

**HANA ADVISORY COMMITTEE
TO THE MAUI PLANNING COMMISSION
NOTICE OF PUBLIC MEETING: SITE INSPECTION
JULY 26, 2022**

A. CALL TO ORDER

The meeting of the Hana Advisory Committee to the Maui Planning Commission Notice of Public Meeting: Site Inspection was called to order by Chair Ward Mardfin, at approximately 3:06 p.m., Tuesday, July 26, 2022, at the Gary Stice Property, located at 177 Haneoo Road, Hana, Island of Maui, Hawaii.

A quorum of the Committee was present (see Record of Attendance).

Chair Ward: As Chair of the Hana Advisory Committee to the Maui Planning Commission, I hereby call this meeting to order. And the first thing I'm going to do is take attendance. Becky Lind here? Not yet. Clayton Carvalho here? Not yet. Ah Scott Crawford.

Mr. Crawford: Present.

Chair Mardfin: Um Mary Ann Kahana.

Ms. Kahana: Hi.

Chair Mardfin: Thank you. Lipoa Kahaleuahi.

Ms. Kahaleuahi: Here.

Chair Ward: Hi. Dean Warner. Not yet. Ward Mardfin. So we have four out of seven so we have a quorum. So I hereby call the meeting to order. This may be a little bit different than normal because it's a site visit. This is not a time when we can--we're supposed to have a narrow focus on visiting the site. Um the main purpose of this is not to take testimony but instead the main purpose is to view the property that is the subject of Mr. Stice's application for an SMA Use permit. We also have some guests. We have -- please tell me your name again.

Mr. McAllister: Andrew McAllister

Chair Mardfin: And he is...

Mr. McAllister: The Maui Archaeologist, SHPD.

Chair Mardfin: Okay. And we have Janet Six, who is...

Ms. Six: County Archaeologist Maui County.

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Chair Mardfin: Ok. We have Mr. and Mrs. Stice over here I believe. Is anybody here in an official capacity? Oh, Jim Buika from the Planning Department. He's the Planner on this project. And we have Suzie and Linda Kim and she's, they're going to take ...

Ms. Esmeralda: She's taking my place. We're going to take notes.

Ms. Kim: We have to record it.

Chair Mardfin: Yes, this has to be recorded. And these guys from the Maui Planning Department are going to do that. I'm going to do something I haven't normally done. But I have been advised by Corp. Counsel to do this. Before--we'll give people a chance to do questions but before they give testimony, I'm going to say, do you swear or affirm that what you are about to say is the truth, the whole truth and nothing but the truth and they have to swear or affirm in the affirmative to be able to give testimony. The second thing I'm going to do is after the testimony we'll give--after each member of the public testified, I'm going to ask Mr. Stice whether he would like to ask questions of that testifying member of the public.

Ms. Pua: So you'll be taking testimony today then?

Chair Mardfin: Sorry?

Ms. Pua: So you'll be taking testimony today, because you said you wouldn't be taking testimony.

Chair Mardfin: I didn't say that. I said that's not the primary reason for it. People can still make comments but it shouldn't be about the project per se but about the land and what's on the land and how that's going to work here. It's not I'm for it; I'm against it. Um and after Mr. Stice has concluded in asking each testifier then I'm going to ask Members of the Committee would they have questions.

Ms. Esmeralda: Is that Dean Wariner?

--Speaker: Is there a time limit on each person's testimony?

Chair Mardfin: There's supposed to be a three-minute time limit but I don't have to follow that I was told. But I'm going to try to do that.

--Speaker: Someone can speak for ten minutes is that correct?

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Chair Mardfin: I'm sorry?

--Speaker: Someone can speak for ten minutes is that what you're saying?

Chair Mardfin: I'm saying...

--Speaker: Not likely that it will happen but it might.

Chair Mardfin: It's not likely it's going to happen, but I may allow people to go on a little bit if they're on point and relevant.

Ms. Pua: Well you know, you're actually defining what is relevant.

Chair Mardfin: Yep.

Ms. Pua: So like if you have a biased attitude that you may be biased in allowing someone to give more testimony.

Chair Mardfin: I will be biased for people giving on point testimony that is dealing with the land per se. Okay, um...

Ms. Esmeralda: I believe that's Dean Wariner--is that Dean Wariner over there?

Chair Mardfin: Yes, Dean Wariner is here now so we have five members. Um, I have my two experts are going to have to depart in about an hour. So I would like them to--what, are you shaking your head?

Ms. Esmeralda: No, I'm not.

Chair Mardfin: I'd like them to give them a chance to make their statements first since they have to go back to the other side.

Mr. Crawford: Um Ward, we should put into the record that there's no decision making being done today. We can take testimony, but there's not going to be any decision making...(inaudible)...

Chair Mardfin: Correct, there's no decision making and we will not have a formal meeting of the Hana Advisory Committee after today's site visit. That will be scheduled for some future date.

Mr. McCallister: Okay, I guess I'll just wrap—I'll just go through SHPD's history...

Chair Mardfin: Oh, you need to...

Ms. Kim: If you can speak into the recorder.

Ms. Esmeralda: And state your name.

Mr. McCallister: So SHPD is the State Historic Preservation Division, it's the State Division. So our last review of this project, we agreed with the determination of effect with agreed upon mitigation and mitigation was archeological monitoring because there's other sites on the property besides just the burial preserve and also the preservation of the gravesites here. There was an agreement made with the property owner I believe dating back to maybe 1999 agreeing with the stipulations of the preservation and the State would like to see that be put in place before the permitting continues which is what we put in our last letter, which included the fencing off because we had complaints of people walking from the other area through the gravesites and then also we would like to see that the implementation of the plan, which included a small--modest wall around the burial preserve. We already accepted the Archeological Monitoring Plan, and we also had a archeologist come out and do another film inspection to see if any changes occurred between the original survey and the current survey. They didn't note any additional changes; they noted the bush pile over there and they noted that having some minor changes that occurred within the burial preserve. Some I think the one concrete slab is sunken a little bit more since their last survey back in the, believe it was the 90's. So that's where we're at. We made our recommendation to the County. We have a list of stipulations that we would like to see before the permitting process continues and I've reiterated that to James and also the Planning Department in our emails. So...

Chair Mardfin: Could you elaborate a little on what those would be?

Mr. McAllister: The recommendations? Like I said archaeological monitoring, they have monitoring plans already accepted so they're going to do monitoring while they're digging. Our archaeologist will be out here standing and watching because like I said there's other sites subsurface here besides the burial preserve, there's like a trash pit that they found when they did the trenching, and we need that monitored and recorded. But our other recommendation was that they implement the Burial Treatment Plan, which includes the modest rock wall around the preserve and then I believe there was some sort of treatment over in this area as well before they continue with the permitting. So we want to feel confident that what we agreed on for protection is in place before the permitting process proceeds. We had several back and forth conversations with the ohana and Leo.

Leo's advocating for preservation of the larger um fishpond complex, and majority of it is off of this property. So I mean I couldn't agree with that, but we could agree with the preservation and the archaeological monitoring for mitigation. So like I said they agreed that there is effect but their agreed upon mitigation so SHPD did not say that there was no effects. We acknowledged that there wasn't effects and these are the mitigation measures that we want in place before the permitting and the construction happens.

Chair Mardfin: Mr. Stice would you like to ask this testifier any questions?

Mr. Stice: No, I think we're pretty clear on that.

Chair Mardfin: Would any members of the Committee like to ask any questions.

Ms. Kahana: Yeah, I have a question. You know in regards to the BTP and you had shared that you already did some studies, and you have shared that the site would be preserved. Like how do we determine, that this is visible, we can see the um burial sites. How do we know within the vicinity of the area, there's more.

Mr. McAllister: Sorry, I have a medical issue where I have to spit periodically. No disrespect. They did a--sorry, that I know it's kind of funny, but I do have a medical issue. They did trenching um during the original survey, so when they did the original survey, what they actually did was they outlined the burial preserve with trenches to see maybe it extends beyond what they see on the surface or maybe there's stuff subsurface that we don't know about. But they actually did trench what we see now is the border of the preserve and then areas out there where they plan on doing development. So we do have a good understanding what's going on below the surface which is like thin sand profile, underneath bedrock here um, and they did go all the way down to the bedrock. So there's no...

Ms. Six: How deep is that? Do you have any idea?

Mr. McAllister: I don't know off the top of my head but it was kind of shallow you know.

Mr. Stice: I think it was about six feet.

Chair Mardfin: Do any other Members of the Committee have any questions? Mary Ann did that answer your question?

Ms. Kahana: Yes, it does, but it doesn't seem promising to me because we're building with another site and within that site, we thought that that area was the only area had iwi kupuna then we found out like later there's more too just within the vicinity of that area.

Mr. McAllister: It's possible. I'm not gonna lie, it's possible. They did a sampling.

Mr. Stice: We have in our Burial Treatment Plan and our Archaeological Monitoring Plan where we've got these locations of these trenches that we dug before, and the foundations of our houses are very close if not right on where it's already been excavated and checked by an archaeologist.

...(inaudible speaking)...

Randy: Um, I would like to say something.

Chair Mardfin: Randy...

Randy: Um, I thought when I was listening to him, he said you know around is not connected to here. Anything around here is connected to here. The pond is connected to here, the graveyard is connected to here, the ocean is connected to here...

Chair Mardfin: Randy, I'll give you a chance to speak in a little bit.

Randy: No, but I wanted to answer his da kine, what he said.

--Speaker: The bible and the knee bone and the toe and all that...(inaudible)...

Randy: That's all I have to say.

Mr. McAllister: So what they do archaeology is a professional field to their standards. When they go and identify something, they identify the character down to the final features basically. So what makes this spot special here is because there's the fishpond, there was a burial site, and peninsula, there was a sea wall. These are all physical things that the archaeologist initially reported. Right? And I understand that there's a natural landscape that interacts with that. I deal with archaeology. We have a History and Culture Branch that deals with you know the natural landscape, their cultural practices, and I understand that they are not separated. And I'm not saying that because the majority of the archeological features are over there, doesn't mean that there's no impact. Like I said we agreed that there was an impact and the mitigation would be preservation and monitoring. Right? So I'm not trying to discount that and I'm not saying there's no impact

to that. We acknowledged that in our determination of effect of agreed upon mitigation and what it came down to was what can we do for mitigation. I can't make Mr. Stice create a preservation plan for this whole entire fishpond complex but we can make him preserve what we know is here, and we can ask for monitoring to record anything that may occur subsurface anywhere else, but like I said I can't make him go and do stuff beyond you know the scope of what he's doing here. Um just kind of the nature of the beast and honestly a lot of this stuff happened before I came on board. So I've been in this position for about two years and the majority of the reviews happened ten years ago and it was all over the place. They had all kinds of different kinds of projects that they were proposing. Right? So things that have evolved up to this point, and I've looked through all the history and I provided all of these letters. They're state letters so if you're interested in seeing you know what determinations were made, who did what, I've packaged it packaged it and packaged it all into a letter, so anybody in the community can take that letter and read it and see exactly what happened. Right? I mean I think Leo has some of them. So...

Mr. Crawford: Ward?

Chair Mardfin: Yes.

Mr. Crawford: Can you just talk a little bit about what would be the process if during construction there was some you're saying there's archeological observation during construction. If there was some kind of significant you know archeological ...

Mr. McAllister: Yeah yeah, if there's a historic property--inadvertent discovery of historic property is what you're talking about?

Mr. Crawford: Yeah and how it would be dealt with?

Mr. McAllister: So they will have their monitor there. The monitor is supposed to be in place. It's like one monitor per piece of machine, and if they identify something, they stop the crew, they assess it, and they come to me to determine what the significance is, what criteria, and what the agreed upon mitigation will be for that newly identified site. Because it's inadvertent discovery, that process is sped up, you know it's supposed to be within a few days. As opposed to the identification process which was like ten years, you know. Once they get into construction, things are slightly different, they're made to be expedited. So if they do find something, they have to stop—they have to stop work in the area. They can work in other areas, but they can't work directly around the site. If it's a burial site, it goes to History and Culture and they're the ones that do the consultation for that. If it's an archaeological site then it comes to me and I do the consultation about what the

significance is, what criteria it falls under, and what will be the mitigation for that site—which can be just recordation, could be preservation. Um, those are basically the two archaeology components. You know, it's preservation or data recovery. That's usually where we work in, but there's other stuff, like the historic context study, ethnographics studies, those are all history and culture. So for me, if they find an archeological site, I'm either going to ask them to preserve or record it to extent where we have enough data. So if it's a trash pit, you know maybe it's not a big deal to preserve a trash pit, but we want to know what the date range is--what's the temporal context is, what's the materials that were used that tells us about you know the historic era of Haneoo. So I'll be looking to see like what are they are going to record and it has to be commiserate to what the significance of the site is. If its significance under criterium D because it has data, then they're going to collect that data, right? If it has some sort of you know connected to an important person or a certain artistic style; it has preservation value then we'll look to preservation. So that's usually how I run down an inadvertent discovery: I'll review everything, see if I agree with their assessments and agree with their mitigation. It usually comes from the archaeologist. I'll review it and then give them recommendations on what to change or what I don't agree with.

Mr. Crawford: With that mitigation or preservation, what are sort of the ranges of consequences on the project itself. Could it potentially cause the project to not be able to move forward or would you always like just sort of find a way to work around it, and just make sure the preservation was you know within the site is preserved.

Mr. McAllister: So if somebody's permitted to do their work, they're permitted to do their work. As a state employee, I'm not telling them you have to stop work or you can't do this construction here or your projects no good or your project's good—that's on the County. But if there's a—if they didn't follow through with their commitment, so we have in effect the agreed upon mitigation, they're not having their monitor. You know that's a mitigation commitment or they're not implementing their preservation measures. That's a mitigation commitment. So I can tell the County, hey these guys did not put in their wall, they did not do their preservation plan like we asked them to do, which was a part of—you know the agreed upon mitigation measures, then I can make a recommendation to them saying a you know please stop the permits or revoke your permits since we didn't get any compliance or assessed damages or what have you. Usually that's how it will go. If there's an issue on that front, the Administrator will send a letter to the County making recommendations for stop work order and how to address you know whatever violations or potential violations that occurred or noncompliance. Um, and it's hit or miss. You know sometimes we'll tell the County you know you should stop the permits for this project because they didn't do any of the preservation measures and they just--won't do it you know. We're not the permitting agency, we're just making recommendations. We have

a team in terms of doing violations assessing violations but it's very few and far between and it takes years to go through DLNR for assessing a fine. For me I've had more success working directly with the County in the permitting process to get things done instead of you know waiting until somebody assesses the fine. Um so kind of like a two prong approach. You can go after the fines which I also go after Compliance as well if there's an issue.

--Speaker: May I speak because uncle has to leave?

Chair Mardfin: No we have a couple things to do first.

--Speaker: Relative to his comment that he just made.

Chair Mardfin: That's not normally the way we do site visits. You'll have a chance to testify, and when you testify you can make your comments. I started this wrong, I should have had Jim give his opening and he has some things to pass out. So I'm going to pass it to him first.

Mr. Buika: Thank you everyone for being here. Thank you very much for being here in the middle of the day. My name is Jim Buika, County Shoreline Planner. I've been working on this project for over a decade and um thanks to Mr. and Mrs. Stice for their patience in working with the community so closely. I do—I have 20 handouts, so basically they're five location maps and site maps so you know the lay of the land. So I'll hand those out to each of the members and then the rest of you share. So who's going to help me here, huh? There's a few on the back row.

...(inaudible speaking)...

Chair Mardfin: You have enough for the Members?

Mr. Buika: Yeah.

Chair Mardfin: Jim, I need one and Lipoa said she—oh you got one. Thank you.

Ms. Kahaleuahi: I have one.

Mr. Buika: You got one, Lipoa?

Chair Mardfin: She said she got one.

Mr. Buika: I have one more.

...(inaudible speaking)...

Chair Mardfin: Jim, do you want to say something else?

Mr. Buika: Yeah sure--I could have comments along the way, but the only comment I would like to say is for sure, we don't want to a—we don't want to violate anything as far as the preservation sites and any ground disturbance. I'm sure Mr. Stice can update you on what will be disturbed; there'll be very little disturbed. There will be a waterline, a trench, the homes as we saw in the meeting if any of you were there, will be elevated. So there'll be on pedestals—so it's not going to be much ground disturbance at all. So the agreed upon mitigation is to have an archaeologist, as the archaeologist can testify to watch to be there when any ground is disturbed and also to preserve the preservation sites, multiple preservation sites with walls as recommended in the Burial Treatment Plan. So there is a site and there will be a--so there's an opening page and I list the five comments going to the handout here. The first handout says on the front page there, it says site map with the second leach field location added for an Aerobic Treatment Unit. And then the yellow designates the shoreline survey. So that first Map C-1 shows the shoreline survey and then there's a little red in the middle, with a "LF#2" that's a leach field #2. So there are two absorption fields that I think we can walk around, and I think they're marked so we'll know where they are. So that's the significance of that map. There is also--also on that map across Haneoo Road, there is an easement that Mr. and Mrs. Stice bought from the state so they could access from the road to the site. So they paid for that 6,000 square feet--so that's Map 1. Map 2, the only difference here shows...

...(inaudible speaking)... Sorry, where's...(inaudible)...

Ms. Stice: It's this one right here.

...(inaudible speaking)...

Mr. Buika: It just allows them access to the property. Yeah, when they repaved Haneoo Road, I'm not sure but I think they built it in a different spot.

Mr. Stice: Yeah, that's right.

...(inaudible speaking)...

Mr. Buika: And ah, Map 2 shows the waterlines. You can see the two homes and those criss cross waterlines there shows you there will be some level of trenching. Right Gary, yes some level of trenching. So the homes will be elevated on pedestal poles, not much ground disturbance, little bit, and the trenching and possibly the driveway, or just very shallow. And then Site 3 is from--was created by the archaeologist the color map which is Cultural Surveys Hawaii Inc., and it just shows the yellow buffers around the preservation sites: the top of the bank, and the fishpond boundary is relative to the parcel, everyone see that, yah, okay. And then we can go over this when we talk as we go around and move on. And then #4 is just the parcel boundary map of the entire area with Stice down in the corner relative to the fishpond, circle #4 says Exhibit 1 for reference and then #5 is basically a similar--it shows #5 is the last one--the color one aerial with Alohi Island and circled parcel and the green there is a Hana Highway right, top of the hill here, Haneoo Road. Right on top of the hill there going around the corner. So this is just face maps as we go around so we know where we are.

Chair Mardfin: So do you want to do anything else?

Mr. Buika: No.

Chair Mardfin: Members do you have any questions for him? Scott.

Mr. Crawford: I do. Under Map #1, are the absorption fields, the green this one here and the leach field #2 doesn't really seem to be in the same position on this map as this map, does it?

Mrs. Stice: My husband can clarify that--is that okay? Yes, he can clarify it.

Mr. Stice: When the Engineer did the absorption field for the two tanks, it could go either way. Either the way shown on your map or the way we staked it out. So either way fits fine. We could--it might be preferable to put em the way it's on the map that was kind of a later thought, but it doesn't really matter as far as any setbacks or things like that.

Mr. Crawford: Okay, thank you for clarifying, Mr. Stice.

Chair Mardfin: Mary Ann?

Ms. Kahana: I actually had a question for the Archeologist but whenever you're finished with Mr. Buika.

Chair Mardfin: Well, I'm going to have Janet speak next.

Ms. Kahana: However you want to do it, but I wasn't done with Mr. Buika because you pulled in ah...

Chair Mardfin: No, Jim's still here.

Ms. Kahana: I wasn't done from him--with him because you pulled him in.

Chair Mardfin: Oh, I'm sorry.

Mr. McAllister: I can answer her question.

Chair Mardfin: Be my guest. I thought everybody was finished.

Ms. Kahana: No, I wasn't. So I guess my question to you as an archaeologist, my thought process would be that the method that you used the trenches, that's the best method for the County of Maui I'm assuming. Is there a valid technology like the use of the lydar. Like I don't know the efficacy between using the lydar and the method you just used.

Mr. McAllister: So let me be clear. I don't work for Mr. Stice. He hires his own archaeologist to come up with his methodology and trench, and I actually didn't accept that report that happened years before me and so...

Mr. Stice: Decades.

Mr. McAllister: Decades yeah, they agreed upon a testing strategy and they agreed that the report was acceptable. Um but I acknowledged there are different testing methods, no not just trenching with the machine, you could do hand testing, you could do lydar which I don't think would be better here...

Ms. Six: I think magnetometry would be the best here.

Mr. McAllister: Magnetometry would probably be better here, but lydar probably would not be effective, maybe I don't know how effective GPR would be, but the reality of the situation is these decisions were made like you said a decade ago, where they accepted the plan, or they accepted the report and they made their determination. My involvement has only been in regards to consulting with the family and also OHA who brought up--they challenged the decision. They said hey, why aren't you preserving this entire fishpond complex right, as mitigation. They're only preserving up to the shoreline, I believe it's actually on separate property. There's setback preservation. So I was not

able--because we have to stand by this decision. I can't retroactively go and take everybody's decisions away that came before me because I don't necessarily agree with it. Um, but I could look at it and say maybe we can introduce another form of mitigation which is what we were talking about with Leo. Um, that's just kind of the way it is right now. I'm playing cleanup for the people that came before me and trying to see if there's anything else that we could do to address the concerns of the community. But if in a perfect world, we want to start all over. It's not the same project from ten years ago, right? We want to start with a new AIS and explore all these different options. It's just the position that I'm in right now, I can't retroactively take these entitlements from Mr. Stice because it's not fair to him or the state to back track on it because somebody made a decision before me.

Mr. Caires: But in fairness, Andrew, for the benefit of the public, there was a recommendation to do a preservation plan for the Haneoo Complex.

Mr. McAllister: Right.

Mr. Caires: So in fairness of what--it's important to make note of your change of the recommendation that was made years ago and you took away the recommendation...

Andrew: No.

Mr. Caires: And, and you guys are discounting Hammon's discovery here ... You guys were disassembling...

...(inaudible speaking)...

Chair Mardfin: Hang on, hang on. Like I said, settle down.

Mr. McAllister: So there is a preservation plan that covers...

Mr. Caires: Recommendation in 1998.

Mr. McAllister: There is a preservation plan that discovers burial sites and also the fishpond.

Mr. Caires: Complex. It says in your letter Haneoo Fishpond Complex. So this preparedness for fairness is important ... (inaudible)...

Mr. McAllister: I agree it's important and I put all this stuff in the letter for clarity—public clarity.

Mr. Caires: Right.

Mr. McAllister: We can go back and look at those old letters and see if they're referring to an entire preservation plan or just the preservation plan that was from 1998. I think that is what they're referring to.

Chair Mardfin: Was that letter distributed to the Committee members?

Mr. McAllister: Yes, everybody should have the letter, it was sent to the County.

Mr. Buika: Everything is in the report, every single SHPD thing is in the County report that was distributed to the Hana Advisory Committee.

Chair Mardfin: Mary Ann, did you have any more questions?

Ms. Kahana: No thank you.

Chair Mardfin: Dean did you have anything to ask?

Mr. Wariner: No

...(inaudible speaking)...

Chair Mardfin: Lipoa?

Ms. Kahaleuahi: No.

Chair Mardfin: Okay. Jim are you finished.

Mr. Buika: Yes, I'm done. Thank you.

Chair Mardfin: Does anybody have questions for Jim.

Mr. Caires: Public or just...

Chair Mardfin: No, not the public. I'm going to get Janet to testify and then I'm going to take public testimony. Janet?

Ms. Six: She asked me why lydar wouldn't be appropriate here, so. Lydar is light imaging,...

Chair Mardfin: I'm sorry, wait. I messed up twice.

Ms. Six: Sorry.

Chair Mardfin: Do you ah sorry, you're not a member of the public. Go ahead, you're not a member of the public.

Ms. Six: Yeah, so I'm Janet Six, I'm the County Archaeologist. It's a brand new position. I've only been there for two years. So basically I'm in an advisory capacity, I don't have any real power other than to just you know say what I see and then work with Andrew and work with Jim and work with the County the best to deal with this property. But lydar was brought up; there's different types of remote sensing and like Andrew said, back in the 90's when this was done with a different project, I know the coastal certifications like in 2005, and it's supposed to be done every five years and I know that sea level can certainly come up, but that's not for me to say. Andrew is dealing with all this passed stuff different projects, different people working on it. So here if we would have done this more recently, say this is a brand new project, um SHPD might have asked for remote sensing, and magnetometry is one that detects salt and fresh water anomalies, we use this at Mokuula the fishing museum back in the 90's. So in this case because we have a fresh water well, because we have springs coming out all along the coast, my concern as I mentioned in the meeting is the fact that the crypts seem to be sinking. So to me that indicates a lava tube or some kind of subterranean pull of underneath that's removing some land that's tipping. So something like that would work, GPR, ground penetrating radar, works very specific soil types. It's not great around salt, it can work but it's not the best. So there's two different types. And there's no silver bullet. So trenching is a very normal thing to do, is to go down and look and see if there is a profile. And I did read the report from the 90's they found a trash mitten, I talked to Leo at his grandmother's house that's over here. In the 70's someone did nominate the fishpond but it has to be the owner of the property, which I believe is the Kahula family. And then it never went forward. So it has a State Inventory Historic Place Number, but never went on the national registry because the person that nominated it didn't have the authority to do that. We want to be very mindful when we talk about the past, right because we have to think of all the layers of all the people and all you folks that are here and we have to kind of peel that back and kind of get an idea of a cultural landscape and a natural landscape. So my concern was with the composite its getting water, how deep before they're hitting fresh water, right. You know that there's wells down here, we know that there's a lot of springs you can see

when there's low tide and you see the water coming out. I took Andrew down there and he can see the fresh water coming out down by the beach. So to me there's areas, it's honeycombed with subterranean waterflow. But doesn't mean there's burials there it just means there's something there. So I had asked if there was geophysical testing done. For example is there a force that when you hit water how much soil there is because I know with the leach field, the Department of Health was saying that it needs to be 4 feet down and 3 feet above the ground water so we need a 7 foot subsoil. I don't know, I didn't do the trenching here but those are my concerns and so I'm here basically to listen to you folks and then work with Jim and work with Andrew to come up with some mitigation that I understand, I read all the reports and the AIS was done, the archaeological inventory survey, they did identify some things and obviously these post contact burials and looks like we have a pre-contact burial, we know about the fishponds, we know that the water's aquifer is leaching up the fishpond subterranean. So my concern was this sinking and because there's going to be a leach field here in front of it is there's a subterranean water source and will that leach field then be going into that and impacting the reef and the environment. So those are my concerns. But as Andrew said if they start to do the work on this project, we're not here to say we like it or don't like it or stop it, or start it, we just want to make sure that it's following all the criticals. If they find something then we--Andrew assesses it. Is it a burial then it's likely to be preserved in place and so they may have to redesign their project, if it's you know an imu pit maybe you just do data recovery depends on what you find, you could find a historic trash pit you know things like that. So depends on what it is and if you have different significant criterion, so depending on if it's just information graves so we might just record data recovery and then go ahead to allow continue of construction. But it depends on what you find. So basically, that's what we're dealing with. As we're come here because the climate's changing so much—we see that, we're saw the giant surf that we had last week on the south side. So it's basically for fact finding to take a look, but my concern—my big concern was it seems to be the cemetery that appears to be sinking. It may be undermined in some way whether that's by tree roots, by a coffin that is collapsing, that shallow burial and so that coffin collapses. Or is there in fact a lava tube. Often times families would sometimes bury and they find later post contact, a more traditional haole style cement crypts. Sort of like a Phillips Burial over at Makawao, so it's got burials on top. So that was my concern. Is there a lava tube that runs here, there's water that is coming up all over the place was there geophysical studies done. But that's it, I can't make anybody do anything other than just ask questions and listen to you folks.

Chair Mardfin: Mr. Stice, do you have any questions for the testifier?

Mr. Stice: I can respond to some of that. Based on our archaeological study, with our grid we found water and found that it was fresh water. So what we have here in my opinion is a diamond herd spurred lense. And I don't know how thick that ground water lense is but we were able to tap the top three feet or so for a well and we get good water out of there.

Ms. Six: How deep is that well by any chance?

Mr. Stice: About 8 feet or 9 feet and that is all through layers of sand, gravel, cobbles. There are no lava tubes except when you get down around seven feet.

Ms. Six: But I'm sure the tsunami that hit back in '46 also impacted this landscape quite a bit.

Mr. Stice: Yes, it very much did in my opinion.

Ms. Six: Yeah.

Chair Mardfin: Took three buildings off the land.

Ms. Six: Yeah I know, I'm just saying I saw a lot of the old photographs, I saw the Medeiros house in the middle of the road in one of those old photographs, taken by Marie English. So, yeah it was a big impact to the shoreline. So just wanted to clarify...

Mr. Stice: Sure.

Ms. Six: So on the Haneoo Complex, there was a nomination but they weren't the actual owners said it did not go forward. But it does have a State Inventory Historic Place Number, and as you know this was an important area for the alii pre contact and then post contact, it's changed quite a bit. So this idea that we always need to think about over the layers over time. And how all the things that have impacted it--it's called ...(inaudible)...process, are they natural like a tsunami, are they cultural like a cesspool, all those things impact the landscape.

Chair Mardfin: Thank you.

Randy: The people of Hana is still interested in this place as a historic spiritual place.

Ms. Six: I hear you.

Randy: Yeah, all I hear is trenching, trenching, trenching, yeah digging. Now with the trenching you going get caution, caution, caution. Signs maybe we fishermen's and I don't know if this boundary is right to the high water to the property, but the fishermen's need the right of way.

Ms. Pua: Uncle, already said that, never denied access...(inaudible)...

Randy: And when you talk about the ...

Chair Mardfin: Randy, Randy, I'll give you a chance to ask questions later.

Randy: No, but I'd like to answer her, you know what I mean.

Chair Mardfin: That's not your role. The role is for the Committee people to do it.

Randy: Okay.

Chair Mardfin: Now what I used to do is I'd get one of these guys on the side and tell them what to ask. That's the way I used to do things when I was on the Planning Commission. Um Scott, any questions?

Mr. Crawford: Ah no.

Chair Mardfin: Mary Ann?

Ms. Kahana: I can ask on behalf of uncle. You know you have mentioned what you all follow as far as guidelines, in your policy. So in your guidelines and your policies, as an archaeologist, is our cultural aspects within those guidelines.

Ms. Six: For me absolutely. I did not do the work here but then people do different jobs, especially some of the work was done in the 90's and technologies have changed, views have changed, analysis has changed. Also, I'm just going to say it. Water's higher than it used to be. You know if you live down here, the road gets covered with coral and sand, so you know to me the 2005 certification of the coastline is 17 years old. So that's kind of suspicious and that's what speaks to uncle's questioning of where the boundaries actually are...

Randy: That should be adjusted now. That should be adjusted now.

Ms. Six: Yeah. So anyway, that's where I come from and as far as how each archeologist and archeological firm works, is different. You know what they're coming in to do. Things that were done in the 90's oftentimes now the State is asking and they do this I believe, ask for an updated inventory survey which they did by cultural surveys twice because the work was done for a different project, the project has changed, the project footprint has gotten smaller so they've been asking and constantly asking. And the only thing I know that OHA was very concerned about was the fact that the wall had not been built around the burial preserve as identified and approved and accepted. But that's also a little bit catch 22 where the County has to permit the building but it doesn't have the permit yet because it's in an SMA. So we're trying to figure out how to best move forward in a way that is you know comfortable but at the same time we're not here to stop anything, we're here to take information. But all your concerns are very valid. I'm just going to say that as an anthropologist and archeologist. I hear you folks you know. My concern is you know there's burials here, we had burials more moved from the peninsula, we have a family plot on the Medeiros, you know we have burials all along here that are post contact. So to me that says it's probably pre contact, and they come out at Hamoa, we know when they put the septic tank down there--they hit the burials and probably there's things that jump into the trench. So we know these things. These are things that are just simple data and facts, not opinions, they're just facts. People are buried down here, this is around the mo`o, Kiha Wahine, this is the Pi`ilani Chief of Hawaiians. How it was interned, I worked at Moku`ula for 2-1/2 years, the highest status people are interned in the punawai, in the heart of the springs, in the fishponds. So my concern is to look at the landscape over time. And not to just look at the modern one that we see now but to think about how this was used over time when we're finding heiau here and the fishponds were working and all the stuff that went on down here. Alright so that's how I look at the landscape. But again...

Chair Mardfin: Dean, do you have any questions?

--Speaker: You're saying fact, right?

Ms. Six: Yeah, what I'm saying is fact. There is burials here and burials there, so...

...(inaudible speaking)...

Ms. Six: No, I can't stop anything.

Chair Mardfin: Dean, do you have questions.

Mr. Wariner: It seems we haven't gathered enough cultural information to make a sound decision at this point. I don't see it in the official paperwork and I don't know the proper people to ask and...

Chair Mardfin: Jim would be one. He's the Planner.

Mr. Wariner: Okay.

Ms. Kahana: I guess my question was um, is it integrated in you know the guidelines, our cultural aspect, you know like we have the native Hawaiian law, you know what I mean. You have the American law. So with your policies where the cultural aspect is integrated to include I would say the most people that would know about this aina is the descendants.

Ms. Six: Absolutely. So traditionally, they separate archeology out for cultural history which is unfortunate. Because Archeology is part of cultural history, right? So Andrew's purview is archeology, material culture, things made and modified by humans, landscape methodology. How people think about the aina, all that stuff would be under ethnography or under cultural impact assessment. That needs to be asked for, and then you can interview people, you can incorporate that in how people think about the landscape, what they know about the landscape, how they fish, the limu, the akule—and so all that kind of stuff can be incorporated in, but that needs to be a directive from the state. And so Andrew as an archaeologist, he didn't do any of these directives. Other people said do an AIS. So presently, we are asking for a cultural impact assessment. We are currently doing one at Hookipa and one at Baldwin Beach Park. Those are County projects, but I'm working with the Parks on, and we have Tanya Lee Greig and we have another firm that are doing all of that. And so now today 2022, we are trying to do things differently. This was done like decades. So we're going back and as we all know, things have changed, right? So absolutely as we go forward, the County is looking at cultural impacts and cultural impact assessments right, so we take that very seriously.

Chair Mardfin: Jim has a question. Do you want to respond?

Mr. Buika: Well, I would like to say that Mr. Stice we had a meeting October 29, 2018, and we deferred where we ended the meeting then, and it was at the Hana High School Cafeteria. Many of you were there. That was 2018. Directly after that, Leo's family contacted OHA, Office of Hawaiian Affairs, speaking of cultural integration. The Stice family halted the project for 2-1/2, 3 years and worked on the cultural side with the Office of Hawaiian Affairs and Leo's extended family to understand and address the concerns about this project ...

Mr. Caires: You didn't work with us directly, so you gotta watch how you're speaking.

Mr. Stice: Ah, I'm sorry.

Mr. Buika: Ah well, it was a pause and it meant OHA's ...

Mr. Caires: It was Covid driven too.

Mr. Buika: It was Covid driven. Right. We're in Covid, no doubt about it.

Mr. Caires: So everybody had to stop.

Mr. Buika: Right, so we all stopped, but we concluded the process. So we did take a step—I don't know if it is the perfect step, but we had followed—if you read the State Historic Preservation letters, that's a major part of it. And it does take into account archeologist, culture, and Andrew did an amazing job of compiling through the years many of those reports. So there is a lot of information. Obviously there's always ah probably always more information....

Mr. Caires: We reached out to OHA because you didn't, Jim. You never was successful...

Mr. Buika: Ah, that was blatantly false and you're out of order.

Mr. Buika: We're not asking--OHA was sent in 2005. In 2005...(inaudible)... He's accusing me of a false statement.

Mr. Caires: He's out of order. You're not the Chair.

Mr. Buika: In 2005 ... (inaudible)...

Mr. Caires: Wait, Chair.

Mr. Buika: He's accusing me of a false statement.

Mr. Caires: You gotta relax, Jim.

Chair Mardfin: Wait, wait, wait both of you.

...(inaudible speaking)...

Chair Mardfin: Leo, please stop.

Mr. Caires: Yes sir.

Mr. Buika: Those are false.

Chair Mardfin: So you're denying that process.

Mr. Buika: OHA--OHA was transmitted the entire package at the same time with about 25 agencies for comment. OHA was like the only agency that did not respond.

Mr. Caires: So you didn't successfully speak to them. Right? You didn't successfully speak to them.

Chair Mardfin: Leo.

Mr. Buika: OHA was involved from the beginning. OHA said, oh they weren't consulted. I proved to them that they were consulted. But when we when we—when OHA asked after the fact to be consulted, the Stice's stopped for three years to have meetings with OHA and Leo's family. We have 24 correspondences back and forth. They are not all in the report, but to the satisfaction, we have those correspondence.

Chair Mardfin: Okay.

Mr. Buika: Anyway yes, okay. So OHA was consulted.

Chair Mardfin: Okay.

Mr. Buika: And it's in the report.

Chair Mardfin: Wait, hold on a second. Mr. Stice, you wanted to say something.

Mr. Stice: I wanted to say that we communicated directly with Leo dozens of times. We answered 20 question emails.

Mr. Caires: That's not true and valid to what Jim was saying. I don't know what you're talking about.

Mr. Stice: I'll produce that for you. Okay, I'm going to produce them for you.

Chair Mardfin: Okay. We're not going to--I don't want to have an argument.

Mr. Stice: This is just information, it's not like...

...(inaudible speaking)...

Chair Mardfin: I'm going to--excuse me, excuse me. Scott

Mr. Crawford: Um, Janet, is it your opinion that a cultural impact survey should be done for this project?

Ms. Six: Um, yes. If I had the magic powers, I think that it's important to get that information ...(inaudible)...

Chair Mardfin: Leo, listen to her please.

Ms. Six: I always think that's important because just digging in the ground is one part of trenching or whatever. It's like—I do think that's important. Yeah.

Mr. Crawford: Okay. Andrew, what is your opinion on that?

Mr. McAllister: So initially, going back to the OHA thing. How I became involved with Leo and discussing with Leo you know, I reached out to Leo.

Mr. Caires: My family, not just me.

Mr. McAllister: With Leo and his family and made an effort to consult with him for months. Whenever he wanted to, we got on the phone; we talked about it. We didn't agree, but I allowed him to speak his peace, and I provided him with all the information that he needed.

...(inaudible speaking)... Thank you for all that correspondence and giving him that chance.

Mr. McAllister: Exactly. I did the same thing with OHA as well. What it boiled down to was, there is a fishpond complex that reaches on to this property...

Mr. Caires: Correct.

Mr. McAllister: and the boundary of it, which is arbitrarily run...

Mr. Caires: No, who said it's arbitrarily...

Chair Mardfin: Leo, Leo, Leo, please let him speak.

Mr. McAllister: It's a geometric shape.

Mr. Caires: You said arbitrarily though, it's a technical term.

Mr. McAllister: Fair enough, fair enough. They drew a square boundary, a geometric boundary for cultural site that reaches on to this property about halfway through the boundary. They recorded archeological features, about here that the boundary itself extends into this property. So in an attempt to address Leo's concerns, we consulted with OHA, we consulted with Leo, we've consulted with Leo's family, and I made the determination that I cannot make Mr. Stice do a preservation plan for the entire fishpond complex for this project; however, I heard his concerns about the cultural traditions, the cultural practitioners here, and what the landscape means and I tried to bring the History and Culture Branch in. And I said hey, please talk to them. They're talking about ethnographic work, they're talking about you know possibly a boundary that extends beyond the actual archeological site. Dr. Hammon you know he's an archaeologist, so he's recording archaeological sites. He's not doing ethnographic work to figure out what the ethnographic landscape is. So I can't speak for the History and Culture Branch, I can't force them to say, hey Leo, let's require an ethnographics survey, then you and your family can be involved. I opened the door, I facilitated the conversation, they refused to do it is what it came down to.

Chair Mardfin: By they, you mean who?

Mr. McAllister: The History and Culture Branch.

Chair Mardfin: Of the State.

Mr. McAllister: Yes. We're divided into extreme culture, archaeology and architecture.

Mr. Caires: ...(inaudible)...Ethnographic component...

Mr. McAllister: So I can ask for a preservation plan which I had said; I cannot make him do that. This is not part of the project area. The boundary extends out here, right, but we have a preservation plan that includes the shoreline setback which was built into the original 1998 preservation plan for this. I know we have disagreements but that's how I

interpreted the preservation plan and agreed to it. I could not go ahead and say, okay Mr. Stice, now you have to do an ethnographic survey. But I can say, Leo, and your family and the History and Culture Branch and tell them your concerns. They could possibly ask for that or if somebody say like the permitting process said that it's a necessity, I could take that and push that recommendation forward. But as an archaeologist, I can't step on these other people's responsibility and unfortunately I wasn't able to you know get the preservation plan for the whole complex and prevent Mr. Stice from building which you know a lot of people wanted me to do but I feel like I gave people a fair shake and a fair opportunity to provide their information and be heard and also provide all the SHPD information. So you can see exactly what happened.

Ms. Pua: Mahalo. We appreciate you and we know you made yourself available.

Chair Mardfin: Um, I'm cutting Leo off too.

Mr. Stice: According to the original AIS report, we did extensive trenches and grids through the property and found nothing of archeological significance.

Ms. Six: Shouldn't we be talking about the ecological considerations. The Pele and Kaula and all the different things that went on down here though?

Ms. Pua: You should have said that when Oprah bought that big thing over there.

Ms. Six: I'm just saying you can't just look at tangible on the ground another layer of how people look at the landscape. This is not my culture, but there is other people that use the landscape so it's called a landscape approach. So just looking at the scientific hard data in the ground that doesn't take any consideration to the way people feel, think, what they know, knowledge, events that happened here. We don't know—I mean—I don't know if anybody knows back 3, 4, 5 hundred years ago. Who knows what went on in this property. We also have significance criteria that is associated with personal images of the Pi'ilani Chief. I don't know exactly who did what, where, and when, but things went on down here. On the landscape—that leaves a residence on the landscape it doesn't leave an object that we can map in, but it does leave an important layer of meaning on the landscape. So that's the legacy of the landscape. It has physical things, it has natural things and it also has mythological, it has genealogical, it has all those kinds of things. The battles not down here, but battles and I'm talking about the battles that happened at Sand Hills, not here, but talking about the battles that occurred. Those are ...(inaudible)... permanent things like a house but they did happen in the area and so in that case in Sand Hills they need tangible materials and culture in the form of iwi. So we do have things. But again, iwi are not the proverbial of archeology. There's a proverbial of culture and

history. Separation of the branches is problematic for me but that's how it is being done in the State. But archeology here and, history and culture here. So.

Chair Mardfin: Thank you, Janet.

Ms. Six: Yeah.

Randy: Eh, I want to ask you a question.

Chair Mardfin: No.

Randy: The people you was talking that was way back. They right there.

Ms. Six: Yeah, they're everywhere. They're amongst us, but I'm saying like we know there's so many things that happened down here. You know all the history of Hawaiian people being here...(inaudible)...

Randy: That's why we here. We here to protect them.

Chair Mardfin: Hang on. Randy, I'll give you a chance. Scott, any questions.

Mr. Crawford: Not right now. I don't have any right now.

Chair Mardfin: Mary Ann.

Ms. Kahana: No.

Chair Mardfin: Dean.

Mr. Wariner: Nope.

Chair Mardfin: Lipoa.

Ms. Kahaleuahi: No.

B. PUBLIC TESTIMONY

Members of the public may testify at the July 26, 2022 meeting. Public testimony given at this site inspection will be limited to a maximum time of three minutes per person. The public is advised that additional public testimony will be accepted on this application during a regular Hana Advisory Committee meeting in the near future.

Chair Mardfin: Okay, um, I think we're ready for public testimony. We've had our experts, we've had our planner, now we're ready for public testimony. Is there anybody that would like to give public testimony. I have to ask you a question: do you swear or affirm that what you are about to say is the truth, the whole truth and nothing but the truth.

Ms. Cosma: I do.

Chair Mardfin: Thank you. Identify yourself please.

Ms. Cosma: Aloha. My name is Lehua Cosma. Born and raised here in Hana. I come here today with heavy heart. Why my heart is heavy because I have a mission to complete before my time is up. And that's to represent my ancestors, my kupuna before me, who utilized this place as a fishing ground. I'm sorry my father couldn't make it. He's not feeling well. He's 80 years old. This was all his fishing ground, just like all the Hamoa people that used to live here. I only wished he could make it, but he just said, you gotta keep the access open. That way we can teach our generations to carry on the future. You know and we're talking about culture impact. I don't care about OHA. They don't live here. We do. I dealt with OHA many occasions. To be honest, it's the people, the kupuna that live here should be included in your culture impact. They've been here before all of us was born. They know. Under here, my dad said it's all water. The ocean comes in underneath. We've seen it before happen. So with that being said, you know I just feel like I have a kuleana to the kupuna before us, and I will stand my ground to support them to see that culture continues for the future, the past, the present and the future generation. Once you put up something, it changes the whole look. You don't feel like you're in Hamoa anymore. It's happening already in Hana. People build millionaire houses. They sell it. Where are they today. They moved back to their home. We cannot move nowhere. This is our home you know. I speak with my heart and it's horror. It's hurtful because we gotta divide ourselves, kanaka against kanaka. It shouldn't be like that. We were never raised that way. We were raised as good Hawaiians with good values to support one another. That's what my kupuna always said. You stand up for each other. Don't put each other down. You lift each other up when it comes to something like this. Because when it's done, it's done. You're never gonna get it back. And I've seen many of that in

my lifetime. And it's hurting. Oprah Winfrey stone wall, but we still can go down. We gotta sign a liability—waiver forms. But you know if we're not going to end something like this, it's going to continue. Hana is like that. Monkey see monkey do. You do one, the other one like do better. We cannot do that. You know you get six people living in one-bedroom home, using their garage. But we manage, we happy. We get food on our table from the ocean. We don't go to Wailuku everytime.

Ms. Kim: Three minutes.

Chair Mardfin: That's your three minutes.

...(inaudible speaking)... She can use some of mine.

Mr. Crawford: No, that's not how it works.

Ms. Cosma: No that's okay. That's my reality and I'm sorry if I hurt anybody, I wasn't raised that way. I was raised to love everybody, whether good or bad. Thank you.

Chair Mardfin: Would Mr. Stice like to ask any questions.

...(inaudible speaking)...

Mr. Stice: For a quarter of a century we've had this land. Has any fishermen been denied access?

Ms. Cosma: No, that's why they still want to continue.

Mr. Stice: So we are in concurrence with you. Now some other property owner may not feel that way. But that is what we feel and that is what we promised ...

Ms. Cosma: You know I've thought about that yes, but we have Hawaiian gathering rights, you know.

Ms. Pua: He'll never deny it Aunty, we can go camping...

Ms. Cosma: I know he does. And I don't care who comes after him, we're still going have our gathering rights.

Ms. Pua: He'll never deny it.

Ms. Cosma: I know, but it's going to be different once he build. I'm just saying, that's my thoughts.

...(inaudible speaking)...

Chair Mardfin: Zip it. Um, Scott.

Mr. Crawford: Auntie Lehua, mahalo for your testimony. Um, I know Mr. Stice has made the commitment that in terms of actual physical access to the shoreline, he won't restrict fishermen from being able to access. Is it your feeling that having a house here and a house over there will somehow impact the access or the ability to use this area for fishing or in other ways to access.

Ms. Cosma: Personally, it's a different feeling. You don't feel like you're in Hamoa. You feel like you're at a resort fishing. And you gotta look everytime behind your back so that's the difference. You come to an open space and doing your regular traditional fishing. I fish, so I know. People on the other side, there's no such thing as that. People are losing that right out there. In Hana, we still open and we're going to fight to keep going.

Chair Mardfin: We're concerned with this property, not what's going on with another property.

Ms. Cosma: Oh okay, well I'm giving you an example with this property yes.

Chair Mardfin: Is there any other Committee Member that want to ask questions. Do we have somebody else who would like to give public testimony. You want to give public testimony?

Ms. Akoi: Yeah. Aloha.

Chair Mardfin: Do you, um do you swear or affirm that what you're about to say the truth, the whole truth and nothing but the truth?

Ms. Akoi: Yes.

Chair Mardfin: Would you speak—identify yourself and speak into the microphone.

Ms. Akoi: Aloha. I'm Joselyn Akoi. Okay. I actually wrote a written testimony because I wasn't here the last time, yeah so now I'm here. And I feel very similar in most cases to Auntie Lehua; however, I called Gary and I asked him a bunch of questions and from those questions, this is the letter that I drafted. I'd like to read it to you even though it's not as powerful since it's already written, I wanted to read it. Um, Aloha Hana Advisory Committee and Maui Planning Commission. I'm writing in response to the request of the SMA permit in Haneoo for Mr. Gary Stice. I am very familiar with this aina as we have had multiple family parties ourselves as well as having attended many many more sponsored by community members. This aina has been graciously extended for community use to gather, sorry I'm going to cry, to celebrate, to show our pride, to educate, and as a baibala for many years. It is beautiful, it's refreshing and such a necessary addition to our Hana community. This issue being addressed today is that this community's soul has been carried prevalently on the back of the Stice family entirely. This aina is privately owned and managed yet is being used as community resource. Of course the community of Hana doesn't want to relinquish this as an ohana. Nobody ever wants to relinquish their aina. As a Hawaiian, you never want to do that. But for me as a mom and I've got a grandmother and a great grandmother and a teacher, I have to question the fairness, equity and reciprocity of this situation. Mr. Stice has lovingly extended this aina with the intention of eventually building on it. He has been patiently waiting for also doing his due diligence to protect the land, water, and visual and emotional impact to our community because I kind of grilled him on that. And he answered all of my questions very, very well. Please reference the geological water sewage and site line studies that he said have been conducted and submitted for this plan build. Is there a way to bridge the gap between an off and a then, between a then and a now. Mentality and situation and reality and make this a kakou decision that results in a win-win for all stakeholder groups and the community of Hana. I did have concerns for this plan build, I contacted Mr. Stice, he answered all of them. The property will still be available according to Mr. Stice for community use, but will now include a meeting place and the availability for lodging. We were just looking, my husband and I, for exactly this type of venue. Mavis was busy—hers was packed all summer. We couldn't find one. We therefore cancelled the community service event we were planning and are working to reschedule it sometime next year. When meeting space and lodging for presenters can be accommodated.

Ms. Kim: Three minutes.

Ms. Akoi: I'm a teacher, I support this build. Mahalo.

Chair Mardfin: Thank you. Mr. Stice, would you like to ask any questions.

Mr. Stice: No, I don't think so. She said it very well.

Chair Mardfin: Are there any members of the Committee have any questions.

Mr. Crawford: Can you explain what you mean by meeting space and lodging? I don't...

Ms. Akoi: Mr. Stice might be a better...

Mr. Crawford: Let me just clarify my question. In the plan, I see two residences. I don't see anything that's designated as a meeting space. And...

Ms. Akoi: Is your question for me? So when I asked him...

Mr. Crawford: Please let me finish.

Ms. Akoi: Sorry.

Mr. Crawford: So is there going to be some other meeting space than what currently exists. That's the way you can kind of phrase it. Will there be a meeting space that isn't currently available and I'm not sure where I see that in the plan. I mean in terms of—so I'm giving you a chance to explain it.

Ms. Akoi: Yeah.

Mr. Crawford: So in terms of lodging, can you also explain what you mean by lodging.

Ms. Akoi: Yes. So this was a Hawaiian activist group. I don't know if it was activist—it was a Hawaiian empowerment group coming over from Lahaina side in order to teach the community of Hana free of charge to um look into your genealogical records, specifically for land title use and for permitting and that kind of stuff. Cause you know, how are we connected. Who is a lineal, who is not, how does this all come together and it's very confusing when you try to do your genealogical research yourself or landscop yourself. So they were going to come over and teach everybody, but he said it's me, I'm a familial, my brother and my wife and we need to stay cause we gotta spend the night and Mavis was booked. And so we couldn't find a place and I said we cannot have all these people in our yard, Sam, this is crazy. So I asked Gary Stice and he said that the intention for this place, one is a caretaker's cottage for the aina which would be there for letting people coming on and off the property I would imagine, I'm not the owner for access. And Hawaiian gathering rights would be preserved and the house is actually was not for vacation rental because I cannot support a vacation rental on this property. I just can't. He said no, it's actually for local people to rent when they want to come, if they want to

hold meetings there's a porch area and there's three bedrooms. And I said oh, in addition to you could have the tent, you could have the hale over there. So it's kind of what we've already been using it for but upgraded and monitored. So I said, wow that sounds pretty cool.

Mr. Crawford: Can I ask Mr. Stice if this is an accurate interpretation of your intention?

Mr. Stice: Yeah. When we're not using the house, we are willing to share it with people. There are very few vacation rentals available. The people get hurt the most are the people in Hana who can't even bring their family down here to visit. So we have supported that. I supported that at 330 Haneoo Road, and we're not doing vacation rentals there. For five years, the same tenant has been in there. But there's a way of legally making it happen, I'm willing to do that, and I don't care about the money. It's not to make some money like everybody accuses us of doing. Trying to support the community.

Chair Mardfin: Are there any more questions.

Ms. Kahana: Ward, I have a question for her but she walked away. When she comes back.

Chair Mardfin: Does any other Committee Member have a question? Okay. Randy, do you want to speak?

Randy: Yeah, okay.

Chair Mardfin: Um, do you swear that what you are about to say is the truth, the whole truth and nothing but the truth?

Randy: I'm coming here.

Chair Mardfin: Okay, you got three minutes.

Randy: This actually is a spiritual place. How many of you—I know few of you know. That when we had the tidal wave that came in the 40's. What when happen down here. Okay? There was a family right over here—they was living over there, and they choke and got lost. And they part of the pond and part of this aina and part of that grave. And I come down here for fishing, right? I want to just come, relax or bring your family, they can hook fish during the day. And this aina and the ocean is together. I go fishing outside there with the boat at night. Still yet in the ocean, I'm connected to the land inside. So it's a spiritual place, a historical place, and now you're going to put a house over here, it's

going to change everything. You might say, oh yeah we're going to let them come, they can use the place and all that. But I know from the past yeah, they say that. Five years from now, you come down here after the house, it's different, you going find fences. Yeah, and you're going to find things in the front, they going start clinging to the shoreline and then it's like trespassing, you trespassing. Some of the places I go now, that's how they look at it—I'm trespassing. Oh, I gotta go around to go to the shoreline. And I had one experience at night going crabbing, me and my boy. And then we were crabbing and then we had to cross over to the next bay. And we went through this--not through the property, but there is a private property and there's always the state right-of-way to the ocean. And we were walking over there. Guess what? The guy came chasing me with his flash light and he tell me um, what you doing over here late at night. And I tell him, what you mean what I doing over here—I had to educate him right there, what I'm doing over there. It's a culture thing and we coming down here and we always stay there. That's the kind things that's going to happen. I hear, oh yeah we're going to do this and we're going to do that—but not necessarily it's going to happen that way. That's why we here, to make sure that maybe we should stop it now.

Chair Mardfin: Are you finished?

Randy: For now, yeah.

Chair Mardfin: Mr. Stice, do you have any questions for the testifier?

Mr. Stice: Um, yeah. In our SMA application, we specifically agreed to make access to the beach with signs and that stays forever. Is that correct, Jim?

Mr. Buika: Yes, there is a condition in the report that will allow and continue shoreline access.

Randy: With signs, right? So in other words, you can go here, but you no belong there, right? What would the sign say?

Mr. Buika: It's going to say, you are allowed to traverse the shoreline. In the report, there's a sample sign. In the Planning Department report, there's a sample sign that could be changed to meet the community's desire. But there is no intention—and it is a condition of the project to preserve shoreline access forever. I mean I don't think there's...

Ms. Pua: That's beautiful. Not many people would do that at all.

Randy: So you got it on the map?

Mr. Buika: Pardon?

Randy: You got it on the map?

Mr. Buika: The shoreline?

Randy: The SMA report.

Mr. Buika: It's in the report. Anywhere you want to go. Any fishermen's path out there. There's existing fishermen's paths that you use. I mean I'm sure Gary will consult with you to make sure that things are ...

Mr. Stice: I don't care what the sign says. You tell me what to put.

Mr. Buika: Yeah, whatever you need.

Randy: And then if the thing change? What I'm going to do?

Mr. Buika: It won't change. It will be fine.

Randy: What you say won't change? You cannot predict five years from now.

Mr. Stice: Yes you can.

Randy: You know why, we know the changes.

Mr. Buika: I'm just talking about the condition, that's all.

Chair Mardfin: We have one more Committee Member that wants to speak. Dean.

Mr. Wariner: Ah, Mr. Stice according to the layout on the pages that we have—what will be the eastern north corner of your house...

Mr. Stice: Yeah.

Mr. Wariner: Is very close to the water. And in front of that is a quite large accumulation of rock and debris, almost impossible to negotiate. Are people going to be wandering up to your lanai to get around that place and how are you going to handle that?

Mr. Stice: Well, I never had that consideration. Because I never thought about it. I wasn't certain there was anything.

Mr. Wariner: I came out here about a month ago to look at it and there was a nice gathering over here and they've been chatting, like you said, they had a good time. And I went out as far as I could go cause I wasn't quite sure how far the house extended toward the rock pile. Cause that rock pile is treacherous. You're not going to be able to walk around it and they're not certainly going to be able to walk through it. They're going to have to come up to your house to come around this way.

Mr. Stice: Are you speaking of the pile of rocks that's on the land there?

Mr. Wariner: Yes.

Mr. Stice: Okay. Those rocks we will use in the construction of the house because our poles will be made of stone.

Mr. Wariner: Oh, okay, that makes sense. Thank you.

Chair Mardfin: Mary Ann has a question.

Ms. Kahana: My question is for you, Joselyn, who spoke earlier. I guess my concern is for us, promises has been broken.

Ms. Akoi: Yes.

Ms. Kahana: I was not here in the 90's, when um Oprah came through. My mom called me, I was in Arizona. She had shared with me that Oprah came here to purchase an aina. And her um legacy or what she pushed out to the community that she would put the aina on conservation and preservation. As of today, that aina is not registered as conservation—so that promise to me was broken for the people here. So now when you share with us, like lodging, and you showed us the meeting space, that's concerning to me. Is it going to run with the deed that we'll have longevity,

Ms. Akoi: You mean the access?

Ms. Kahana: No, I'm talking about the meeting place that you shared and the lodging...

Ms. Akoi: Oh, you mean the vacation rental...

Ms. Kahana: We all going mak`e one day, you know what I mean? We not going be here forever. So is it going to run, like how Oprah shared with us--conservation and preservation? Right now it's not the truth. And in the 90's that's what she shared in a meeting. You know.

Mr. Stice: Yes.

...(inaudible speaking)...

Ms. Akoi: This is my thought. There's a piece of property in Kipahulu that's family aina and somebody went to go argue and there's a access way specifically for this family that it came from. But then it was sold and it was sold and the new person that got it. The gate had been open cause there was an access, you know like made with this gate and first they locked the gate and then she recensed it. And then she replaced it with privacy fences. There was no way to have access for anybody accept the family and so I was wondering, is it possible to have it almost as a permit—like an easement. Is it possible to put it in that way and that cannot ever switch.

Chair Mardfin: Excuse me, excuse me. Please stop. Let's refocus. Mr. Stice, you want to answer the question?

Ms. Akoi: It's an example that Mary Ann was talking about just like Oprah's. I hear you sister, I hear you.

Chair Mardfin: Okay.

Mr. Stice: We have in the plan which is permanent, it's like putting a road through somewhere and then telling people you can't go there when it's a county road. The access is--goes with the land and no matter who buys it, it is permanent and you'd have to go through the Planning Commission or somebody else to change it, but really isn't going to change. And the thing it's doing, it's guaranteeing you folks that access for longevity. Otherwise if I don't have that and I sell it to somebody else, then that promise could go away. But the way it is written up, that is permanent on the County record and it is an easement to the property in perpetuity.

Ms. Kahana: I wasn't addressing the access. I was addressing the lodging that you shared with us. That's important to our people, especially when you have a ...(inaudible)... This is all verbal to me.

Mr. Stice: Well it's not all verbal because a lot of this is in writing. I'm not sure what you're referring to about the renting...

Mr. Crawford: Is it in writing in the application that you will provide that main house as a possible rental for local families when you're not using it.

Mr. Stice: No, it's not in writing.

Mr. Crawford: Okay, basically is it in writing that there is a meeting place that will be available for the community.

Mr. Stice: No, but the pavilion has always been there.

Mr. Crawford: Okay, so there's no new meeting place that's being planned? We're talking about existing, just to clarify exactly what we're talking about.

Mr. Stice: Yes, it's existing.

Mr. Crawford: There is an existing meeting place and your verbal promise is that you will honor that.

Mr. Stice: Yes, I have 25 years in reputation in this.

Mr. Crawford: Okay.

Chair Mardfin: I have a--I've been signaled by Jim that we ought to do a walk around.

Mr. Buika: That could also be a condition or that could be recommended as a condition from the Hana Advisory Committee.

Chair Mardfin: Okay Jim, you want to lead the walk around?

...(inaudible speaking) ...

Mr. Caires: Entire site time and no more meeting time ... (inaudible)

...(inaudible speaking)... I want to put my input in...let me say something...

Chair Mardfin: Hang on, hang on, hang on. Can this wait until we do the site. Hold on.

...(inaudible speaking)... No, and you said we could give public testimony...

Chair Mardfin: Hold on. Okay, this gentleman says he has to leave right away. I'm going to allow him to speak.

...(inaudible speaking)... Me too, I've been waiting patiently.

Mr. Medeiros: I only have a short thing to say here.

Chair Mardfin: Okay, first do you swear to tell the truth, the whole truth and nothing but the truth.

Mr. Medeiros: Yes. My name is Earle Medeiros, Jr., I am ohana to this aina, I am born and raised here. Well we did move a little while away, but out of everybody here, my family have one of the say you know because we're from this ahupua`a. And as a Hawaiian, all you Hawaiians should understand that. I'm not going to offend—I have good friends on the other side of this. Very good friends, loved ones. All I got to say is that you know I'm pono, I've fished these grounds all around here all my life, and Hamoa has always been Hamoa. Being a Hawaiian, you proud of where you come from. You protect the land, you protect the aina, you protect your people, not the other side. You do not develop, you do not go the other side, but this you know like I said I'm not here to go against anybody. I have good friends on both sides, but my position I love this land, I love this aina, I am from Hamoa and I will protect Hamoa as long as I live. Because this is my aina and this is where my family come from. And aloha to all you guys. I have to run, but love you all. I hope you all no take offense on that.

Chair Mardfin: Does Mr. Stice have any comments.

Mr. Stice: I'd like to say that we have proven I think with our attitude in this property. That we are with you. We want to preserve this place. We want to preserve the culture here and we want to make this available as much as possible to the community. We're with you. We aren't trying to stop anything...

Mr. Medeiros: I understand that Mr. Stice, but you know we're not going to where you have other houses and buildings stuck in your back yard. And you gotta understand that we are the people that live here.

Mr. Stice: Well I understand that. I perfectly understand that...

Mr. Medeiros: You gotta understand where we come from and our people.

Mr. Stice: I respect that...

Mr. Medeiros: But I love you all. Don't take offense and that's my piece.

Mr. Stice: Okay, I got it.

Mr. Medeiros: Have a good day you guys. Aloha.

Mr. Stice: Alright. Mahalo.

Ms. Blumer-Buell: Okay, I just have some questions to read--John, my husband wrote that. He's physically incapacitated, he can't be here, so I would like to read these questions for him. And personally, I'd like to say, I mean once you build something, it changes it. It changes everything—you can't deny that. But anyway...

Chair Mardfin: Do you swear to tell the truth, the whole truth and nothing but the truth.

Ms. Blumer-Buell: Yes.

Chair Mardfin: Please speak into the mike and identify yourself.

Ms. Blumer-Buell: Okay. This is from John Blumer Buell and I'm his wife and I'm reading it for him. And I'm just going to skip the introduction and go to the questions. Um first set of questions regarding possible overlap in community plan designations and that he has cited and identified in testimony by Maui County Archeologist, Janet Six. Okay, these are the questions: (1) What is the actual Stice parcel designation and surveyed location; (2) Has the Stice parcel designation of interim rural been surveyed on the ground—if so, please photograph the certified boundary stakes locations and submit a certified survey map into the record; (3) Has the joining or overlapping open space designation been surveyed—if so, please photograph the certified boundary stakes locations and submit a certified survey map into the record; (4) Has the heiau site identified by Maui County Archeologist Janet Six been surveyed and identified on a certified map; (5) Is there any document or undocumented overlap or overlaps of the Stice interim rural designation parceled—the adjoining open space says the designation parcel and the heiau site identified by Maui County Archeologist Janet Six—please document with certified survey and certified map for proof of and documentation of the heiau site could potentially impact any and all considerations and assessments of the proposed project in the current Hana community plan. And then um, I'm going to skip to an additional comment before I read the second set of questions about the water. At the June 9th meeting, Mr. Leo Caires

testified in some detail about the possible purchase of the Stice property for better community and use and purposes. Apparently Mr. Stice is willing to sell. Apparently, Maui Mayor Victorino was willing to make a reasonable offer on behalf of the citizens of Maui County. Please fully consider and support this idea as the best alternative for the subject property. If a reasonable assessment of the value of the property cannot be agreed to I suggest mediation or arbitration to solve the valuation issues. If a reasonable valuation could not be agreed to, I strongly suggest a condemnation to purchase the property in everyone's best interest. I appreciate your careful consideration. Now I'll read question 2 about the water, if I still have time. The current application by Mr. Gary Stice and Hana Beachfront Associates LLC will require potable water and consumption for possible protection: (1) What is the proposed source of water for human consumption; (2) What is the proposed source of water for fire protection; (3) What are the requirements for both; please note (4) a previous application for this or similar project proposing using ocean water for fire protection. The Maui Fire Department oppose the use in pumping salt water through their fire pumps. Further, County potable water for this project has historically been opposed by neighbors who use of the County for planned and undeveloped land...

Ms. Kim: Three minutes.

Ms. Blumer-Buell: ...(inaudible)...and unwanted. Thank you very much for your attention and I have copies.

Mr. Stice: I can try to answer some of those things.

Ms. Blumer-Buell: Well, maybe we should call John and answer to him.

Mr. Stice: Okay.

...(inaudible speaking)...

Mr. Crawford: I don't think John is here at this hearing today.

Mr. Stice: By the way, this process for the major SMA permit does not include things like septic tank, fire protection all that. That is done with the Building Department after we receive our permit. We can get denied a building permit for any of those reasons. So there's another layer, but we have an acceptable building permit in the process for rain catchment and at that time I disagree with the Fire Department because the last word I got was, the guy came out here. They drove their truck right out here and they stated and this was quite awhile ago that they have the capability of using their ocean water in

an emergency and that they were able to do that. We don't even need that because we have adequate acceptable storage for fire protection. I really don't understand why everybody's concerned about the fire protection for my property. You guys care?

...(inaudible speaking)... There's probably going to be roadblocks I think for us.

Mr. Stice: Yeah, so I think it's kind of a moot question.

Mr. Crawford: We care about it for other properties.

Mr. Stice: Oh, okay.

Mr. Crawford: As far as the requirements.

Mr. Stice: It meets the requirements.

Chair Mardfin: Any questions?

Mr. Crawford: No. I would like to followup with some of John's questions, but I think that might be better done at our next meeting or with correspondence with the Department rather than trying to address it right here at this meeting.

Mr. Stice: Okay. Good.

Chair Mardfin: Do you swear and speak quickly. You got three minutes.

Ms. Pua: I can speak really quick. Yes. I swear to tell the truth, the whole truth and nothing but the truth so help me ke aku. I'll be careful. Uncle Gary, people are worried about his word and his word is worth everything. I can tell you this, nobody else on this whole strip anywhere in Hana that opened up their aina like this. You have ko poni, you got Ohana, pui land, they won't let you guys do that for anybody. No, Uncle let's anybody and everybody in free of charge. You pay nothing. He's paid fines on behalf of other people who had baby—what you call, fundraisers for their child, he paid for their fines. You guys were in violations. He pays land taxes on this so you guys can roam freely and act bossy with him. This fella I know he's ohana to Aunty Sharon. I know and lot of people are, but if you guys really were concerned about your history and cultural significance and your ohana land and all these you know we have to take the community input in, why didn't you guys step up when his ohana sold the land to Uncle? His ohana...

Mr. Caires: They're illiterate.

Ms. Pua: But why didn't you guys illiterate him, like give him some literacy. Why didn't you talk to him and help him.

Chair Mardfin: Keep it down.

Ms. Pua: Well I'm telling him because it applies. You're the one who told me that then it applies and I'm looking at Ward. So if his family had a problem about that, they should have gathered and made a big hui like this and say hey, you illiterate, you can't be selling the land, go enjoy your bottle of wine, and apparently they did. And these guys could try to step up and fight that cause here. No they wait until Uncle Gary, he's such a humble, timid guy, soulful, and he's on the money. He covered everything in here or you guys are just advisors. I know you guys are going to the advisory and say, no we care about your house and we care about you burning it so you need to have enough water, but it's really just another roadblock so you can be in violation of something to prevent him from doing this. I see Uncle's beauty it shines for me, decades of it. You guys going say, oh I don't believe, I don't believe. Well what did you guys see? Nobody got denied access. Everybody has free parties and always makes it available for everybody all the time. I know that because Uncle gave me three years for free, along with numerous--hundreds and even a lot of people in this crowd here, even those that are grumbling have benefited from the use of this--benefited. His kindness, his addition of allowing access in his title. I mean, you're not going to find that with Oprah. You guys buy lots up there... (inaudible)...

...(inaudible speaking)...

Ms. Pua: But this is my aloha. Well they can speak on my behalf with their three minutes. You know Uncle and Aunty – we appreciate them, they're real and appreciate that.

Randy: But they going put one building up.

Chair Mardfin: Randy, hold up. It's her turn to talk.

Ms. Pua: Yeah, well I'm just saying like people—I don't care. Like Uncle, I feel bad that people don't want to see a big thing. They're just envious because...

...(inaudible speaking)...

Ms. Pua: And any other ohana, I can tell you straight up, any other family that took control of this place, I promise you Ward, we wouldn't be able to have open parties, we wouldn't have families coming here for their reunions and stuff. Because one of the families that

are incorporated in that hui that owned it would be like, no we going put up fence, no, no we going have our thing. You know it's like it will have fences and will be up this entire time. He just with open arms and say come on in, your welcome. So if anybody has a question as to his word and if his word is valuable, and you guys are questioning it, wow look at the two decades prior to reflect--him and Auntie with nothing, with no expectation of nothing. And everybody's like slamming them. I feel bad. They're like--everybody is taking every opportunity to try to stop him because I think it's weak, I think it's really weak. And that's why I'm trying to make it a point because what you're doing is advisory. It's not something like, oh we advise you that they don't do it. Oh you can. As long as you stick to the plans, stick to what you're granted, you can move forward. Or you can be ignorant and say I don't want to talk to you guys—I'm just going to do it anyways. But he is so kind, he's so nice to me. All this time all this effort to hear everybody's story and give a response. Where's Oprah, where's Oprah?... (inaudible)...

...(inaudible speaking)...

Chair Mardfin: Three minutes, three minutes is up. Okay, Gary, do you have any comments.

Ms. Esmeralda: What is your name?

Ms. Pua: I'm sorry, Fushia Pua.

Mr. Stice: Fushia was saying all of that and I didn't put her up to it.

Ms. Pua: No, he doesn't. He never put me up to it. I met Uncle Gary over ten years ago.

Chair Mardfin: Does anybody have any questions.

Mr. Crawford: Yeah, thank you for your testimony. I have enjoyed overnights here and I appreciate his generosity, I've taken advantage of it, and I recognize that.

Ms. Pua: Thank you for saying that.

Mr. Crawford: And other events. The question I have for you is um, Uncle Gary has expressed his willingness to sell the land to the County or some nonprofit entity if a deal could be worked out to make it a public space so they could continue to be used in the future...

Ms. Pua: Maybe.

Mr. Crawford: I would just like to ask you if the County and the funding and he agreed to that, is that something you would support.

Ms. Pua: If they gave him fair market, hell yeah.

Mr. Crawford: I mean if he agreed to—if he agreed to it.

Ms. Pua: ...(inaudible)...It's only worth you know...

Mr. Crawford: Okay, but I'm saying if he agreed to it and it would only happen if he agreed to it. If he agreed to it, would you support that.

Ms. Pua: Yes, I would support that.

Mr. Crawford: And would you commit to continue to be involved in taking care of the place and making it a good place for the community ...

Ms. Pua: Always, always. You're asking silly questions.

Mr. Crawford: Even if it was owned by the County...

Ms. Pua: Why are you asking a silly question.

Mr. Crawford: I'm just letting you know for the record.

Ms. Pua: I would be using it the same way.

Ms. Kahaleuahi: Can I ask something? Would you support Uncle Gary's decisions in whatever he makes.

Ms. Pua: Yeah. I do. Because if you ask me, I support Uncle and whatever he does and what he's trying to do. He waited patiently, he went through every avenue, he made his proposal before. And he could have bulldozed through everybody and say forget all you guys, I'm going to do this. But he had courtesy and he had humility and decided to take into account everybody's thoughts. Even if they try to attack him because I see some people they turn out really ugly. So I'm like when I see Uncle, I'm like Aunty and Uncle are so sweet and I see everybody's intent. It's like they cluster and say, oh how about we do this, or maybe the trenches. I heard they say the trenches were already at the closest it would go for his water. What did he say, well if we can get whatever ground

technology. It's like who's going to pay for this? He already got the green light. What they trying to get him to do is discourage him so he would say I won't do it. But all these years he's provided it for us, he waited patiently, I think we should give him this. Everybody else bought their home. Look at Kalani English. I'm only saying that about him, okay but ...

...(inaudible speaking)...

Chair Mardfin: Does anybody have any more questions? Hang on. Lipoa, do you have a question?

Ms. Kahaleuahi: No.

Chair Mardfin: Dean, any questions? Mary Ann?

Mr. Furukawa: I got a question.

Ms. Pua: Chair, he got a question.

Chair Mardfin: Yeah, public doesn't get to ask. It's only members of the Committee.

Mr. Furukawa: I thought everybody gets to ask questions.

Chair Mardfin: No.

Ms. Pua: Yeah

Chair Mardfin: No, you don't get to ask questions of each other.

Mr. Furukawa: I just got a question about her testimony.

Ms. Pua: Yes.

...(inaudible speaking)... huli huli chicken

Chair Mardfin: That's not appropriate to ask at this time. I'm going to give...

Mr. Furukawa: No, I got a question.

Chair Mardfin: I was cutting her off for the same thing. She was trying to ask questions

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earlier and I didn't let her do it.

...(inaudible speaking)... I think Ty should have a word.

Chair Mardfin: Go on the side and ask if you guys want.

Mr. Furukawa: I wanted to ask a question pertaining to what she spoke about a while ago

Mr. Crawford: What question did you want to ask?

Chair Mardfin: That's the way to do it, tell him. He can ask the question.

Mr. Furukawa: So, what I wanted to ask was, he said if he'd support that if the County would take over...

Ms. Pua: Yeah, I would help.

Mr. Furukawa: You know but you think you'd still have your open ... signs. They're still going to come down here and ... it's going to change, right?

Ms. Pua: Yeah, of course. I would support is--I would support Uncle Gary's decisions if he decided to sell. That's what I mean. No I cannot say, no Uncle Gary please don't sell.

Mr. Crawford: I have one more question. As we're walking this ground, I notice I'm looking on the map, I noted that the outline over there is in the location where the tents with the luaus.

Ms. Pua: The tents were from here all the way there. We had to walk all around.

Mr. Crawford: Sometimes the tents were near the stake where the house would be.

Ms. Pua: Yeah, and?

Mr. Crawford: So just to recognize that having a house there will affect...

Ms. Pua: Yeah, but not if it's high up where everybody can use underneath. Poo, poo, poo.

...(inaudible speaking)...

Ms. Pua: He should say f everybody, get off my land and nobody going to be able to walk over here.

Chair Mardfin: Scott, Scott, Scott.

...(inaudible speaking)...

Chair Mardfin: Hold on. This is getting out of control.

...(inaudible speaking)... No it's not. We're talking. You can sit down then.

...(inaudible speaking)... He's the Chair.

...(inaudible speaking)... You can sit down then.

Ms. Six: We were able to get our answer. Sorry.

Chair Mardfin: Um, Jim.

Ms. Six: We were questioning and Andrew already asked. Mr. Stice, we were asking why the porta potties are so close to the burial.

Mr. Stice: Okay.

Ms. Six: And the way the buffer as it may seem to be right up against the buffer. So that's the only question we had.

Mr. Stice: Okay. That is not intended to happen. On every Wednesday, the porta pottie guys come down and maintain the porta potties we have over here. When there's special events we order more porta potties, which when they came on this last Wednesday, nobody was around, so the guys were new, they dumped it in the wrong place.

Ms. Six: Okay.

Mr. Stice: They're coming back again for their Wednesday service, they're going to take them out of there and they'll be gone until somebody else loads them for the next return.

Chair Mardfin: Does that answer your question?

Ms. Six: Yeah, that was our question because we were just looking at the buffer zone and was wondering.

Mr. Stice: Yeah, that was an accident. Really.

Ms. Six: Yeah, so yeah and I've never seen them there before. So Andrew and I was just making sure. Got it. Thank you for explaining that. Thank you everybody, we're going to take off.

Mr. Buika: Thank you.

Chair Mardfin: Thank you for your help. Russell, do you want to give testimony?

Mr. Buika: Are the porta potties for free, Gary?

Ms. Stice: No.

Mr. Stice: Actually the porta potties have a charge.

Chair Mardfin: Guys, we're trying to get some stuff done. I'm recognizing Russell to give his three minutes. Russell, do you promise to tell the truth, the whole truth and nothing but the truth.

Mr. Kahookele: So help me God, Ward, I do.

Chair Mardfin: Please state your name and...

Mr. Kahookele: My name is Russell Kahookele and I'm the elected representative for the green state of the lawful kingdom of Hawaii. I don't know, all of you guys here are State agencies or County agencies. You guys trying to do a job to protect this land, protect our culture, protect our cultural rights. I agree with Uncle guys, our access to the ocean should always be open. Gary never did deny anybody. He always allowed everybody. So regards these porta potties over here, I was in the Mainland cause my brother-in-law passed away. We just had a wedding and a revival over here that Uncle Gary supported. That he didn't even know he was supporting because everybody comes through me. He tells them to ask me to use our pavilion that he built for us, for our community and for the use of his land. Now the Mynar family had asked me to not put the toilets over here because it's disrespectful and I told them I would, but I wasn't here to tell the family when they came and did their things. So I apologize to all of you guys. But in regards to that, I go to the Makawao Cemetery, go to the Haiku Cemetery, I go to the Haiku Community

Park and there's porta potties everywhere. Okay? Now when we first took over this land down here in 2008, we built the ahupua`a of this land. What's happening out there is the territory state unlawful as a government under me as a representative. So I'm responsible for all of that. Right? I met Gary Stice and he told me that he wants to help our community. He said what can I do. I said build me a pavilion and he did out of his own expense. We had several nonprofits come into Hana community, not only Hana Arts, Sustain Hana but several others come and use this pavilion under our authority. They brought in um, John Deleery and he did educational classes, to teach about drum making, part of our culture, so that we can teach our kids not only what they missed out as part of our culture, but how to take that art of making that pahu one drum and then selling it. Because we capitalist, we never create this capitalist system, but it is here, capitalism is here. All of us. A lot of you guys here, some of you are getting paid. Most of us here is either we're passionate about the concern what's going on or not. But a lot of you, archeologists and all, wouldn't be doing their job if you wasn't even getting paid. Like if this place went to the County, look at all the County parks and everything, how much public access we had, how much activities we had. Nothing due to the Covid—all shut down. If wasn't for Gary, respect for me in our ohana community, none of these parties would have been happening over here. And I apologize for Gary and Aunty because it was the Matsuda family that did a fundraiser for a baby and he got hit with one \$6000 fine for parking cars out there, on what the State of Hawaii consider their land. When they admitted to participating one illegal act in stealing our lands from all of us Hawaiians and we sit over here and we attack one good man who's trying to help our community. He not only wants to give back to the culture, he wants to help us guys reconnect to our values, our kids running around smoking ice, smoking crack and whatever...

Ms. Kim: Three minutes.

Mr. Kahookele: Totally lost. He never once tell anybody they cannot go over here go access when the boat when break out there, on the Mynar family fishpond land, he when allow them for access through here for remove their boat. Never charge nobody nothing. He kept giving and giving and giving and I believe even though there's nothing in writing, he's going to give more back to our community because he was talking about restoring the fishpond; he talk to Aunty Eko guys, he talk to the Mynar family – no they don't want to restore the fishpond. That's giving back to our community. That's giving back. If the ships don't come and we no more food, we get fishponds that we can give back. We can teach our kids on the spawning cycles of the fish. A lot of them don't even know. I've watched Hawaiians go catch crab and come back with the crab...

Chair Mardfin: Times up.

Mr. Kahookele: Excuse me, Ward. E kala mai. I'm going to wrap this up real fast.

Chair Mardfin: Good.

Mr. Kahookele: They come here with crabs and get babies and they take em home. Now that's no more, all gone. Or, they go catch fish—all cut open, get babies and that's because we don't even know our own culture and our own spawning cycles and whatever what. Not all of us.

Randy: Some of us can.

Mr. Kahookele: Yeah, you do Uncle, but not all of our kids can.

Randy: I'm a fisherman and a crabber.

Chair Mardfin: Randy.

Mr. Kahookele: Not all of our kids can fish, Uncle.

Chair Mardfin: Randy, Randy.

Mr. Kahookele: He wants to give back. How much more other people out here are giving back.

Randy: Good great, I admit that. What Gary did for you is great. But what he going do over here, I disagree.

Mr. Kahookele: Well he's doing for everybody.

Randy: Because he still going use the place...

Mr. Kahookele: Thank you for giving me the time.

Chair Mardfin: That's your testimony? Gary—Mr. Stice do you have any questions for this testifier.

Mr. Stice: No, I just want to thank him for giving that history.

Chair Mardfin: Do any of the Committee Members have any questions.

Mr. Kahookele: The last thing I like say is that before this place got cleaned up, lot of fishermen would come over here and come camp and go home with fish and they shit on the ground. We came and cleaned up toilet paper, so that is disrespectful. Putting in porta potties is not.

Chair Mardfin: Scott.

Mr. Crawford: One question for Russell. Thank you for your testimony and um, I think I tried to ask you this question at the last meeting and then the internet got interrupted and I wasn't able to ask you so, um same question as I asked Fushia basically but a little bit different, is um if something was able to be worked out where the land—where Mr. Stice was willing to sell the land through money that was raised through whatever means either to the County or to some kind of a nonprofit organization or to some kind of other entity that could manage the land with the condition that it continue to be open for community access and use, would that be something that you would support.

Mr. Kahookele: You know something Scott, that's hypothetical and I cannot participate in hypothetical because it's too much innuendos out there. When does the County allows to do anything without signing papers.

Mr. Crawford: Well...

Mr. Kahookele: How much people come to this property and sign a warranty or waiver to Gary Stice.

Mr. Crawford: It could not be owned by the County; it could be owned by another entity.

Mr. Kahookele: Personally, if it's going to go to any other entity, I'd love to see it go to the reinstated lawful of the kingdom of Hawaii.

Ms. Pua: I second that.

Mr. Crawford: Would you support that if the money could be raised and he was willing to sell it to you to some entity that you see ...

Mr. Kahookele: You know what the problem with that Scott? You know what I see? Is who going pay the property taxes? Yeah, who going pay the property taxes. Oh, one month with no property taxes, who going take em away. And who is the State of Hawaii is for taking it away from us anyway? Okay they're the illegal entity because they admitted to stealing our country?

Mr. Crawford: That's a small problem. I mean I agree with you on all that.

Chair Mardfin: Okay, we're getting ready to wrap this up. We do have to do—walk the property and I'd like, but Leo's been waiting very patiently.

Ms. Atay Caires: I'd like to say something too. I'm a lenial descendent...

Chair Mardfin: Wait, do you swear to tell the truth, the whole truth and nothing but the truth?

Ms. Atay Caires: I do.

Chair Mardfin: State your name.

Ms. Atay Caires: My name is Patricia Atay Caires. I was born here in Hana. I'm part owner of the Loko. And I've been listening to everybody talk and it really hurts to see everybody bickering at each other and it's shameful for some people to say what they say about my family. I was little when this land was with my mom's family. So I had no clue that they were selling it. So if I had known and I was old enough to understand that, I would with my sisters and brothers put a stop to that. But now it is done, so now what I am looking forward with my grandchildren, my son. He's my spokesperson for this thing that's going on. I would like for this land to stay how it is. No building because it'll change everything around here. Now, just jumping here and there, those potties BS, sitting over here for months. Nobody did anything. Sharon Mynar, my sister, she probably said something. Nothing was done. So now I come today and I see two of those over there, BS...

Ms. Pua: Graduation season.

Ms. Atay Caires: I don't care. I'm making a comment over here, now you guys need to be quiet.

Ms. Pua: Okay.

Ms. Atay Caires: Anyway--something disrespectful, yeah.

...(inaudible speaking)...

Ms. Atay Caires: But anyway, what I'm saying is that I can see first of all the porta potty lie—see that's a lie already. What other things is this man going to be lying about. Sure, put up the building, sure. You said you going to use it as a vacation—not a vacation rental, so yeah vision, you going let people come in, stay and pay. Is that not a vacation rental? So yeah, maybe I'm stupid, I'm just smarting. That's why my son teaching me these things. But I don't want to see this. Yeah, you can try and build, but I want this to stay cultural, I want this to stay the way it is, I—we camped down here—we camped right there. We hear music 1, 2:00 in the morning, we hear trucks zooming by us, we have to move our vehicle because people party, they decide they want to go out this way. And I want to share something interesting with you. I don't know who believes in the Hawaiian people coming back. My husband came with me. He slept on the back of his truck.

Ms. Pua: Because your family sold the land.

...(inaudible speaking)...

Chair Mardfin: Please stop.

Ms. Atay Caires: He slept on the back of the truck. I'm telling you the God's truth and he shared with this with my family and me in the morning. Some spirit, who knows, from this...

Ms. Kim: Three minutes.

Ms. Atay Caires: Gravesite came and woke him up. He was not scared. He was like, oh my God, the truck was shaking. Somebody came and tapped me on my shoulder. There was nobody there.

...(inaudible speaking)... That's Hana for you.

Ms. Atay Caires: That's right, that's Hana for you and that's Haneoo for you. I'm used to that. I have been through that in my life.

Chair Mardfin: Mr. Stice, do you have any questions for this testifier?

Mr. Stice: No.

Ms. Atay Caires: So I'm just sharing, I'm just sharing what I know. So I'm against this whatever you guys want to do. I'm totally against that.

Chair Mardfin: Scott, Mary Ann questions?

Ms. Atay Caires: That's all I have to say.

Chair Mardfin: Leo, go ahead. Wait. Do you swear to tell the truth, the whole truth and nothing but the truth.

Mr. Caires: Yes sir.

Chair Mardfin: And would you please speak in the mic and identify yourself.

Mr. Caires: Oh ah, I'm Leo Caires from Maui. Okay. I'm going to let the mana just speak at this place. I'm just going to let the mana work. That's all you gotta do. My biggest concerns are the septic tank, the leach fields gonna go in the ground water and contaminate the pond. This is a 200 year plus fight. I'm not here for just ten years fighting Mr. Stice. This is to create a better future for this place, for this child's great grandchildren. The system, the system, the system wants me to fight against my fellow kanaka maoli in public and I refuse to do that. That's the system. The applicant said money is not important to him but money was offered him for this land and he did not accept it. Capitalism in his eyes is the aumakua of this person. The moolelo of this place if some of us do not know is there was a fisherman named Kuula and his child Aiai were fishermen here. And there was a wise man who came into Maui and he told a lie to the Chief of Hana and the people of Hana that knew that Chief came down and wanted to burn the house from the family here. And it was a difficult time for the people of Hana. Because a wise man came in who said he thinks he knows what's the best way forward here. Was through a lie. And it pitted the people in this place against each other. That is the moolelo of this place. To remember that there are going to be forces that are going to come in here and try to separate all the people of this fishing village. And I have a vision, a better vision for this land that can do all the things that my fellow kanaka maoli and others who desire to practice, to do education can be done and we do not need to rely on some other body to give that to us. There is an opportunity here. There is an opportunity to acquire this property. We're in this little political situation here. This project is being rushed through because if you can't convince the Hawaiians, you gotta confuse em into not doing anything about it. That's the game that has hurt this Hana Moku. That's what has hurt the people and not let these forces come in and pit ourselves against each other. That's all I got to say.

Ms. Kim: Three minutes.

Chair Mardfin: Mr. Stice, do you have any questions to ask this testifier.

Mr. Stice: No, I'm not going to comment.

Chair Mardfin: Are there any Committee Members with questions?

Mr. Furukawa: Yeah, I want to testify too.

Ms. Pua: He's asking questions now.

Chair Mardfin: No, not if there are no questions.

Mr. Crawford: Well. We're finished.

Chair Mardfin: You want to speak?

Mr. Furukawa: Yeah.

Chair Mardfin: Come forward. Do you promise to tell the truth, the whole truth and nothing but the truth.

Mr. Furukawa: Yeah.

Chair Mardfin: Please speak your name and talk into this mic.

Mr. Furukawa: My name is Ty Furukawa. I'd like to um to just testify that Uncle Gary has been so generous this whole time and I know—I believe that if this did not approve this building project and if you guys are going to condemn this land to have no buildings on it, first of all I think that's wrong because this land has been historically lived on for hundreds of years. And only recently there was a tsunami and now nobody's living here. I know it's going to change it when the house comes back, but this place was meant to live on. You know it was meant to live on and I believe—you know with the septic system they put in, it's not going to affect the ocean you know that much. It will actually help because the more people are pooping all over like they used to be. And thank goodness they do have these porta potties here because if not, there'd be poop all around the graves and all around this whole area, I promise. Especially with the pandemic. There was no toilet in this whole area. Only huli huli chicken had a toilet back then. Thank goodness for that. There'd be poop all over the graves and all over the place. And Hana as a community, we have an opportunity right now. Gary is not young, I mean he's a strong old man, but we have an opportunity with him. He's given this opportunity. If not, it could be Oprah, it could be somebody else, it could be the County. There's going to be a wall put up here.

They'll let you through but you know we all have to sign waivers everytime we want to go fishing. It's going to be so fun everytime you want to check the ocean and go fishing, you have to sign a waiver first and all that.

Randy: You know I just go around the shoreline. I have that right.

Mr. Furukawa: Yeah, yeah, we all have that right unless the County takes over, they have the right to put the wall and you know it's just not going to be the same. But right now we have an opportunity. I know everybody has their feelings but really I want to thank everybody for coming out you know. Cause all of us are here because we want to malama aina, we care about this aina. I respect that in everyone of us here. You know everybody here is talking about trying to fight for the land you know. So I respect that in everybody, but I just want to remind everybody. Gary is not giving this opportunity forever you know and who knows who's going to come next. And we're not going to be able to have a luau. We cannot. There's no other place. Hana Bay you gotta leave at 9 p.m. or was 10 or whatever it is. Here, yeah they do party on till late, sorry you got kept up. But you know we have our graduation parties and we don't have any place in Hana. We're poor over here. Thank God for Uncle Gary. If not all this ah graduation parties, weddings, ah church ceremonies and all these things. We don't have anyplace. We are poor people over here. So this is what we have here. This all we have you know. And Gary has been so generous with us and you know, no one here signed a waiver for come over this wall. He's not like he's you know like Oprah or other places. You know he's a real generous. Yeah there's uncertainties for the future and it won't last forever, but I think it's worth taking a chance and not ...

Ms. Kim: Three minutes.

Mr. Furukawa: Condemning this land because this land was meant to live on. There was people living here for thousands of years and it should continue that way. We shouldn't condemn Hana. There used to be hundreds of thousands of people here, way more than now. And we have to get used to that. I know it's hard the development coming in but these lands were made to live in, they're fertile, they're made to you know support people and people in Hana we have a hard time. There's no housing. There is no housing. There's 3, 4 generations of people living in one house here so...

Chair Mardfin: Can you wrap it up.

Mr. Furukawa: You gotta give this a chance. That's it. Thank you.

Chair Mardfin: Mr. Stice, do you have a question for him.

Mr. Stice: Yeah. I just want to respond what he said about the septic system. The septic system we're putting in is approved by the State of Hawaii. It really isn't that disheveled process, it was decided by the Health Department after we get a SMA. They won't even approve anything until we get a building permit. So that's one thing. It's really not within the confines of this Commission to act on the type of septic system. But I also want to add my house down here on Haneoo Road, I put a cesspool in, it goes to ground water. You can swim out there in the fishpond, you feel the cold water coming down. That is all coming right across from those cesspools. The pollution from my up-to-date treated septic system is going to be minimal. We have aerobic, we have UV, all the pathogens are taken out and we even have a nitrogen filter. The stuff going into the fishpond now is raw sewage from all those houses and it goes directly downhill into that pond. Our septic tank and our leach field is not going to run lateral to the pond. It's going to run straight down into the ocean. And I also want to point out that nutrients can provide productivity in the pond and it may possibly be in all those cesspools coming into the pond all these years have promoted productivity of that pond. There's no noticeable pollution there. So we're not going to make it any worse. We are not going to pack that.

Chair Mardfin: Do any of the Committee Members have questions.

Mr. Caires: That's not true, Kanaha Pond right next to the waste water treatment plant. Nitrogen goes in destroys all the old fishponds in Kanaha.

Mr. Stice: Right. That's not here.

Mr. Caires: The water's green.

Mr. Stice: It's not here.

Mr. Caires: Pollutants that you're going to send into the ground water, Gary.

Mr. Stice: Loko Nui Fishpond.

Mr. Caires: It's not Loko Nui, Hokuula Fishpond.

Mr. Stice: Listen.

Chair Mardfin: You had your chance.

Mr. Caires: Sorry.

Mr. Stice: Fish aggregate to sewage treatment plant neighborhood. It increases productivity and that's been proven.

Chair Mardfin: You got your three minutes.

Mr. Medeiros: Yeah, Okay I got my three minutes. I like you look at this first.

Chair Mardfin: Do you swear to tell the truth, the whole truth and nothing but the truth.

Mr. Medeiros: Yep I do. Okay, look the two pages on here. I going pass em around.

Chair Mardfin: You need to introduce yourself.

Mr. Medeiros: Yeah, I'm Earle Medeiros and I'm a resident of Haneoo.

Mr. Crawford: Did you swear him in?

Mr. Medeiros: You look the dates on there. That's my father right here.

Mr. Crawford: Ward, you want to swear him in?

Mr. Medeiros: And you know where he stay?

Chair Mardfin: He said yeah.

Mr. Medeiros: You know where my father stay? Look right here. He stay right here. Look at the island. 1972 this picture was taken. You guys tell no more fish over here. I come with my father every damn time, okay? There's an abundance of fish over here. Me as one young boy, I open all the fish he catch. You know, you was around boy and my dad wasn't living. Pass the picture around I like the guys see. You know and the unique part about it, is the second picture. Okay, this a funny story. I go Uncle Andrew house. I go talk to him. So I stay sitting down talking to him. The first picture, my brother when send me Honolulu. He when tell me, eh Earle, your father in the paper. I go look, oh he sent me the picture. Alright, so I go Uncle Andrew's house I stay talking to him and we talking story, whatever, talking old days, new days, whatever. Eh, I fish with him over here, I dive with him over here. First time I dive scuba outside this island over here 125 feet. You know you talk to Dr. Greig, we all was together. And so no tell me no more fish out here. Russell, you gotta know that, over here is choke with fish. Half of Hana eat from here.

Chair Mardfin: You're giving testimony. You're not asking questions.

Mr. Medeiros: Yeah, half of Hana eat from over here. You know what I mean. So what I saying is okay anyway I go his house. I look on the icebox, he went inside he had to go get something. He coming out, I look on the icebox, I look over there, eh Uncle Andrew, who that on your icebox? He tell me that's your father. I tell him, how you when get this? Tony Kalama when give me this picture. Right there that picture over there, that picture that you guys passing around. 48 years later, you know what he would say, no bother with you guys with this project. No fucking way you guys going build over here. No way. You know like I said yeah in my statement the last one, I said whoever come my house as long as I have then maybe you going understand where I'm coming from. I'm one Hawaiian and I one Hawaiian. I when grow up one Hawaiian man. If you know my father, my father Hawaiian. All blow them--Lono's, they all know him very well. All Hilo them, along all the fishermen that from here, they know him very well. So I just like you guys know that you guys coming in here, eh guys offering you guys money, if you guys care about the community so much, then give it to the community. If you guys care about the community so much, they can work things out and still can have parties over here and still can have and without the house. Without the house, eh us Hawaiians losing everything. We standing up for what we get. You may laugh but it's not funny. All over Kauai, where you get houses, I know Christian Mosten over there, yeah. Tahiti Nui, he own Tahiti Nui. He telling me the same problem over there happening because guys coming in and doing this. And if we don't—you guys pull wool over our eyes all the time. I hate to say it but like my brother said, you know give em fine. Come in, make uncomfortable. Guys no like go down fishing. I've had guys approach me. I no care what anybody tell you. But I tell you that's what they do. And all this coastline is locked up. All the kind places we used to go together is locked up. They build fences, they build, and they make you feel uncomfortable. You know, and that's the bottom line of it. You know what I mean and we no like this happen here. Him and the County or whatever is saying, they'll offer you money and we can do the same thing here without the houses. Yeah by age, I live here all my life, yeah. Well, come my house as long as I have and wear my shoes as long as I have, then maybe you guys understand where I coming from. I'm from over here and I was born and raised over here. You know and I still here. Even though I die my kids, my generations will live here. But this kind stuff going screw us, going wipe out all along our coastline all these kind things coming up. Oh, oh, we've lived long enough to see what has happened over the years.

Ms. Kim: Three minutes.

Chair Mardfin: Thank you, Earle.

Mr. Medeiros: Okay. Thank you.

Chair Mardfin: Mr. Stice do you have any questions?

Mr. Stice: I don't have any comments.

Chair Mardfin: Do any Committee Members?

Ms. Kahaleuahi: I have a question for Mr. Stice as a followup.

Chair Mardfin: Go ahead.

Ms. Kahaleuahi: I mean it seems there's a resounding um disapproval of development is mainly from the opposing side. Would you—I mean and there's obviously already been um recommendations and support of other entities—you being open to other entities purchasing the land. Would you be—would you consider continuing not to develop.

Mr. Stice: We had this out on the table for ten years. I was asked in a meeting would I be willing to entertain something from the County. We made—we signed some kind of form, we sent it to the County and I remember Bob Carroll was just finishing off. He was ecstatic, oh yeah we gonna settle and then we changed Mayors. And we sent that in and we have not received any response. They are not interested. I really believe that the Mayor and that administration really is not planning to do anything to try to get some sort of solution for the property. It's open, but nothing there.

Ms. Kahaleuahi: Thank you. That wasn't my question, but thank you. And I know I said a few things but I guess my simple question is would you entertain not developing.

Mr. Stice: I've said that for ten years.

Ms. Stice: What did you ask? If you entertain what?

Ms. Kahaleuahi: Would you entertain not developing since that is the issue that...

Mr. Stice: Oh, you mean if we didn't get our—in effect our land condemned. Well, yeah, I've said that. I've said we'd be open to—we've gone to different conservation groups and asked them and get no positive response.

Ms. Kahaleuahi: But that's for selling. Selling your land.

Mr. Stice: Well what are you asking me then?

Ms. Kahaleuahi: Would you entertain not developing at all.

Mr. Stice: And just sit and hold the whole property. Would you be willing to do that?

Ms. Kahaleuahi: There are other ways that could be entertained to pay certain things like property taxes if that was decided. To pay for porta potties.

Mr. Stice: Well, we have a hui here, it's not just my wife and I. And we have other people who you know have been involved in this property for ...

Ms. Stice: 20 years.

Mr. Stice: 25 years. And that's not--I can't cover them. No, there has to be a fair compensation and I think anyone of you would want that as well.

Ms. Kahaleuahi: Can you state for the record how many other people are within this hui with you? Approximately or...

Mr. Stice: Well, there's about six. Well it's complicated but say about half a dozen.

Mr. Crawford: With that you mean co-owners? They have an ownership interest?

Ms. Stice: Yes, it's Hamoa Beachfront Properties LLC.

Mr. Stice: Yes, it's an LLC partnership.

Ms. Stice: There's 8.

Ms. Kalalau: I have something that came to my attention. My name is Lisa Kalalau, my husband is lineal descendant from this area. My father-in-law was best friends with this guy. I love everybody. I understand both sides, but four of the people on the Hana Advisory Council are on Ke Ao Hali'i who buy the property. Is that not a conflict of interest. Just say, just say I want to bring that up.

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Chair Mardfin: It isn't for me. And I was an alternate on the Board and I'm involved with it, but I don't view it as a conflict because it's two separate things. Because I was on the Maui Planning Commission ten years ago. And the Ke Ao Hali'i has only been in existence about three or four years.

Ms. Kalalau: I just wanted to bring it out in the open so everybody knows.

Ms. Kahaleuahi: And Aunty Lisa, last time on the record we did ask that question, not pertaining to Ke Ao Hali'i, so that's why I'm just saying we did ask, not pertaining to Ke Ao Hali'i, but a question was asked regarding making disclosures in areas mainly pertaining to um, there was written into a couple of letters of certain organizations that sit on our Board and learn their organizations names were listed in support letters. And so we did note that in the last meeting and they said there needed to be a financial interest for it to be a conflict of interest.

Mr. Crawford: And Ke Ao Hali'i has taken no official position as far as this project is concerned as an organization.

Ms. Kalalau: Okay, thank you for answering this question.

Chair Mardfin: I have no financial interest either in Ke Ao Hali'i nor the Hana Advisory Committee to the Maui Planning Commission.

Ms. Kalalau: I have one more question--rebuilding the fishpond. That would really help the community.

Mr. Caires: Oh yeah, we would love to do that. That's part of kua. And I've been going Molokai and other family fishponds that are owned by the state. I've been building ponds with families and they want to come here and look at the opportunity.

Ms. Kalalau: Well my husband wanted to do that.

Mr. Caires: Awesome.

Ms. Kalalau: When in retirement but he cannot come today, but that was one of his wish.

Mr. Caires: We can bring pictures.

Chair Mardfin: We're going to have our last public speaker and then we're going to walk the property. Mavis, do you swear to tell the truth, the whole truth and nothing but the truth.

Ms. Oliveira-Medeiros: Haoli, do you want to say something? She's saying I'm the last.

Ms. Hennox: I was going to ask if I could testify because I have a question ...

Chair Mardfin: Okay, you may testify.

Ms. Hennox: Okay.

Chair Mardfin: Do you swear to tell the truth, the whole truth and nothing but the truth.

Ms. Hennox: I do, I do. My name is Mary Hennox. I'm the neighbor of the first Makalii. I've been coming here a lot. I came here today and I would like this question answered, so don't want my three minutes to run out. So I'm going to ask the question now and then just put in a couple of things that I've observed. The question is what caught my attention is it said there was some kind of variance or SMA issue for this property that they were looking to have granted? So I wanted to ask if that was true or not and if so, what it is. And then just my own observance from everything today that people said and the architecture—the archeologist talking and stuff and the cultural aspect. And I can see that you guys are lovely people and I appreciate cause I like to come too—come here at night, sometimes on the full moon and hike. Anyway, it's just seems that the real issue is kind of related to the cultural is, if it forever alters the aina and the view plane and the property and I'm just one haole, but I've been on Maui over five decades so I'm not going anywhere. I'm a part of this. And so over the years, I grew up in Makena area and I've seen what's happened there and that's one of the—we would come out here camping all the time, and I'm like, oh we need to get away from that. So I just—I think that the win-win would be to promise them in some way and have control so it is still for the people. And I think the altering of the view plane is intrinsic to the cultural thing here. It will forever alter the space. If you put a home, I think what you're doing to the community is great, but putting a home, this is really what got me to come down here. It's like no and I'm not sure why you guys would want to do it.

Ms. Stice: But I mean originally there were two homes here, you know that.

Mr. Stice: We're only replacing two homes.

Ms. Hennox: Yeah.

Mr. Stice: And I might also mention, is the view plane, when we got this property, you couldn't see anything. There was trash all the way across. There was parts of cars, refrigerators, and it was a mess. And talk about pollution into the ocean, what do you think that was putting in there. We cleaned all of that up and all of a sudden, wow, there's a view plane, now that means something. Where was all the concern about cleaning all of this up and all the you know, malama aina. It wasn't there. Nobody cared. Picked up toilet paper, hypodermic needles, people camping there; it was a mess. And that's what'll happen if you don't keep the property up. Because we have done this for 45 years because we respect this property. But the owners before that did not. It was a mess. Thank you.

Ms. Kim: Three minutes (in error).

Ms. Hennox: So there is no variance being requested?

Mr. Stice: No, no I don't know what you're referring to. I know nothing about that.

Chair Mardfin: Do you want to speak to that?

Mr. Buika: So Jim Buika, with the County of Maui. A variance is an exception to the existing law, right? So it would be to do something that is illegal. So there is no variance associated with this project. This project has attempted to mitigate all of the special management area criteria which are environmentally and culturally oriented going into the report. So there's no variance whatsoever.

Ms. Hennox: Thank you all and thank you Mavis.

Chair Mardfin: Mavis is our absolutely last testifier and then we walk the property. Mavis go ahead.

Ms. Oliveira-Medeiros: Okay. I do—are you going to give me that...

Chair Mardfin: Do you swear to tell the truth, the whole truth and nothing but the truth.

Ms. Oliveira-Medeiros: Yes.

Chair Mardfin: And state your name.

Ms. Oliveira-Medeiros: My name is Mavis Oliveira-Medeiros. Um, I've lived here since marrying Earle, just 40 years we made this year and I just wanted to say that um not everybody here except maybe Haoli and Lipoa can say how high the water comes up over here. I don't know if anybody else here sees that. There was one Thanksgiving, it came right across the road over there, all the way across. And just not too long ago, last year sometime, it came right into this property. There was a big lake over there and it came all the way over--across, pretty much. If you look at that house, those two buildings, you can see a water line going across where the water came over and just like somebody said earlier, our house went across the road in the '46 tidal wave. I just feel like why even build when you know that something like this will happen again and you know that the water is going to come over soon, not in 20 years or 50 years but it's going to happen soon. Cause in the past 15 years since we've whatever—it's been like from hardly coming across the road to coming across the road all the time. It's not just during high seas, it's not during a storm or a hurricane or anything. It's just regular high tide comes over the road. If you walk this road you'll see there's some areas—it's like the beach just goes right over into the road, the fishpond right over here. There's a sandy area that it just comes right up onto the road. It's how--how can you build something, knowing that it's going to be damaged soon. But that's, it's just that I cannot fathom that. It's like you doing it to spite everybody you know, it's like why, why would you want to do something like that when—I mean in five years it's been coming across that often, five more years, there's going to be a huge lake in here. And I think 15 years ago during the planning—what is that thing you did—the high water mark all of that stuff.

Mr. Buika: Shoreline survey.

Ms. Oliveira-Medeiros: Yeah shoreline survey. I really think that that should be done again because that was 15 years ago.

Mr. Stice: It was done twice.

Mr. Buika: It's been done twice.

Ms. Oliveira-Medeiros: Okay. However long it is. Janet said every five years it's been going on a lot.

Ms. Kim: Three minutes.

Ms. Oliveira-Medeiros: Anyway.

Chair Mardfin: Thank you.

Ms. Oliveira-Medeiros: Yeah, so please don't build something that you know it's going to damage the area and the septic—who knows what's going to happen when the ocean comes up and pushes the septic up with it.

Chair Mardfin: Mr. Stice is going to ask some questions for you.

Mr. Stice: So when was your house built, Mavis.

Ms. Oliveira-Medeiros: Before 1920.

Mr. Stice: So you are in the flood zone and your house was moved across the road. The new building code restrictions cause us to build a low below the flood zone in a tsunami. That's why our house is elevated so the water will go past that. And I'm an Oceanographer with Hawaii Institute of Physics, I've studied the first tsunami warning systems. I know quite a bit about tsunamis. I'm not intimidated by them. If you understand them, you can very much mitigate problems with it. And we are by building code could prevent the possibility of that happening. Not saying it could happen but it's a 95 percent thing. And I don't understand why you're concerned about our house, we're taking the risk, so we're doing it with the proper ...

Ms. Oliveira-Medeiros: You're building two houses compared to our little tiny 900 square foot house that was there a 100 years already. It was grandfathered in, we can't build a mansion. We could do that, but of course we're not doing that.

Mr. Stice: Well I'm not saying you should, I'm just saying--yeah, I'm just saying that we are following the rules by the Building Department to mitigate damage from tsunamis. Our house down in Haneoo Road is going to look very similar to the one we're proposing to build if you know it's up and the flood from the tsunami will go under it instead of knocking it over.

Ms. Oliveira-Medeiros: So if you do all these studies, then do you know about the Big Island falling off pretty soon.

Mr. Stice: Yes, I do, 1975. Yes, I studied that a lot.

Ms. Oliveira-Medeiros: You know what that can cause. And you know how fast it can get here? And you're not scared?

Mr. Stice: Yes, it can get here in minutes. Yes.

Chair Mardfin: Are there any Committee Members that have any questions? Then I propose that we start on the walk around.

Mr. Caires: Close. We gotta close public testimony.

(Public Testimony was hereby closed at 5:32 p.m.)

Chair Mardfin: Thank you. Public testimony is closed. Jim, do you want to lead us?

C. SITE INSPECTION

- 1. MR. GARY STICE and HANA BEACHFRONT ASSOCIATES requesting a Special Management Area (SMA) Use Permit in order to build two single-family residences and related improvements that are located outside of the shoreline setback area on 1.478 acres of land in the Interim District at 175 Haneoo Road, TMK: (2) 1-4-008:001, Hana, Island of Maui. (SM1 2013/0010) (J. Buika) [\(Site Maps\)](#)**

The Committee may review and inspect the subject property and surrounding area. No action will be taken by the Committee at this site inspection.

The Committee reviewed the location and site maps of subject property and surrounding areas for the proposed locations indicated by ground postings and colored tape.

Mr. Buika: Mahalo. I'll try. Does everyone have the map—a site map? Well we know where it is, right? I mean everybody has been to the site multiple times.

Mr. Stice: Yeah, correct.

Chair Mardfin: Is this orange one the first?

Mr. Buika: This will be the ah—let me see. That will be the ...

Ms. Stice: Cottage

Mr. Buika: Cottage. That'll be the ah first house. The lanai, ... (inaudible)...the footprint.

Chair Mardfin: Oriented which way. Oriented ah—it'll be along this way.

Chair Mardfin: And how far up to the start.

Mr. Buika: 10 feet high. It'll be developed 10 feet high and one story here.

Mr. Medeiros: One story how high? ...(inaudible)...

Mr. Buika: No, it won't be 30 feet. It'll be whatever it is, 15 or 20 feet.

Mr. Medeiros: No, no, we don't want no maybe's, we like the exact...

Mr. Buika: Ah, I don't have the exact...

Chair Mardfin: Scott.

Mr. Crawford: Ah, which will there be a lanai.

Mr. Buika: The lanai will be on the front side.

Chair Mardfin: And what are they going to do with lighting?

Mr. Buika: Because there will be a lanai in the back...

Chair Mardfin: There are birds back there...

Mr. Buika: And a lanai in the front.

Chair Mardfin: There will be birds there.

Mr. Buika: There will be no lighting. There will only be down lighting. It's Federal law and it's in the conditions.

Chair Mardfin: Will there be windows on the mauka side? Makai side?

Mr. Buika: Of course.

Chair Mardfin: How are you going to down light window light?

Mr. Caires: Don't know, say you don't know, Jim. Don't make up.

Mr. Buika: I don't know how we are going to down light window light. This I think is the leach field, but it might be oriented the wrong way. I think it might be...

Mr. Stice: It's an option.

Mr. Buika: Okay, it's an option. Okay, this would be a leach field here. Shows on the map here a leach field ...

Mr. Kahookele: We made it with minimal impact to the property as much as possible because the way I could see it in the site plan, the trees would get in the way. So we tried to do it as minimal impact as possible. So this is an option, the first option. If we have to follow the plan, we probably have to remove some of the trees. We trying to avoid that.

Mr. Buika: Okay.

Mr. Stice: Either way, it would come out the same.

Mr. Kahookele: And that's the dimensions that it would be.

... (inaudible speaking)...

Mr. Buika: That's the other house. This over here is the other house. Leo, should we go over by the fishpond, or no...

Mr. Caires: I don't know if it's part of your program, right?

Mr. Buika: Well...

Mr. Kahookele: Better hurry, it looks like rain.

...(inaudible speaking)...

Mr. Buika: This is the main house and the leach field right here. The skinny leach field to the main house. Well the main house is 1,850 square feet and the lanai on the front and the back I think...(inaudible)...

Chair Mardfin: And is it oriented the same way?

Mr. Buika: Yeah. Longitude right here. And that's it.

Chair Mardfin: Show me where the cesspool is. It's near the leach field isn't it?

Mr. Buika: Yes, it's where the leach field.

Mr. Crawford: I hope not. How would you put a leachfield in there? Did you not take it into account. I think maybe it's a little bit over this way?

Chair Mardfin: I think Russell just put something right here. Hang on, hang on.

Mr. Crawford: Is it—would this tree come out or would it be further over this way.

Mr. Kahookele: The tree going have to come out. If we have to follow the plan, the tree going have to come out.

Mr. Crawford: For that.

Mr. Kahookele: Yeah. We didn't want it to, but according to the plan and the way it was laid out because of the setback from the shoreline, this is the only way you can...

Mr. Crawford: Okay.

...(inaudible speaking)... But you can take shelter in Uncle Gary's house.

Mr. Kahookele: According to the design of the septic system, it needed to be only so big because of the leach field. You know the leach field, it needed only to be so big.

Mr. Crawford: Right, but it seems like it could go—it could still be the same size near the trees.

Mr. Kahookele: And he's open to that, Scott. It's just that we tried to follow the plan that was on the map.

Mr. Crawford: Right. And the trees are on the back.

Mr. Kahookele: Yeah, that's why...

Mr. Crawford: Did you help to put the stake in?

Mr. Kahookele: I did put em in.

Mr. Crawford: I appreciate that.

Mr. Buika: According to the SMA would be to build a wall. A buffer wall around the ...

Chair Mardfin: Can you show me where

...(inaudible speaking)...

Mr. Buika: Gary, is the orange fence is that the buffer?

Ms. Stice: Yes, that's the buffer.

Mr. Buika: That's where the fence would be.

...(inaudible speaking)...

Chair Mardfin: This is the fence, so you're going to do a wall here.

Mr. Buika: Yes.

Mr. Kahookele: This is to show the buffer zone.

Mr. Buika: It'll be two feet tall and 18 inches wide approximately...

Chair Mardfin: Are you saying the wall would be over here?

Mr. Buika: Yes.

Mr. Kahookele: Yes. And the buffer zone, yes.

Mr. Buika: There would be a wall around both sides.

Chair Mardfin: And this is where Janet Six said is sinking.

Mr. Kahookele: Ward, he had to have a ten-foot buffer zone. So this is the wall that was kind of there, we kind of fixed it a little bit. Somebody put this tape up and Sharon came and took it down but we put it back up to show the buffer zone that nothing would be developed in this area.

Chair Mardfin: And the wall here.

Mr. Kahookele: I'm not too sure the wall because the wall—this is the buffer zone.

Mr. Stice: The wall would be ten feet inside the fence.

Chair Mardfin: Hang on. Mr. Stice is saying—so where is the wall going to be?

Mr. Stice: Ten feet inside the fence. We put the boundary of the wall and we came out ten feet as the buffer zone. So what you're looking at is when we're doing the construction and stuff, we don't go inside.

Ms. Stice: Yeah, we don't go inside the buffer zone.

Mr. Crawford: So there won't be another wall here.

Mr. Buika: Yes, this wall will be replicated the same wall here.

Mr. Kahookele: This is the buffer zone so nothing will happen.

Mr. Buika: All the way around.

Chair Mardfin: Is it going to be that height?

Mr. Buika: It's going to be ah, it's either two feet wide and 18 inches high or 18 inches wide and two feet high. Probably 18 inches high and two feet wide.

Mr. Crawford: And what is the wall going to be made of?

Mr. Buika: It's going to be made of ah Hawaiian stone—ah lava rock.

Chair Mardfin: Pahoehoe?

Mr. Buika: Yeah. It's according to the Burial Treatment Plan and that's the main component of the Burial Treatment Plan is to build the wall.

Chair Mardfin: The wall would be here, not out here. It'll be right where it is.

Mr. Buika: Right.

Mr. Stice: The wall will be 10 feet inside of the fence. Because that's the boundary.

Chair Mardfin: So if that's the wall then the boundary will be ten feet out.

Mr. Buika: This would be an obstruction BMP.

Mr. Crawford: I think the family was living there.

Ms. Kahana: Did the BTP get approved?

Mr. Buika: Yeah, that's the main component of the Burial Treatment Plan.

Ms. Kahana: It was approved and recorded with the conveyance office?

Mr. Buika: Yes. It's part of the report. It's in there as an exhibit.

Ms. Kahana: You said that the BTP was recorded already.

Mr. Buika: Yeah, the Burial Treatment Plan. That's where the wall is. The main wall, yeah. I mean it's not a big wall but it's a buffer wall.

Chair Mardfin: That building there is going to stay there?

Mr. Buika: Yes.

Chair Mardfin: No changes?

Mr. Buika: No changes. And the well. Those are permitted. The well has a small little dent over there, yeah. So that would be it.

Chair Mardfin: Would there be any more bodies?

Mr. Buika: I don't know.

Mr. Stice: Well, I don't know why we would unless if there's an event, then yeah.

Chair Mardfin: Well, I think we should go down to the seashore.

Mr. Crawford: Jim, the only thing I wanted to share with you is that um I noticed in the application that this is referred to as the Bray cemetery I believe.

Mr. Buika: Yes.

Mr. Crawford: And I don't think that's an accurate name for it. The Brays were associated with this area but actually Bray family is not buried here and I'm not sure where that name came from but it's probably not the accurate name.

Mr. Buika: Okay. I didn't know why it was referred as...

Mr. Crawford: I just think I should raise that ...

Mr. Stice: I do. I think back in at least 15 years ago, we went through one year of monthly meetings with the Maui Burial Council. And Kekula Bray was testifying that there was one of her relatives buried here, but I really think it would be more appropriate to call it the Atay Koon because that is the family.

Mr. Crawford: Yeah.

Mr. Stice: And we don't in fact with the Burial Council questioned her about it, she was unable to provide any details. So it's really not substantiated; whereas we know the Cullen Atay family was there all the time and they owned the land and I would like to see it called the Cullen Atay cemetery.

Mr. Crawford: Yeah. Well, just so you know, Kekula is my late wife.

Mr. Stice: Oh really?

Mr. Crawford: I'm Scott Crawford, been married to Kekula for 20 years. So I know a little about the family history and what I can clarify on that is that the Atay family that was here and Ben Dusson. One of Ben Dusson's daughters was Lyda or Lydia who was married to David Bray—Kaonohiokala Bray. So she became known as Mama Bray. That was her married name.

Mr. Stice: I see.

Mr. Crawford: So that's where the Bray association came in. I agree with you that it would be more appropriate to call it the Atay and Cullen's cemetery because the Bray was kind of a—it was one of her relatives but it wasn't direct Bray family that's probably buried here. And that lady, Mama Bray herself is not buried here. She's buried Hongwanji.

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Mr. Stice: Yeah. I would think that would be appropriate if we can...

Mr. Crawford: Yeah so you might amend that in the application. I have a lot of respect for the Atay family.

Mr. Stice: Yeah. I would agree.

Mr. Buika: Yeah, any information you can give me, Scott, would be helpful. Wander to the ocean? Okay. The Chair is out here running his own meeting somewhere.

(Committee heading to the shoreline area)

Chair Mardfin: Is that coming from underneath do you suppose or rain water? I just see this stuff looks very wet.

Mr. Buika: Probably rain water. It's the low spot.

Chair Mardfin: Yeah, that could be it. Coming up from underneath.

Mr. Buika: Well one way or the other.

Chair Mardfin: And what's that wall.

--Speaker: Oh this is just some rubble that came in. It wasn't bulldozed here or anything. I believe Polly or somebody might have brought it. Came with the dumptruck and dumped this off. They came in from somewhere else.

Chair Mardfin: Really? What is this?

--Speaker: Oh that's probably Kawai or Ellory. They're always doing something like that. They're always beautifying the place. This used to be, back in the day...(inaudible)... when they did it. So all this came from there.

Ms. Kahana: They came to bring it here?

--Speaker: What's that?

Ms. Kahana: They came to bring it here?

--Speaker: Yeah, they offered the materials—yeah the materials, so...

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Ms. Kahana: Oh.

--Speaker: Like Uncle Gary said they'll probably going to be using the material and we've been using it here and there.

Mr. Buika: I don't know. You want to go to the ocean or a different place.

Chair Mardfin: The ocean is going to come up about two feet I think.

Mr. Kahookele: I think it's almost high tide.

--Speaker: It's a little past high tide maybe.

Chair Mardfin: I don't know if it's coming in or going out but it looks like it's slippery on the rocks I would guess. It's another two feet of height.

--Speaker: Yeah, it's going out already.

Ms. Kim: Very rocky and hard to walk.

Ms. Kahana: Yeah be careful.

Ms. Kim: You going out there? I don't want to go out there. Can you hold this for me?

Ms. Kahana: Yeah. I can. Which button, this one?

Ms. Kim: No don't press any button. Just hold.

Ms. Kahana: Okay, just hold it.

Chair Mardfin: That was part of the fishpond.

Mr. Kahana: No, she's not walking that's why.

Chair Mardfin: No, it looks like the tide was up another two feet. So add that to it. It looks to me like within a decade, there's going to be permanent ponds inside the property. Coming from the low parts, you know it won't be coming from the top but from the low part.

Mr. Buika: It's true. It's low line. There's—the tide is coming up.

Mr. Crawford: We're right on the border from somewhere.

Mr. Kahookele: Yeah, it's somewhere in there.

Chair Mardfin: Oh, by the way, you might want to call John Bloomer-Buell because he was wondering if when it was surveyed and staked off.

Mr. Buika: Yeah, I got a call from him. I was just scrambling through the last day and didn't get a chance to call him back. But I will.

Chair Mardfin: But he asked some very good questions.

(Committee headed back to the project site area)

Ms. Kahana: Here you go.

Ms. Kim: Thank you very very much.

Chair Mardfin: Can you take pictures with that?

Ms. Kim: No.

Chair Mardfin: Because it looks like it's kind of wet under here.

Ms. Kim: I know. This is only a recorder. So you think this is going to adjourn? Because it's still on, the recorder.

Chair Mardfin: Um, are we ready to adjourn?

Mr. Crawford: Yeah.

Chair Mardfin: Are you ready to adjourn?

Ms. Kahana: Yeah.

--Speaker: We're ready to adjourn.

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D. ADJOURNMENT

Chair Mardfin: Attention--I am adjourning this meeting as of now. Thank you all for attending. Thank you. As of 5:51 p.m.

There being no further discussion brought forward to the Committee, the Chair adjourned the Site Inspection Meeting at 5:51 p.m.

Respectfully Submitted by:

LINDA KIM
Secretary to Boards and Commissions I

RECORD OF ATTENDANCE – IN PERSON

PRESENT:

Scott Crawford
Lipoa Kahaleuahi
Mary Ann Kahana
Ward Mardfin, Chair
Dean Wariner (Joined at 3:10 p.m.)

EXCUSED:

Clayton Carvalho, Jr.
Becky Lind, Vice-Chair

OTHERS:

Clayton Yoshida, Planner VI, Current Division, Planning Department
James Buika, Shoreline Planner, Current Division, Planning Department
Andrew McCallister, Maui Lead Archaeologist, State Historic Preservation Division,
Department of Land and Natural Resources
Janet Six, Principal Archaeologist, County of Maui
Suzette Esmeralda, Secretary to Boards and Commissions II, Current Division, Planning
Department
Linda Kim, Secretary to Boards and Commissions I, Current Division, Planning
Department