huh.

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

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

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

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

MR. KAPAHULEHUA: The EIS.

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

MR. DAVIS: The draft EIS?

MR. BASIL OSIRO: Yeah.

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

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

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

MS. SALLY OSIRO: Do we have it mailed?

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

MR. BASIL OSIRO: What's the website?

MR. DAVIS: It's OBQC.

MR. BASIL OSIRO: All in capital?

MR. DAVIS: If you want to like a Google search.
engine and just typed in O-E-Q-C, it will take you to their website.

MS. DE NAIE: You have to do "Hawaii" because there's other OEQC's.

MR. DAVIS: Okay. Okay. Hawaii OEQC. I can forward you --

MR. BASIL OSHIRO: Yeah.

MR. DAVIS: -- a link to the website.

MR. BASIL OSHIRO: Yeah.

MR. NAEOLE: Yeah.

MS. SALLY OSHIRO: That would be better.

MR. DAVIS: Not a problem.

MR. KAPAHULEHUA: What's your email?

MR. NAEOLE: I'll give you my -- okay.

MS. SALLY OSHIRO: While we doing this, would you like to introduce yourself?

MR. KAPAHULEHUA: Yeah.

MS. DE NAIE: Thank you. Lucienne de Naie. I'm on the Advisory Board of Maui Cultural Lands and, also, I'm President of Maui Tomorrow, which is one of the organizations that did ask that this be reviewed and has submitted comments on the EIS in great volume. We haven't heard anything back yet.

MS. SALLY OSHIRO: Thank you.

MS. DE NAIE: Oh, sorry. Turn this off.
MR. JENCKS: Everybody is so popular.

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: You gonna get your turn too, Charlie, you watch, they gonna be calling you next.

MR. JENCKS: Who is that?

MR. BASIL OSHIRO: I don't know.

MR. JENCKS: That was my wife.

MS. DE NAIE: That counts.

MR. JENCKS: Always take those calls. You can never tell what's happening at home or at the office. Okay.

MS. SALLY OSHIRO: Thank you.

MR. DAVIS: So, yeah, I can email that link to you, no problem.

MR. BASIL OSHIRO: Yeah.

MR. DAVIS: I'll do that today.

MR. BASIL OSHIRO: Because, Brett, I look at the fishery stuff and I get 400 or 500 pages. It gonna take me six months to look at that, so just glance through it. So this meeting is actually about the AIS or the EIS?

MR. JENCKS: No. This meeting, Basil --

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: -- is about what you know about the property, what you have to offer from a cultural perspective with regard to the property. That's what this meeting is about and that's what it's being held for. And I'm just
curious, if someone could explain to me clearly what the
function of your organization is. Because I've -- I've
looked at a lot of data on the website and I've read -- I've
read through, but I --

MS. SALLY OSHIRO: You can't comprehend?
MR. JENCKS: No, I can comprehend.
MS. SALLY OSHIRO: Oh, okay.
MR. JENCKS: I'm just looking for the substance,
what is -- I looked for a mission statement, I looked for
goals. I just didn't see -- maybe -- maybe it's somewhere
else and maybe I didn't go to the right spot, but if,
perhaps, you could communicate what it is you're all about,
I think that will be helpful.

MR. BASIL OSHIRO: Well, it's -- I will do the
best I can. It's the ancient ways. If you know how the old
Hawaiians, like, say, our ancestors, actually survived
without outside intervention. We're trying to meet halfway,
yeah. The system is almost about how we can conserve our
natural resources, whether it's land, ocean --

MS. SALLY OSHIRO: Air.

MR. BASIL OSHIRO: -- air, all that. We had a
whole (inaudible) of it. But it's mostly our natural
resource, the conservation, the use of it. Not the ban --
banding of it. So it's a sharing of our natural resources.

MR. JENCKS: And your organization, if I may, what
I did get from it, from what I read, was that the
organization focuses on the various ahupua`a in the state.
So there's a -- there's a council for geographical areas, is
that --

MR. BASIL OSHIRO: Yeah. So it starts with the
ahupua`a. It's, you know, like the single person, one
person.

MR. JENCKS: Uh-huh.

MR. BASIL OSHIRO: It's a community. The ahupua`a
is part of the moku. The towns in the moku --

MR. JENCKS: Like Honua`ula is a moku?

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: They have districts inside of
that moku. That's what they call ahupua`a.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: So that -- from -- you know if
you have a concern from the ahupua`a or a single person,
like Bully says, I have a concern, okay, they going talk to
the leader of his community. And from his community, they
going get together, okay, let's do this, and they go through
the moku. And the moku rep comes out and they have their
discussion. From their discussion, the people, the
community involved, not just for special -- special interest
group, it's the community. If you don't show up, well, you
know, you know what you have, what happens, you gonna be
left out in the -- in the cold. But (inaudible) the
ahupua'a, the community or the town has a -- has a concern
or problem, comes to the moku, the moku of the ahupua'a can
get together, what they wanna do. This is all the moku,
now. Like you have -- like the stream that's flowing in a
certain place. Then we all get together and then discuss
that.

MS. SALLY OSHIRO: How we can get it back.
MR. BASIL OSHIRO: How can we get it back to
actually not take all the water, but --
MS. SALLY OSHIRO: Share.
MR. BASIL OSHIRO: -- how we can share the water.
Not one ahupua'a who get all the water and this other side,
they lo'i dry. No. We try to share all that. And that's
the conservation. And that's how the old Hawaiians worked
before.

MR. JENCKS: Does the organization do annual
reports on what they've accomplished or what they've engaged
in?

MR. BASIL OSHIRO: Yeah.
MR. JENCKS: Does that -- is that also done?
MR. BASIL OSHIRO: Get all those --
MS. DE NAIR: It's up to the legislature.
MR. BASIL OSHIRO: Yeah. It's written in Hawaiian
and English. It goes to our (inaudible). From the
(inaudible), from there, she supposed to be our -- our
middleman that takes it to the DLNR, if we having problems
there, it get stuck, you know, stays (inaudible).

MS. SALLY OSHIRO: It's not supposed to.

MR. BASIL OSHIRO: It's not supposed to do that,

but nets is something else, but what --

MR. JENCKS: Are you funded by the State?

MR. BASIL OSHIRO: No.

MR. JENCKS: Is there any funding?

MR. BASIL OSHIRO: Not --

MR. JENCKS: So how do you -- how do you cover
your expenses?

MS. SALLY OSHIRO: Right there.

MS. DE NAIE: Well, actually, isn't there some
money for Leimana's salary?

MR. BASIL OSHIRO: We -- it hasn't gone through
yet.

MR. JENCKS: Got somebody that --

MR. KAPAHULEHUA: No, but the moku and ahupua`a --

MS. SALLY OSHIRO: No. No.

MR. BASIL OSHIRO: Not --

MR. KAPAHULEHUA: Like this moku is called Kula,

and you live in the ahupua`a, but the moku is -- this

particular moku we talking right now, they not funded, they
don't -- they --

MS. DE NAIE: Yeah, there's no funding for the
moku.

MR. KAPAHULEHUA: The moku -- down from the moku
all the way to the shoreline, there's no funding, everybody
is volunteer. Actually, they volunteer, documents --

MR. JENCKS: Okay.

MR. KAPAHULEHUA: So -- but what he's saying is
how it works from the concern of the division, you know, the
island, the moku and then ahupua'a. But it goes down to the
kuleana of the lineal of Konohiki, you know. So in the
ahupua'a, you still have kuleana, kuleana, you have
(inaudible), you have Konohiki.

MS. SALLY OSHIRO: Do you understand what they --

MR. JENCKS: Yeah. Yeah. That's helpful. I
mean, I --

MR. KAPAHULEHUA: So that is a particular person
like when we just talked about this morning and told him
about our fishpond get all the -- the ama, the ama is like
this, then the mullet which are (inaudible). So the deal is
to report to DLNR that nobody bother that fish so the thing
can get big enough so it can go on its own.

MR. BASIL OSHIRO: Yeah, it can actually leave the
fishpond, but the fishpond was actually made as a
conservation district, yeah, it's our resource. So was
talking about monk seal getting in there, that's why they
kill the monk seal. He eating all my kaukau, what -- get
out of here, you know what I mean.

MR. KAPAHULEHUA: So the Aha Moku information,
when he that, through the Aha Moku Kula.

MR. JENCKS: On the website.

MR. KAPAHULEHUA: The moku Kula.

MR. BASIL OSHIRO: Well, the thing is, on the
Federal side, the ahamoku.org.

MR. JENCKS: That's where I went.

MR. KAPAHULEHUA: Yeah.

MR. JENCKS: That's where I went. And there was
some information there.

MS. SALLY OSHIRO: Then you didn't get to see the
Act 212 and --

MR. JENCKS: I have a copy of that as well.

MS. SALLY OSHIRO: Okay. Yeah.

MR. JENCKS: And I just started reading that.

MR. BASIL OSHIRO: That's all looking through it.

That's -- it's a old, really old, 1,000-year-old system that
the Hawaiians did to actually live sustainably without
outside --

MS. SALLY OSHIRO: Intervention.

MR. BASIL OSHIRO: -- intervention.

MS. SALLY OSHIRO: And, also, you know, the way we
live is it's kapu, there are times that you don't go after
fish or certain plant, you know. We've just lived our way
that way. And that's what the moku is all about. It tries
to have everybody, doesn't matter what race, but we all live
as one. And like he was trying to explain, you have a
problem because you don't want -- you want to develop, let
me put it that way. Okay. We don't want you to develop in
the area, but now you tell us, okay, let's work this out.
It's the same thing. It the same principle.

MR. BASIL OSHIRO: About conservation.

MR. JENCKS: All right.

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: Okay. I just -- I needed to
understand that from your perspective.

MR. BASIL OSHIRO: It's not about no do this, no
do that. The kapu system is -- you know, it's like all
resources, that put in the fishery, when it's spawning --

MS. SALLY OSHIRO: You don't -- yeah.

MR. BASIL OSHIRO: -- it's kapu. And then every
moku is different, the spawning cycle is different.

MR. JENCKS: It's all different.

MR. BASIL OSHIRO: You go to the ahupua'a, if it
goes out on the ocean, too, it's different, yeah. It's like
the moon calendar, you plant some certain things at certain
times of the moon phase. Everything is done the Hawaiian
science. And then it's -- if you folks can actually take
this plant, and then take it back to the mainland and say,
see how these guys used to survive without outside
intervention. They had -- Hawaiians -- had about a million
of Hawaiians here. It's the same population, close to,
right now, and, yet, we gotta import 90 percent of our food.
The Hawaiians didn't have anything but their own. The
(inaudible), they took care of themselves.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: So that's -- that's what we
trying to work partway, yeah. Bully knows about it, yeah,
but he's been working on the wrong side of da kine fence.

MR. NABOLE: Yeah, to protect the resources.

MR. BASIL OSHIRO: Well, you got to get him in
there so he can --

MR. JENCKS: I thought we were all on the same
side of the fence, looking in.

MR. KAPAHULEHUA: Take us 11 years to build a
wall, so we still in. They not finished yet.

MR. BASIL OSHIRO: No. That just was a joke on
that portion.

MR. JENCKS: Yeah, yeah.

MR. BASIL OSHIRO: We got to work together.

MR. KAPAHULEHUA: Together.

MR. BASIL OSHIRO: Otherwise, we gonna be bucking
heads. We not gonna be drinking from the same cup. No, separate, the cups. The cups from the same pitcher.

MR. JENCKS: Okay. Well, just for my edification, I want to understand.

MS. DE NAIR: The word you see in Act 121 over and over again is to bring traditional knowledge into the process because it was a big puka. It was not -- it was missing. You -- you -- you heard from the folks at DAR, you know, they trying to do their job, you heard from folks who own the properties and their consultants, they're trying to do their job, but what you weren't hearing from is people who knew about these places for generations. And their knowledge was not in books, it was not like made into a video somewhere on YouTube, for the most part, it was within their families. And so this was a place where people could feel safe to gather and come and share their family knowledge and know that it was supposed to actually have some part in the process because aha moku is -- it's designed by law to advise the DLNR, which is in charge of cultural sites, fish and wildlife, plants, you know, the reefs, the oceans, you know, all these kinds of things, and is also designed to be a voice within the community to talk to folks at the County, to talk to landowners, you know. So it's a relatively young organization. I've watched the formation. I serve on the Aha Moku Council over in
Hamakualoa. It's not confined only to people who are Hawaiian. If -- if you have an interest, our Aha Moku Council has several non-Hawaiians on it. It's just if you live in the moku, you have knowledge of the moku from your own practices or from just learning from your neighbors or learning over time, you know, then you're -- you're considered a valuable asset because you're passing on that traditional knowledge and that is --

MR. BASIL OSHIRO: It's generational.

MS. DE NAIE: -- generational knowledge.

MR. BASIL OSHIRO: That's not written down in the books.

MR. JENCKS: Well, let's see if there's something that we can pull out of this history that we can translate into a benefit for the project.

MR. BASIL OSHIRO: Yeah, but --

MR. JENCKS: And demonstrate that connection.

MR. BASIL OSHIRO: The thing is, Charlie, we wanna benefit the people, not just the project. Our main concern is the people of Hawaii. You know, doesn't matter where you're from.

MR. JENCKS: I don't disagree with you at all. I don't disagree.

MR. BASIL OSHIRO: Yeah, because the people the one gonna suffer, our next generation, you folks, your
grandkids, if you're gonna hang around, Kimokeo's grandkids, and --

MR. NAREOLE: Not knowing --

MR. BASIL OSHIRO: They're so westernized that they forget their -- where they came from. So what we talk about a lot of times is if there's a natural disaster, which is probably gonna happen, if we don't have the military, we sunk. So you go to Oahu, you ask them, "Where you get your food? The supermarket. Where else? The supermarket." You gonna starve, yeah. You don't know how to gather, you don't know how to hunt. And that's the culture of the Hawaiian people. And they keep taking away, so -- and that's what we're actually fighting, eh, don't take away any more from us. That's all we have, you know. We don't have -- you know, like auntie here, she has a lineal, Brian has a lineal to that land you folks trying to build. And Jacob Mau who I'm quite sure is lineal to that, too.

MS. DE NAIE: Eldon Liu, Hewahewa, that's his ancestors.

MR. BASIL OSHIRO: They --

MS. SALLY OSHIRO: They all --

MS. DE NAIE: Hewahewa was the Konohiki there. That's whose name is on the TMK.

MS. SALLY OSHIRO: That's right.

MR. BASIL OSHIRO: The thing is, you have to talk
to those people, too, what their mana'o is or their
generational knowledge of the land.

MR. JENCKS: Well, in terms of, you know, the
reason why we're here today is to get some input from you --

MR. BASIL OSHIRO: You getting it now.

MR. JENCKS: Okay. So continue.

MR. BASIL OSHIRO: Yeah. So Brian would know
because he's part of it, Auntie Flo. And if you get the
other guys in here, too, they probably tell you, you know,
we weren't alone, but what is progress. If you can be pono
and build, for me, I don't know, I don't have a lineal to
that, so I gonna stick in only for myself. If you guys
gonna build, the cultural sites should be used as education,
to teach whoever's in there, whoever's gonna be using the
land, that this is Hawaiian culture in here. It's not just
come here, bulldoze or anything. When you walk in there,
say, oh, my God, they bulldozed everything in there, how
many of the sites did they damage already that we don't know
about because it's buried. Because I went in there, I was
by myself, I walked off by myself.

MR. JENCKS: Yeah.

MR. BASIL OSHIRO: I found that -- I don't know if
it's -- it's probably a old dam. I don't see any place
where they bulldozed. And I can see that the punawai over
there from the -- the gulch come down and raise the waters
to collect and used to flow down. 'Til this day, I see that
flow. And if it gets big rain, if you're gonna build in
that area, somebody's gonna be underwater. Because even
like few months back, had rain, you can see that gulch was
flowing.

MR. JENCKS: The area that Basil is talking about,
is that located on the map? Did you make note of that?

MS. DE NAIE: It's the small gulch. It's the
small gulch that's shown.

MR. JENCKS: All right.

MS. DE NAIE: If you look at where Site 3740 is,
that's on that natural gulch.

MR. DAVIS: Drainage Way A.

MR. JENCKS: All right.

MS. SALLY OSHIRO: You can't --

MR. BASIL OSHIRO: It's not a drainage. If you
plowed there now --

MS. SALLY OSHIRO: That's what he's calling it.

MR. BASIL OSHIRO: -- you folks gonna have

problem. Like, you know, the sanctuary, that area is gonna
flood because I can see where -- I don't know if the kupuna
actually showing me that, but that place is filled in
with -- with dirt and silt now. When I going through, that
place was one punawai, was a reservoir. And the people used
it as a resting or -- that was a path, a traveled area down
from mauka to makai. You cannot fill up it. If you folks
want to fill in that gulch, yeah, eh, gonna have problems.

MS. SALLY OSHIRO: I don't know if you're familiar
with the Kula, where they built the homes. Yes.

MR. NABOLE: The Hawaiian Homes.

MS. SALLY OSHIRO: Yes. Thank you.

MR. NABOLE: I was just going to mention that.

MS. SALLY OSHIRO: Please.

MR. NABOLE: That gulch.

MR. BASIL OSHIRO: It's the same gulch that come
down. And that place, when it rained --

MR. JENCKS: That was Keokea?

MS. SALLY OSHIRO: Hawaiian Homes.

MR. NABOLE: There was an incident back many years
ago where that house got washed off the foundation.

MR. JENCKS: December 5th, I think, is the big
storm, multi-day storm.

MR. NABOLE: Yeah. That house.

MS. DE NAEB: It was Henry Lau's house, yeah.

MR. NABOLE: Yeah.

MR. BASIL OSHIRO: Yeah.

MS. DE NAEB: Yeah, sad.

MR. NABOLE: Ripped right off the foundation.

MS. SALLY OSHIRO: Right through.

MR. BASIL OSHIRO: That thing flew all the way to
Kihei.

MS. DE NAIE: Yeah.

MR. KAPAHULEHUA: Where that big stream come right down to the left, inside that Kulanihakoi Gulch.

MS. DE NAIE: Yeah.

MR. KAPAHULEHUA: By Maui Lu.

MR. F. NABOE: Yeah, right.

MR. KAPAHULEHUA: So that went down that whole area. So they're trying to get the new bridge, but this is a temporary bridge, they gonna build a big bridge.

MS. SALLY OSHIRO: See, the thing is that you folks don't understand is our islands, we have all natural --

MR. F. NABOE: Drainage.

MS. SALLY OSHIRO: -- drainage and, you know, from the -- like he said, from mauka to makai, from the mountain to the sea.

MR. JENCKS: Uh-huh.

MS. SALLY OSHIRO: Anytime you destroy that and you try to divert something, it don't work because, for some reason, it will go right back and say, "This is my place, this is the way I want to flow, but thank you very much, now you put all this rubbish, now I'm gonna block up down below." So you only causing more mishap.
MR. JENCKS: Right.

MR. BASIL OSHIRO: Gotta work with nature.

MS. SALLY OSHIRO: Yeah.

MR. BASIL OSHIRO: And that -- that gulch is natural. And the run right next, by the school, it overflows pretty often, too.

MR. KAPAHULEHUA: Kulanihakoi.

MR. JENCKS: Kulanihakoi.

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: That's a big one.

MR. BASIL OSHIRO: Yeah.

MR. KAPAHULEHUA: Where?

MR. JENCKS: Kulanihakoi. Yeah, that's a big one.

MR. BASIL OSHIRO: That place flows. And one time I was wondering how come that other -- that ditch was flowing. And I found out the tank that -- I don't know how many million gallon tank, was broken. So where this water came from, no rain.

MR. JENCKS: It was in -- the water was in Kulanihakoi Gulch?

MR. BASIL OSHIRO: Yeah, flowing.

MS. DE NAIE: Where was the tank that was broken, up in Kula?

MS. SALLY OSHIRO: Right above our house.

MR. BASIL OSHIRO: Right above us.
MS. DE NAIE: Oh.

MR. BASIL OSHIRO: And it was flowing for like three months. And I was wondering where the hell this water coming from.

MR. JENCKS: I'm not sure.

MR. BASIL OSHIRO: No. That tank is --

MS. SALLY OSHIRO: No. It's --

MR. BASIL OSHIRO: Right above (inaudible). So that -- that was flowing.

MR. JENCKS: So it was flowing across, then down into the Kulanihakoi Gulch?

MR. BASIL OSHIRO: Yeah.

MS. SALLY OSHIRO: See, what happened was they blocked it off with -- they started making the cornfields or whatever they had.

MS. DE NAIE: Monsanto guys.

MS. SALLY OSHIRO: Yeah.

MS. DE NAIE: Yeah.

MS. SALLY OSHIRO: When they first started the thing. So they blocked it off. And then, right behind our house, I noticed that there was a natural gulch that had come down and then come across and joined. Well, now they blocked that off. So I told him -- right by the gate, I told him, oh, look, they blocked that off, where is it gonna go, down on this side, not going down the road. So I
thought, how dumb can they be, you know.

MR. JENCKS: Hard learners.

MR. BASIL OSHIRO: It's the engineers that not from Hawaii. Actually, you gotta talk to the kupuna. All that water used to flow. If they were generational, how the waters flow, you guys gotta follow, you know, that pattern. Otherwise, oh, boy, problems. And you can see the problems with the whale sanctuary. When they built all the wetlands, we were telling them, watch out because this place gonna be underwater when they get the 100-year rain. Sure enough. Lucky, nobody got injured or what. But my friend lives down there, he had 18 inches of water. He couldn't leave his house, and months. And what that thing smell like? Cow dung. (Inaudible).

MR. JENCKS: Not pleasant. Not pleasant at all.

MS. DE NAIE: So, Basil, was this down off of Kaanoulu Street like where it comes down?

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: And then there's that big wetlands on the -- across from Maui Lu? Yeah.

MR. BASIL OSHIRO: And (inaudible) on the ranch --

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: -- said it was about six inches deep of mud, if they dig. Couple of the trees down, they said this one rain, eh, we gonna get it.
MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: And didn't take maybe about a year later had that big rain, constant rain --

MS. DE NAIE: Yeah. And all the rubbish flushed down.

MR. BASIL OSHIRO: Yeah. It was -- was a good smell for a little while.

MS. DE NAIE: Well, you know, I have a map from the 1930s that has that area there, right where the new bridge is, you know, where the little narrow water is coming across, it was like a much bigger area, and it was labeled muliwai. So it was known as a muliwai at that time. And even the 1950s maps, when you look at it, you know, it looks different than it does today. In fact, this little gulch comes out down by the ocean on those maps, as far as I could tell. Yeah.

MR. BASIL OSHIRO: Well, if you get the old maps, Sally, you can see, actually, how the water -- you can -- I'm quite sure you will be able to see how the water actually flows. And if you try to divert that thing like they did on mauka side of the lower Kihei Road, South Kihei Road, try diverting all that water.

MR. NAOLE: Flush it.

MR. BASIL OSHIRO: That's why it was underwater for a little while.
MR. JENCKS: Yeah.

MR. BASIL OSHIRO: If they kept to the natural flow and they didn't build so much on the wetland, I don't think we would have that --

MS. DE NAIS: Well, then the water can spread out. The wetland is for the water to spread out. By making it the small channel like that, then, yeah, then it just --

MR. JENCKS: Speaking of the development, on the makai side of the highway --

MR. BASIL OSHIRO: (Inaudible).

MR. JENCKS: Kauhoulou Estates.

MR. BASIL OSHIRO: Both sides of South Kihei Road.

MR. JENCKS: Yeah.

MR. BASIL OSHIRO: That's all wetland, from Maalaea all the way to -- past Kalama Park.

MS. DE NAIS: So where Maui Lu is, too?

MR. BASIL OSHIRO: Maui Lu is wetland, too.

MR. NAOLE: Azeka.

MR. JENCKS: It was -- it was at one time before it was filled.

MR. NAOLE: Ditches.

MR. BASIL OSHIRO: Yeah. Yeah, so that place gets flooded, too. (Inaudible) --

MS. DE NAIS: It's a bad flood -- yeah.

MR. NAOLE: St. Theresa's.
MR. JENCKS: St. Theresa's, same.

MR. NAIOLE: Yeah.

MR. BASIL OSHIRO: If they -- I think they follow the right channels and watch how the drainage, the ditches and stuff, and then save enough wetland where the water can collect. By St. Theresa's is only place that's left.

MR. NAIOLE: Well, get that other one in the back of -- what is the -- Longs --

MS. DE NAIR: Yeah, Longs Drugs. Yeah, they --

MR. NAIOLE: Longs Drugs, in the back.

MS. DE NAIR: They created it, yeah, which it functions good. And they're gonna do one at that new place, the courts, whatever they are. Yeah, they have to -- they have to do a part there.

Daniel Kanahele asked me, said -- because he can't be here this time, he said would I bring up that many cultural practitioners have commented and feel that that small gulch is a cultural feature of the land and that it definitely should not just be, you know, viewed as some convenient drainage that you can get rid of and have a drainage someplace else. Everybody here sort of feel that way?

MS. SALLY OSHIRO: Yes.

MS. DE NAIR: So is there any consideration in this project not to -- not to fill that up and obliterate it
MR. JENCKS: Well, you know, we've looked at that -- at that drainageway a couple of ways. Originally, the original plan for the drainageway, when we bought the land from the original owner, Henry Rice, it was gonna be diverted to Kulanihakoi Gulch, 100 percent of it was going to go over to the gulch. And I realized that if I did that -- or if I allowed the civil plans to be completed to do that, then that would be creating problems for other people downstream, and that wouldn't be fair and wouldn't be equitable. So the current plan provides for intercepting the gulch, the drainageway, whatever you want to call it, on the mauka side of the property and then putting it in a culvert, down the alignment of East Kaanapali Street with the same terminus at the makai side of the property with no increase in either quantity or speed.

MS. DE NAIE: So that means it gets filled in because you're intercepting it?

MR. JENCKS: So what we're going to do is we're going to use -- you know, the gulch crosses diagonally across the land.

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: Two parcels. A parcel, the 1,300 acre, which is at the very corner, which is designated to be an affordable housing site, and then the larger piece below
that similar to -- and if you, in your mind, think about
the -- the overall acreage, there's a water line that the
County built years ago which serves Central and South Maui.
It cuts it diagonally right across. It's now the
hypotenuse. That's going to be rerouted as well.
Similarly, this drainageway cuts across these two pieces,
one more than the other. And no matter what we do here on
this property, whether it's -- it's the grading for the --
for East Kaonoulu Street or the project itself, it's gonna
be a problem. So, you know, we -- we tried to develop a
scenario within which we would divert it at the top, across
and down, without, A, increasing the volume or the capacity
or the quantity of water. So that we're not harming
downstream properties, which is important. And you can't do
that. It's not fair and equitable. With respect to
Kulanihakoi Gulch, there is no increase from that
drainageway, which complicates, Basil, what you were talking
about makai of the highway.

MS. DE NAIE: So that's not the question. The
question is not whether it has flow or not. That's one
question. You're saying it won't have flow, so it won't be
a problem because the flow --

MR. JENCKS: I'm saying -- what I said was we're
not diverting to Kulanihakoi Gulch to --

MS. DE NAIE: Yeah.
MR. JENCKS: -- increase the flow there. We are going to intercept at the top, bring it right down East Kaanoulu Street to the existing exit under the Piilani Highway. There's a series of culverts under the highway now, very large culverts, that -- that move water from -- you know the gas station area? There's a drainage easement --

MS. SALLY OSHIRO: Right.

MR. JENCKS: -- on the highway.

MS. DE NAIE: Yeah, it's a big trough.

MR. JENCKS: Yeah. It's a concrete deal, that's there as well. So those culverts handle all that water.

MS. DE NAIE: Yeah.

MR. JENCKS: But the water that we're going to channel down will exit at the --

MS. DE NAIE: But it's not about the water, it's about the feature itself, where it exists. It's a cultural feature because folks lived along -- I mean, you can see it's green when other things are dry, you know, there's groundwater there, the water is following it. Brian, what were you saying? You were saying there was like trees, you couldn't even see the gulch when you were young.

MR. NAOLE: You can't see. It was all covered, that's why. Water was flowing, that's why you have the greenery, yeah.
MR. BASIL OSHIRO: It's so green.
MS. DE NAIE: Yeah.
MR. JENCKS: Well, and that's the plan. We have -- you know, whether you agree or disagree with the Archaeological Inventory Survey, that's the plan. And we have to move on from there.
MR. NABOLE: Yeah.
MR. BASIL OSHIRO: Because the thing is, is what you trying to say --
MS. DE NAIE: So, the green part is the gulch, yeah.
MR. JENCKS: What do you mean, the low part?
MS. DE NAIE: Well, yeah, but there's -- there's groundwater there, you know, too. It's like those trees can keep living while everything else dries up.
MR. BASIL OSHIRO: Water is still flowing underneath.
MS. DE NAIE: Yeah.
MR. BASIL OSHIRO: The thing what we trying to tell you, you folks, is when you folks develop, you know you guys gonna develop, to keep the natural drainage, don't divert it, (inaudible) problems, you know. It's -- I don't know. Maybe it's just, like I say, a gut feeling that -- because where you folks want to put the affordable housing is where you folks have the big culverts. Right below that
culverts is where the reservoir or the punawai, when the rain comes down, collects there, goes over that little waterfall and goes down in the gulch and drains across the road, you know, makai. And if you’re going to divert that, the water has its own mind on what way it wants to go.

MR. JENCKS: Sure.

MR. BASIL OSHIRO: You’re going to try to divert it, that lower side of Pi‘ilani, problems. They’re having problems over there.

MR. JENCKS: Okay. Well, it’s worth taking a look at, then. We can certainly go back and talk about this issue and see if there’s -- if there’s any way we can address your concerns. Be happy to do that.

MS. SALLY OSHIRO: Excuse me. I think we brought this up the second meeting we had at your office.

MS. DE NAIE: Yeah.

MS. SALLY OSHIRO: We did bring all this up.

MR. JENCKS: In the transcript for that meeting, at the very end of the meeting, there was a discussion about this drainageway. And I believe Daniel Kanahele asked me a direct question. My response then is the same as it is today. So, yes, it was brought up at the February --

February --

MS. SALLY OSHIRO: Yeah.

MR. JENCKS: -- 2015 meeting. It’s in the
transcript. Yeah, you're right.

MS. SALLY OSHIRO: And is he not gonna listen,
then --

MR. JENCKS: Well, I --

MS. SALLY OSHIRO: No. But I'm telling you so you
can go back and explain.

MR. JENCKS: I'm listening -- I'm listening to you
as a different group. That was a group of people we pulled
together. This is a different group.

MS. DE NAIE: Actually, I think --

MR. JENCKS: Different --

MS. DE NAIE: I think all the same, all these
people.

MS. SALLY OSHIRO: Except we don't have the rest.

MS. DE NAIE: Yeah.

MR. JENCKS: What I'm saying is I'll take back
your concerns, see if there's something we can do. We'll
talk about it.

MS. SALLY OSHIRO: Yeah. Because if you don't
want any problems with the development --

MR. JENCKS: We certainly don't.

MS. SALLY OSHIRO: Yeah. So --

MR. JENCKS: I agree. I agree.

MS. DE NAIE: I don't know, Basil, you want to
talk about the shelter along the gulch, too? Again, a few
pictures.

MR. BASIL OSHIRO: Yeah. It's cultural kind of stuff. Charlie should look at it.

MS. DE NAIE: Wait a second. Let me find that stuff. So if you look from --

MR. JENCKS: Do you have a location map, Lucienne?

MS. DE NAIE: Yeah. Yeah, yeah. So we have a location map --

MR. BASIL OSHIRO: Everyone is --

MS. DE NAIE: So you find 3740, Site 3740, you see there's kind of like a bend in the --

MR. JENCKS: Yeah, it's right here.

MS. DE NAIE: Okay. So just makai of that --

MS. SALLY OSHIRO: 3740?

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: I think the only thing we didn't find was picture of --

MS. DE NAIE: Yeah. So just -- just --

MR. BASIL OSHIRO: Somebody cleared the area out, like the homeless.

MS. DE NAIE: Just makai. So here's the gulch. And the gulch is about to make that -- that bend.

MR. JENCKS: Oh. So you're talking this area right here?

(Multiple speakers.)
MS. DE NAIE: 3740 is just a little bit mauka of that.

(Multiple speakers.)

MR. JENCKS: So this is kind of going like this?

MS. DE NAIE: Yeah. The gulch is going like this.

MR. JENCKS: Wrapping around.

MS. DE NAIE: Yeah, it's wrapping around. This is like a little hill above the gulch.

MR. JENCKS: Okay. All right.

MS. DE NAIE: So you see those two rocks. Then when you get near, you realize that it's actually like a little shelter that's been, you know, formed into a shelter.

MR. JENCKS: So did you -- when you guys did the site walk, did you point this out to Erik?

MS. DE NAIE: No, because we didn't go down there. We went further up.

MR. BASIL OSHIRO: I went up to the dam. And they didn't have enough time.

MR. JENCKS: Did you know about this when you did the site walk?

MR. KAPAHULEHUA: No.

MS. DE NAIE: I'm not sure if we did.

MR. JENCKS: So you've been back out on the property since --

MS. DE NAIE: Yeah. This is -- this is -- this
is -- yeah, because we wanted to find the thing to show --
to show the archaeologist. We wanted to find -- this is the
other site, the talking stone, the oracle stone, yeah.

MR. JENCKS: Can I make a note on this map?
MR. DAVIS: Yes.
MS. DE NAIE: Yeah.
MR. JENCKS: All right. So may I have this?
MS. DE NAIE: Yeah, you may.
MR. KAPAHULEHUA: Makai side of 3740.
MR. JENCKS: So -- so if I see --
MS. DE NAIE: So here's 3740. That's what 3740 looks like. It's -- it's rocks stacking along the side.
MR. JENCKS: So these -- these rocks, the rocks
you're talking about in this picture --
MS. DE NAIE: Yeah.
MR. JENCKS: -- are on the mauka side of the
channel, of the drainageway, and on this side or this side?
MS. DE NAIE: They're on the south side. Yeah,
the south side. And they're makai of this site. So this
site is -- is lining --
MR. JENCKS: Are we looking -- are we looking
makai or we're looking --
MS. DE NAIE: Yeah. This would be mauka, this
would be makai.

MR. JENCKS: Okay. So we're -- so these are the
rocks you're talking about?

MS. DE NAIE: Those are the -- yeah, you see those.

MR. JENCKS: So if this is the drainageway, then these rocks are on this side of the drainageway, looking mauka?

MS. DE NAIE: They're on the south. Yeah.

MR. JENCKS: Okay.

MS. DE NAIE: Well, they're -- they're on -- they're going towards Makana.

MR. JENCKS: On this side. Yeah, on the Makena side. So --

MS. DE NAIE: Yeah.

MR. JENCKS: Okay. So this is --

MS. DE NAIE: And so on -- on both sides, there's some stacking similar to this. There's a lot more stacking that's associated with this site.

(Multiple speakers.)

MS. SALLY OSHIRO: This must be at the site she talking about?

MS. DE NAIE: Yeah, we were taken --

MR. JENCKS: Is this 3740?

MS. DE NAIE: This is 3740. There's a flag there. We were taken to that site.

MR. JENCKS: Okay.
(Multiple speakers.)

MS. DE NAIE: Then the other thing is about that site is it appears --

MR. JENCKS: Okay, guys, we got to limit because we're recording.

MS. DE NAIE: Sorry.

MR. JENCKS: We're going to get a transcript. So we gotta limit who is talking at the same time. Okay?

MS. DE NAIE: So it appears that a Pueo is using this because there were droppings and then there's the pellets underneath that have all the little mice -- you know, these are typical Pueo pellets. So --

MR. JENCKS: And where is this?

MS. DE NAIE: This is -- this is the little shelf. So this site, the picture I gave you has --

MR. JENCKS: Oh.

MS. DE NAIE: -- has like a little shelf in it.

MR. JENCKS: That's all right here? Oh, I see the rock.

MS. DE NAIE: Yeah. You can see the droppings.

MR. JENCKS: Okay.

MS. DE NAIE: So that's a Pueo habitat in -- in our opinion, anyway, from --

MR. JENCKS: Okay.

MS. DE NAIE: -- from -- from seeing it. And then
from that site -- so here's the top of that big rock, and
then there's modifications from there, too, it's filled in,
leading up to Site 2740. So --

MR. JENCKS: 3740?

MS. DE NAIE: 3740. So those are -- 3740 --

MR. JENCKS: So these were all the same rock area?

MS. DE NAIE: Yeah. In other words, you had the
two sides of the gulch. 3740 are stackings on two sides of
the gulches -- of the same gulch.

MR. JENCKS: All right.

MS. DE NAIE: On the north side and the south
side. And then this is a little bit makai of where those
were recorded. Those were recorded, you know, back in
the -- 1994. And then this is a little bit makai. You
know, the feeling that we had is that the general area,
though, should be like cleaned. And you would probably see
more features because there's just, you know, a lot of -- a
lot of alignments of pohaku in that particular area. And,
you know, it's -- it's another wrinkle in the -- in the
mystery of what -- you know, what this whole gulch was
utilized for.

MR. JENCKS: Okay. Thank you. We'll take a look
at that.

MS. DE NAIE: Okay.

MR. BASIL OSHIRO: If you see historical, we would
like to preserve it so we can teach, yeah, the younger
generation that don't have a clue what's going on, show how
our ancestors used to live.

MS. SALLY OSHIRO: (Inaudible).

MS. DE NAIE: That's the dam.

MR. BASIL OSHIRO: (Inaudible). It's not about
trying to stop --

MS. DE NAIE: The one other thing that we noticed
is that when you're in the gulch at that point, right below
the rock, you're really looking straight at Kahoolawa, very
much aligned with Kahoolawa. I mean, it's what you see, is
that, you know -- yeah. So, you know, for -- for a Hawaiian
sense of things, that is something to take into account,
what you're seeing from a particular place.

MR. JENCKS: Okay. Thank you.

MR. BASIL OSHIRO: Like you said, it's -- it's a
pathway, mauka to makai. I'm quite sure that area was a
resting area. (Inaudible.)

(Multiple speakers.)

MR. BASIL OSHIRO: A circle of flat rocks, I
couldn't -- I didn't have a GPS so I couldn't actually mark
it. So going back, when you folks was down side, I was up
there, where is that place at now, you know.

MS. DE NAIE: Yeah. See, Basil saw a lot of stuff
on the site visit that we didn't have time to go because,
you know, we had so much to see already.

MR. BASIL OSHIRO: I didn't want to go to old
sites, I wanted to go to the -- look for something, somebody
was pointing where to go.

MS. SALLY OSHIRO: Exactly.

MS. DE NAIE: Well, it was good to see the other
ones, too, but it would have been nice if we could have
like, you know, checked out more stuff, yeah.

MR. JENCKS: Well, we modified the -- subsequent
to that site visit, we modified the AIS to reflect things
that were discovered or found or added. We added additional
sites to the -- to the AIS. Correct me if I'm wrong, Brett,
but we added --

MR. DAVIS: I don't think that we did, Charlie.

MR. JENCKS: Okay. But we noted them?

MR. DAVIS: We noted -- yeah, we noted the extra
sites.

MR. JENCKS: And I think there are -- some of them
would be included in the data recovery?

MR. DAVIS: I think that we -- that we agreed to
that.

MR. JENCKS: Okay.

MS. DE NAIE: Okay. But I have my notes from that
right here. And so we asked that sites 3736, 3730, 3731,
3732 and 3745, as well as the natural stone that Kumu Lee
felt was associated with eclipses, all be considered for
preservation. So Daniel also asked, you know, could you get
an update on what happened from that request. That's why I
brought my notes.

MR. JENCKS: What we can do is have Brett get back
to you on those. Okay?

MR. DAVIS: Charlie, the stone that she's
mentioning is Number 1 there on my -- circled right there.

MR. JENCKS: Okay.

MR. DAVIS: And that's -- you know, that's
where -- Lucienne, right before you came in, we were
talking -- Charlie was talking about vertical preservation
of sites.

MS. DE NAIE: Uh-huh.

MR. DAVIS: And that was the site that was really
important during our site visit.

MR. JENCKS: Okay. All right.

MR. DAVIS: About keeping it in that location and
bringing it straight up.

MR. JENCKS: And context is important.

MS. SALLY OSHIRO: Are you folks talking about
this one?

MS. DE NAIE: No. No, not yet.

MS. SALLY OSHIRO: Different one, oh.

MS. DE NAIE: No. Because we never got to see
that one.

MS. SALLY OSHIRO: Oh, okay,

MS. DE NAIE: No. We saw the -- the eclipse stone.

MR. DAVIS: Eclipse.

MS. DE NAIE: Yeah, the -- yeah. Yeah.

MR. DAVIS: There was a second stone that we talked about, but we didn't visit it.

MS. DE NAIE: Here are pictures of it.

MR. DAVIS: Those are pictures?

MR. JENCKS: Is that Number 2 here?

MR. DAVIS: That is.

MS. DE NAIE: Sally, you like talk about that?

MS. SALLY OSHIRO: Okay. We went and -- we had a meeting and then we ended up going down there one night. And we had a lady with us that insisted on taking a picture. And I was telling her that, no, because she -- this rock is a female. And she was adamant about being left alone. She doesn't want to be moved. She wants to be here. And she plopped things on it and whatnot. I kept taking it off. And, finally, when she did plop it, it knocked it down, something knocked it down. So she picking everything up and redoing it and putting on top. The next time it went down, a mouse came along and ate it. That's what she said. And I said, "No."
MR. JENCKS: No. No.

MS. SALLY OSHIRO: But Daniel was playing on the rocks like a little child, because this was all childishly, for a place where the children played. So that the adults would be around here and they were doing -- they stargazing and whatnot, and mapping out things. Okay. That's this area. So she was overly protective. Finally, in the end, she insist -- the lady that was there insisted on taking a picture. So I asked permission, and she said, "Yes, two."

She already took pictures of Danny playing on the rock.

MR. JENCKS: Dan --

MS. SALLY OSHIRO: Kanahele, okay. And was cute because he was like a little child, like something just came over him and he was hopping around and enjoying himself.

MR. JENCKS: So, this is -- all these rocks are located in this Number -- Number 2?

MS. DE NAIE: No.

MS. SALLY OSHIRO: This is makai side.

MS. DE NAIE: No. This rock is --

MS. SALLY OSHIRO: Way down.

MS. DE NAIE: There's a road over here. There's a corral.

MR. JENCKS: Yeah.

MS. DE NAIE: You know there's a corral. And there's a road that kind of goes right beyond the corral.
MR. JENCKS: Yeah, right. Right.

MS. DE NAIE: And if you go a little bit beyond
the corral, maybe 300 feet, something like that --

MR. JENCKS: Okay.

MS. DE NAIE: -- right to the left-hand side of
that road is this little grouping of rocks. I mean, you can
see 'em because it's like -- it looks different from
other -- I mean, here's the -- here's kind of a picture of
what they look like. So this is the lock -- the rock that
Sally is referring to, but it lines up with a bunch of other
rocks. Like this is that same rock and you can see that
there's rocks all in a line here.

MR. JENCKS: So it's pretty obvious.

MS. DE NAIE: It's pretty obvious, yeah. And it's
just right off that -- that little dirt road if you -- if
you walk the dirt road right past the corral on the -- you
know, on the Kihei side of the corral, you'd see this little
spot. We didn't get a chance to go to it.

MR. JENCKS: So was this a part of the site walk
that you did?

MS. SALLY OSHIRO: No, not with you folks.

MS. DE NAIE: We -- we said we were going to go
back.

MR. JENCKS: I feel obliged to ask you --

MS. SALLY OSHIRO: Yes.
MS. DE NAIE: -- if you're going to go onto this property --

MS. SALLY OSHIRO: Yes.

MR. JENCKS: -- that you let somebody know you're going to be out there.

MS. SALLY OSHIRO: Oh, we always ask permission.

MR. JENCKS: From who?

MS. SALLY OSHIRO: The land.

MR. JENCKS: Okay. And, look, I respect that. I think that's important.

MS. SALLY OSHIRO: I knew that was going to happen.

MR. JENCKS: The problem is there's a whole bunch of attorneys who really don't care about that. I do. Okay? So if you're going to go out on this property, just so it's on record, you need to call me.

MS. SALLY OSHIRO: Okay.

MR. JENCKS: And ask permission.

MS. SALLY OSHIRO: All right.

MR. JENCKS: Okay. I'm not going to object to it.

I just need to know who is going out there and when. Going on the property at night is not a good idea.

MS. SALLY OSHIRO: Oh, we went early evening.

MS. DE NAIE: This was years ago.

MS. SALLY OSHIRO: This was years, okay. But I
want to tell you that she took picture, first one, it's all
black. So she said, "No. Wait, wait. Got to take one
more." It didn't come out. So she took another one. It
didn't come out. And I said, "Don't take any more. She
already said two." And it was so funny because she took
another picture later, but not of the rock, and it came out.
And the two didn't come out.

MR. JENCKS: Interesting, yeah. Okay. Just call
me, call my office, let me know when you want to go. Just
so we know, so if something happens, we know people were out
there. There's poachers. It's not as comfortable a place
as it could be. And that's why I just -- if I know you're
out there, then you're covered and I'm covered. Okay?
Good. All right.

MS. DE NAIE: You know, they live right around the
corner from here.

MR. JENCKS: That's fine. That's fine. They
don't live on the property, though.

MS. DE NAIE: No, no, no, no, no. I mean,
Sally -- Sally, she was telling, she goes, "I remember
coming here years ago when I worked at the farm." She
worked at the farm that used to be -- you know where
Monsanto fields are.

MR. JENCKS: There are clear rights as Hawaiians
for gathering, cultural practices. And I am telling you I
honor those rights, okay, but it’s for Hawaiians.

Hawaiians.

MR. BASIL OSHIRO: What’s that law that --

MR. JENCKS: And it’s also -- it’s also -- well, this is (inaudible), okay, state law, it's also for people who live in that area. I don’t want to get into that. I'm just saying --

MS. SALLY OSHIRO: I know what you’re saying.

MR. JENCKS: -- there’s just proper protocol. And even then, you’re supposed to at least discuss I want to go on the property, just respect both sides.

MS. SALLY OSHIRO: Okay.

MR. JENCKS: Okay. Any more comments, Basil?

MR. BASIL OSHIRO: Okay. I know Willy and I went through these, at least give us time, like, say, a couple weeks, so we can get our people together, too, you know, in the moku. So it didn’t happen. Brett sent me email on Monday. So good thing that I looked at the email on that Monday. Otherwise, I wouldn’t be here, because we’re having other kind of crazy things happening and --

MR. JENCKS: Everybody is busy, Basil.

MR. BASIL OSHIRO: Yeah. So --

MR. JENCKS: Everybody.

MR. BASIL OSHIRO: Sometimes I don’t look at my email for three or four days, and then just so happen I was
on the site and then it clicked on, said, ooh, somebody --

MR. KAPAHULEHUA: We'll give advance notice.
MR. JENCKS: Sorry?
MR. KAPAHULEHUA: We'll give advance notice.
MR. BASIL OSHIRO: Yeah. This way it's not a surprise.
MR. KAPAHULEHUA: Advance notice.
MR. JENCKS: Okay. I think -- I think it's a good idea that, in the context of this project, as we move on, that we probably should meet on a regular basis to discuss where we are, the status of what's going on. I think that's a good idea.
MR. BASIL OSHIRO: Keep us posted.
MR. JENCKS: And keep you posted. I think that's fine. That probably should come from Brett, actually, not this character here.
MR. BASIL OSHIRO: Well, he --
MR. JENCKS: Because he's busy. But I think if we're gonna -- if we can -- we have some things we got to get done, the process will start, whether it's design issues, even the data recovery concept that we talked about earlier, the participation on that. Giving you good notice, I think, is important. And we'll definitely do that.
MR. BASIL OSHIRO: Yeah, so we can actually pass the word out to the -- to the people that's involved in the
area. This way, they -- they got to bring out their manaő.

MR. JENCKS: Okay. Basil, if -- instead of us
shooting in the dark -- and maybe I shouldn't use that
term -- if you could help us with some names and some --
some contacts, that would be helpful.

MR. BASIL OSHIRO: The thing is the contacts, I
have Brian here, Vernon Kalanikau, (Inaudible) Lani,
Keaumoku, Daniel, Kay, Lucy, Timmy Bailey.

MS. DE NAIE: Eldon Liu --

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: -- should meet us in the moku.

MR. BASIL OSHIRO: Yeah. And then we'll hui with
Honua'ula so (inaudible), me and Tanya, and then Aha Moku O
Maui, we have Nadine, Genai.

MR. JENCKS: So, Basil, if you wouldn't mind, when
he emails you, when Brett gets that email, send 'em back so
that we have the names.

MR. BASIL OSHIRO: Yeah. See, all the email that
Brett sent me, without -- you know, a few of us only got it.
The rest of 'em, I got kinda huhu because I said
(inaudible). Then Lucienne calls me and said, oh, I get one
(inaudible) that's good, you know. So we're here, it's a
small group, otherwise, we would be about 12 people here,
not including you four guys over here.

MR. NAOLE: Give us time for schedule, yeah.
MS. DE NAIE: Yeah, yeah, yeah.

MR. NABOLE: Actually, was too fast.

MS. DE NAIE: Yeah, too fast.

MR. NABOLE: Notification was --

MS. DE NAIE: Yeah. Daniel was very disappointed

that he couldn't be here:

MR. BASIL OSHIRO: Yeah, couldn't come.

MS. DE NAIE: Yeah.

MR. NABOLE: Auntie -- you get all that

information, Brett?

MR. DAVIS: I'm going to ask for it.

MR. NABOLE: (Inaudible).

MR. DAVIS: If you could email me the list, I

think --

MR. BASIL OSHIRO: Well, the thing is if I --

MR. DAVIS: Or I can --

MR. BASIL OSHIRO: If you send me the stuff, then

whatever is happening, instead of BCC that I can put these

guys all on CC, then you gonna have their email. I'm quite

sure they wouldn't mind. One another one, Jacob Mau, which

I don't know how to get in touch with him.

MS. DE NAIE: Yeah, you have to call Jacob. Yeah.

(Multiple speakers.)

MS. DE NAIE: And we got -- we gotta pick him up

because he cannot drive no more.
MR. BASIL OSHIRO: And then you can contact the other lineals that you know.

MS. DE NAIE: Yeah. And people keep -- keep appearing, too. I keep meeting more people. You know, you meet other folks who have the other pieces of the puzzle.

MR. BASIL OSHIRO: This way, Charlie, you can get the manaok from the -- from the kupuna, how the -- that place was actually utilized. Once the cattle went in there, wow.

MR. JENCKS: Well, I remember at the meeting we had in February a year ago, we had a really good discussion. It was really interesting reading the transcript again because we had -- we had a number of people that talked about living on the ranch, some of the people that they worked with, worked for.

MS. DE NAIE: Fishing, gathering below.

MR. JENCKS: And that was, I thought, very, very helpful.

MR. BASIL OSHIRO: And Flo here is one of the --

MS. LANI: My dad.

MR. JENCKS: Right. I think you spent a lot of time talking on the transcript about driving up and down, getting water in Kulanihakoi Gulch and using dynamite. I didn't want to get into that too much.

MS. LANI: My dad.

MR. JENCKS: It sounded like some pretty crazy
things. And, also, there was a lot of discussion about what
was happening on the makai side of the Pi'ilani, the
gathering that was happening on the shoreline.

   MS. DE NAIE: Yeah.

   MR. JENCKS: You know, how that's evolved over
time. So it was a really good thorough discussion. I
suggest to you, when you have a chance, you know, look at
that, when that document comes out, read the transcript,
because it will be in the appendices. It's very
interesting.

   MS. DE NAIE: And you know what, when we was on
the site visit -- and I think Brett took some notes on it --
but when Michael Lee -- when we were at the eclipse stone
and Michael and -- and Kimokeo were really tuning in to the
view planes there and how they connected, and, you know,
they were like just -- really some valuable information as
far as generational knowledge kind of thing was coming out.
So I hope there's a way that that can be captured, too,
because people don't always remember exactly what they said.
You know, in the moment sometimes you're just inspired to --
to -- thoughts come through, you know. So that -- that walk
was, in my opinion, very valuable because we got to hear
from everybody, you know, when we went to places. And the
archaeologists were so helpful. They really -- they really
seemed very interested in wanting to find more things and,
you know, wanting to figure out how they related to one
another. So it was -- it was a pleasant experience, I
think, all the way around. I mean, I know Mr. Lee felt a
little bit like no one was taking good notes, but, you know,
I think that we found out there were some notes being taken
and --

MR. JENCKS: Well, the interview was done.
MS. DE NAIE: Yeah. And then he's had an
interview, too, to share more. But, anyway, I think
continuing it -- Daniel definitely wanted to ask about the
status of the sites. And I think people here would say that
data recovery is not the answer for the sites. We want to
know if there's any possibility that they are going to be
preserved within any of the project design and, you know,
because data recovery could even show they're very
important. And if there's no intention to preserve them,
it's like that's just all for nothing. So --

MR. JENCKS: Well -- okay,
MR. BASIL OSHIRO: It's a education.
MR. JENCKS: Prior to you arriving, I went through
that.

MS. DE NAIE: Okay.
MR. JENCKS: I'll go through it one more time. We
have -- we have an accepted Archaeological Inventory Survey
from SHPD. That report includes a recommendation for data
recovery. And my recollection is that the vast majority of
the sites, Brett, are gonna have data recovery.

MR. DAVIS: Uh-huh. That's correct.

MR. JENCKS: -- done. We don't know what these
sites are until we do the data recovery. So to say what
they are prior to doing that is really not proper. The
assumption that we're making at this point is that the data
recovery will be done, the documentation will be complete.
The cultural community is invited to participate in that
process and learn and work. It's gonna be hot, it's gonna
be dusty, but it's gonna be a learning experience. And the
goal here is to learn as much about -- through the data
recovery process of this site, learn more about the site,
and bring that knowledge vertically into the project. If
that is -- and I -- you know, I think this is rather
intriguing, these rocks, their location. What if we took
those rocks and put them in the same configuration --

MS. DE NAIR: No.

MR. JENCKS: -- way up on the property.

MS. DE NAIR: No.

MR. JENCKS: Okay.

MS. DE NAIR: No.

MR. JENCKS: All right.

MS. DE NAIR: No. That is not cultural. That's a
simul con. That's you're simulating Hawaiian culture.
Please.

MR. JENCKS: Moving on to another idea.

MS. DE NAIR: We got to move on, but I'm gonna say.

MR. JENCKS: That wasn't received very well.

Taking the data we receive from the data recovery process, putting it all together, and, like I said earlier, taking that and bringing it vertically into the project in a way that we can recognize the cultural history on the property. This is -- this is assuming that we don't find something hugely significant to the data recovery process. We don't know what we're gonna find. We have to go through the process. But the approach right now is we gather all that material, all the documentation, the knowledge, and we bring that vertically into the project and create something in the project or in a variety of places in the project that reflect this history on the property.

MS. DE NAIR: Okay. Daniel asked me to say one other thing. You know, he likes the law. And he said, you know, an AIF was accepted that said six of the sites were missing and couldn't be relocated. We now know that they are relocated. So that AIF, under the law, is -- is not sufficient. It should be reopened. And someone can request that it be reopened. So if you want to go through that process, there are people who would request that it be
reopened, would challenge it, and so forth and so on. And if new information is available like that, the law allows an AIS to be reopened. Or we can do it the nice way and just say, look, the AIS should be amended and it should include this information that those six sites are not lost, that some of them are considered very culturally important by folks. And, yeah, you could do data recovery, whatever, but let's not like pretend that that AIS was complete when it said six sites were -- were lost and they're not lost. They're right there and we visited all of them. So, anyway --

MR. JENCKS: We'll --

MS. DE NAIE: I didn't put this as diplomatically as Daniel would have, but he said --

MR. JENCKS: That's fine.

MS. DE NAIE: -- please -- please bring this up.

MR. JENCKS: I -- I get it and I understand the issue and we'll work to address it.

MS. DE NAIE: Okay.

MR. JENCKS: Thank you very much for your comment.

MS. SALLY OSHIRO: I had explained about that rock. And you -- it went right over you. So if you're not going to pay attention to it --

MR. JENCKS: No. I --

MS. SALLY OSHIRO: Should -- should we meet with
Marco? Marco was very willing to --

MR. JENCKS: Who is Marco?

MS. DE NAIE: Marco is --

MR. KAPAHULEHUA: The archeological guy who works for --

MS. DE NAIE: Marco Molina. He works with Erik.

He was very willing to, with your permission, schedule a re-thing to go out there with folks who knew where that site was and look at some of the stuff. Because Basil brought out about how he had seen this dam area and so forth and so on. Should we try to do that officially, and -- and show it to him so that it's not like we're showing you a picture?

MR. JENCKS: I think that's a possibility --

MS. DE NAIE: And he could GPS it on a map.

MR. JENCKS: -- in the future. We still have some things we're working on right now. And let's see where we go. It's a possibility.

MS. DE NAIE: He's -- he's your consultant, but he gave us his email, and -- and I'm seeing it right on my map here, and telephone number. And he was actually very interested in seeing these other things, but, you know --

MR. JENCKS: We may get -- we may get to the point where another site visit like that is needed. And certainly --

MR. BASIL OSHIRO: Yeah. We look forward to that.
because --

MR. JENCKS: Okay.

MR. BASIL OSHIRO: If that thing wasn't so overgrown, I think we can see most stuff.

MR. JENCKS: It's pretty dry now. Pretty dry.

MS. DE NAIE: Yeah. So it could be a good time in the near future. And then he could check out the areas around 3740, too, and, you know, see -- see how much they had recorded in the past. I mean, they recorded, obviously, the fact that there's something there. It's just it didn't go far enough makai.

MR. BASIL OSHIRO: Yeah, because the water -- water control with the walls and stuff.

MR. JENCKS: Yeah. That's how they're described.

MR. BASIL OSHIRO: And like I say, I'm quite sure that punawai is filled up over there through the hundreds of years of nobody doing anything to it, silt built up. Because you can't, you see, one side -- no -- mauka, higher, and then makai a little bit lower where the thing would channel out. If that punawai would get overflowed and then the dam itself, and then it goes -- from the dam, it goes pretty deep. More to mauka you go, the deeper that gulch gets.

MS. DE NAIE: And, Basil, do you think anything like this maybe was done because it needed to work with the
fisheries practices down below or anything?

MR. BASIL OSHIRO: I'm quite sure they wanted to

control the flow of that big water.

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: That's what it's all about.

MS. DE NAIE: Yeah. And when you say "they," it's

not maybe the ranch, it's --

MR. BASIL OSHIRO: No, no.

MS. DE NAIE: -- maybe people before the ranch

that --

MR. BASIL OSHIRO: The ancestors.

MS. DE NAIE: Yeah.

MR. KAPAHULEHUA: They always try to control the

silt.

MS. DE NAIE: Yeah. Because not dumb, you know,

they figured it out.

MR. BASIL OSHIRO: They knew how to flow the water
down so all that opala wouldn't go in the water.

MS. DE NAIE: Yeah.

MR. BASIL OSHIRO: And you can see in that gulch

where all the old branches from the kiawe all piling up

because --

MR. KAPAHULEHUA: Outside.

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: Yeah, the debris comes in the gulch.
That's -- every time I've been in that gulch, it's --

MR. BASIL OSHIRO: You can tell the water, you

know, just recent that water that flow in the last -- you

know, had a pretty good rain.

MS. SALLY OSHIRO: Good thing (inaudible).

MS. DE NAIE: Yeah, we could (inaudible).

MR. JENCKS: Is there anything else you want to

add so we can wrap this up?

(Multiple speakers.)

MR. BASIL OSHIRO: The last thing I would kind of

recommend, if leave the natural drainage for the gulches.

Is it a filling in? Because I'm quite sure, you fill it in,

like makai of Pi'ilani --

MR. JENCKS: Uh-huh.

MR. BASIL OSHIRO: -- you're gonna have problems

up there with flood, yeah. Because Mother Nature has its

own way of doing things. The Kula Hawaiian Homes, see

their -- their problems -- still having their problems up

there because of diversions of the water flow.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: So we would very much to keep

that --

MR. JENCKS: That's kind of a recurring theme in

your desire discussion, that's been something that you've

focused on in a number of ways. And so I think that's --
like I said earlier, we'll take a look at that.

MR. BASIL OSHIRO: Do good consideration on it because it probably -- I don't know if Goodfellows gonna be around yet to fix the problem if it ever happens. I can see I probably not gonna be around, but it's gonna happen when they got that big water comes down.

MR. JENCKS: Okay.

MR. BASIL OSHIRO: If you fill up the area in divert the streams.

MR. JENCKS: Okay.

MR. NABOLE: I got one question to ask.

MR. JENCKS: Sure.

MR. NABOLE: Maybe if you look into the history of that area, like maybe with the County, you know, and like future damages, how severe it was, you know, what year, you might have a calculation of when the storms occur. Because there's findings that it happens every like 10 years, maybe less, but it all depends on the climate.

MR. JENCKS: As it relates to flooding and --

MR. NABOLE: Correct.

MR. JENCKS: -- that kind thing.

MR. NABOLE: Okay. Because I remember when we were little -- well, when I was a little kid, I used to go with uncle, you know, on the ranch, used to work for Henry Rice. So we used to check water, the trucks. And then
sometimes we cannot come home because the water is so big
and you're in between two gulches and they're like tidal
waves. And you gotta sleep right there. So, you know, it's
good to analyze in those areas how severe it is because you
don't want to build something right in that area and you're
gonna have, you know, one catastrophic damage. And, you
know, the -- the weather today is getting a little stronger
than what it was, you know, before, yeah. If you look all
around the world, what is happening, you know. And, you
know, we don't want to see that -- that disaster coming in
right in arm's where -- you know, arm way -- arm's way. So
you, you know -- something to check into.

MR. JENCKS: Sure.

MR. BASIL OSHIRO: Yeah, historical records.

MR. NABOLE: Because you can kind of get a better
knowledge, you know.

MS. DE NAIR: Brian, what year frame was that when
you and your uncle would go and do those runs?

MR. NABOLE: Back in '79.

MS. DE NAIR: Okay.

MR. NABOLE: Yeah.

MR. JENCKS: Seventies, huh?

MR. NABOLE: The truck with Henry Rice, you know
that one through radio. Once upon a time, I was fortunate
to have that opportunity to work on the ranch, you know.
And you can -- as you grow old, where do you go, you know.

So my -- my history was a meat cutter all my life, so, you know, it's good to go back to that history and remember all these, you know -- these -- these memories.

MR. JENCKS: Sure. That's good input, Brian.

Good idea.

MR. BASIL OSHIRO: Gotta look for the kupuna.

MR. NABOLE: Yeah.

MR. BASIL OSHIRO: And then the guys that used to live up the ranch that took care of the water and stuff like that, that passed already. So they would know about. The other person, I cannot remember his name, I know his first name is Joe, and had that Kaonoulu Ranch. And they're working for Ulupalakua Ranch. They're the ones that spread that Buffalo grass seed all over the place that has been invasive.

MR. JENCKS: Everywhere.

MS. DE NAIR: Thank you.

MR. BASIL OSHIRO: So he told me they used to ride the horses down and just throw seeds. So they were working as young kids over there, too. I cannot remember his name. They still have part of the ranch. When they gone -- dad died, there was a big hassle, so they had to get rid of half of the ranch to pay for the lawyers.

MR. JENCKS: Pay for the what?
MS. DE NAIE: Inheritance tax, probably.

MR. JENCKS: They get their share first.

MR. NAOELE: Joseph, I don't remember his last name.

MR. JENCKS: They take it off the top, Basil.

Attorneys get their money first and everybody gets whatever is left.

MS. LANI: What year was that?

MR. BASIL OSHIRO: Oh, this was back way in the -- I guess, the fifties because he's about my age now.

MR. NAOELE: You figure --

MR. BASIL OSHIRO: Oh, Joe Thompson. Thompson Ranch.

MR. JENCKS: Oh, yeah.

MS. DE NAIE: Oh, yeah.

MR. JENCKS: Huh.

MR. BASIL OSHIRO: And Joe's in Oahu. The brother's running the ranch now, only half of it.

MS. DE NAIE: That's the Akina family, too.

They're related to Thompson Ranch.

MR. BASIL OSHIRO: Yeah.

MS. DE NAIE: We could get some Akinas in. I've been working with some of the Akina ohana. And Daniel --

MR. BASIL OSHIRO: You get meetings going better, Charlie don't mind that the lineals come in and give mana'
from their generational knowledge of the area, that way you
can work together.

MR. JENCKS: Well, I think that's a -- as we move
on to the project, I think that's a good idea, getting the
input. You know, as we move on --

MR. BASIL OSHIRO: Yeah.

MR. JENCKS: -- that's a good idea.

MR. BASIL OSHIRO: We gotta work together;
otherwise, we gonna be bucking heads. Yeah, all the thing
is we gotta save water. I don't know what kind of usage
you're gonna get for that area, yeah. Because Olowalu, two,
three million gallons a day. Do you have that much water?

MR. JENCKS: We're certainly not that much, far
less.

MR. BASIL OSHIRO: I hope not because we --
everybody's on conservation, conservation of our water
supply.

MR. JENCKS: Okay.

(Recording concluded.)
CERTIFICATE

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

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

DATED this 16th day of May, 2016.

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

(The certified hard copy contains original signature.)

Certified Shorthand Reporters Maui
808-244-3376
November XX, 2015

Aloha kāua,

At the request of Mr. Charles Jencks, Honuaʻula Partners, LLC (landowners), Scientific Consultant Services, Inc. is preparing an addendum Cultural Impact Assessment (CIA) in advance of the proposed Piilani Promenade Project. The addendum CIA follows an existing CIA which was prepared by Hana Pono (2016). The proposed project area consists of approximately 75-acres located in Kihei, Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawaiʻi [TMK: (2) 3-9-001:016, 170, 171, 172, 173, 174] (Figures 1 through 3).

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

Also at the request of Mr. Jencks, Honuaʻula Partners, LLC (landowners), SCS, is preparing a separate CIA in advance of the proposed Honuaʻula Offsite Workforce Housing Project on 13.0 acres of land located in Kihei, within Kaʻonoʻulu Ahupuaʻa, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawaiʻi [TMK: (2) 3-9-001:169]. The proposed project site will be located mauka (east) of Piʻilani Highway at the future East Kaʻonoʻulu Street (see Figures 1 through 3).

This Cultural Impact Assessment (CIA) is in compliance with the statutory requirements of the Federal National Environmental Policy Act (NEPA), the State of Hawaiʻi Revised Statute (HRS) Chapter 343 Environmental Impact Statements Law, in accordance with the State of Hawaiʻi Department of Health’s Office of Environmental Quality Control (OEQC) Guidelines for Assessing Cultural Impacts as adopted by the Environmental Council, State of Hawaiʻi on November 19, 1997.

According to the Guidelines for Assessing Cultural Impacts (Office of Environmental Quality Control, Nov. 1997):

The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs...The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...
The purpose of this Cultural Impact Assessment (CIA) is to identify and understand the importance of any traditional Hawai’ian and/or historic cultural resources or traditional cultural practices associated with the subject property and the surrounding ahupua’a. In an effort to promote responsible decision-making, the CIA will gather information about the project area and its surroundings through research and interviews with individuals and organizations that are knowledgeable about the area in order to assess potential impacts to the cultural resources, cultural practices, and beliefs identified as a result of the proposed project. We are seeking your kōkua (help) and guidance regarding the following aspects of our study:

- General history as well as present and past land use of the project area;
- Knowledge of cultural resources which may be impacted by future development of the project area (i.e. historic and archaeological sites, as well as human burials);
- Knowledge of traditional gathering practices in the project area, both past and on-going;
- Cultural associations of the project area and surrounding area, such as legends, traditional uses and beliefs;
- Referrals of individuals and organizations who might be willing to share their cultural knowledge of the project area and the ahupua’a; and
- Due to the sensitive nature regarding iwi kūpuna (burials) remains discovered, mana’o (thoughts) regarding nā iwi kūpuna (burials) will be greatly appreciated.

Thus, we are asking you for any information that you or other individuals have which might contribute to the knowledge of traditional cultural activities that were, or are currently, conducted in the vicinity of the two proposed project areas. We are also asking for any information pertaining to traditional cultural activities or traditional rights which may be impacted by the proposed undertakings. The results of the cultural impact assessments are dependent on the response and contributions made by individuals, such as you.

Enclosed are maps showing the two proposed project areas. Please contact me at the Scientific Consultant Services, Honolulu, office at (808) 597-1182 with any information or recommendations concerning these Cultural Impact Assessments. Individual meetings will be scheduled with anyone who would like to talk in person. Interviews can also be conducted via telephone or e-mail.

Sincerely yours,

Cathleen Dagher
Senior Archaeologist
cathy@scshawaii.com

Enclosures (3)

Cc:
Aloha kāua,

This is our follow-up letter to our November XX, 2016 letter which was in compliance with the statutory requirements of the State of Hawai‘i Revised Statute (HRS) Chapter 343 Environmental Impact Statements Law, and in accordance with the State of Hawai‘i Department of Health’s Office of Environmental Quality Control (OEQC) Guidelines for Assessing Cultural Impacts as adopted by the Environmental Council, State of Hawai‘i, on November 19, 1997.

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Please contact me at the Scientific Consultant Services, Honolulu, office at (808) 597-1182 with any information or recommendations concerning these Cultural Impact Assessments. Individual meetings will be scheduled with anyone who would like to talk in person. Interviews can also be conducted via telephone or e-mail.

Sincerely yours,

Cathleen Dagher
Senior Archaeologist
cathy@scshawaii.com

Cc:
APPENDIX D: SIGNED INFO RELEASE FORMS
INFORMATION RELEASE FORM

I, the undersigned, personally participated in an interview with, Cathleen Dagner from Scientific Consultant Services, Inc., on December 15, of the year 2016. The interview was conducted by telephone, by e-mail, or in person.

I understand that the information I have provided to Scientific Consultant Services, Inc., shall be submitted as part of a Cultural Impact Assessment report on the proposed Piilani Promenade Project. The proposed project will be located on approximately 75 acres located in Kīhei, Kaʻōpūlau Ahupua’a, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawaiʻi [TMIK: (2) 3-9-001:016, 170, 171, 172, 173, 174] This information will be subject to publication which will be submitted to the public for general review.

I have read the summary of the interview and the information is true and accurate to the best of my knowledge. By signing this release form, I am providing my approval for the release of the information to Scientific Consultant Services, Inc., for the purpose outlined above (i.e., making the contents of this interview available for publication to the general public).

Print Name:  Jyclynn T. M. Pama

Signature:  Jyclynn T. M. Pama

Release Dated:  1/17/17
INFORMATION RELEASE FORM

I, the undersigned, personally participated in an interview with, Cathleen Dagher from Scientific Consultant Services, Inc., on December 15, of the year 2016. The interview was conducted by telephone, by e-mail, or in person.

I understand that the information I have provided to Scientific Consultant Services, Inc., shall be submitted as part of a Cultural Impact Assessment report on the proposed Pilani Promenade Project. The propose project will be located on approximately 75-acres located in Kihei, Ka'ono'u'ulu Ahupua'a, Wailuku and Makawao (Kula) Districts, Island of Maui, Hawai'i [TMK: (2) 3-9-001 016, 170, 171, 172, 173, 174]This information will be subject to publication which will be submitted to the public for general review.

I have read the summary of the interview and the information is true and accurate to the best of my knowledge. By signing this release form, I am providing my approval for the release of the information to Scientific Consultant Services, Inc., for the purpose outlined above (i.e., making the contents of this interview available for publication to the general public).

Print Name: Basil Oshiro

Signature: 

Release Dated: 

Print Name: Sally Ann Oshiro

Signature: 

D-267
APPENDIX E: LCA 3237 AND ROYAL PATENT 7447
Document Delivery

Mahele Database Documents
Number: 03237*M

Claim Number: 03237*M
Claimant: Hewahewa
Other claimant: Maui
Other name: Wailuku, Kula
Island: Wailuku, Kaonoulu
District: Kepuakeeo, Peapea, Kalepolepo

Ili: 3
Apana: Awarded: 1
Loi: FR:
Plus: NR: 48v6
Mala Taro: FT: 649v9?
Kula: NT: 649v9
House lot: RP: 6888, 7447, 8
Kihapai/Pakanu: Number of Royal Patents: 3
Salt lands: Koele/Poalima: No
Wauke: Loko: No
Olona: Lokoia: No
Noni: Fishing Rights: No
Hala: Sea/Shore/Dunes: No
Sweet Potatoes: Auwai/Ditch: Yes
Irish Potatoes: Other Edifice: No
To the Land Commissioners: Here is my claim in the `Ils of Kepuakeao and Peap. The boundaries at Kepuakeeo are: north, the lo`is of Napaina, east, the road gol Waihee, south, the land of Waikani nui, west, a water course. Six lo`i are in another place in the `Ili. These were given by Kaliihiwa.

The boundaries of Peapea; north, a lot of Hapakau, east, Lupelo, south, an "acre west, the lot of Kaauwai. This was given by Kuihelani in 1847. That is my claim at Wailuku on the Island of Maui.

Here is my claim on the Island of Hawaii: An Ahupua`a, Mahukona, and Kalaoa in Hawaii - those are the ancient claims from my makua. Kamehameha I gave their 1782. Also/ Alakahi in Hilo, Hawaii and Kaloehiku in Kekaha, Hawaii.

On the island of Maui, /I claim/ Kalepolepo. On the island of Oahu, /I have/ a kupu Kaluapulu, in Kalihi. The Ahupua`a of Makaua in Koolau Loa was given me by Kamehameha II. The kupono of Papaa in Ewa was given by Kamehameha III to makuas have lived continuously under Kamehameha I and Kamehameha II and Kamehameha III in this time of 1847. My fixed place of residence is kalepolepo. My claim under the Mo`i.

HEWAHEWA

F.T. 463v7
Cl. 3237, Hewahewa

Kikane, sworn, The claimant's lands. They consist of 3 pieces in Wailuku, Maui.
No. 1 is one loi in Kipuhakuo
No. 2 is one loi in Kepuhakuo.
No. 3 is a section of loi in Kepuhakuo.

The claimant received these lands from Kailihewa in 1837, and his title was never disputed up to his death in 1848. His widow's name is Nawelu and she and Keaka Claimant's sister are is heirs. They live in Kula (See Mr. It about this claim.)

No. 1 is bounded:
Mauka by Nae'a's land
Waihee by Kuapuu's land
Makai by Kekuapahi'aii's land
Ma'alaea by the Paahao lois.

No. 2 is bounded:
Mauka and Waihee sides by Kuapuu's' land
Makai by the Pealima lois
Ma'alaea by Opunui's land

No. 3 is bounded:
Muka by the ili of Kaluaopu
Waihee by the ili of Holu
Makai by the King's land
Ma'alaea by Lonohiwa's land.

N.T. 649v9
No. 3237, Hewahewa, July 12, 1849

Kikane sworn: I know his parcels of taro land in the `ili of Kepuhakeeo, Wailuku, parcels. Parcel 1, one taro lo`i, Parcel 2, one taro lo`i, Parcel 3, taro paiku. His title was from Kailihiwa in 1837. No opposition. Hewahewa died in 1848. Nawelu, his wife, was his heir to these lands. Keaka is the kaikuahine of H. Hewahewa.

[No.] 1 is bounded:
Mauka by the land of Nae'a
Waihee by the land of Kuapuu
Makai by the land of Kekuapahi'aii
Ma'alaea by lo`i pa`ahao.

[No.] 2 is bounded:
Mauka by Kuapuu
Waihee by the same [Kuapuu]
Makai by the land of Naea
Maalaea by land of Opunui.

[No.] 3 is bounded:
Mauka by the ʻIlī of Kaluaopuu
Waïhee by the ʻIlī of Holi
Makai by the land of the Moʻi
Maalaea by the land of Lonoiliwa.

**N.T. 249v10**
No. 3237, Hewahewa

H. Hewahewa's land (2) as listed in the Mahele Registry.
Kaluapulu ili for Kalihi, Kona, Oahu.
Kaonoulu ahupuaa, Kula, Maui.
TRUE COPY
(signature) A.G. Thruston, Clerk
Interior Dept.
6 August 1853

[Award 3237; R.P. 7447; Kaonoulu Kula; 1 ap. 5715 Acs; R.P. 6888; Kapuakaeo Wailuku; 1 ap.; 4.67 Acs; R.P. 8536 Wailuku]
APPENDIX F: SHPD ACCEPTANCE LETTER AIS FOR THE PIILANI PROMENADE
Dear Mr. Hart,

SUBJECT: Chapter 6E-42 Historic Preservation Review – Maui County
Draft Archaeological Inventory Survey for the Piihali Promenade Project
Ka’ōpūle’u Alapua’a, Wailuku and Makawao Districts, Island of Maui

Thank you for the opportunity to review the draft report titled An Archaeological Inventory Survey for On- and Off-Site Improvements Associated with the Proposed Piihali Promenade Project, and Updated Recommendations for Sites Identified in a 1994 Archaeological Inventory Survey, Ka’ōpūle’u Alapua’a, Wailuku and Makawao Districts, Island of Maui (On-site TMK: 212-2-902:016, 077 and 082, Off-site TMK: 251-5-1001:048, 123-3-9-048:122) by Fredericksen (Rev. August 2015). We requested revisions to an earlier draft of this report on May 19, 2015 (Log No. 2014-04433, Doc No. L003MD54).

This report was prepared for Mr. Robert Fosman of Sarofim Realty Advisors in advance of planned construction of commercial development of 74,571 acres (including off-site affected areas) of State acreage for this survey was 101.658 acres located mauka of Piihali Highway on North Kīhei on Maui Island. An archaeological inventory survey (AIS) was originally conducted for this project in the early 1990s; however, following changes both to the land and the project’s anticipated area of potential effect a revised survey report has been prepared as part of the environmental impact statement pursuant to the Hawai‘i Revised Statutes §343 requirements following the recommendation of SHPP.

Fieldwork for the subject AIS was initially conducted in January and February of 2014 by three archaeologists with Erik M. Fredericksen, M.A., as the principal investigator. Three shovel-test pits were manually excavated. Twenty historic properties were identified in the earlier 1994 AIS associated with this project, all were re-identified during the current survey following a second period of fieldwork in July and August 2015. Results of consultation and information previously requested by SHPP regarding required changes to County utilities have been included as Appendices.

One new site was identified, State Inventory of Historic Places (SIHP) 50-51-10-8266. SIHP 8266 has been identified as a pre-Cultural temporary habitation site, significant under criterion “d” for its information content. We concur with that assessment. Data recovery has been recommended as mitigation and we concur with that recommendation.

The original 10 historic sites identified 20 SIHPs; two of those, SIHP 3734 and 3739, have since been destroyed. For the remaining SIHPs 3727-3733, 3735-3738 and 3740-3745 were all previously determined eligible for their information content under criterion “d.” Of these 18 sites, one was removed in late 1994 (SIHP 3746); seven (7) are recommended for no further work. SIHPs 3730, 3731, 3733, 3737, 3738 and 3740; while the remaining 12 (SIHPs 3727, 3729, 3732, 3735, 3736 and 3741-3745) have been recommended for data recovery. We concur with these recommendations and look forward to reviewing an archaeological data recovery plan which will also include the newly-identified SIHP 8266 for a total of thirteen (13) historic properties.

Sincerely,

[Signature]

[Name]

[Position]
Revisions we previously requested, including results from additional fieldwork recommended in consultation with concerned citizen groups, have been adequately addressed. The draft AIS meets the requirements specified in Hawaii's Administrative Rule 913-276 and is accepted as final. Please send one hardcopy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapaolei SHIPD office, attention SHIPD Library. Please contact me at (808) 243-6641 or Morgan.E.Davis@hawaii.gov if you have any questions or concerns about this letter.

Mahalo,

Morgan E. Davis
Lead Archaeologist, Maui Section

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