

April 6, 2022



Mr. Daniel Orodener  
Land Use Commission  
State of Hawaii  
P.O. Box 2359  
Honolulu, Hawaii 96804-2359

**Subject: 2022 Annual Report of Hanohano LLC, Docket No. A03-745**

Honorable Chair and Members of the Commission:

On behalf of Kualono Homeowners Association, and in accordance with Condition 23 of the Findings of Fact, Conclusions of Law, And Decision and Order for a State Land Use District Boundary Amendment (the "D&O") entered in the above-referenced docket on May 17, 2005, and Release and Modified Conditions on October 28, 2020, submits this Annual Report to the Land Use Commission of the State of Hawaii (SLUC).

I. Status of the Project

The Project has been constructed, and all the residential lots have been sold. The developer, Hanohano, LLC., has transferred responsibility to provide annual reports to the Kualono Homeowners Association (HOA).

II. Petitioners Response to the Conditions imposed by the LUC in the D&O as amended as follows (conditions listed as designated by their current numbering, with the numbering of the 2005 D&O provided in parenthesis):

1. (2) Ohana Units. Not more than forty-nine (49) dwelling units (as this term is defined in Section 19.04.040, Maui County Code) shall be constructed or maintained on the Property, and not more than one (1) dwelling unit shall be constructed or maintained on each Residential Lot. No accessory dwellings (as this term is defined in Section 19.04.040, Maui County Code) or ohana units shall be permitted in the Project.

**Status:** The CC&Rs and D&O recorded on title disclose this.

2. (4) Archaeological. To protect the native Hawaiian practitioner's exercise of customary and traditional practices in the subject area; to ensure appropriate public access to the Heiau located within the Property; to ensure the availability of natural and cultural resources for present and future generations; to promote the practice of ohana and conservation values with respect to the physical and cultural landscape:

2a (4a) Petitioner shall establish on the Heiau/Retention Basin Lot, permanent 60 foot wide and 100 foot wide buffer zones around the Heiau, with a rock wall of not less than four (4) feet high demarcating the perimeter of the 60 foot buffer zone. Within 6 months of Petitioner receiving notice that the adjacent property has changed ownership, Petitioner shall use reasonable efforts to request the consent and cooperation to extend the 100 foot wide buffer on that adjoining lot and shall continue to use such reasonable efforts with each successive owner of the adjacent parcel until such request is agreed to.

**Status:** Condition No. 2a has been satisfied. Petitioner established permanent 60-foot and 100-foot buffer zones around the Heiau/Retention Basin Lot. These buffers are depicted on the Project's File Plan 2488, which was recorded in the Bureau. A 4-foot high rock wall has been constructed to demarcate the boundary of the 60-foot buffer zone.

Subsequent to the issuance of the D&O, Petitioner contacted the owner of the parcels immediately adjacent to the Heiau/Retention Basin Lot (TMK Nos. (2) 2-3-009:031, 032). And, in 2018 during construction, Petitioner contacted the owners again. The owners, however, was not willing to extend the 100-foot buffer zone onto its parcels. Therefore, Petitioner proceeded to establish the Heiau/Retention Basin Lot with the required buffers only within the Petition Area.

The HOA has not received notice that the adjacent property has changed ownership.

2b (4b) Petitioner shall include within the CC&Rs provisions which prohibit public access, through the use of appropriate signage, to the 60 foot wide buffer zone, and, with the exception of the wall around the 60 foot buffer zone and irrigation lines in the area between the perimeters of the 60 foot wide buffer zones, shall further prohibit the construction of any structures within the entire 100 foot wide buffer zones.

**Status:** Condition No. 2b has been satisfied. Petitioner has incorporated the necessary provisions into the Kualono CC&Rs. Appropriate informational signage has been installed at the perimeters of the 100-foot-wide buffer zone. The signage is in accordance with the SHPD-approved preservation plan, which called for the following: "bronze plaque, which measures 18 inches by 10 inches, should be posted at two locations around the 100 ft. perimeter. The plaque will be inscribed, 'Access is permitted to

this open space which surrounds a Native Hawaiian Religious Structure-SIHP 50-50-05-2701. Please Respect This Area. '

- 2c (4c) Petitioner shall cause the formation of a three (3) person committee, composed of two representative of the Homeowners' Association and one representative of the Hawaiian Civic Club, Aha Moku Council, or similar Hawaiian entity (the "Curator Selection Committee"), to select the Curator, who shall (a) oversee the maintenance of the Heiau by the Homeowners' Association; and (b) direct and coordinate the perpetual maintenance by the Homeowners' Association of the native plantings in the 60 foot wide buffer zone. The Curator Selection Committee shall seek input from Office of Hawaiian Affairs on its proposed selection of a Curator prior to retaining such Curator.

**Status:** The obligations of the Curator are documented in the Bylaws of the Kualono Heiau Curator Selection Committee ("CSC Bylaws"). The Heiau Committee is Kahanu Noa, Resident of Kualono, Wayne Cambra, Resident of Kualono. Dane Maxwell and Kiana Yasek.

- 2e (4e) The Curator shall monitor the preservation and maintenance of the Heiau to maintain consistency with the requirements under the Preservation Plan. The Curator, or the Curator Selection Committee based upon information provided by the Curator, shall, upon request, provide a report to the Commission describing on the maintenance and preservation of the Heiau and any other traditional and customary native Hawaiian practices and cultural resources on the Property.

**Status:** Petitioner has satisfied its obligations under Condition 2e by imposing all appropriate requirements of the Curator within the CSC Bylaws. The CSC Bylaws set forth the following responsibilities for the Curator: (a) oversee the maintenance of the Heiau by the Kualono HOA; (b) oversee the initial installation (by Petitioner) and perpetual maintenance (by the Kualono HOA) of the native landscaping within the 60-foot buffer zone; (c) monitor the effectiveness of Petitioner's efforts to limit access to and preserve and maintain the Heiau; (d) provide annual reports to the CSC; and (e) carry out the responsibilities of the Curator required under the D&O. The CSC Bylaws, therefore, satisfy the requirements of this Condition. The Curator is Amos Lonokailua -Hewett.



2g (4g) The Homeowners' Association shall maintain in perpetuity the Heiau/Retention Basin Lot. The CC&Rs will include a condition to the effect that the Homeowners' Association shall bear the cost including reasonable out of pocket costs, if any, of the Curator, such that the Curator may perform the duties prescribed in this Decision and Order.

**Status:** Condition No. 2g has been fully satisfied. The Kualono HOA has the obligation to protect, maintain, monitor, and preserve the area under the Kualono CC&Rs. The Kualono CC&Rs also obligate the Kualono HOA to bear the reasonable out-of-pocket costs, if any, incurred by the Curator in connection with the performance of the Curator's duties.

3. (5) Unidentified Archaeological Finds. If any previously unidentified human burial, or archaeological or historic sites, such as artifacts, marine shell concentrations, charcoal deposits, stone platforms, paving, or loi walls (collectively the Historic Sites) are found during construction on the Property or any Residential Lot, work shall immediately stop and SHPD shall be notified of such Historic Sites. The requirements of Chapter 6E, HAW. REV. STAT., and the rules promulgated thereunder, applicable to the Historic Sites shall be satisfied before construction resumes. SHPD shall determine and approve the significance of the Historical Sites, and construction work shall re-commence at the Property only after both approval by an authorized archaeologist has been obtained and appropriate mitigative measures for the Historic Sites have been implemented.

**Status:** Condition No. 3 has been satisfied. No unidentified human burials or archaeological or historic sites were encountered during the construction of the Project. Requirements for notice to SHPD are embodied in the Kualono CC&Rs and apply to the Project on an ongoing basis. For example, Section 17 of the Kualono CC&Rs contains the following provision requiring property owners to stop all work and contact SHPD should any evidence of human burial, archaeological or historic sites be found.

Moreover, the requirements under HRS Chapter 6E apply to the Petition Area and the property owners irrespective of any of the Conditions.

- 4 (8) Responsibility of the Homeowner's Association to maintain the Property. All landscaping in the Project but outside of the Residential Lots, and all easements, cul-de-sac turn arounds, and emergency vehicle, pedestrian and utility rights of way established by Petitioner as a part of the Project shall be maintained in good repair as long as the Project exists. See maintenance plan.



**Status:** Condition No. 4 has been fully satisfied and the HOA is obligated to maintain the Common Areas. The HOA Deed requires the Kualono HOA, as the grantee thereunder, to observe, abide by and comply with all of the terms, conditions, covenants and restrictions contained in the Kualono CC&Rs, which contains provisions regarding the Kualono HOA's obligations to maintain the Common Areas (i.e., the Heiau/Retention Basin Lot, five Roadway Lots, and two Pedestrian Lots).

- 5 (14) Best Management Practices. Petitioner shall implement at the Property applicable best management practices to reduce or eliminate soil erosion and ground water pollution and effect dust control measures during and after the construction of the Project in accordance with the DOHs guidelines and shall assure best management practices are followed by individual lot owners through appropriate deed restrictions.

**Status:** Condition No. 5 has been satisfied. The construction notes from Petitioner's approved as-built plans detail Best Management Practices ("BMPs") for the Project. These BMPs are described in the Water Pollution and Erosion Control Notes, and further detailed in the following sub-sections: General Notes; Erosion and Sediment Control Inspection and Maintenance Practices; Good Housekeeping Best Management Practices; and Site Specific Spill Prevention Plan. The erosion control plan from the as-built plans depicts the location of the dust and silt fencing that was implemented for the Project, as well as the tire cleaning pad and staging and stockpile area.

BMPs are also required under the Kualono CC&Rs. Exhibit B to the Kualono CC&Rs provides the "Kualono Design and Construction Standards" and sets forth construction standards that each Residential Lot owner must comply with, including daily time limitations, guidelines for the storage of debris and other construction materials, and the requirement for sanitary facilities to be provided for construction workers. Moreover, the Kualono CC&Rs also: (a) prohibit Residential Lot owners from carrying out activities that may become an annoyance or nuisance, including, but not limited to, activities that cause dust, noise, or odors; (b) require each Residential Lot owner to keep their property in good order and repair, and to maintain irrigation and drainage free and clear of debris; and (c) require each Residential Lot owner to store waste in a tidy fashion.

- 6 (15) Water Conservation Measures. Petitioner shall implement water conservation measures and best management practices for the Project such as use of indigenous and drought tolerant plants and turf, and shall incorporate such measures into common area landscape planting.

**Status:** Condition No. 6 has been satisfied. Native plants appropriate for the upcountry Maui climate were planted, including koa, ohia, and akia. Additionally, drip irrigation, where appropriate, and rain sensors were installed as water conservation measures.

- 7 (18) Notification of Potential Nuisances. Petitioner shall notify all prospective buyers and/or lessees of the Residential Lots of potential odor, noise and dust pollution resulting from adjacent agricultural uses.

**Status:** Condition No. 7 has been satisfied. The deed for each Residential Lot contains a clause notifying the purchaser that the Petition Area is located in the vicinity of lands that are used for farming, ranching, and/or other agricultural uses that generate noise, dust, odors, or other impacts. Moreover, Section 18 of the Kualono CC&Rs notified purchasers that the Project is in close proximity to lands that are either in active agricultural use or that may be put to such use in the future, and that those agricultural uses may result in odors, smoke, dust, noises, heat, agricultural chemicals, particulates and similar substances, and other similar nuisances. The Kualono HOA and/or owners of Residential Lots have provided and will continue to provide all lessees with copies of the Kualono CC&Rs. The Kualono HOA has been notified to ensure a process is in place for Residential Lot owners to notify any of their lessees.

- 8 (19) Hawaii Right to Farm. Petitioner shall notify all prospective buyers and/or lessees of the Residential Lots that the Hawaii Right to Farm Act, Chapter 165, HAW. REV. STAT, limits the circumstances under which pre-existing farm activities may be deemed a nuisance.

**Status:** Condition No. 8 has been satisfied. All potential purchasers and lessees of the Residential Lots are informed of the Hawai'i Right to Farm Act, found at Chapter 165, HRS. Each of Petitioner's deeds for a Residential Lot notified potential purchasers that the Project is located near lands zoned or designated "Agricultural," that such lands may be used for farming, ranching, and/or other agricultural uses, and that the Right to Farm Act limits the circumstances under which such pre-existing agricultural uses may be deemed a nuisance. The Kualono HOA has been notified to ensure a process is in place for Residential Lot owners to notify any of their lessees.

- 9 (20) Preservation of Access. The access rights of native Hawaiians who customarily and traditionally have used the Property for access onsite or to other areas for subsistence, cultural, and religious practices shall be preserved.

**Status:** Condition No. 9 has been satisfied. The Heiau/Retention Basin Lot was established to "protect the native Hawaiian practitioner's exercise of customary and traditional practices in the subject area; to ensure appropriate public access to the Heiau located within the Property; to ensure the availability of natural and cultural resources for present and future generations; to promote the practice of ohana and conservation values with respect to the physical and cultural landscape." See Condition No. 2. The Kualono HOA is obligated to maintain the Heiau/Retention Basin Lot in perpetuity. Therefore, appropriate access to the Property shall be ongoing.

- 10 (23) Annual Reports. Petitioner shall timely provide without any prior notice, annual reports to the Commission, OP and the Planning Department in connection with the status of the Project, administration for the maintenance of the Heiau and its preservation program, and Petitioner's progress in complying with the Conditions. The annual report shall be submitted in a form prescribed by the executive officer of the Commission. The annual report shall be due prior to or on the anniversary date of the Commission's approval and entry of this Decision and Order.

- 23a. Upon the sale of all of the Residential Lots and establishment of the Homeowner's Association, the Petitioner will transfer to the Homeowner's Association the responsibility of providing annual reports to the Commission.

**Status:** Petitioner and HOA have been compliant with the Commission's annual reporting requirement.

- 11 (24) Release of Conditions. Petitioner shall have the right to seek from the Commission full or partial release of any of the Conditions as to all or any portion of the Property upon assurance acceptable to the Commission of satisfaction of such Conditions.

**Status:** The HOA acknowledges this condition.

26. Recordation of Conditions. Petitioner shall record in the Bureau of Conveyance of the State of Hawai'i an amended and restated Certificate of Conditions recognizing the Commission's release of conditions and modification of conditions, as ordered pursuant to this Decision and Order, and restating the conditions reaffirmed by the Commission, if any, pursuant to this Decision and Order. The amended and restated Certificate of Conditions shall fully supersede and release the Certificate of Conditions that was recorded as Document No. 2005-105309.



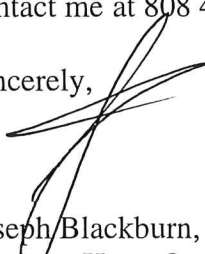
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**Status:** Upon confirmation by the State Land Use Commission, Petitioner will recorded a Certificate of Conditions in the Bureau.

Should you have any questions or require additional information, please do not hesitate to contact me at 808 44.2063 or at sales@maulandbroker.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph Blackburn', written over the word 'Sincerely,'.

Joseph Blackburn, Managing Agent  
Kualono HomeOwners Association  
c/o Maui Land Broker  
104 N. Market Street  
Wailuku, HI. 96793

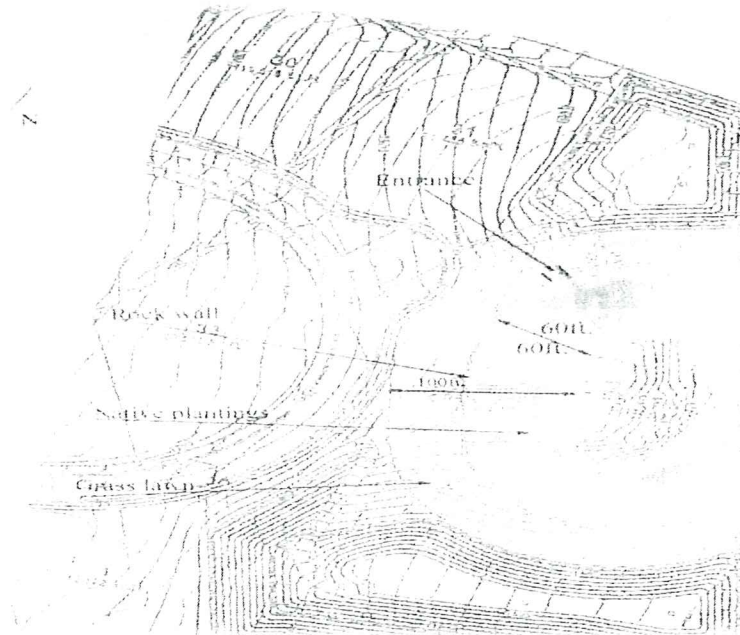
cc: Department of Planning, County of Maui  
Office of Planning, State of Hawaii

# MO'OMUKU HEIAU MAINTENANCE PLAN JANUARY 2022

## Introduction:

There are three areas of consideration regarding maintenance. Those areas include:

1. 100 ft. buffer zone (40 ft. swath outside the rock wall) – To be maintained by RYS.
2. 60 ft. buffer zone (delineated by the rock wall to the Mo'omuku Heiau) – To be maintained by RYS
3. Mo'omuku Heiau itself – to be maintained by the curator Amos Lonokailua-Hewett.



## History:

Landscaping and irrigation were installed by an unknown source prior to the selection of a curator. In addition, Rite Yard Services (RYS – Troy Rite) has been contracted to maintain the landscaping for the 100 ft. buffer zone and the 60 ft. buffer zone up to Mo'omuku Heiau. That contract was agreed upon prior to the selection of the curator as well.

Amos Lonokailua-Hewett was selected by the Kualonoa Heiau Committee on July 21, 2021, to fulfill the role of curator for Mo'omuku Heiau. The role of curator is voluntary with no compensation. The role of curator was taken on with the hope that neighbors of Kualono would help care for the heiau under the direction of the curator. The help is also voluntary and on an "as needed" basis.

There was a discussion and verbal agreement on August 7, 2021, that RYS would "keep the grass and weeds down" in the 60 ft. buffer zone and the curator would care for everything on Mo'omuku Heiau itself.

The curator along with some neighbors of Kualono have done maintenance work since August 2021. The initial work included removing invasive species impacting the heiau. This work required chainsaws, various cutting tools, and manpower. The trees and brush are currently being hauled out by the curator via personal vehicle. Weed eating on top of the heiau and the immediate area of Mo'omuku is done as needed (weekly or semi-monthly). The weed eating area includes the 3-4 ft. pathway from the rock wall entrance to the heiau and 4 feet around the heiau itself.

### **Issues:**

There are a few things to consider regarding the future and ongoing maintenance of Mo'omuku Heiau:

1. The deer have eaten all the native plants that have been installed.
2. Invasive species continue to grow rapidly on the heiau.
3. Irrigation causes extra maintenance problems accelerated growth of weeds and irrigation system repair.
4. The initial landscaping edging is unnecessary and inappropriate for a heiau.
5. The 60 ft buffer zone ground is rocky and uneven and limits the use of a riding lawnmower.

### **Recommended Actions:**

The following are recommendations from the curator to the heiau committee.

1. Remove all landscaping edging and barriers.
2. Remove the native plants.
3. Remove the above ground irrigation system to the heiau.
4. Control the invasive species on the heiau with poison.
5. Remove rocks and debris within the 60 ft. buffer zone to allow a riding lawn mower.  
Note: RYS Troy Ritte is responsible for cutting the grass in the 60 ft. buffer zone.
6. Weed eat the area immediately around the heiau (4 ft. swath)

The curator will coordinate with neighbors of Kualono to complete the above said work on a voluntary basis.

### **Workday:**

# Persons	Action	Supplies and Equipment	Hours
4-6	Remove above ground irrigation; remove landscaping edging;	Drill driver, Sawzall, shovel, pick	2
4-6	Prepare 60 ft. buffer zone to mow (remove rocks and debris); haul out rubbish	2 wheelbarrows, 2-4 metal rakes, 1-2 trucks	2



## **MO'OMUKU HEIAU**

Site 50-50-05-2701

### **Introduction:**

Archaeological Service Hawaii, LLC (ASH), of Wailuku, conducted an archaeological inventory survey at the request of the Dowling Company, Inc. The project area, formerly named Hanohano Subdivision, is a 28.695-acre parcel of land proposed for the Kualono Residential Subdivision in Pukalani, Makaeha *ahupua'a*, Makawao District, Maui Island (TMK 2-3-11:1 and 2). A portion of the project area, approximately 2.5-acres, will be excluded from the development to preserve SIHP 50-50-05-2701. The developers have agreed to set aside 2.5-acres for Site 2701, and a 60-to-100-foot no-build buffer zone has been proposed around the *heiau* to further protect this feature. The only construction-related activities within the buffer zone are the retention basin, clearing of the former access road, and landscaping (Panteleo, 2003)

### **Cultural Significance:**

CKM Cultural Resources (Maxwell Sr. 2003) conducted a study of the cultural significance of historic and prehistoric resources in the project area to determine potential impacts from further development on Site 50-50-05-2701 and present mitigation measures on these potential impacts. Results of this study indicated that Site 2701 is a significant *heiau*, either a *luakini* or *po'okanaka*. This site may have been recorded by Walker (1931) as Site 224 (*Moomuku Heiau*).

### **Heiau Committee:**

The Committee shall be composed of three members, one of whom shall be a trustee, employee, or other representative of OHA, the second of whom shall be a member of the Kupuna Council, and the third of whom shall be an officer, director, member of other representative of the Homeowners' Association.

The purpose of the committee is to select a curator, replace the curator when necessary, and ensure the curator carries out its responsibilities required under the Decision and Order and the Bylaws of the Kualono Heiau Curator Selection Committee.

The Curator responsibilities are as follows:

1. Oversee the maintenance of the Heiau by the Homeowners' Association.
2. Direct and coordinate the initial installation of native plantings in the Limited Buffer Zone.
3. Monitor the effectiveness of Hanohano's efforts to limit access to and or preserve and maintain the Heiau.
4. Provide annual reports to the Committee describing issues relating to the preservation and maintenance of the Heiau and other traditional and customary native Hawaiian practices and cultural resources on the Property for the extension, on such abutting property.

5. Carry out the responsibilities required by the Curator under the Decision and Order and Bylaws.

An effort by Associa Hawaii was made to organize a heiau committee sometime in 2020. In early July 2021, a committee of three members were selected. Those members are as follows:

1. Kahanu Noa                Resident of Kualono
2. Wayne Cambra        Resident of Kualono
3. Dane Maxwell
4. Kiani Yasek

On July 21, 2021, members of the Kualono Heiau committee voted Amos Lonokailua-Hewett to be the curator for the Heiau. Amos Lonokailua is a resident living at the Kualono subdivision.

### **Responsibilities of Curator:**

The Curator Shall:

1. Oversee the maintenance of the Heiau by the Homeowners' Association.
2. Direct and coordinate the initial installation, by Hanohano and the perpetual maintenance, by the Homeowners' Association, of native plantings in the Limited Buffer Zone.
3. Monitor the effectiveness of Hanohano's efforts to limit access to and or preserve and maintain the Heiau.
4. Provide annual reports to the committee describing the items and issues relating to the preservation and maintenance of the Heiau and the other traditional and customary native Hawaiian practices and cultural resources on the property; and any discussions with the owner of the property abutting the property for the extension, on such abutting property, of the Limited Buffer Zone and the 100 ft. buffer zone around the Heiau.
5. Carry out the responsibilities required of the Curator under the Decision and Order of the Bylaws.

### **Preservation Plan:**

The preservation plan was developed in consultation with Charles Kauluwehi Maxwell Sr. Chair of Maui/Lana'i Islands Burial Council and Senior Board of Directors of Hui Malama i Na Kupuna o Hawaii. The Office of Hawaiian Affairs (OHA) reviewed the initial development and preservation plans and had two comments, that the street plug be removed from the area adjacent to the heiau, and that OHA be a part of the curator selection committee.

#### Buffer Zone of 100 ft.

Demarcation-The 100 ft. buffer zone shall not be demarcated by a surface structure along its perimeter.

Landscaping-The area between the 100 ft. and 60 ft. buffer zone is designated as a 40 ft. swath. This 40 ft. area can be irrigated and planted with a grass lawn, trees, and shrubs. An irrigation system may also be installed within this zone. Mechanical clearing is also permitted within this 40 ft. swath/zone.

Usage-This area is envisioned to be utilized as open space by the residents of Kualono, however this open space is not intended to fulfill any County Park requirements. This buffer area is a no building zone (except for the rock wall along the 60 ft. boundary line). The no-build requirement shall aide in preserving the view planes towards the summit of Haleakala (mauka) and toward the sea (makai).

#### Buffer Zone of 60 ft.

Demarcation- The perimeter of the 60 ft. buffer zone shall be demarcated by the 4 ft. high rock wall.

Landscaping- Only Native plantings and irrigation shall be permitted within the 60 ft. buffer zone. A detailed landscaping plan might not be established until a Native Hawaiian group "Curator" accepts stewardship over the site. The organization can orchestrate the installation and maintenance of the native plantings. Consultation with persons knowledgeable about pre-Contact environments, and traditional types of landscaping around a heiau should be consulted prior to developing and implementing a landscaping plan. Mechanical construction equipment may grub and grade the existing grasses and fallow pineapple within the 60 ft. buffer zone. No deep excavations should occur within this 60 ft. zone.

Access-Access within the 60 ft. buffer zone will be restricted and controlled by the "Curator" selected to maintain and preserve this significant historic property. Access will be through an entrance in the rock wall located near the vehicular turn-around site.

Usage-The 60 ft. swath and the heiau structure shall be utilized for traditional religious practices deemed appropriate by the Curator.

Plan View Map of Site 2701 Showing Buffer Zones, Rock-Wall, and Retention Basin.





## Timeline:

<b>Hana</b>	<b>Manawa</b>	<b>Kumuhana</b>	<b>Kanaka</b>
Meeting	July 21, 2021, 1745-1830	Kualono Heiau Committee voted for Amos Lonokailua-Hewett to be the "Curator" for Mo'omuku Heiau	Kahanu Noa, Kiani Yasek, Dane Maxwell, Malia Yosue, Amos Lonokailua-Hewett
Meeting	August 6, 2021, 1430-1530	Cultural protocols regarding ho'okupu, hoopono, ho'opili, kahea, pule wehe, pule ho'opau	Frank Kawaikapuokalani Hewett and ALH Curator
Meeting	August 7, 2021, 1000-1100	Landscaping plan/contract responsibilities for the Mo'omuku heiau. Initial agreements are to keep grass down in the 60' buffer zone. Invasive plants on the heiau will be removed by the Curator.	Troy Ritte (RYS) and ALH Curator
Meeting	August 8, 2021, 1000-1200	Develop a landscaping plan with Native Hawaiian plants. Invasive species were identified and recommended to be removed on the heiau. Landscaping plan for entrance is being designed. A plan of action will be developed by the Curator.	Dustin Palos, Wayne Cambra, ALH Curator
Cultural Practice	August 12, 2021	Oli Aloha- "Nohona Kualono" was written by ALH Curator as a pule ho'opau. The pule glorifies Gods work of creation in the neighborhood in Makaeha ahupua'a named "Kualono".	ALH Curator
Maintenance	August 2021 – January 2022	Remove invasive species on Mo'omuku Heiau. This work includes chainsaw activity, poison to roots, and hauling felled trees and bushes out of the area. Maintenance also includes weed eating from the rock entrance along the irrigation toward the heiau and around the heiau in areas demarcated by the brown landscaping edging. Work involves 1-4 persons (Men of Kualono) doing various parts of maintenance for 1-4 hours weekly.	ALH Curator, Wayne Cambra, Corey Lum.
Meeting	January 5, 2022	Maui Land Broker and Kualono HOA Board, and ALH Curator to discuss Moomuku Heiau Preservation Plan.	Kahanu Noa, Brenden Kennedy, Wayne Cambra, Joe Blackburn, Sasha Haukoloa, ALH Curator.

Initial  
Maintenance  
Plan

January 10, 2022

Initial maintenance plan was submitted to HOA Kahanu Noa. The initial plan is to remove the invasive species from within the rock wall, remove the irrigation, remove the landscaping edging.

ALH Curator. See submitted maintenance plan.

# MO'OMUKU HEIAU

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## Cultural Significance:

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4. Provide annual reports to the Committee describing issues relating to the preservation and maintenance of the Heiau and other traditional and customary native Hawaiian practices and cultural resources on the Property for the extension, on such abutting property.



5. Carry out the responsibilities required by the Curator under the Decision and Order and Bylaws.

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2. Direct and coordinate the initial installation, by Hanohano and the perpetual maintenance, by the Homeowners' Association, of native plantings in the Limited Buffer Zone.
3. Monitor the effectiveness of Hanohano's efforts to limit access to and or preserve and maintain the Heiau.
4. Provide annual reports to the committee describing the items and issues relating to the preservation and maintenance of the Heiau and the other traditional and customary native Hawaiian practices and cultural resources on the property; and any discussions with the owner of the property abutting the property for the extension, on such abutting property, of the Limited Buffer Zone and the 100 ft. buffer zone around the Heiau.
5. Carry out the responsibilities required of the Curator under the Decision and Order of the Bylaws.

### **Preservation Plan:**

The preservation plan was developed in consultation with Charles Kauluwehi Maxwell Sr. Chair of Maui/Lana'i Islands Burial Council and Senior Board of Directors of Hui Malama i Na Kupuna o Hawaii. The Office of Hawaiian Affairs (OHA) reviewed the initial development and preservation plans and had two comments, that the street plug be removed from the area adjacent to the heiau, and that OHA be a part of the curator selection committee.

#### Buffer Zone of 100 ft.

Demarcation-The 100 ft. buffer zone shall not be demarcated by a surface structure along its perimeter.

Landscaping-The area between the 100 ft. and 60 ft. buffer zone is designated as a 40 ft. swath. This 40 ft. area can be irrigated and planted with a grass lawn, trees, and shrubs. An irrigation system may also be installed within this zone. Mechanical clearing is also permitted within this 40 ft. swath/zone.

Usage-This area is envisioned to be utilized as open space by the residents of Kualono, however this open space is not intended to fulfill any County Park requirements. This buffer area is a no building zone (except for the rock wall along the 60 ft. boundary line). The no-build requirement shall aide in preserving the view planes towards the summit of Haleakala (mauka) and toward the sea (makai).

#### Buffer Zone of 60 ft.

Demarcation- The perimeter of the 60 ft. buffer zone shall be demarcated by the 4 ft. high rock wall.

Landscaping- Only Native plantings and irrigation shall be permitted within the 60 ft. buffer zone. A detailed landscaping plan might not be established until a Native Hawaiian group "Curator" accepts stewardship over the site. The organization can orchestrate the installation and maintenance of the native plantings. Consultation with persons knowledgeable about pre-Contact environments, and traditional types of landscaping around a heiau should be consulted prior to developing and implementing a landscaping plan. Mechanical construction equipment may grub and grade the existing grasses and fallow pineapple within the 60 ft. buffer zone. No deep excavations should occur within this 60 ft. zone.

Access-Access within the 60 ft. buffer zone will be restricted and controlled by the "Curator" selected to maintain and preserve this significant historic property. Access will be through an entrance in the rock wall located near the vehicular turn-around site.

Usage-The 60 ft. swath and the heiau structure shall be utilized for traditional religious practices deemed appropriate by the Curator.

Plan View Map of Site 2701 Showing Buffer Zones, Rock-Wall, and Retention Basin.



## Timeline:

<b>Hana</b>	<b>Manawa</b>	<b>Kumuhana</b>	<b>Kanaka</b>
Meeting	July 21, 2021, 1745-1830	Kualono Heiau Committee voted for Amos Lonokailua-Hewett to be the “Curator” for Mo’omuku Heiau	Kahanu Noa, Kiani Yasek, Dane Maxwell, Malia Yosue, Amos Lonokailua-Hewett
Meeting	August 6, 2021, 1430-1530	Cultural protocols regarding ho’okupu, hoopono, ho’opili, kahea, pule wehe, pule ho’opau	Frank Kawaikapuokalani Hewett and ALH Curator
Meeting	August 7, 2021, 1000-1100	Landscaping plan/contract responsibilities for the Mo’omuku heiau. Initial agreements are to keep grass down in the 60’ buffer zone. Invasive plants on the heiau will be removed by the Curator.	Troy Ritte (RYS) and ALH Curator
Meeting	August 8, 2021, 1000-1200	Develop a landscaping plan with Native Hawaiian plants. Invasive species were identified and recommended to be removed on the heiau. Landscaping plan for entrance is being designed. A plan of action will be developed by the Curator.	Dustin Palos, Wayne Cambra, ALH Curator
Cultural Practice	August 12, 2021	Oli Aloha- “Nohona Kualono” was written by ALH Curator as a pule ho’opau. The pule glorifies Gods work of creation in the neighborhood in Makaeha ahupua’a named “Kualono”.	ALH Curator
Maintenance	August 2021 – January 2022	Remove invasive species on Mo’omuku Heiau. This work includes chainsaw activity, poison to roots, and hauling felled trees and bushes out of the area. Maintenance also includes weed eating from the rock entrance along the irrigation toward the heiau and around the heiau in areas demarcated by the brown landscaping edging. Work involves 1-4 persons (Men of Kualono) doing various parts of maintenance for 1-4 hours weekly.	ALH Curator, Wayne Cambra, Corey Lum.
Meeting	January 5, 2022	Maui Land Broker and Kualono HOA Board, and ALH Curator to discuss Moomuku Heiau Preservation Plan.	Kahanu Noa, Brenden Kennedy, Wayne Cambra, Joe Blackburn, Sasha Haukoloa, ALH Curator.



Initial  
Maintenance  
Plan

January 10, 2022

Initial maintenance plan was submitted to HOA Kahanu Noa. The initial plan is to remove the invasive species from within the rock wall, remove the irrigation, remove the landscaping edging.

ALH Curator