

Honorable Alan M. Arakawa, Mayor
 For Transmittal to:
 Honorable Mike White, Chair
 October 24, 2016
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APPLICATION SUMMARY	
Applicant	Lanai Resorts, LLC, dba Pulama Lanai
Owner	Lanai Resorts, LLC, dba Pulama Lanai
Tax Map Key	(2) 4-9-002:001 (POR)
Address	Manele, Lanai (At location of containerized ornamental plant nursery in vicinity of Manele) Koele, Lanai (On vacant agricultural land adjacent to existing tennis complex at Lodge at Koele)
Area	Manele Site – 0.9 acres and Koele Site – 1.6 acres
Land Use Designations	State Land Use District: Agricultural (Manele Helistop) Rural (Koele Helistop) Lanai Community Plan: Agriculture Title 19, Zoning: Agricultural NOT in the Special Management Area (SMA)
Brief Description	The Applicant is requesting the development of two private helistop pads - one to be located at Manele, Lanai, and one to be located at Koele, Lanai
Public Hearing	Held by Lanai Planning Commission (Commission) on April 20, 2016, in Lanai City, Lanai, Hawaii.
Testimony	Verbal and written testimony were given on this application. Testimony was in general favorable towards the development of the Manele Helistop. Testimony was against the development of the Koele Helistop.
Recommendation	The Commission decided to vote separately on the Manele and Koele Helistop locations. Manele Helistop – The Commission recommended approval with conditions of the Conditional Permit at the Manele Helistop location by a vote of six (6) ayes with two (2) Commissioners excused and one (1) Commissioner absent. Koele Helistop – The Commission recommended denial of the Conditional Permit at the Koele Helistop location by a vote of six (6) ayes with two (2) Commissioners excused and one (1) Commissioner absent.

The Commission reviewed the request on April 20, 2016, for a Conditional Permit to construct two Helistops Pads and related improvements at Manele and Koele. After due deliberation and receipt of testimony, the Commission determined that although the Manele and Koele Helistops were included in one CP application, it would separate the two Helistop pad actions and take action on each location separately.

MANELE HELISTOP. The Commission recommended approval of the Conditional Permit to the Maui County Council (MCC) for the Manele Helistop and related improvements. The conditions of approval as defined in the proposed Ordinance are:

Honorable Alan M. Arakawa, Mayor
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1. That full compliance with all applicable governmental requirements shall be rendered in a timely manner.
2. That the Conditional Permit shall be valid for a period of five (5) years from the effective date of this ordinance, provided that an extension of this Conditional Permit beyond this five (5) year period may be granted pursuant to Section 19.40.090, MCC.
3. That the Conditional Permit shall be nontransferable unless the MCC approves a transfer by Ordinance.
4. That Lanai Resorts, LLC, dba Pulama Lanai, shall exercise reasonable due care as to third parties with respect to all areas affected by this subject Conditional Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this Conditional Permit, a policy or policies of comprehensive liability insurance in the minimum amount of \$1,000,000.00 naming the County of Maui as an additional insured, insuring and defending Lanai Resorts, LLC, dba Pulama Lanai, and the County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this Conditional Permit, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by Lanai Resorts, LLC, dba Pulama Lanai, of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the nonobservance or nonperformance of any of the terms and conditions of this Conditional Permit. A copy of the certificate of insurance naming the County of Maui as an additional insured shall be submitted to the Department within ninety (90) calendar days from the effective date of this ordinance. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department and shall include the applicable Tax Map Key and permit numbers.
5. That Lanai Resorts, LLC, dba Pulama Lanai, shall develop the property in substantial compliance with the representations made to the MCC in obtaining the Conditional Permit. Failure to develop the property may result in the revocation of the Conditional Permit pursuant to Section 19.40.080, MCC.
6. That full compliance with the conditions of the State Land Use Commission Special Permit (SUP2 2015/0014) shall be observed.

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For Transmittal to:
Honorable Mike White, Chair
October 24, 2016
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7. That Lanai Resorts, LLC, dba Pulama Lanai, shall comply with Federal Aviation Administration requirements for the helistop.
8. That helicopter flights shall not operate from 7:00 pm to 7:00 a.m.
9. That Lanai Resorts, LLC, dba Pulama Lanai, shall provide a monthly report to the Hulopoe Beach Park Council regarding the number of helicopter flights that occurred and the number and nature of any complaints made concerning those flights for the previous month.

KOELE HELISTOP. The Commission recommended denial of the Conditional Permit to the MCC for the Koele Helistop and related improvements.

As Council approval is required for the Conditional Permit, the Department respectfully transmits the subject application to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Proposed bill entitled, "A BILL FOR AN ORDINANCE GRANTING LANAI RESORTS, LLC, DBA AS PULAMA LANAI, A CONDITIONAL PERMIT TO DEVELOP A HELISTOP PAD AND RELATED IMPROVEMENTS WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY IDENTIFIED AS A PORTION OF TAX MAP KEY NUMBER (2) 4-9-002:001, MANELE, LANAI, HAWAII";
2. Letter from William Spence Planning Director, to Ms. Karlynn Fukuda, dated June 20, 2016, with Commission's recommendation for Council approval of the Conditional Permit for the Manele helistop and Commission's approval of the State Land Use Commission Special Permit for Manele helistop, and Commission's recommendation for Council denial of the Conditional Permit for the Koele helistop and Commission's denial of the State Land Use Commission Special Permit for the Koele helistop.
3. Department's Recommendation to the Commission, dated April 20, 2016;
4. Department's Staff Report to the Commission, dated April 20, 2016;
5. Power point presentation to the Commission dated April 20, 2016;
6. Adopted Minutes of the April 20, 2016 Commission meeting; and
7. Conditional Permit Application dated December 10, 2015.

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Mike White, Chair
October 24, 2016
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Should you have any questions, please feel free to transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,



WILLIAM SPENCE
Planning Director

Attachments

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Staff Planner (PDF)
Lanai Planning Commission (PDF)
Bryan Esmeralda, Munekiyo Hiraga (PDF)
Karlynn Fukuda, Munekiyo Hiraga (PDF)
Lynn McCrory, SVP, Pulama Lanai (PDF)

WRS:KFW:ela

Project File
General File

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ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE GRANTING LANA'I RESORTS, LLC,
DBA PULAMA LANA'I, A CONDITIONAL PERMIT TO DEVELOP
A HELISTOP PAD AND RELATED IMPROVEMENTS WITHIN THE
COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY IDENTIFIED AS
A PORTION OF TAX MAP KEY NUMBER (2) 4-9-002:001,
MANELE, LANAI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 19.40, Maui County Code, and subject to the conditions imposed in Section 2 of this ordinance, a Conditional Permit is hereby granted to Lana'i Resorts, LLC, dba Pulama Lana'i, to develop a helistop pad and related improvements within the County Agricultural District. The site is identified for real property tax purposes as a portion of tax map key number (2) 4-9-002:001, comprising approximately 0.9 acres of land situated at Manele, Lanai, Hawaii.

SECTION 2. The granting of this Conditional Permit is subject to the following conditions:

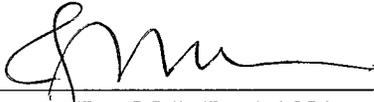
1. That full compliance with all applicable governmental requirements shall be rendered in a timely manner.
2. That the Conditional Permit shall be valid for a period of five years from the effective date of this ordinance; provided, that an extension of this Conditional Permit beyond this five-year period may be granted pursuant to Section 19.40.090, Maui County Code.
3. That the Conditional Permit shall be nontransferable unless the Maui County Council approves a transfer by ordinance.
4. That Lana'i Resorts, LLC, dba Pulama Lana'i, shall exercise reasonable due care as to third parties with respect to all areas affected by this subject Conditional Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this Conditional Permit, a policy or policies of comprehensive liability insurance in the minimum amount of \$1,000,000 naming the County of Maui as an additional insured, insuring and defending Lana'i Resorts, LLC, dba Pulama Lana'i, and the County of Maui against any and all claims or demands

for property damage, personal injury and/or death arising out of this Conditional Permit, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by Lana'i Resorts, LLC, dba Pulama Lana'i, of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the nonobservance or nonperformance of any of the terms and conditions of this Conditional Permit. A copy of the certificate of insurance naming the County of Maui as an additional insured shall be submitted to the Department of Planning within 90 calendar days from the effective date of this ordinance. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department of Planning and shall include the applicable tax map key and permit numbers.

5. That Lana'i Resorts, LLC, dba Pulama Lana'i, shall develop the property in substantial compliance with the representations made to the Maui County Council in obtaining the Conditional Permit. Failure to so develop the property may result in the revocation of the Conditional Permit pursuant to Section 19.40.080, Maui County Code.
6. That full compliance with the conditions of the State Land Use Commission Special Permit (SUP2 2015/0014) shall be observed.
7. That Lana'i Resorts, LLC, dba Pulama Lana'i, shall comply with Federal Aviation Administration requirements for the helistop.
8. That helicopter flights shall not operate from 7:00 p.m. to 7:00 a.m.
9. That Lana'i Resorts, LLC, dba Pulama Lana'i, shall provide a monthly report to the Hulopoe Beach Park Council regarding the number of helicopter flights that occurred and the number and nature of any complaints made concerning those flights for the previous month.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:

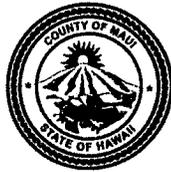


JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
2016-0845

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



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COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 20, 2016

Certified Mail # - 7015 0640 0002 6769 4205

Ms. Karlynn Fukuda, Executive Vice President
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

SUBJECT: APPROVAL OF A STATE LAND USE COMMISSION SPECIAL USE PERMIT AND A RECOMMENDATION OF APPROVAL OF A CONDITIONAL PERMIT FOR THE PROPOSED HELISTOP PAD AND RELATED IMPROVEMENTS AT MANELE, LANAI, HAWAII, AND DENIAL OF A STATE LAND USE COMMISSION SPECIAL USE PERMIT AND RECOMMENDATION OF DENIAL OF A CONDITIONAL PERMIT FOR THE PROPOSED HELISTOP PAD AND RELATED IMPROVEMENTS AT KOELE, LANAI, HAWAII; TMK: (2) 4-9-002:001 (POR.); (CP 2015/0010) (SUP2 2015/0014)

At its regular meeting on April 20, 2016, the Lanai Planning Commission (Commission) reviewed the requests for a State Land Use Commission Special Use Permit (SUP) and Conditional Permit (CP) to construct two (2) Helistops Pads and related improvements at Manele and Koele. After due deliberation and receipt of testimony, the Commission determined that although the Manele and Koele Helistops were included in one (1) SUP and CP application, it would separate the two (2) Helistop pad actions and take action on each location separately.

MANELE HELISTOP

The Commission voted to approve the State Land Use Commission SUP and recommended approval of the CP to the Maui County Council for the Manele Helistop and related improvements.

STATE LAND USE COMMISSION SPECIAL USE PERMIT

The State Land Use Commission SUP for Manele Helistop is subject to the following conditions:

1. That the State Land Use Commission SUP shall be valid until **April 30, 2021**, or in accordance with the expiration date of the Conditional Permit (CP 2015/0010), whichever is later, subject to extension by the Planning Director (Director) upon a timely request for extension filed at least ninety (90) days prior to its expiration. The

Director may forward the time extension request to the Commission for review and approval and may require a public hearing on the time extension by the Planning Commission.

2. That the subject State Land Use Commission SUP shall not be transferred without the prior written approval of the Director. However, in the event that a contested case hearing preceded issuance of said State Land Use Commission SUP, a public hearing shall be held upon due published notice, including actual written notice to the last known addresses of parties to said contested case and their counsel.
3. That the Applicant, its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject State Land Use Commission SUP and shall procure at its own cost and expense, and shall maintain during the entire period of this State Land Use Commission SUP, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) naming the County of Maui as an additional insured, insuring and defending the Applicant and the County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this permit, including but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the Applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this permit. Proof of a policy naming the County shall be submitted to the Department of Planning (Department) within ninety (90) calendar days from the date of transmittal of the decision and order. The proof of insurance and all subsequent certifications of insurance coverage shall include the applicable TMK and permit numbers.
4. That full compliance with all applicable governmental requirements shall be rendered.
5. That the Applicant shall submit to the Department two (2) copies of a detailed report addressing its compliance with the conditions established with the subject State Land Use Commission SUP. The compliance report shall be reviewed and approved by the Department and shall be filed along with a request for time extension and at least ninety (90) days prior to expiration of the State Land Use Commission SUP.
6. That the Applicant shall develop the property in substantial compliance with the representations made to the Planning Commission in obtaining the State Land Use Commission SUP. Failure to so develop the property may result in the revocation of the permit.
7. That in the event historic resources, including human skeletal remains, are identified during routine construction activities, all work shall cease in the immediate vicinity of

the find, the find shall be protected from additional disturbance, and the Department of Land and Natural Resources-State Historic Preservation Division, Maui Section, shall be contacted immediately at (808) 243-5169.

8. That to the satisfaction of the Department, best management practices shall be implemented to insure that water quality and marine resources are protected. All construction-related materials shall be free of pollutants and placed or stored in ways to avoid or minimize disturbance. No debris, petroleum products or deleterious materials or wastes shall be allowed to fall, flow, leach, or otherwise enter near shore waters. Any turbidity and siltation generated from activities proposed at the site shall be minimized and contained in the immediate vicinity of construction through the use of effective silt containment devices. Construction during adverse weather conditions should be curtailed to minimize the potential for adverse water quality impacts. A best management practices plan including these provisions shall be submitted to the Department.
9. That the hours of operation will be between 7:00 AM to 7:00 PM.
10. That the Applicant shall provide a monthly park ranger report to the Hulopoe Beach Park Council indicating the number of flights arriving and departing from the Manele Helistop and any complaints by beachgoers that the Applicant receives through the Pulama Lanai hotline and park rangers.

CONDITIONAL PERMIT

In addition, the Commission voted to recommend approval of the CP request for the proposed Helistop Pad and related improvements at Manele to the Maui County Council (Council) subject to the following conditions:

1. That the CP shall be valid for a period of five (5) years from the effective date of this ordinance; provided, that an extension of this permit beyond this five (5) year period may be granted pursuant to Section 19.40.090, Maui County Code.
2. That the CP shall be nontransferable unless the Council approves the transfer by Ordinance.
3. That the Applicant and its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject CP and shall procure at his/her/their own cost and expense, and shall maintain during the entire period of this CP, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) naming the County of Maui as an additional insured, insuring and defending the Applicant and County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this Conditional Permit, including, but not limited to: (1) claims from any accident in connection with

the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the Applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this Conditional Permit. A copy of the certificate of insurance naming County of Maui as an additional insured shall be submitted to the Department within ninety (90) calendar days from the date of approval of this CP. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department and shall include the applicable TMK and permit numbers.

4. That the Applicant shall develop the property in substantial compliance with the representations made to the Council in obtaining the CP. Failure to develop the property may result in the revocation of the Conditional Permit pursuant to Section 19.40.080, Maui County Code.
5. That full compliance with all applicable governmental requirements shall be rendered.
6. That full compliance with the conditions of the State Land Use Commission SUP (SUP2 2015/0014) shall be observed.
7. That the Applicant shall comply with Federal Aviation Administration requirements for the Manele Helistop.

Further, in regards to the Manele Helistop and related improvements, the Commission adopted the attached Staff Report and Recommendations prepared by the Department for the April 20, 2016, meeting as its Findings of Fact, and Conclusions of Law and authorized the Planning Director to transmit the Commission's recommendation to the Council on its behalf. Parties to proceedings before the Commission may obtain judicial review of Decision and Orders issued by the Commission in the manner set forth in Chapter 91-14, Hawai'i Revised Statutes.

KOELE HELISTOP

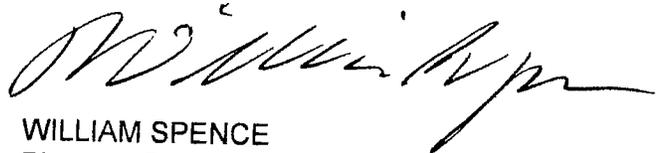
STATE LAND USE COMMISSION SPECIAL USE PERMIT AND CONDITIONAL PERMIT

After due deliberation and receipt of testimony, the Commission at its April 20, 2016, meeting voted to deny the State Land Use Commission SUP and forwarded a recommendation to the Maui County Council to deny the CP request for the proposed Helistop Pad and related improvements at Koele.

Ms. Karlynn Fukuda, Executive Vice President
June 20, 2016
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Thank you for your cooperation. Should you have any questions or require additional information, please contact Staff Planner Kurt Wollenhaupt via email at kurt.wollenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,



WILLIAM SPENCE
Planning Director

Attachment

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
John S. Rapacz, Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Staff Planner (PDF)
Richelle Thomson, Deputy, Corporation Counsel (PDF)
Lynn McCrory, Senior Vice President (PDF)
State Land Use Commission
State Office of Planning
Project File
General File

WRS:KFW:lk

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BEFORE THE LĀNA'I PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In The Matter of The Applications of

LANAI RESORTS LLC, A HAWAII LIMITED
LIABILITY COMPANY DOING BUSINESS AS
PŪLAMA LĀNA'I

To Obtain a Conditional Permit and a State
Land Use Commission Special Permit to allow
the development of two private helistop pads
(Mānele and Kō'ele) on 2.5 acres of a 69,270
acre parcel, located at Tax Map Key No. (2) 4-9-
002:001 (por), Lāna'i, Hawai'i.

DOCKET NO.
CP 2015/0010
SUP2 2015/0014

Pūlama Lāna'i
Munekiyo Hiraga
(Consultant)

(KWollenhaupt)

MAUI COUNTY PLANNING DEPARTMENT'S RECOMMENDATION
TO THE LĀNA'I PLANNING COMMISSION
APRIL 20, 2016, MEETING

DEPARTMENT OF PLANNING
COUNTY OF MAUI
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HI 96793

Conditional Permit and State Land Use Commission Special Permit
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Department Recommendation Report CD SUP2.doc

BEFORE THE LĀNA'I PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In The Matter of The Applications of

LANAI RESORTS LLC, A HAWAII LIMITED
LIABILITY COMPANY DOING BUSINESS AS
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To Obtain a Conditional Permit and a State
Land Use Commission Special Permit to allow
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002:001 (por), Lāna'i, Hawai'i.

DOCKET NO.
CP 2015/0010
SUP2 2015/0014

Pūlama Lāna'i
Munekiyo Hiraga
(Consultant)

(KWollenhaupt)

CONCLUSIONS OF LAW

State Land Use Commission Special Permit

The application complies with the applicable standards for a State Land Use Commission Special Permit as established in the Planning Department's Report to the Lāna'i Planning Commission, April 20, 2016, Docket No. SUP2 2015/0014 as follows:

- (1) The use shall not be contrary to the objectives sought to be accomplished by Chapters 205 and 205A, HRS, and the rules of the Land Use Commission.
- (2) The desired use would not adversely affect surrounding property;
- (3) The use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection;
- (4) Unusual conditions, trends and needs have arisen since the district boundaries and rules were established;
- (5) The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

Conditional Permit

The application complies with the applicable standards for a Conditional Permit as established in the Planning Department's Report to the Lāna'i Planning Commission, April 20, 2016, Docket No. CP 2015/0010 as follows:

A Conditional Permit is reviewed pursuant to Title 19, Zoning, Chapter 19.40 Conditional Permits; Maui County Code, 1980, as amended. The intent of the Conditional Permit is to provide the opportunity to consider establishing uses not specifically permitted within a given use zone where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location.

Upon finding that reasons justifying granting of a Conditional Permit exist, and that the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located; issuance of a Conditional Permit may be recommended, subject to such terms and conditions and for such period of time as the facts may warrant.

Should the Commission determine that the permit requested is for a use which is substantially different from those uses permitted in the use zone, the Commission shall recommend denial of the request and may instruct the Applicant to seek a Change in Zoning should the facts warrant such an application.

Every Conditional Permit shall be conditioned upon the proposed development fully complying with all requirements of Title 19 and other applicable governmental requirements.

The Planning Department finds that the proposed use meets the criteria for the issuance of a Conditional Permit.

RECOMMENDATION

State Land Use Commission Special Permit

The Maui County Planning Department recommends approval of the State Land Use Commission Special Permit subject to the following conditions:

1. That the Land Use Commission Special Permit shall be valid until April 30, 2021, or in accordance with the expiration date of the Conditional Permit (CP 2015/0010), whichever is later, subject to extension by the Planning Director upon a timely request for extension filed at least ninety (90) days prior to its expiration. The Planning Director may forward the time-extension request to the Planning Commission for review and approval and may require a public hearing on the time extension by the Planning Commission.
2. That the subject Land Use Commission Special Permit shall not be transferred without the prior written approval of the Planning Director. However, in the event that a contested case hearing preceded issuance of said Land Use Commission Special Permit, a public hearing shall be held upon due published notice, including actual written notice to the last known addresses of parties to said contested case and their counsel.

3. That the Applicant, its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject Land Use Commission Special Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this Land Use Commission Special Permit, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) naming the County of Maui as an additional insured, insuring and defending the Applicant and the County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this permit, including but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the Applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this permit. Proof of a policy naming the County of Maui as an additional insured shall be submitted to the Department within ninety (90) calendar days from the date of transmittal of the decision and order. The proof of insurance and all subsequent certifications of insurance coverage shall include the applicable TMK and permit numbers.
4. That full compliance with all applicable governmental requirements shall be rendered.
5. That the Applicant shall submit to the Planning Department two (2) copies of a detailed report addressing its compliance with the conditions established with the subject Special Permit. The compliance report shall be reviewed and approved by the Planning Department and shall be filed along with a request for time extension and at least ninety (90) days prior to expiration of the Special Permit.
6. That the Applicant shall develop the property in substantial compliance with the representations made to the Planning Commission in obtaining the Special Permit. Failure to so develop the property may result in the revocation of the permit.
7. That in the event historic resources, including human skeletal remains, are identified during routine construction activities, all work shall cease in the immediate vicinity of the find, the find shall be protected from additional disturbance, and the State Historic Preservation Division, Maui Section, shall be contacted immediately at (808) 243-5169.
8. That to the satisfaction of the Department, best management practices shall be implemented to insure that water quality and marine resources are protected. All construction-related materials shall be free of pollutants and placed or stored in ways to avoid or minimize disturbance. No debris, petroleum products or deleterious materials or wastes shall be allowed to fall, flow, leach, or otherwise enter near shore waters. Any turbidity and siltation generated from activities proposed at the site shall be minimized and contained in the immediate vicinity of construction through the use of effective silt containment devices. Construction during adverse weather conditions should be curtailed to minimize the potential for adverse water quality impacts. A best management practices plan including these provisions shall be submitted to the Department.

The conditions of this Land Use Commission State Special Permit shall be enforced pursuant to §§205-12 and 205-13, Hawai'i Revised Statutes.

In consideration of the forgoing, the Maui County Planning Department recommends that the Lānaʻi Planning Commission adopt the Department's Report and Recommendation for the April 20, 2016, meeting and authorize the Director to transmit said Findings of Fact, Conclusions of Law, and Decision and Order on behalf of the Lānaʻi Planning Commission.

Conditional Permit

The Maui County Planning Department recommends that the Lānaʻi Planning Commission recommend approval of the Conditional Permit to the Maui County Council, subject to the following conditions:

1. That the Conditional Permit shall be valid for a period of five (5) years from the effective date of this ordinance; provided, that an extension of this permit beyond this five (5) year period may be granted pursuant to Section 19.40.090, Maui County Code.
2. That the Conditional Permit shall be nontransferable unless the Council approves the transfer by Ordinance.
3. That the Applicant and its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject Conditional Permit and shall procure at his/her/their own cost and expense, and shall maintain during the entire period of this Conditional Permit, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000) naming the County of Maui as an additional insured, insuring and defending the Applicant and County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this Conditional Permit, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the Applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this Conditional Permit. A copy of the certificate of insurance naming County of Maui as an additional insured shall be submitted to the Department of Planning within ninety (90) calendar days from the date of approval of this Conditional Permit. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department and shall include the applicable TMK and permit numbers.
4. That the Applicant shall develop the property in substantial compliance with the representations made to the Maui County Council in obtaining the Conditional Permit. Failure to so develop the property may result in the revocation of the Conditional Permit pursuant to Section 19.40.080, Maui County Code.
5. That full compliance with all applicable governmental requirements shall be rendered.
6. That full compliance with the conditions of the State Land Use Commission Special Permit (SUP2 2015/0014) shall be observed.

7. That the Applicant shall comply with Federal Aviation Administration requirements for both helistops.

That Conditional Permit conditions will be enforced pursuant to the provisions of Chapter 19.530, §19.530.030 of the Maui County Code, as amended, 1980; and the *Rules for Administrative Procedures and Civil Fines for Violations of Titles 12, 14, 16, 19, and 20 of the Maui County Code*.

In consideration of the forgoing, the Maui County Planning Department recommends that the Lāna'i Planning Commission adopt the Planning Department's Report and Recommendations prepared for the April 20, 2016 meeting as its Findings of Fact, Conclusions of Law, and Recommendation and to authorize the Director of Planning to transmit said Recommendation to the Maui County Council on behalf of the Lāna'i Planning Commission.

APPROVED:



WILLIAM SPENCE
Planning Director
County of Maui

BEFORE THE LĀNA'I PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAI'I

In The Matter of The Applications of:

LANAI RESORTS LLC, A HAWAI'I LIMITED
LIABILITY COMPANY DOING BUSINESS AS
PŪLAMA LĀNA'I

To Obtain a Conditional Permit and a State
Land Use Commission Special Permit to allow
the development of two private helistop pads
(Mānele and Kō'ele) on 2.5 acres of a 69,270
acre parcel, Located at Tax Map Key No. (2) 4-
9-002:001 (por), Lāna'i, Hawai'i.

DOCKET NO.
CP 2015/0010
SUP2 2015/0014

Pūlama Lāna'i
Munekiyo Hiraga
(Consultant)

(KWollenhaupt)

MAUI COUNTY PLANNING DEPARTMENT'S REPORT
TO THE LĀNA'I PLANNING COMMISSION
APRIL 20, 2016, MEETING

DEPARTMENT OF PLANNING
COUNTY OF MAUI
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HI 96793

(Conditional Permit and State Land Use Commission Special Permit)
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Department Staff Report CP SUP2.doc

BEFORE THE LĀNA'I PLANNING COMMISSION

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DOCKET NO.
CP 2015/0010
SUP2 2015/0014

Pūlama Lāna'i
Munekiyo Hiraga
(Consultant)

(KWollenhaupt)

DESCRIPTION OF THE PROJECT

This matter arises from applications for a Conditional Permit (CP) and State Land Use Commission Special Permit (SUP2) filed on December 2015 and revised in January 2016, by Lanai Resorts LLC, a Hawai'i Limited Liability Company doing business as Pūlama Lāna'i ("Applicant").

The Applicant is proposing to construct two (2) private helistop pads on Lāna'i. The two (2) helistop pads will be located on a total of 2.5 acres (Kō'ele Site: 1.6 acres, Mānele Site: 0.9 acre) located on a larger 69,270-acre parcel identified as Tax Map Key (2) 4-9-002:001 (Parcel 1). One (1) helistop pad (approximately 1.6 acres) will be located on vacant agricultural land and is adjacent to an existing tennis complex of the Lodge at Kō'ele landscaped with trees, shrubs, and a parking area in the Kō'ele area. The second helistop pad (approximately 0.9 acre) will be located on lands currently used for a containerized ornamental plant nursery in the vicinity of the Four Seasons Resort Lana'i at Mānele Bay with an access gravel road and gravel parking area in the Mānele area. See **Exhibit #1**, **Exhibit #2**, and **Exhibit #3**.

The proposed helistop pads will be privately owned and operated by the Applicant and allow a means of transportation via helicopter for registered guests of the Mānele Resort or The Lodge at Kō'ele. Guests would be flown from the other islands, departing from the airport facilities that are currently available on those neighbor islands. The proposed helistop pads will also be used for private chartered flights for the Applicant, whereby the flights could depart from and return to Lāna'i. The respective project sites would be located within 0.25 mile and one (1) mile from The Lodge at Kō'ele and Mānele Resort, respectively, to provide an exclusive level of service for guests. As the helistops will be designed for takeoffs and landings, the proposed activity will not include facilities for fueling and hangering. Helicopters could be privately owned by the Applicant or by other private companies and anticipated to carry a maximum of six (6) passengers, including the pilot.

Aviation standards governing the helistops include space requirements (land and air) for

obstacle-free areas for landing and takeoff, as well as slope requirements for approach and departure routes. The Applicant retained an aeronautical consultant for the purpose of siting and designing the helistop pads. Helistop pad improvements consist of 6-inch concrete with brown finish (including striping and signage), 6-inch base course, and 8-inch compacted subgrade. The improvements include planned approach and departure flight paths, airfield lights, ground directional arrows, and windsock location poles. The helistop ground pads have a 145-foot Final Approach and Take Off (FATO) safety area, 105-foot FATO, 60-foot Touch Down and Lift Off (TDLO) area, and 150-foot Clear on Level area. The helistops will be in compliance with Visual Flight Rules (VFR) and include a windsock and appropriate markings for visual approach by the pilots instead of instrument approach. The Kō'ele Helistop project and the Mānele Helistop project involves the removal of several trees. The Mānele Helistop also involves the removal of surrounding structures (e.g., walls) within the nursery site to provide the compatible airspace. The Federal Aviation Administration (FAA) requires compliance with their guidelines and regulation of air space. For the Mānele Helistop, while a minimum number of trees will be required to be removed, the entire nursery operation will be moved to areas outside of the helistop boundaries. See **Exhibit #4** and **Exhibit #5**.

Related improvements include site clearing and grubbing, excavation and grading. The anticipated helistop pads' use will be intermittent periods of flights within a month, which would not exceed 12 flights per month. The flight frequency is anticipated to vary between the Kō'ele and Mānele Helistops. It is anticipated that flights will normally occur during daytime hours, with an occasional night landing. During usage of the Mānele Helistop, traffic on the private access unpaved road would be controlled to avoid conflict with the flight activities of landing and takeoffs. The Applicant's operator of the helistops will obtain the necessary aviation permits to conduct this activity, and be responsible for the cleaning and maintenance of the two (2) proposed helipads and surrounding areas to maintain the clear flight paths. When there are night landings and/or takeoffs, portable omnidirectional approach lights will define the approach path, and portable beacon lights will be placed surrounding the helistop approximately 30 minutes prior to arrival/departure. The windsock will be lighted and a helistop identification beacon will be in place. Unauthorized persons will be restrained from access to the takeoff/landing area during all helicopter flight operations by use of a non-obstructing safety barrier. The Applicant will reexamine obstacles in the vicinity of the approach/departure paths on an annual basis in accordance with FAA standards.

The FAA has helicopter flight restrictions for the above ground level (AGL) limitations for Lāna'i. "FAA Common Procedures Manual, Appendix D, Island of Lanai" notes that for an area around Lāna'i City and for the Mānele area the AGL minimum flight is 1,500 feet. For everywhere else on the island, it is 500 feet AGL. The Code of Federal Regulations, Section 91.119 specifically limits flights over "congested areas" to 1,000 feet AGL and for "other than congested areas" to 500 feet AGL. The Hawai'i FAA regulations are what regulate all helicopter flights over Lāna'i and will be complied with by the Applicant.

Reason for a Conditional Permit. The project sites are located on property zoned "Agricultural" by Maui County Zoning. Helistop pads are not set forth as a permitted or special use within the County's "Agricultural" zoning district, as provided by Chapter 19.30A of the Maui County Code. Therefore, a County Conditional Permit (CP) is required for the proposed project.

Reason for a State Land Use Special Permit. The project site for the Kō'ele Helistop pad is located in the State Land Use "Rural" District and the Mānele Helistop pad is within the State

Land Use "Agricultural" District. The Lāna'i Community Plan designates the project sites "Agriculture". Since helistop pads are not an outright permitted use in the State "Rural" and "Agricultural" Districts, a State Land Use Commission Special Permit (SUP2) is required for the proposed activity.

As the total project area for the Kō'ele Helistop and Mānele Helistop is approximately 2.5 acres, this request seeks approval of the Lāna'i Planning Commission (Commission).

OTHER PERMITTING AND GOVERNMENT APPROVALS

In addition to the State Special Permit and County Conditional Permit, the Applicant also received review and approval from the U.S. Department of Transportation FAA in order to permit the two (2) helistop facilities. In March 2015, the FAA provided a Determination of Landing Area Proposal to the Applicant for the Kō'ele and Mānele Helistop sites. The Determination of Landing Area Proposal for each helistop site noted that:

...the proposed landing area, will not adversely affect the safe and efficient use of the navigable airspace by aircraft, provided:

- *All operations are conducted in VFR weather conditions.*
- *The landing area is limited to private use.*
- *The takeoff/landing area is appropriately marked.*
- *A non-obstructing wind indicator is maintained adjacent to the takeoff/landing area.*

The pilots are briefed and are familiar with the Final Approach and Take Off (FATO) size and the obstructions to the northeast and east of the heliport.

All aircraft using the site will have Hover Out of Ground Effect (HOGE) power available.

See **Exhibit #6**. The Determination of Landing Area also included an amendment to the Airport Master Record for the Lāna'i City Airport to permit the two (2) helistop facilities. Prior to issuing the approval of the helistop facilities, a FAA Inspector conducted a site visit of each proposed site in January 2015. Each helistop site was surveyed and staked for the site inspection, and the center of each helistop pad was identified. Additionally, existing and proposed elevations of the pads and the helicopter take-off and landing perimeters were also staked out. The Applicant will comply with the recommendations noted in the FAA's Determination of Landing Area proposal. Helistop construction, operations, and safety will be according to FAA standards. Prior to the use of the helistop pads, a representative from the FAA Flight Standards Service will evaluate the helistop pads for compliance with regulations.

The Applicant also coordinated with the State Department of Transportation, Airports Division (DOT-A) as to whether a State permit would be required for the helistop pads. By letter dated July 28, 2014, the DOT-A noted that no State permit is required for the proposed project. See **Exhibit #7**.

DESCRIPTION OF THE PROPERTY

- 1. The Applicant is proposing the development of two (2) private helistop pads on 1.6 acres at a Kō’ele site and 0.9 acre at a Mānele site for a total of 2.5 acres located on a larger 69,270 acre parcel identified by TMK (2)4-9-002:001. The property is owned by the Applicant.

The project site for the Kō’ele Helistop pad has an adjacent existing parking area and is in the vicinity of the intersection of Mānele Road and Polihua Road near the tennis court complex, and is approximately a quarter (0.25) mile north of the Four Seasons Resort Lāna’i, The Lodge at Kō’ele. The existing Mānele Road provides access to the project site for the Kō’ele Helistop pad. Refer to **Exhibit #2**. The project site for the second helistop pad (Mānele Helistop) includes road access improvements and is located to the north of the Mānele area. The Mānele Helistop site is accessed via Kapihaa Place, approximately one (1) mile northwest of the Four Seasons Resort Lāna’i at Mānele Bay Resort (Mānele Resort). Refer to **Exhibit #3**. Currently, the Mānele Helistop site is surrounded by existing large trees, palms, sheds, and other plant nursery structures. The nursery provides containerized ornamental plants for the Four Seasons Resort Lāna’i, The Lodge at Kō’ele and Four Seasons Resort Lāna’i at Mānele Bay Resort.

- 2. Land Use Designations --
 - a. State Land Use District -- Rural (Kō’ele Helistop)
Agricultural (Mānele Helistop)
 - b. Lāna’i Community Plan -- Agriculture (Kō’ele Helistop and Mānele Helistop)
 - c. County Zoning -- Agricultural (Kō’ele Helistop and Mānele Helistop)
 - d. Maui Island Plan -- Not applicable to Lāna’i
 - e. Other -- Not in the Special Management Area (Kō’ele Helistop and Mānele Helistop)

- 3. Surrounding Uses --

Kō’ele Helistop

- North -- Agricultural and Vacant Lands
- East -- Rural and Agricultural (Keomuku)
- South -- Residential, Rural & Agricultural (Lāna’i City)
- West -- Agricultural and Vacant Lands

Mānele Helistop

- North -- Residential and Agricultural (Lāna’i City)

- East -- Residential, Hotel, and Vacant Lands (Four Seasons Resort Lāna'i at Mānele Bay)
- South -- Residential and Vacant Lands (Hulopoe Bay)
- West -- Residential and Vacant Lands

APPLICABLE REGULATIONS

CONDITIONAL PERMIT

A Conditional Permit is reviewed pursuant to Title 19, Zoning, Chapter 19.40 Conditional Permits; Maui County Code, 1980, as amended. The intent of the Conditional Permit is to provide the opportunity to consider establishing uses not specifically permitted within a given use zone where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location.

Upon finding that reasons justifying granting of a Conditional Permit exist, and that the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located; issuance of a Conditional Permit may be recommended, subject to such terms and conditions and for such period of time as the facts may warrant.

Should the Lāna'i Planning Commission determine that the permit requested is for a use which is substantially different from those uses permitted in the use zone, the Commission shall recommend denial of the request and may instruct the applicant to seek a change in zoning should the facts warrant such an application.

Every Conditional Permit shall be conditioned upon the proposed development fully complying with all requirements of Title 19 and other applicable governmental requirements.

STATE LAND USE COMMISSION SPECIAL PERMIT

Pursuant to Section 205-6 Special Permit, Hawai'i Revised Statutes (HRS), the Lāna'i Planning Commission may permit certain unusual and reasonable uses within agricultural and rural districts other than those for which the district is classified. Special permits for the land area of which is greater than fifteen acres shall be subject to approval by the State Land Use Commission. This application concerns uses on a portion of a parcel, that portion being less than fifteen acres, and therefore the Lāna'i Planning Commission is the authority for the Special Use Permit.

Standards for reviewing a Land Use Commission Special Permit are found under Title 15, Department of Business, Economic Development, and Tourism; Subtitle 3 State Land Use Commission, Chapter 15 Land Use Commission Rules, Subchapter 12 Special Permits, § 15-15-95 of the Hawaii Administrative Rules.

Certain "unusual and reasonable" uses within agricultural and rural districts other than those for which the district is classified may be permitted. The following guidelines are established in

determining an “unusual and reasonable use”:

- (1) The use shall not be contrary to the objectives sought to be accomplished by Chapters 205 and 205A, HRS, and the rules of the Land Use Commission.
- (2) The desired use would not adversely affect the surrounding property;
- (3) The use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection;
- (4) Unusual conditions, trends and needs have arisen since the district boundaries and rules were established;
- (5) The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

The Lānaʻi Planning Commission may impose such protective conditions as it deems necessary in the issuance of a Special Permit. The Lānaʻi Planning Commission shall establish, among other conditions, a reasonable time limit suited to establishing the particular use, and if appropriate, a time limit for the duration of the particular use, which shall be a condition of the Special Permit. If the permitted use is not substantially established to the satisfaction of the Lānaʻi Planning Commission within the specified time, it may revoke the permit. The Maui Planning Department, with the concurrence of the Commission, may extend the time limit if it deems that circumstances warrant the granting of the extension. Pursuant to HRS Section 205-6 (C), the Commission must also find that the use would promote the objectives and effectiveness of Chapter 205 HRS.

HAWAII REVISED STATUTES (HRS), CHAPTER 343

The installation of new helicopter facilities is considered a “trigger” within Hawaiʻi Revised Statutes (HRS), Chapter 343.

HRS Section 343-2 provides as follows:

“Helicopter facilities” means any area of land or water which is used, or intended for use for the landing or takeoff of helicopters; and any appurtenant areas which are used, or intended for use for helicopter related activities or rights-of-way.

HRS Section 343-5 provides exceptions from the requirement for compliance with HRS, Chapter 343 Environmental Assessment (EA) for helicopter facilities as long as none of paragraphs 8(A), 8(B), or 8(C) are applicable:

- (a) *Except as otherwise provided, an environmental assessment shall be required for actions that:*

- (8) *Propose the construction of new or the expansion or modification of existing helicopter facilities within the State, that by way of their activities, may affect:*
- (A) *Any land classified as a conservation district by the state land use commission under chapter 205; (Criteria A)*
 - (B) *A shoreline area as defined in section 205A-41; (Criteria B) or*
 - (C) *Any historic site as designated in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E; or until the statewide historic places inventory is completed, any historic site that is found by a field reconnaissance of the area affected by the helicopter facility and is under consideration for placement on the National Register or the Hawaii Register of Historic Places; (Criteria C)*

With regards to Criteria A, the proposed Kō'ele and Mānele helistops are not located on lands classified as Conservation district by the State Land Use Commission as per HRS, Chapter 205, as the project sites are located on "Agricultural District" and "Rural District" classified lands. With regards to Criteria B, the project sites are located inland and a distance away from the shoreline area for the island of Lāna'i as defined in HRS, Section 205A-41. Lastly, with regards to Criteria C, the two (2) helistop pads as proposed do not affect any historic site designated in the National Register or Hawai'i Register per the Historic Preservation Act of 1966, or land that is under consideration for placement on the National or Hawai'i Register of historic places.

As the proposed project meets the requirements for an exception from the HRS, Chapter 343, the preparation of an EA is not required for the proposed project.

PROCEDURAL MATTERS

- On December 10, 2015, the Maui Planning Department received applications and fee payments from the Applicant for a Land Use Commission Special Permit and Conditional Permit respectively. On January 14, 2016, the Maui Planning Department received revised State Land Use Commission Special Permit and County Conditional Permit applications.
- On February 29, 2016, the Maui Planning Department mailed a notice to the Applicant and appropriate State and County agencies notifying them of the scheduled public hearing on these applications for April 20, 2016.
- On March 14, 2016, the Applicant mailed a letter of notification and location map to all owners and recorded lessees located within 500 feet of the subject property describing the applications and notifying them of the scheduled hearing date, time and place by either certified or registered mail receipt. Copies of the letter, location map, list of owners, certified and registered mail receipts are on file with the Planning Department.
- On March 14, 2016, the Applicant mailed a letter of notification and location map to all owners and recorded lessees located abutting and across the street of the subject property describing the applications and notifying them of the scheduled hearing date, time and place

by either certified or registered mail receipt. Copies of the letter, location map, list of owners, certified and registered mail receipts are on file with the Planning Department.

- On March 19, 2016, a notice of hearing on the application was published in the Maui News and Lāna'i Times by the Maui Planning Department.
- The subject action is exempt from the requirement for compliance with Chapter 343, Hawaii Revised Statutes, relating to Environmental Assessments and Impact Statements.
- The Lāna'i Planning Commission shall make a determination on the Land Use Commission Special Permit. The Commission is the final authority on the Special Use Permit; however, the expiration of the SUP2, if approved, shall be tied to the expiration date of the Conditional Permit if approved by the County Council.
- The Lāna'i Planning Commission shall transmit findings, conclusions and recommendations for the Conditional Permit to the County Council.

REVIEWING AGENCIES

County Agencies:	Comment	Exhibit #
Department of Environmental Management	Yes	8
Applicant Response		8a
Department of Housing and Human Concerns	No	9
Department of Public Works	No	10
Department of Water Supply	No	11
Fire and Public Safety	Yes	12
Applicant Response		12a
Police Department	Yes	13
Applicant Response		13a

State Agencies:	Comment	Exhibit #
DAGS	Yes	14
Applicant Response		14a
Department of Hawaiian Homelands	Yes	15
Applicant Response		15a
Department of Health, Clean Water Branch	Yes	16
Applicant Response		16a
Department of Health, Maui	Yes	17
Applicant Response		17a
DLNR – Engineering	Yes	18
Applicant Response		18a
DOT, Statewide Planning Office	Yes	19
Applicant Response		19a
Office of Planning	No	20

Federal Agencies:	Comment	Exhibit #
Federal Aviation Administration (Determination of Land Letter for FAA previously referenced in Exhibit #6.)	No	21

The Applicant held a community informational meeting regarding the helistop pads on October 7, 2015 with 46 community members in attendance. According to the Applicant, no one spoke in opposition to the project and the majority of the people were in support of the project.

Pūlama Lānaʻi representatives subsequently spoke with the Mānele and Kōʻele Association Presidents, to let them know that Pūlama Lānaʻi would be contacting their members to provide them with information on the meeting. For the 110 members of the Mānele and Kōʻele associations, Pūlama Lānaʻi summarized the meeting, included the meeting handouts, along with a cover letter explaining why the Mānele and Kōʻele owners were receiving this information, and requested questions or comments on the project to be provided in writing to Pūlama Lānaʻi. This packet was mailed to the owner's home addresses on October 30, 2015. To date, Pūlama Lānaʻi received two (2) responses. Both responses asked Pūlama Lānaʻi to look at not allowing helicopter flights between 11:00 p.m. and 5:00 a.m. As Pūlama Lānaʻi believes that these late flights will be basically non-existent, the Applicant would prefer to institute this time restriction if multiple night flights commence once operational, and responded accordingly to the owners.

ANALYSIS

LAND USE

1. The Kōʻele property is in the State Land Use Rural District and the Mānele property is located in the State Land Use Agricultural District. The Lānaʻi Community Plan designates the project sites as "Agricultural" and Maui County zoning designates both sites as "Agricultural". Helistop Pads are not a permitted use in the State Land Use Rural and Agricultural Districts, and a State Land Use Commission Special Use Permit is required for the activity.
2. According to County Zoning maps, the Kōʻele and Mānele Project sites are zoned as Agricultural. Helistop pads are not set forth as a permitted or special use within the County's Agricultural zoning district, as provided by Chapter 19.30A of the Maui County Code. Hence a County Conditional Permit is required for the Helistop Pad activities on the Kōʻele and Mānele sites.
3. MAUI COUNTY GENERAL PLAN. As indicated by the Maui County Charter, the purpose of the general plan shall be to:

... indicate desired population and physical development patterns for each island within the County; shall address the unique problems and needs of each island and region within the County; shall explain the opportunities and the social, economic, and environmental consequences related to potential developments; and shall set forth the desired sequence, patterns, and characteristics of future developments. The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development.

Chapter 2.80B of the Maui County Code, relating to the General Plan and Community Plans, implements the foregoing Charter provisions through enabling legislation calling for a Countywide Policy Plan (CWPP). The CWPP was adopted as Ordinance No. 3732 effective March 24, 2010.

The following section identifies pertinent objectives, policies, implementing actions and related provisions set forth in the CWPP. It is recognized that the document is comprehensive in nature and addresses a number of functional planning areas which apply to all programs, plans, and projects. However for purposes of addressing General Plan compliance requirements, policy considerations which are deemed most relevant in terms of compatibility and consistency are addressed in this section.

With regard to the CWPP, Section 20.80B.030 of the Maui County Code states the following:

The countywide policy plan shall provide broad policies and objectives which portray the desired direction of the County's future. The countywide policy plan shall include:

1. *A vision for the County;*
2. *A statement of core themes or principles for the County; and*
3. *A list of countywide objectives and policies for population, land use, the environment, the economy, and housing.*

Core principles set forth in the CWPP are listed as follows:

1. *Excellence in the stewardship of the natural environment and cultural resources;*
2. *Compassion for and understanding of others;*
3. *Respect for diversity;*
4. *Engagement and empowerment of Maui County residents;*
5. *Honor for all cultural traditions and histories;*
6. *Consideration of the contributions of past generations as well as the needs of future generations;*
7. *Commitment to self-sufficiency;*
8. *Wisdom and balance in decision making;*
9. *Thoughtful, island-appropriate innovation; and*

10. *Nurturance of the health and well-being of our families and our communities.*

Congruent with these core principles, the Countywide Policy Plan identifies goals, objectives, policies and implementing actions for pertinent functional planning categories, which are identified as follows:

1. *Natural environment*
2. *Local cultures and traditions*
3. *Education*
4. *Social and healthcare services*
5. *Housing opportunities for residents*
6. *Local economy*
7. *Parks and public facilities*
8. *Transportation options*
9. *Physical infrastructure*
10. *Sustainable land use and growth management*
11. *Good governance*

With respect to the proposed project, the following goals, objectives, policies and implementing actions are illustrative of the project's compliance with the Countywide Policy Plan:

F. Strengthen the Local Economy

Goal: *Maui County's economy will be diverse, sustainable, and supportive of community values.*

Objective:

1. *Promote an economic climate that will encourage diversification of the County's economic base and a sustainable rate of economic growth.*

Policies:

- a. *Support economic decisions that create long-term benefits*

* * *

- j. *Support efforts to improve conditions that foster economic vitality in our historic small towns.*

* * *

- l. *Support public and private entities that assist entrepreneurs in establishing locally operated businesses.*

Objective:

3. *Support a visitor industry that respects the resident culture and the environment.*

Policy:

- n. *Recognize the important contributions that the visitor industry makes to the County's economy, and support a healthy and vibrant visitor industry.*

In light of the foregoing, the proposed project is deemed to be consistent with the Countywide Policy Plan for the 2030 General Plan.

4. **LĀNA'I COMMUNITY PLAN.** The project site is located in the Lāna'i Community Plan region, one (1) of the nine (9) Community Plan regions established in the County of Maui. Planning for each region is guided by the respective Community Plans, which are designed to implement the Maui County General Plan. Each Community Plan contains recommendations and standards which guide the sequencing, patterns, and characteristics of future development in the region.

Land use guidelines are established by the Lāna'i Community Plan land use map. The subject property is designated for "Agriculture" use.

The Lāna'i Community Plan sets forth goals, objectives and policies which are statements identifying preferred future conditions. Goals, objectives and policies associated with the proposed use of the subject property include the following:

ECONOMIC ACTIVITY

Goal:

Create a stable and diverse economic climate which is consistent and compatible with Lāna'i's rural island lifestyle.

Objectives and Policies:

1. *Ensure the long-term viability of the island's visitor industry, and maintain its position as the island's primary economic stimulus.*

It is noted that the Lāna'i Community Plan is in the process of being updated. The Planning Department issued recommended revisions on the Lāna'i Planning Commission's draft on January 21, 2015 and they are currently under review by the Maui County Council. The proposed project is deemed to be consistent with the Lāna'i Community Plan.

COUNTY CONDITIONAL PERMIT

As set forth in Chapter 19.40 of the Maui County Code, the intent of the CP is to provide the opportunity to establish uses that are not specifically permitted within the "Agricultural" zoning district where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed.

The Commission may recommend approval for a CP if it finds that the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located. The Maui County Council will take final action on the request.

The proposed locations for the helistops are confined to and total approximately 2.5 acres of a parcel that is 69,270 acres. This larger parcel is primarily characterized as vast, expansive lands that are vacant and undeveloped. The proposed sites are located in areas a distance away from the community and populated areas of Lāna'i. Due to the characteristic of the land, its location and that activities at each helistop are anticipated to occur during intermittent periods of flight during a month,

which would not exceed 12 flights per month and vary for both sites, the proposed use is compatible to the surrounding permitted uses (e.g., commercial, residential, and open land recreation uses). The proposed helistops are anticipated to be compatible with special uses and are not anticipated to be hazardous or a nuisance to surrounding areas.

The proposed activity is not anticipated to adversely impact environmental, infrastructure, and public service parameters.

LAND USE COMMISSION SPECIAL PERMIT

Chapter 205-6, HRS allows for the establishment of "unusual and reasonable" uses in the State Agricultural District through the approval of a State Land Use Commission Special Permit. The Applicant has demonstrated the "unusual and reasonable" use of the activity in accordance with the following guidelines:

Certain "unusual and reasonable" uses within agricultural and rural districts other than those for which the district is classified may be permitted. The following guidelines are established in determining an "unusual and reasonable use":

- (1) *The use shall not be contrary to the objectives sought to be accomplished by chapters 205 and 205A, HRS, and the rules of the Land Use Commission.*

COMPLIANCE: The general intent of the State Land Use law is "to preserve, protect, and encourage the development of land in the State for those uses which are best suited for and in the interest of the public health and welfare of the State of Hawaii".

The project is not contrary to Chapter 205 and 205A, Hawai'i Revised Statutes (HRS) and the rules of the Land Use Commission. The Kō'ele Helistop site is undeveloped and has been vacant for over 50 years. The Mānele Helistop site is proposed on agricultural land on a portion of the existing plant nursery property. The proposed use of the lands for two (2) helistop pads will not detract from the future agricultural productivity for the island of Lāna'i. There are over 40,000 acres of land designated for agricultural use on the island of Lāna'i. The project will utilize less than three (3) acres in total for the two (2) helistops.

Chapter 205A, HRS Coastal Zone Management Program, sets out to preserve, protect, and where possible, restore the natural resources of the coastal zone of Hawai'i. The project sites are not located in close proximity to the shoreline and do not adversely impact coastal zone resources or access to the shoreline.

- (2) *The desired use would not adversely affect surrounding properties or applicable district standards;*

COMPLIANCE: Both helistop pads will be located in areas that are not in close proximity to residential uses nor uses that are incompatible with the helistop operations. The Kō'ele Helistop pad project site is accessed via Polihua Road/Mānele Road and will be located on an area that is approximately one-half (0.5) mile northwest of Lāna'i City and is bordered by a broad expanse of vacant,

undeveloped lands to the north, east and west on what were formerly used for pineapple cultivation. The Experience at Kō'ele Golf Course, which buffers The Lodge at Kō'ele is approximately a quarter mile (0.25) mile away to the southeast.

The Mānele Helistop pad will be situated on an area that is approximately one (1) mile from the Mānele Resort. The nearest single- and multi-family residential units are located approximately a half (0.5) mile away from the proposed helistop pad site to the southeast and beyond the Challenge at Mānele Golf Course. The Mānele Helistop project site is bordered by vast vacant land to the north, west, south, and east, and is accessed via the unpaved Kapihaa Place.

During usage of the helistops, anticipated to occur during intermittent periods of flights during a month, which would not exceed 12 flights per month and vary for both sites, the transitory sound during landing or take-off is heard for a few seconds along the flight path. These short intervals of landing and take-off will occur over primarily vacant and undeveloped land and a distance away from the populated areas of Lāna'i City and Mānele. Additionally, the private helicopters are manufactured with sound reduction components.

The helistop sites are contained in areas approximately 1.6 acres (Kō'ele Helistop) and 0.9 acre (Mānele Helistop), with the Kō'ele site bordered by a tennis complex and the Mānele Road, and the proposed Mānele site located on a previously developed area of the existing containerized plant nursery. Both sites are surrounded by vacant and undeveloped lands, and are about a 0.5 mile away from the populated areas in those regions. The project sites are not anticipated to have adverse impacts to surrounding properties.

- (3) *The use would not unreasonably burden public agencies to provide roads, streets, sewer, water, drainage and school improvements, and police and fire protection.*

COMPLIANCE: The project will not require improvements to the existing roadway, sewer, water, or drainage systems. In addition, the project will not affect educational or recreational facilities and will not adversely impact police and fire protection, or emergency medical services.

- (4) *Unusual conditions, trends and needs have arisen since the district boundaries and rules were established;*

COMPLIANCE: Since the district boundaries were established, trends in the luxury resort market have required properties and ownership to provide appropriate and unique service and amenities to cater to their guests' requirements. These amenities and services include private helistop landing facilities since access to Lāna'i is limited and provide guests with alternative private transportation options. The Kō'ele Helistop is located away from the populated Lāna'i City and approximately 0.25 mile away from the Lodge at Kō'ele. The Mānele Helistop is located away from the populated areas on Lāna'i (approximately 0.5-mile from single-family and multi-family residences) and will be located on agricultural land owned by the Applicant. The project sites for the helistops in these regions are confined to areas that are surrounded primarily by a broad expanse of vacant,

undeveloped land that typifies the major land uses in these vicinities.

- (5) *The land upon which the proposed use is sought is unsuited for the uses permitted within the district.*

COMPLIANCE: The Kō'ele Helistop will be located on land that is characterized by a low agricultural production rating of "D" and is vacant. Nearby is a tennis court complex and equestrian center. The lands under the Mānele Helistop are less than favorable for agricultural production as it is rated "E" for overall productivity and currently is used for plant nursery operation. The use of the project sites for helistop pads is not expected to affect lands available for total agricultural cultivation or diversified agriculture. The approximately 2.5 acres of total project area is a minor amount relative to the expansive acreage of agricultural land on Lāna'i.

The Lāna'i Planning Commission may impose such protective conditions as it deems necessary in the issuance of a Special Permit. The Lāna'i Planning Commission shall establish, among other conditions, a reasonable time limit suited to establishing the particular use, and if appropriate, a time limit for the duration of the particular use, which shall be a condition of the Special Use Permit. If the permitted use is not substantially established to the satisfaction of the Lāna'i Planning Commission within the specified time, it may revoke the permit. The Maui Planning Department, with the concurrence of the Commission, may extend the time limit if it deems that circumstances warrant the granting of the extension. Pursuant to HRS Section 205-6 (C), the Commission must also find that the use would promote the objectives and effectiveness of Chapter 205 HRS.

AGRICULTURE

The Kō'ele Helistop will be located on land that is designated as "Unique" by the Agricultural Lands of Importance to the State of Hawaii (ALISH) and characterized by a low agricultural production rating of "D" and is vacant. Nearby is a tennis court complex and equestrian center. The Mānele Helistop will be located on lands designated as "Unclassified" by ALISH, and are less than favorable for agricultural production as it is rated "E" for overall productivity and currently is used for a containerized plant nursery operation. The use of the project sites for helistop pads is not expected to affect lands available for total agricultural cultivation or diversified agriculture. The approximately 2.5 acres total project area is a minor amount relative to the expansive acreage of agricultural land on Lāna'i.

The underlying land for the Kō'ele Helistop has a low productivity rating of "D" for agriculture. The detailed productivity rating for the Kō'ele Helistop is "D10". The "D10" rating reflects an overall low productivity rating with soils characterized as non-stony, with depths less than 30 inches, with an average slope of 0 to 10 percent. The soil is fine and well drained. This land is typically found at an elevation of 1,000 to 2,000 feet and experiences a mean annual rainfall of 15 to 25 inches. The soils are dark reddish brown in color. "D" rated lands are suitable for pineapple.

The land under the Mānele Helistop is characterized with a productivity rating of "E19". The "E19" rating reflects an overall productivity rating of "E", the lowest possible productivity rating for agriculture with soils characterized as rocky, with shallow soil depths featuring exposed bedrock, and with an average slope of 0 to 35 percent. The soils are coarse to fine grain, and is well to excessively drained. This land is typically found at an elevation of 0 to 1,000 feet, and experiences

a mean annual rainfall of 15 to 25 inches. The soils are dark brown to dark reddish brown in color. "E" rated lands are characterized as being suitable for grazing according to the University of Hawai'i, Land Study Bureau.

The Natural Resources Conservation Services detailed soil classification for the proposed project area for the Kō'ele Helistop is "KrC" of the Kō'ele series. This series consists of well drained soils on fans and in drainageways on Lāna'i. Elevations are mainly between 1,000 and 2,000 feet with some areas near sea level. This soil is characterized by medium runoff and moderate erosion hazard. Workability is slightly difficult due to slope. The detailed soil classification for the proposed project area for the Mānele Helistop is "rVS". These soils are lands characterized with stones and boulders underlain by soft, weathered rock and bedrock with slopes that ranging from 7 to 30 percent.

INFRASTRUCTURE, PUBLIC FACILITIES AND SERVICES

1. Water and Wastewater -- The helistop operations are not anticipated to use water for the proposed helistop operations at the Kō'ele and Mānele locations, and both sites will not generate wastewater.
2. Fire, Police and Medical Services -- The County's Lāna'i Fire Station and the Police Station located in Lāna'i City service the community on Lāna'i island. Lāna'i City is approximately 1.5 miles from the Kō'ele Helistop pad site and seven (7) miles from the Mānele Helistop pad site. An aircraft rescue and firefighting station operated by the State Department of Transportation is located at the Lāna'i Airport three (3) miles from the Kō'ele Helistop pad and nine (9) miles from the Mānele Helistop. The Lāna'i Community Hospital in Lāna'i City is the only facility on the island providing 24-hour emergency, acute, and long-term care with its 47 employees. It is a sister hospital to Kula Hospital and Maui Memorial Medical Center.

The proposed activity is not anticipated to adversely impact public services or facilities and utilities, and will not expand the service limits for public services and infrastructure.

3. Drainage -- The two (2) helistop pads are located in Zone X as indicated by the Flood Insurance Rate Map, which are areas of minimal flood hazard determined to be outside the 0.2 percent annual chance flood plain. See **Exhibit #22**.

There will be grading over the area of the two (2) proposed sites, and will involve fill with cut. The project will increase the impervious area by about 2,800 square feet and increase the semi-impervious area by about 6,000 square feet on each site.

Kō'ele

The site is not exposed to any risks from flooding or tsunami hazards. Adjacent to the east of the proposed Kō'ele Helistop site is an existing tennis complex landscaped with trees, shrubs, and a parking area. Existing stormwater runoff patterns on the site sheet flow predominately in a southwesterly direction toward agricultural lands, and in a direction away from Keōmuku Road. There are no bodies of water adjacent to the site.

The helistop improvements are confined to an area that is approximately 1.6 acres. The Kō'ele site consists of flat open grasslands and is bordered on the south end by a tennis

complex, with a main arterial roadway to Lānaʻi City to the east, and with shrubs and vegetation to the west and north. The Equestrian Center (Stables) is located about a mile away, to the southwest.

The Kōʻele Helistop will include walkway access improvements estimated to increase the impervious area by approximately 1,500 square feet.

Mānele

The proposed Mānele Helistop will be located on a portion of the nursery site which was previously cleared and developed for parking and is bounded by grasses and weeds. The approximate area of the Mānele Helistops is 0.9 acre. The improvements for the walkways to the helistop will increase the impervious surface at the Mānele site by approximately 1,000 square feet. The proposed Mānele Helistop is located on property previously developed as a nursery. Existing stormwater runoff patterns on the Mānele site sheet flow to an existing swale to the south into an existing nearby detention basin. Existing flow paths are generally parallel to Kapihaa Place.

The surface runoff discharge from the Kōʻele Helistop and Mānele Helistop project sites are not anticipated to be significant as there will be no change to existing drainage patterns in the project areas. Permanent BMP's will be included in the project design for both sites (e.g., vegetated swales to increase percolation of runoff waters into the soil). The Applicant will develop a detailed drainage plan during the project design phase for the implementation of temporary construction BMPs. No adverse impacts to drainage patterns on adjacent or downstream properties are anticipated.

4. Access -- Access to the Kōʻele project site is from Keomuku Road and access to the Mānele project site is from Kapihaa Road approximately one mile northwest of the Four Seasons Resort Lānaʻi at Mānele Bay resort.

SOCIO-ECONOMIC IMPACTS

On a short-term basis, the project will support construction and construction-related employment and have a beneficial impact on the local economy during construction. In the long-term, the additional transport feature may attract additional guests at The Lodge at Kōʻele and the Mānele Resort, which would provide for additional revenues for Lānaʻi, the County, and the State from each resort.

ENVIRONMENTAL IMPACTS

1. Open Space and Scenic Resources -- The two (2) helistop pads are low in profile. Adverse impacts to open space or scenic resources are not anticipated as a result of the project.

The location of the helistops do not encompass existing traditional access or walking trails between the coast and traditional upland area. The project is not anticipated to present any adverse impacts on traditional beach and mountain access.

2. Noise and Air Quality -- Ambient noise conditions in the area are generally attributable to natural conditions (i.e. wind and rain). Ambient noise conditions may be temporarily affected

by construction-related activities. Various construction machinery are anticipated to be the dominant noise generating sources during the construction period.

Usage of the private helistop pads is anticipated to be during intermittent periods of flight within a month, which would not exceed 12 flights per month. The flight frequency is anticipated to vary between Kō'ele and Mānele Helistops. It is anticipated that flights will normally occur during daytime hours, with an occasional night landing. Helistop activity (takeoff and landing) produces a transitory sound. On landing or takeoff, the sound event is approximately 45 seconds in duration. At any point along the flight path, the helicopter will be heard for a few seconds due to the transitory nature of the activity. The helicopters will be powered by gas turbine engines.

The project sites are located on currently non-productive agricultural lands. In the long-term, there are no adverse air quality conditions in the areas. During construction, airborne particulates as a result of construction related activities may temporarily affect the ambient air quality within the immediate vicinity of the project sites.

Mitigation measures for construction-related activities will include using the proper equipment and conducting regular vehicle maintenance to reduce noise levels. Equipment mufflers or other noise attenuating equipment may also be employed as required. Construction activities on the project sites will be restricted to hours between 7:00 a.m. and 4:30 p.m., Monday through Friday, as practicable, excluding holidays. By effectively employing these measures, potential noise-related impacts from construction related activities will be mitigated.

The flight path for the proposed Kō'ele Helistop pad, located centrally in Lāna'i, will occur over primarily vacant and undeveloped land and away from the populated/urbanized areas of Lāna'i City and the Equestrian Center. The flight path for the proposed Mānele Helistop pad located approximately one (1) mile from the southern coastline will avoid the populated residential areas in the Mānele Resort. Helicopters are manufactured with sound reduction components (e.g., scimitar tipped rotor blades, directed tail rotor, and high efficient small turbo-shaft engines) and these types of components will be included in the helicopters used.

Mitigative measures during construction will include use of water wagons and sprinklers to control dust, dust screens, as well as other appropriate Best Management Practices (BMP) to ensure that fugitive dust from the project areas are minimized. By employing these mitigative measures, construction related activities are not anticipated to pose a significant impact to the air quality in the surrounding area.

3. Archaeology and Cultural Resources --

The archaeological field survey found there are no potentially significant historic properties at the Kō'ele and Mānele Helistop project areas affected by the proposed projects. See **Exhibit #23**.

Kō'ele

The Archaeological Survey prepared in April 2015 for the proposed Kō'ele Helistop pad extended beyond the limits of the proposed pad to take in about five (5) acres of the

abandoned pineapple field. The Kō'ele Helistop project is in an abandoned pineapple field. No artifacts were found on the surface of the project site. Secondly, deposited basalt flakes were found at five (5) spots in the abandoned pineapple field outside of the project area, including two (2) flakes with polished surfaces indicative of originating on an adze. These find spots are not potentially significant historic properties because the secondarily deposited artifacts lack integrity of location.

Mānele

The Mānele Helistop project will be located on the existing containerized plant nursery's graded pad. No evidence of potentially significant historic properties was found at the project site.

4. Biological Resources -- In March 2015, ICF International conducted a terrestrial wildlife and vegetation survey on the project area.

During the survey of both the Kō'ele and Mānele Helistop project areas, the survey did not observe any listed Endangered Hoary Bats. Although endangered Hawaiian petrels do not nest within or near the project areas, the report noted that a breeding colony was found in 2006 at Lāna'i Hale approximately two (2) miles to the east, southeast of the Mānele Helistop. The report noted that 15 species of native Hawaiian colletid bees in the genus of *Hylaeus* are known on Lāna'i, though the survey did not observe any of the bees or other rare insect species during this or any previous survey of the project areas.

Kō'ele

There was no finding of plant species listed as threatened or endangered or a species of concern. None of the project area is encumbered by proposed or designated critical habitat for endangered species.

There was no finding of any animal species listed as threatened or endangered or a species of concerns within the project area. None of the project area is encumbered by proposed or designated critical habitat for endangered species.

Mānele

There was no finding of any plant species listed as threatened or endangered or a species of concern within the project area. None of the project area is encumbered by proposed or designated critical habitat for endangered species.

The survey did not find any of the animal species listed as threatened or endangered or a species of concern. None of the project area is encumbered by proposed or designated critical habitat for endangered species.

The survey recommended that during construction, measures should be implemented to insure that noxious weeds or other invasive alien species are not accidentally introduced to the construction sites. Measures include cleaning of construction equipment and vehicles, decontaminating before leaving the project area or at designated stations near the construction sites, use of gravel or other appropriate material, manual cleaning procedures

for handtools with avoidance of unnecessary runoff. The recommendations include importing materials (gravel, soil, and rock) to the project site free of invasive plants, re-vegetating graded project sites as soon as practicable with plants from Lāna'i. A qualified botanist should inspect stockpiled materials every 30 days to ensure that a 10 meter buffer is maintained between the stockpiles and invasive species. Use of seed mixtures for hydro-seeding and hydro-mulching should be free of non-native weeds. A qualified biologist should inspect the seeded areas a minimum of 60 days after the seed application.

The survey recommended that security and site lighting associated with the proposed helistop activities implement mitigation measure to prevent the fall out of fledging seabirds, who can be confused by lighting, and that in accordance with the U.S. Fish and Wildlife Service guidance to mitigate impacts to Hawaiian Hoary Bats, the project should avoid or minimize the removal of trees over 15 feet in height and avoid clearing these trees from June 1 to September 15 to avoid harm to non-volant bat pups. The Applicant will include mitigation measures listed in this report that were recommended in the ICF International survey report, to minimize significant adverse impacts.

OTHER GOVERNMENTAL APPROVALS

The Applicant shall be bound by any other permits as may be necessary in order to ensure the health and safety of the Kō'ele and Mānele Helistop pad operations.

TESTIMONY

As of April 12, 2016, the Planning Department has received no letters regarding the proposed helistop project.

ALTERNATIVES

Conditional Permit

1. Deferral. The Commission may defer action to another meeting date in order to obtain additional information that will assist in their deliberations on the application.
2. Recommendation of Approval to the County Council. The Commission is not the final authority on the Conditional Permit and, therefore, can only make a recommendation to the County Council to approve or deny the Conditional Permit. The County Council is the authority to act on the Conditional Permit.
3. Recommendation of Denial to the County Council. The Commission is not the final authority on the Conditional Permit and, therefore, can only make a recommendation to the County Council to approve or deny the conditional permit. The County Council is the authority to act on the Conditional Permit.

State Land Use Commission Special Permit

1. Deferral. The Commission may defer action to another meeting date in order to obtain additional information that will assist in their deliberation on the request.

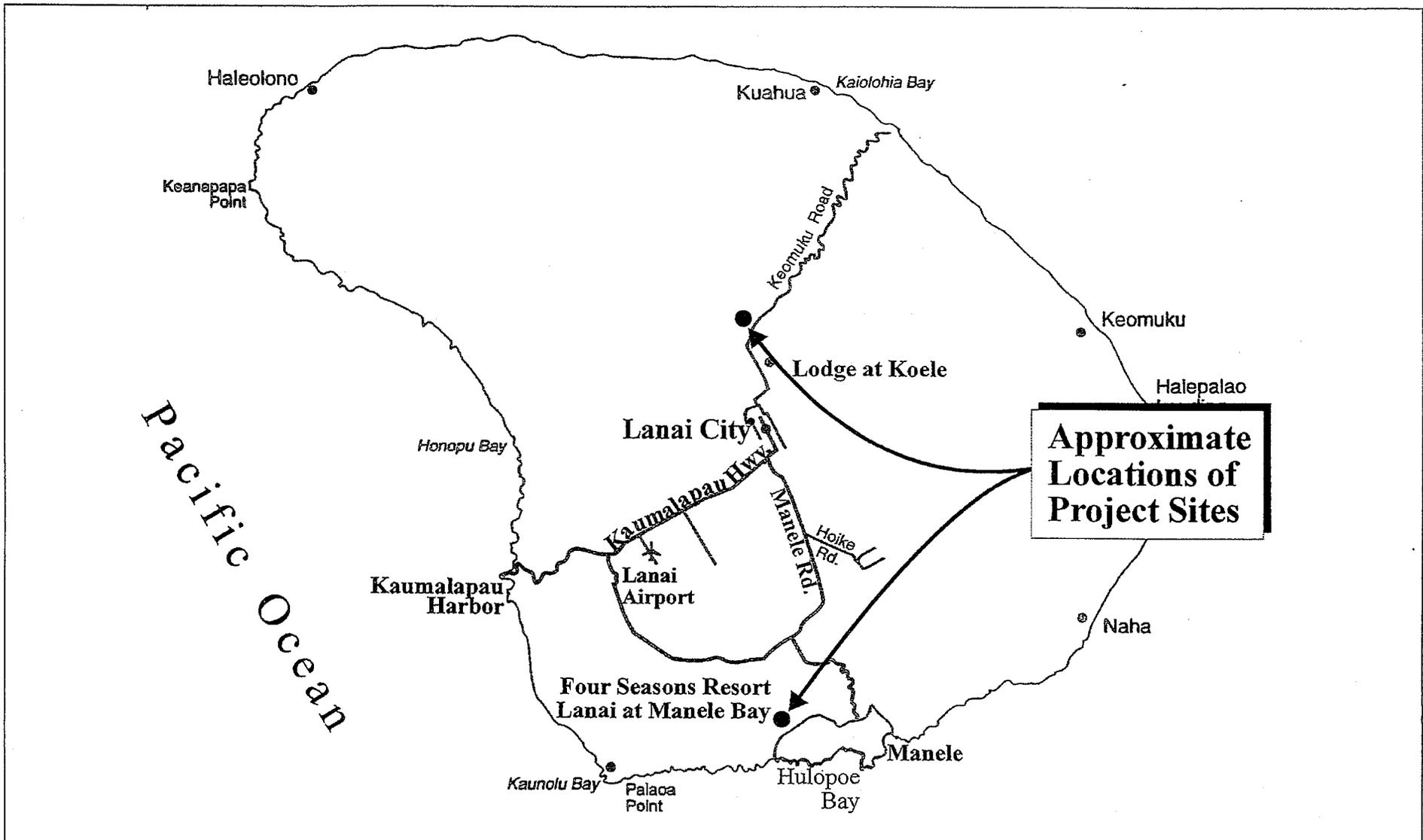
2. Approve With No Conditions. The Commission may take action to approve the permit request without imposing any conditions.
3. Approve With Conditions. The Commission may take action to approve the permit request with conditions.
4. Denial. The Commission may take action to deny the permit request.

APPROVED:

A handwritten signature in black ink, appearing to read 'William Spence', written over a horizontal line.

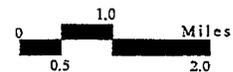
WILLIAM SPENCE
Planning Director
County of Maui

Exhibit #1. Regional Location Map



Source: Belt Collins Hawaii

Proposed Private Helistop Pads on Lanai Regional Location Map



Prepared for: Pūlama Lānaʻi



**Exhibit #2. Property Location Map
(Kōʻele)**

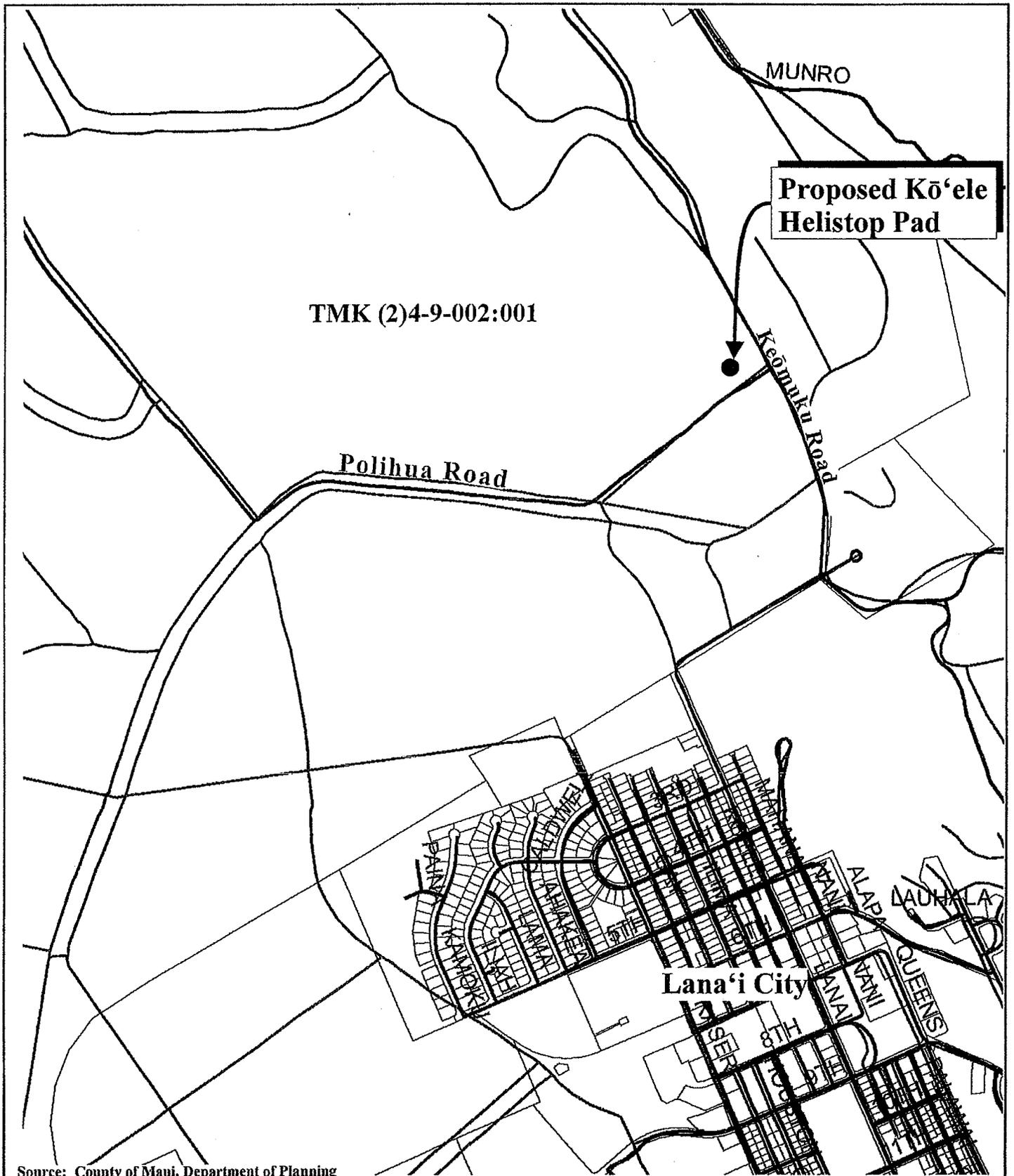


Figure 2

Proposed Private Helistop Pads on Lana'i
Property Location Map (Kō'ele)

NOT TO SCALE



**Exhibit #3. Property Location Map
(Mānele)**

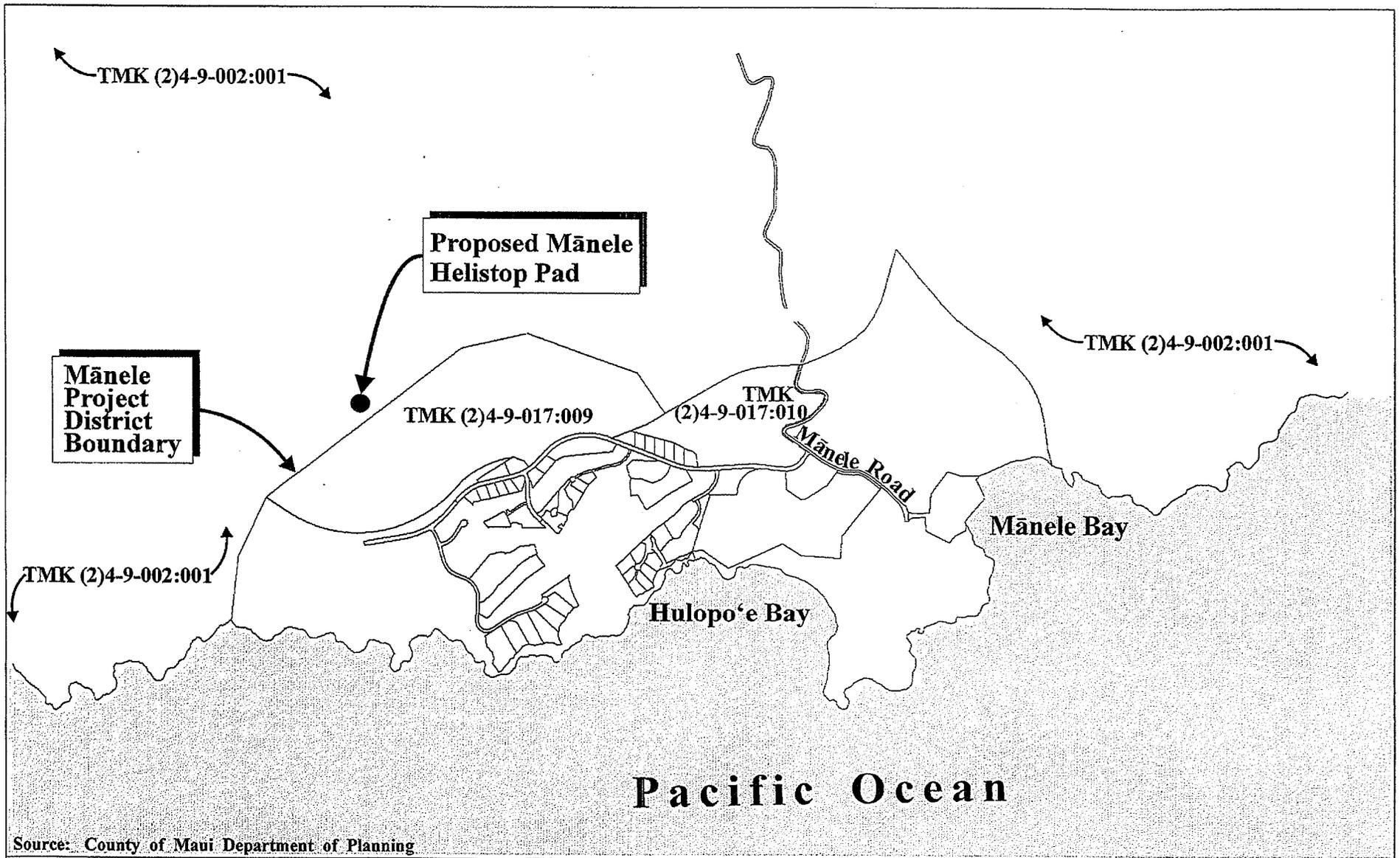


Figure 3

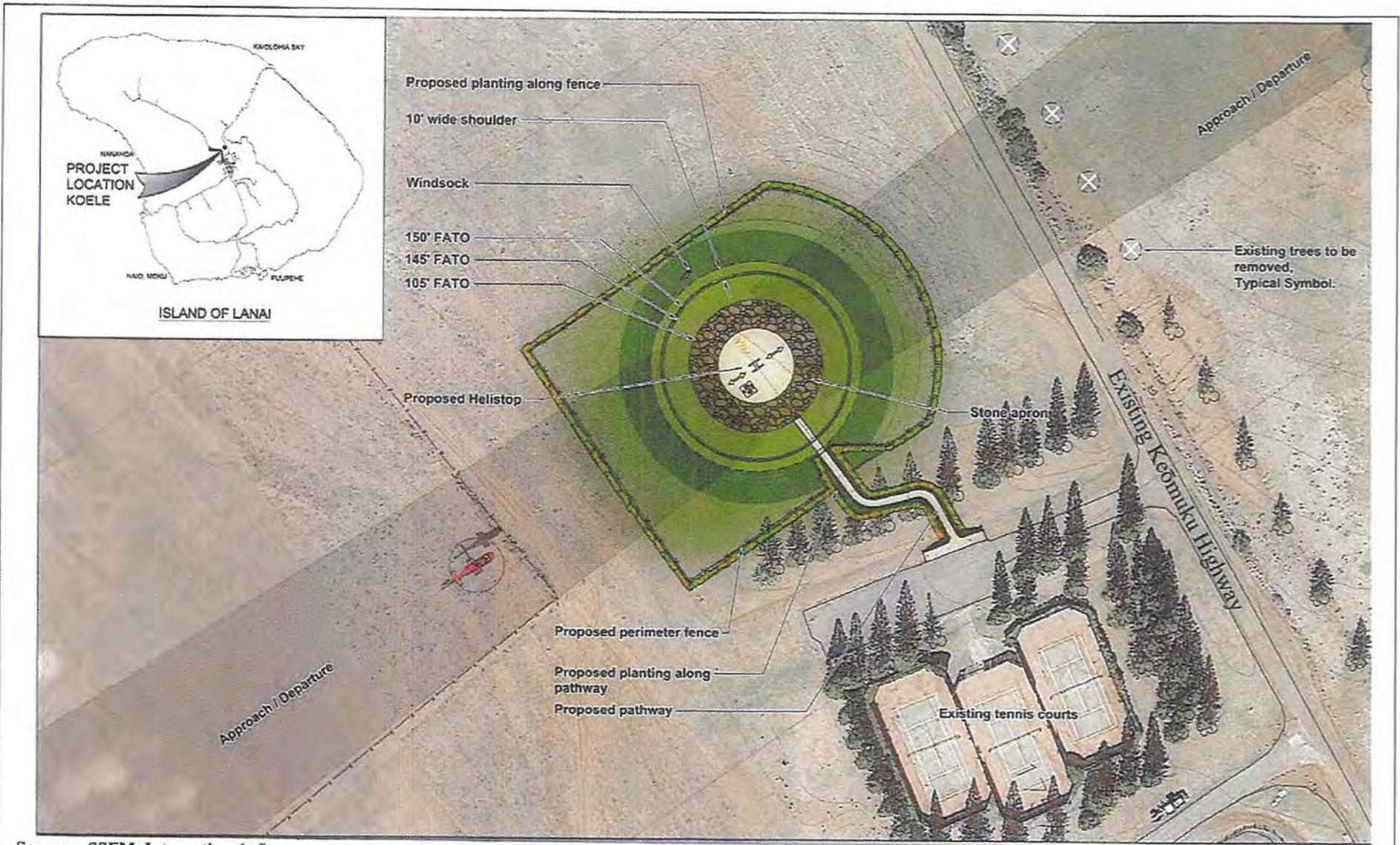
Proposed Private Helistop Pads on Lana'i
Property Location Map (Mānele)



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i



Exhibit #4. Kō‘ele Site Plan



Source: SSFM International, Inc.

Figure 4 Proposed Private Helistop Pads on Lana'i
Kō'ele Site Plan

NOT TO SCALE

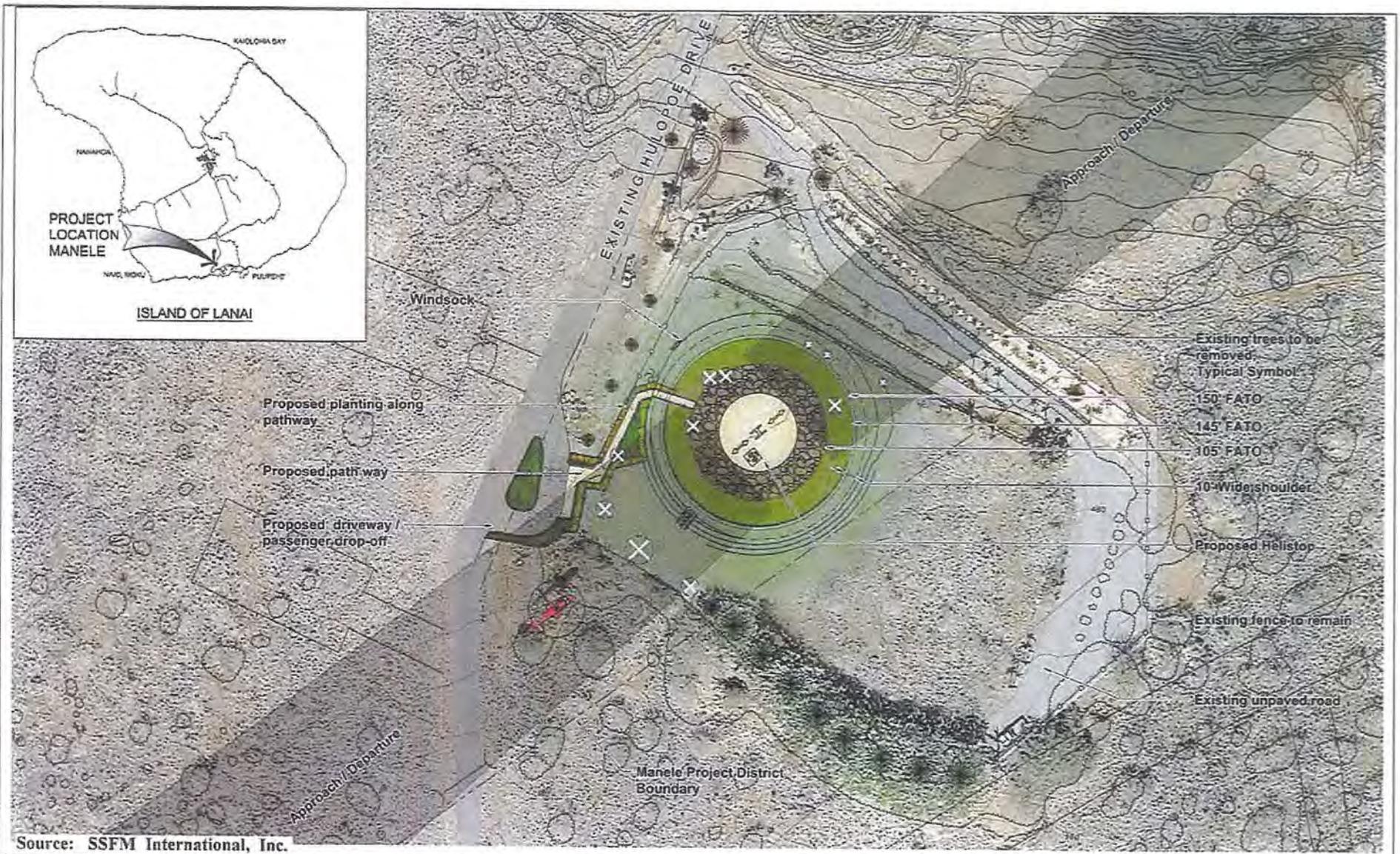


Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i

MUNEKIYO HIRAGA

Pūlama Lāna'i Helistop Pads/Kōele Site Plan

Exhibit #5. Mānele Site Plan



Source: SSFM International, Inc.

Figure 5 Proposed Private Helistop Pads on Lana'i
Mānele Site Plan

NOT TO SCALE



Prepared for: Lanai Resorts, LLC, a Hawaii Limited Liability Company doing business as Pūlama Lana'i

MUNEKIYO HIRAGA

Pulama Lanai Helistop Pads Mānele Site Plan

**Exhibit #6. Federal Aviation
Administration, Determination of
Landing Area Proposal for Kō‘ele and
Mānele Helistops**



U.S. Department of Transportation

Federal Aviation Administration

March 13, 2015

Gordon K Wong
Box 50244
Honolulu, HI 96850

TO:
Pulama Lanai
Attn: Lynn McCrory
733 Bishop Street, Suite 2000
Honolulu, HI 96813
lmccrory@pulamalanai.com

RE: (See attached Table 1 for referenced case(s))
DETERMINATION OF LANDING AREA PROPOSAL

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2014-AWP-1667-NRA		Lanai City, HI	20-50-24.82N	156-55-15.57W	0	1756

Description: Construct new heliport

We have determined that the proposed private use landing area, will not adversely affect the safe and efficient use of the navigable airspace by aircraft, provided:

- All operations are conducted in VFR weather conditions.
- The landing area is limited to private use.
- The takeoff/landing area is appropriately marked.
- A non-obstructing wind indicator is maintained adjacent to the takeoff/landing area.
- All approach/departure operations are conducted from 040 degrees/220 degrees ± 10 degrees.

The pilots are briefed and are familiar with the Final Approach and Take Off (FATO) size and the obstructions to the northeast and east of the heliport.

All aircraft using the site will have Hover Out of Ground Effect (HOGE) power available.

We recommend that:

- No night helicopter operations be conducted unless the takeoff/landing area and wind indicator are lighted and a heliport identification beacon is installed.
- Unauthorized persons be restrained from access to the takeoff/landing area during helicopter flight operations by use of a non-obstructing safety barrier.

- The proponent refer to AC 150/5390-2, "Heliport Design", in establishing an acceptable level of safety for helicopter operations at this heliport.
- The landing area is constructed in accordance with AC 150/5390-2 as planned.

The heliport proponent will reexamine obstacles in the vicinity of the approach/departure paths on an annual basis in accordance with AC 150/5390-2. Any new obstacles noted will be forwarded to the appropriate FAA Honolulu Airport District Office or FAA Flight Standards Division.

We recommend the following: 1) Installing omnidirectional approach lights for night operations to clearly define the approach path, and 2) Prior to use, a representative of FAA Flight Standards Service evaluate the heliport for compliance.

Please notify the FAA within 15 days of completing the landing area by calling the FAA Area Flight Service Station (AFSS) serving your landing area to let them know you are activating the landing area while the Airport Master Record form is being processed. Please tell the Flight Service Station representative that you have received an aeronautical determination from the FAA, and supply them with the name of your landing area and the coordinates.

Please return the enclosed Airport Master Record form to this office. When the processing of the Airport Master Record form is completed, your landing area will have a site number and a permanent location identifier. Indicate whether or not you would like to have your landing area shown on aeronautical charts. Charting also depends on the amount of "clutter" already on the charts near your site.

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until September 13, 2016. Should the facility not be operational by this date, an extension of the determination must be obtained by 15 days prior to the expiration date of this letter.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structures and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

The FAA cannot prevent the construction of structures near an airport. The airport environs can only be protected through such means as local zoning ordinances, acquisitions of property in fee title or aviation easements, letters of agreement, or other means.

This determination does not preempt or waive any ordinance, law, or regulation of any other governmental body or agency.

Enclosures:

- Airport Master Record

If you have any questions concerning this determination contact Gordon Wong, (808) 541-3565 and/or gordon.wong@faa.gov.

Gordon Wong
DivUser
HDOTA



U.S. Department of Transportation

Federal Aviation Administration

March 13, 2015

Gordon K Wong
Box 50244
Honolulu, HI 96850

TO:
Pulama Lanai
Attn: Lynn McCrory
733 Bishop Street, Suite 2000
Honolulu, HI 96813
lmccrory@pulamalanai.com

RE: *(See attached Table 1 for referenced case(s))*
DETERMINATION OF LANDING AREA PROPOSAL

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2014-AWP-1688-NRA		Lanai City, HI	20-44-45.36N	156-54-46.95W	0	475

Description: Construct new heliport.

We have determined that the proposed private use landing area, will not adversely affect the safe and efficient use of the navigable airspace by aircraft, provided:

- All operations are conducted in VFR weather conditions.
- The landing area is limited to private use.
- The takeoff/landing area is appropriately marked.
- A non-obstructing wind indicator is maintained adjacent to the takeoff/landing area.

We recommend that:

- No night helicopter operations be conducted unless the takeoff/landing area and wind indicator are lighted and a heliport identification beacon is installed.
- Unauthorized persons be restrained from access to the takeoff/landing area during helicopter flight operations by use of a non-obstructing safety barrier.
- The proponent refer to AC 150/5390-2, "Heliport Design", in establishing an acceptable level of safety for helicopter operations at this heliport.
- The landing area is constructed in accordance with AC 150/5390-2 as planned.

The heliport proponent will reexamine obstacles in the vicinity of the approach/departure paths on an annual basis in accordance with AC 150/5390-2. Any new obstacles noted will be forwarded to the appropriate FAA Honolulu Airport District Office or FAA Flight Standards Division.

We recommend the following: 1) Prior to use, a representative of FAA Flight Standards Service evaluate the heliport for compliance.

Please notify the FAA within 15 days of completing the landing area by calling the FAA Area Flight Service Station (AFSS) serving your landing area to let them know you are activating the landing area while the Airport Master Record form is being processed. Please tell the Flight Service Station representative that you have received an aeronautical determination from the FAA, and supply them with the name of your landing area and the coordinates.

Please return the enclosed Airport Master Record form to this office. When the processing of the Airport Master Record form is completed, your landing area will have a site number and a permanent location identifier. Indicate whether or not you would like to have your landing area shown on aeronautical charts. Charting also depends on the amount of "clutter" already on the charts near your site.

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until September 13, 2016. Should the facility not be operational by this date, an extension of the determination must be obtained by 15 days prior to the expiration date of this letter.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structures and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

The FAA cannot prevent the construction of structures near an airport. The airport environs can only be protected through such means as local zoning ordinances, acquisitions of property in fee title or aviation easements, letters of agreement, or other means.

This determination does not preempt or waive any ordinance, law, or regulation of any other governmental body or agency.

Enclosures:

- Airport Master Record

If you have any questions concerning this determination contact Gordon Wong, (808) 541-3565 and/or gordon.wong@faa.gov.

Gordon Wong
DivUser
HDOTA



April 24, 2015

Mr. Gordon Wong
FAA Honolulu Airports District Office
Box 50244
Honolulu, HI 96850
By Express Mail

Re: Koele Heliport Airport Master Record and Manele Heliport Airport Master Record

Dear Mr. Wong:

Enclosed are the Airport Master Records for both the Koele Heliport and Manele Heliport sites. As we have not completed the Maui County permitting for construction of the two facilities, you have a large number of N/A's on this form. In discussing this and reviewing the form with Matt Boehm, Glass Aviation, the heliport facilities manager, he informed us that he will send to you a revised form when the facilities are completed.

Should you have any questions please let me know. Mahalo!

Me ke aloha pumehana
With warm aloha,

Lynn P. McCrory
Senior Vice President of Government Affairs

C: Kurt Matsumoto, Chief Operating Officer
Matt Boehm, Glass Aviation

Enclosures (2)

AIRPORT MASTER RECORD

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

>1 ASSOC. CITY: Lanai City 4. STATE: HI LOC ID: FAA SITE NR: 0.
>2 AIRPORT NAME: KOELE HELIPORT 5 COUNTY: Maui
3 CBD TO AIRPORT (NM): 1 N 6 REGION/ADO: AWP/HNL 7 SECT AERO CHT: HAWAIIAN ISLANDS

GENERAL SERVICES BASED AIRCRAFT

10 OWNERSHIP: LANAI HELICOPTER CORPORATION >70 FUEL: 90 SINGLE ENG: 0
11 OWNER: 733 BISHOP STREET, SUITE 2000 91 MULTI ENG: 0
12 ADDRESS: HONOLULU, HI 96813 92 JET: 0
TOTAL 0.
13 PHONE NR: 808-237-2001 93 HELICOPTERS: 0
14 MANAGER: MATTHEW BOEHM, GLASS AVIATION 94 GLIDERS: 0
15 ADDRESS: 3100 DOUGLAS LOOP N, HANGER TWO 95 MILITARY: 0
SANTA MONICA, CA 90405 96 ULTRA-LIGHT: 0

16 PHONE NR: 310-090-7800
17 ATTENDANCE SCHEDULE:
MONTHS DAYS HOURS

FACILITIES

18 AIRPORT USE: PRIVATE - PPR ** >80 ARPT BCN: N/A
19 ARPT LAT: 20-50-24 82N >81 ARPT LGT SKED: N/A
20 ARPT LON: 156-55-15 67W >82 UNICOM: 0.0
21 ARPT ELEV: 1756.0 83 WIND INDICATOR: N/A
22 ACREAGE: 0 84 SEGMENTED CIRCLE: N/A
>23 RIGHT TRAFFIC: "" 85 CONTROL TWR: NO
24 NON-COMM LANDING: 86 FSS: N/A
87 FSS ON ARPT: NO
88 FSS PHONE NR: N/A
89 TOLL FREE NR: N/A

RUNWAY DATA

>30 RUNWAY IDENT: HI
>31 LENGTH: 60
>32 WIDTH: 60
33 SURF TYPE-COND: N/A

LIGHTING/APCH AIDS

>40 EDGE INTENSITY: N/A
>42 RWY MARK TYPE-COND: N/A

OBSTRUCTION DATA

50 PART 77 CATEGORY	N/A	/	/	/	/	/
51 DISPLACED THLD	N/A	/	/	/	/	/
52 CTLG OBSTN	N/A	/	/	/	/	/
53 OBSTN MARKED/LGTD:	N/A	/	/	/	/	/
54 HGT ABOVE RWY END:	N/A	/	/	/	/	/
55 DIST FROM RWY END:	N/A	/	/	/	/	/

> ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY>

>110 REMARKS:

* AS REQUIRED BY ARRIVALS AND DEPARTURES

** PPR - PRIOR PERMISSION REQUIRED

*** APPROACH AND DEPARTURES TO BE CONDUCTED ONLY FROM 040° AND 220° +/-10°. ALL AIRCRAFT MUST BE ABLE TO MAINTAIN "HOVER OUT OF GROUND EFFECT" (HOGE) CAPABILITY

111 OWNER/MANAGER SIGNATURE

113 DATE: 04-24-15



AIRPORT MASTER RECORD

>1 ASSOC. CITY: Lanai City 4. STATE: HI LOC ID: FAA SITE NR: 0.
 >2 AIRPORT NAME: MANELE HELIPORT 5 COUNTY: Maui
 3 CBD TO AIRPORT (NM): 8.6 6 REGION/ADO: AWP/HNL 7 SECT AERO CHT: HAWAIIAN ISLANDS

GENERAL	SERVICES	BASED AIRCRAFT
10 OWNERSHIP: LANAI HELICOPTER CORPORATION	>70 FUEL:	80 SINGLE ENG: 0
11 OWNER: 733 BISHOP STREET, SUITE 2000		81 MULTI ENG: 0
12 ADDRESS: HONOLULU, HI 96813		82 JET: 0
		TOTAL 0
13 PHONE NR: 808-237-2001		83 HELICOPTERS: 0
14 MANAGER: MATTHEW BOEHM, GLASS AVIATION		84 GLIDERS: 0
15 ADDRESS: 3100 DOUGLAS LOOP N, HANGER TWO		85 MILITARY: 0
SANTA MONICA, CA 90405		88 ULTRA-LIGHT: 0
16 PHONE NR 310-990-7809		
17 ATTENDANCE SCHEDULE:	FACILITIES	
MONTHS DAYS HOURS	>80 ARPT BCN: N/A	
	>81 ARPT LGT SKED: N/A	
	>82 UNICOM: 0.0	
18 AIRPORT USE: PRIVATE - PPR **	83 WIND INDICATOR: N/A	
19 ARPT LAT: 20-44-46.38N	84 SEGMENTED CIRCLE: N/A	
20 ARPT LON: 158-54-48.96W	85 CONTROL TWR: NO	
21 ARPT ELEV: 475.0	86 FSS: N/A	
22 ACREAGE: 0	87 FSS ON ARPT: NO	
>23 RIGHT TRAFFIC:	88 FSS PHONE NR: N/A	
24 NON-COMM LANDING:	89 TOLL FREE NR: N/A	

RUNWAY DATA	
>30 RUNWAY IDENT:	HI
>31 LENGTH:	60
>32 WIDTH:	60
33 SURF TYPE-COND:	N/A
LIGHTING/APCH AIDS	
>40 EDGE INTENSITY:	N/A
>42 RWY MARK TYPE-COND:	N/A
OBSTRUCTION DATA	
50 PART 77 CATEGORY:	N/A / / / / /
51 DISPLACED THLD:	N/A / / / / /
52 CTLG OBSTN:	N/A / / / / /
53 OBSTN MARKED/LGTD:	N/A / / / / /
54 HGT ABOVE RWY END:	N/A / / / / /
55 DIST FROM RWY END:	N/A / / / / /

(P) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY>

>110 REMARKS.

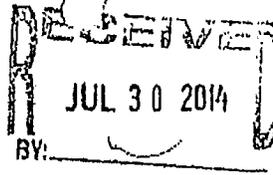
* AS REQUIRED BY ARRIVALS AND DEPARTURES

** PPR - PRIOR PERMISSION REQUIRED

113 DATE: 04-24-15

**Exhibit #7. Letter from State
Department of Transportation, Dated
July 28, 2014**

NEIL ABERCROMBIE
GOVERNOR



FORD N. FUCHIGAMI
INTERIM DIRECTOR

Deputy Directors
RANDY GRUNE
AUDREY HIDANO
ROSS M. HIGASHI
JADINE URASAKI

IN REPLY REFER TO
AIR-EP
14.0044

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
AIRPORTS DIVISION
400 RODGERS BOULEVARD, SUITE 700
HONOLULU, HAWAII 96819-1880

July 28, 2014

Ms. Lynn P. McCrory
Senior Vice President of Government Affairs
Pulama Lanai
733 Bishop Street, Suite 2000
Honolulu, Hawaii 96813

Dear Ms. McCrory:

Subject: Island of Lanai Private Helistops

This is to confirm that as stated in your letter of April 22, 2014, no State Department of Transportation site approval permit or license for a private helistop on the Island of Lanai will be required, as the proposed landing area will be privately owned and operated.

However, notification will need to be made to the Federal Aviation Administration (FAA) by filing FAA Form 7480-1 "Notice of Landing Area Proposal", which can be found online at <https://www.faa.gov/forms/index.cfm/go/document.information/documentID/185334>.

Should you have any further questions regarding the above, please contact Ms. Kimberly Evans, Head Planner, at 838-8810.

Sincerely,

A handwritten signature in black ink, appearing to read "ROSS M. HIGASHI".

ROSS M. HIGASHI
Deputy Director - Airports

c: Mr. Gordon Wong, Federal Aviation Administration

**Exhibit #8. Department of
Environmental Management Comment
Letter**

AGENCY TRANSMITTAL RESPONSE e-FORM
FOR DEPARTMENT OF PLANNING, COUNTY OF MAUI
2/16/2016

AGENCY NAME	Department of Environmental Mgmt.	PHONE	270-8230
PROJECT: APPLICANT: PERMIT NO: TMK: STREET ADDRESS: PROJECT DESCRIPTION: SECURITY CODE:	Two (2) Proposed Private Helistop Pads on Lanai Lanai Resorts LLC, a Hawaii Limited Liability Company doing business as Pulama Lanai CP 2015/0010 and SUP2 2015/0014 (2) 4-9-002:001 (Por.) In the vicinity of Koele and at Manele Construct two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Koele and the existing containerized plant nursery at Manele.		
<input type="checkbox"/> COMMENTS/RECOMMENDATIONS <input checked="" type="checkbox"/> NO COMMENTS			
WASTEWATER RECLAMATION DIVISION COMMENTS			
<input checked="" type="checkbox"/> COMMENTS/RECOMMENDATIONS <input type="checkbox"/> NO COMMENTS			
SOLID WASTE DIVISION COMMENTS			
Estimate types and quantities of any construction waste to be disposed of at the Lana'i Landfill.			
Signed:			
Print Name:	Michael M. Miyamoto, Deputy Director	Date 2/16/16	

Exhibit #8a. Applicant Response



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

March 3, 2016

Stewart Stant, Director
County of Maui
Department of Environmental Management
2050 Main Street, Suite 1C
Wailuku, Hawai'i 96793-2155

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit For Two (2) Proposed Private Helistop Pads on Lāna'i (CP 2015/0010 and SUP2 2015/0014) TMK (2)4-9-002:001 (por)

Dear Mr. Stant:

On behalf of Pūlama Lāna'i, the applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Helistop Pad project on Lāna'i, we provide the following response to your comment regarding the project.

Comment:

Estimate types and quantities of any construction waste to be disposed of at the Lanai Landfill.

Response: Any construction waste generated from the project is expected to be minimal in quantity, which is estimated at a five (5) cubic yard dumpster of packing materials (e.g. signs and lights).

Stewart Stant, Director
March 3, 2016
Page 2

Thank you for your comments. If there are any questions, please contact me at 244-2015 or cheryl@munekiyohiraga.com.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:la

cc: Kurt Wollenhaupt, Department of Planning
Lynn McCrory, Pūlama Lāna'i
Tom Hoen, Pūlama Lāna'i

K:\DATA\Pūlama Lāna'i\HellstopPads\CountyCP SLUC SUP Response Letters\DEM.resp.ltr.docx

**Exhibit #9. Department of Housing and
Human Concerns Comment Letter**

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



RECEIVED

2016 FEB -5 AM 9:53

COUNTY OF MAUI
DEPARTMENT OF PLANNING

TRANSMITTAL

DATE: February 2, 2016

STATE AGENCIES	
X	DAGS
X	Dept of Hawaiian Homelands
X	Dept of Health, Honolulu
X	Dept of Health, Maui (2)
X	DLNR-Land, Maui
X	DLNR-Planning (5)
X	DLNR-SHPD, Maui
X	DOT, Maui
X	DOT, Statewide Planning Office (4)
X	Land Use Commission (Hard Copy)
X	Office of Hawaiian Affairs
X	Office of Planning
OTHER	
X	Hawaiian Telecom (Hard Copy)
X	Maui Electric Company

COUNTY AGENCIES	
X	Civil Defense
X	Dept of Environmental Management (2)
X	Dept of Housing & Human Concerns
X	Dept of Public Works (3 Hard Copies)
X	Dept of Water Supply
X	Fire & Public Safety
X	Police Department
FEDERAL AGENCIES	
X	FAA
X	Fish & Wildlife
X	Molokai-Lanai Soil & Water Conservation
X	NRCS-USDA-Maui

PROJECT:	TWO (2) PROPOSED PRIVATE HELISTOP PADS ON LĀNA'I
APPLICANT:	Lāna'i Resorts LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i
STREET ADDRESS:	In the vicinity of Koele and at Manele
PROJECT DESCRIPTION:	Construct two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Koele and the existing containerized plant nursery at Manele.
TMK:	(2) 4-9-002:001 (POR.)
PERMIT NO.:	CP 2015/0010 and SUP2 2015/0014

TRANSMITTED TO YOU ARE THE FOLLOWING:

X	Application(s)
	State Land Use Commission Special Use Permit
	County Conditional Permit

THESE ARE TRANSMITTED AS CHECKED BELOW:

X	For your Comment and Recommendation
---	-------------------------------------

Please identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by **February 23, 2016**. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box. Please reply either by email or regular mail. You may fill out this form and email to me as a PDF if that is more convenient.

AGENCY NAME		PHONE	
--------------------	--	--------------	--

Agency Transmittal – HELISTOP PADS LANAI (CP 2015/0010 and SUP2 2015/0014)
 February 2, 2016
 Page 2

Thank you for your time and assistance. For additional clarification, please contact me via email at kurt.wollenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,



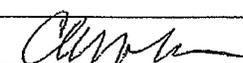
KURT F. WOLLENHAUPT
 Staff Planner

Attachment

- xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
- Kurt F. Wollenhaupt, Staff Planner (PDF)
- Project File
- General File

KFW:nt

K:\WP_DOCS\PLANNING\CP\2015\0010_LanaiHellstopPads_ProjectBackground\Draft Agency Transmittal List.doc

NO COMMENT			
Signed:		Dated:	2/22/16
Print Name:	CAROL K. REIMANN	Title:	DIRECTOR

COMMENT/RECOMMENDATION BOX			
Signed:		Dated:	
Print Name:		Title:	

The County of Maui, Department of Housing and Human Concerns had no comment on the State Land Use Commission Special Permit and County Conditional Permit Applications.

**Exhibit #10. Department of Public
Works Comment Letter**

16/1725

MAR 14 2016

ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7956



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793

GLEN A. UENO, P.E., P.L.S.
Development Services Administration

GARY YAMASHITA, P.E.
Engineering Division

Highways Division

March 10, 2016

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

MAR 14 2016

RECEIVED

MEMO TO: WILLIAM R. SPENCE, PLANNING DIRECTOR

FROM: DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS

SUBJECT: TWO PROPOSED PRIVATE HELISTOP PADS ON LĀNA'I;
TMK: (2) 4-9-002:001 (POR.)
CP 2015/0010 AND SUP2 2015/0014

We reviewed the subject application and have no comments at this time.

If you have any questions regarding this memorandum, please call Rowena M. Dagdag-Andaya at 270-7845.

DCG:RMDA:da

xc: Highways Division
Engineering Division

S:\DSA\Engr\CZM\Draft Comments\49002001_private_helistop_pads_on_lana_l_cp_sup2.wpd

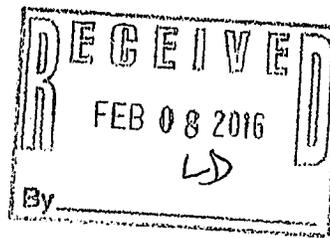
The County of Maui, Department of Public Works had no comments on the State Land Use Commission Special Permit and County Conditional Permit Applications.

**Exhibit #11. Department of Water Supply
Comment Letter**

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



104 2

COUNTY OF MAUI

DEPARTMENT OF PLANNING

TRANSMITTAL

DATE: February 2, 2016

STATE AGENCIES	
X	DAGS
X	Dept of Hawaiian Homelands
X	Dept of Health, Honolulu
X	Dept of Health, Maui (2)
X	DLNR-Land, Maui
X	DLNR-Planning (5)
X	DLNR-SHPD, Maui
X	DOT, Maui
X	DOT, Statewide Planning Office (4)
X	Land Use Commission (Hard Copy)
X	Office of Hawaiian Affairs
X	Office of Planning
OTHER	
X	Hawallan Telecom (Hard Copy)
X	Maui Electric Company

COUNTY AGENCIES	
X	Civil Defense
X	Dept of Environmental Management (2)
X	Dept of Housing & Human Concerns
X	Dept of Public Works (3 Hard Copies)
X	Dept of Water Supply
X	Fire & Public Safety
X	Police Department
FEDERAL AGENCIES	
X	FAA
X	Fish & Wildlife
X	Molokai-Lanai Soil & Water Conservation
X	NRCS-USDA-Maui

PROJECT:	TWO (2) PROPOSED PRIVATE HELISTOP PADS ON LĀNA'I
APPLICANT:	Lāna'i Resorts LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i
STREET ADDRESS:	In the vicinity of Koele and at Manele
PROJECT DESCRIPTION:	Construct two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Koele and the existing containerized plant nursery at Manele.
TMK:	(2) 4-9-002:001 (POR.)
PERMIT NO.:	CP 2015/0010 and SUP2 2015/0014

TRANSMITTED TO YOU ARE THE FOLLOWING:

X	Application(s)
	State Land Use Commission Special Use Permit
	County Conditional Permit

THESE ARE TRANSMITTED AS CHECKED BELOW:

X	For your Comment and Recommendation
---	-------------------------------------

Please identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by **February 23, 2016**. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box. Please reply either by email or regular mail. You may fill out this form and email to me as a PDF if that is more convenient.

AGENCY NAME		PHONE	
--------------------	--	--------------	--

Agency Transmittal – HELISTOP PADS LANAI (CP 2015/0010 and SUP2 2015/0014)
 February 2, 2016
 Page 2

RECEIVED
 FEB 26 2016 P 1:10
 MAUI COUNTY

Thank you for your time and assistance. For additional clarification, please contact me via email at kurt.wollenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,

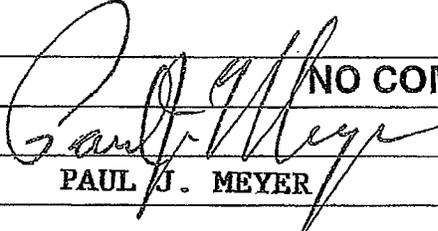


KURT F. WOLLENHAUPT
 Staff Planner

Attachment

- xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
- Kurt F. Wollenhaupt, Staff Planner (PDF)
- Project File
- General File

KFW:nt
 K:\WP_DOCS\PLANNING\CP\2015\0010_LanaiHelistopPads_ProjectBackground\Draft Agency Transmittal L1st.doc

NO COMMENT			
Signed:		Dated:	FEB 26 2016
Print Name:	PAUL J. MEYER	Title:	DEPUTY DIRECTOR

COMMENT/RECOMMENDATION BOX			
Signed:		Dated:	
Print Name:		Title:	

The County of Maui, Department of Water Supply had no comments on the State Land Use Commission Special Permit and County Conditional Permit Applications.

**Exhibit #12. Fire Prevention Bureau
Comment Letter**

Cheryl Okuma

From: Kurt Wollenhaupt <Kurt.Wollenhaupt@co.maui.hi.us>
Sent: Thursday, February 11, 2016 3:32 PM
To: Cheryl Okuma
Subject: Fwd: Two (2) Proposed Private Helistop Pads on Lana'i - CP 2015/0010 and SUP2 2015/0014

>>> Paul Haake 2/11/2016 3:28 PM >>>
Hi Kurt,

Below are comments from our office in regards to the referenced subject.

Please feel free to contact me if there are any questions or comments.

Thanks,

Paul

February 11, 2016

Kurt F. Wollenhaupt, Staff Planner
Department of Planning
2200 Main Street, Suite 315
Wailuku, HI 96793

**Re: Two (2) Proposed Private Helistop Pads on Lana'i
Vicinity of Koele and Manele
(2) 4-9-002: 001
CP 2015/0010 and SUP2 2015/0014**

Dear Kurt:

Thank you for the opportunity to comment on this subject. At this time, our office provides the following comments:

- Emergency procedures for incidents at the proposed helistops shall be established by the owner and provided for review and approval by anticipated responding emergency agencies.
- If refueling is to occur at these sites, proper refueling protocols shall be established by a qualified individual. These protocols shall be provided to this office for review and approval.

If there are any questions or comments, please feel free to contact me at (808) 876-4693. Thank you for your attention to fire prevention and public safety.

Sincerely,

Paul Haake
Captain - Fire Prevention Bureau
Dept. of Fire & Public Safety
County of Maui

313 Manea Place Wailuku, HI 96793
876-4690 office
876-4693 direct line
244-1363 fax

Exhibit #12a. Applicant Response



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

March 3, 2016

Captain Paul Haake
County of Maui
Department of Fire and Public Safety
Fire Prevention Bureau
313 Manea Place
Wailuku, Hawaii 96793

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit For Two (2) Proposed Private Helistop Pads on Lāna'i (CP 2015/0010 and SUP2 2015/0014)
TMK (2)4-9-002:001 (por)

Dear Captain Haake:

On behalf of Pūlama Lāna'i, the applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Helistop Pad project on Lāna'i, we provide the following response in the order of your comments regarding the project.

Comment:

Emergency procedures for incidents at the proposed helistops shall be established by the owner and provided for review and approval by anticipated responding emergency agencies.

Response: Pūlama Lāna'i will establish emergency procedures for the two (2) proposed helistop pads which will be provided for review and approval by emergency responder agencies such as Fire, Police, and Medical Emergency Responders.

Comment:

If refueling is to occur at these sites, proper refueling protocols shall be established by a qualified individual. These protocols shall be provided to this office for review and approval.

Captain Paul Haake
March 3, 2016
Page 2

Response: Refueling of aircraft is expected to occur at the Lānaʻi airport and not at the proposed helistop pad sites.

Thank you for your comments. If there are any questions, please contact me at 244-2015 or cheryl@munekiyohiraga.com.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:la

cc: Kurt Wollenhaupt, Department of Planning
Lynn McCrory, Pūlama Lānaʻi
Tom Hoen, Pūlama Lānaʻi

K:\DATA\Pulama Lanai\HolistopPads\CountyCP SLUC SUP Response Letters\DFPS.resp.ltr.docx

**Exhibit #13. Police Department
Comment Letter**



FEB 24 2016



POLICE DEPARTMENT

COUNTY OF MAUI

ALAN M. ARAKAWA
MAYOR

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

TIVOLI S. FAAUMU
CHIEF OF POLICE

OUR REFERENCE
YOUR REFERENCE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

February 22, 2016

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

FEB 24 2016

RECEIVED

MEMORANDUM

TO : KURT F. WOLLENHAUPT, STAFF PLANNER
DEPARTMENT OF PLANNING

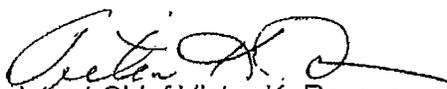
FROM : TIVOLI S. FAAUMU, CHIEF OF POLICE

SUBJECT : PERMIT NO. : CP 2015/0010 and SUP2 2015/0014
 TMK : (2) 4-9-002:001 (Por.)
 Project
 Name : Two Proposed Private Helistop Pads on Lanai
 Applicant : Lanai Resorts LLC, a Hawaii Limited Liability
 Company doing business as Pulama Lanai

No recommendation or comment to offer.

Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project.


 Assistant Chief Victor K. Ramos
 For: TIVOLI S. FAAUMU
 Chief of Police

Enclosure

TO : TIVOLI FAAUMU, CHIEF OF POLICE, MAUI COUNTY POLICE DEPARTMENT
VIA : CHANNELS
FROM : RYAN RODRIGUES, LIEUTENANT COMMANDER, DISTRICT II, LANA'I PATROL
SUBJECT : TWO (2) PROPOSED PRIVATE HELISTOP PADS ON LANA'I PERMIT # CP 2015/0010 and SUP2 2015/0014

Victor Ramos
Assistant Chief
02/17/16

Sir the following communication is being submitted for your information and perusal relative to the above-mentioned subject matter.

Lana'I Resorts LLC, has submitted the following proposal to construct two helistop pads on the Island, one near the Koele Lodge just off Keamoku Highway and the other at Manele near the old Manele Nursery.

The helistop pads will serve as a drop off and pick up zone for a private helicopter service that will be operated by Lana'I Resorts LLC or other private companies, providing another means of transportation for registered guests of Manele Resort or the Lodge at Koele.

These areas are easily accessible by emergency personnel and vehicle's and will not cause an adverse impact to the community with respect to traffic and noise during normal operating hours. However, having said this, I am concerned that should late night arrivals and departures be allowed in the area of Koele the noise from those flights would present a problem for nearby residence (refer to section D, Page 9-10)

Refer to the attached photos and diagrams taken from the proposal depicting the areas where these pads will be located.

In conclusion and provided the applicant takes into account and address's the concerns related to the quality of life of the residents located in or near these helipads, including obtaining all the required permits, assessments, licenses for the project, I do not have any further comment on the proposal at this time. Recommend forwarding this communication to Kurt Wollenhaupt, staff planner for review.

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

FEB 24 2016
RECEIVED

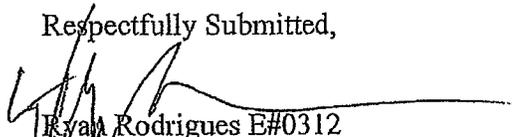
Respectfully Submitted,

Ryan Rodrigues E#0312
Lieutenant Commander
District II / Lanai Patrol
02/17/16 @ 1341 hours

Exhibit #13a. Applicant Response



MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

March 11, 2016

Chief Tivoli Faaumu
County of Maui
Police Department
55 Mahalani Street
Wailuku, Hawai'i 96793-2155

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit For Two (2) Proposed Private Helistop Pads on Lāna'i (CP 2015/0010 and SUP2 2015/0014)
TMK (2)4-9-002:001 (por)

Dear Chief Faaumu:

On behalf of Pūlama Lāna'i, the Applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Helistop Pad project on Lāna'i, we provide the following responses in the order of your comments regarding the project.

Comment:

The helistop pads will serve as a drop off and pick up zone for a private helicopter service that will be operated by Lana'i Resorts LLC or other private companies, providing another means of transportation for registered guests of Manele Resort or the Lodge at Kō'ele.

These areas are easily accessible by emergency personnel and vehicle's and will not cause an adverse impact to the community with respect to traffic and noise during normal operating hours. However, having said this, I am concerned that should late night arrivals and departures be allowed in the area of Kō'ele the noise from those flights would present a problem for nearby residence (refer to section D, Page 9-10)

Refer to the attached photos and diagrams taken from the proposal depicting the areas where these pads will be located.

Response: The flight pattern for the Kō'ele Helistop aviation activity avoids flights over Lāna'i City. The landing approach and take pathway is located north and

beyond Lāna'i City and residential areas, and runs in a northeast to southwest direction. See **Exhibit 1**.

A Community Informational Meeting was held on October 7, 2015 at the ILWU hall. Forty-Six Lāna'i community members attended. There were no negative comments from the attendees. Pūlama Lāna'i sent out letters to individual owners in the Kō'ele project district, informing them of the Helistop proposal, and there were no negative comments from the Kō'ele owners. The notification letters were also sent to the Mānele owners, and there were two (2) responses asking that flights not occur between 11:00 p.m. and 5:00 a.m. There were multiple positive comments both from the meeting and the letter responses. The total number of landings/take-offs that can occur from both of the sites is 12 per month.

Comment:

In conclusion and provided the applicant takes into account and address's the concerns related to the quality of life of the residences located in or near these helipads, including obtaining all the required permits, assessments, licenses for the project, I do not have any further comment on the proposal at this time. Recommend forwarding this communication to Kurt Wollenhaupt, staff planner for review.

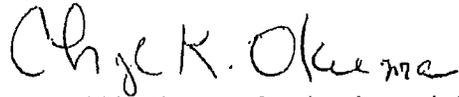
Response: The Applicant and the operator of the two (2) helistop pads will obtain all required permits, assessments, approvals and licenses for the project. In regards to the quality of life of the surrounding residents, as discussed in our response above the flight pathway for the Kō'ele Helistop and Mānele Helistop are located away from residential areas. The flight pattern activity for the Mānele Helistop is in a generally northeast to southwest direction and the pathway.

As discussed in the applications for the County Conditional Permit and State Land Use Commission Special Use Permit (page 8 of the Project Assessment Report), the Federal Aviation Administration (FAA) has helicopter flight height requirements for the above ground limitations (AGL) for Lāna'i. For the area around Lāna'i City and the Mānele area, the AGL for Lāna'i City and the Mānele area is higher than 1,500 feet above these areas. The applicant will comply with the Hawai'i FAA requirements in regards to flight restrictions and above ground limitations for Lāna'i.

Chief Tivoli Faaumu
March 11, 2016
Page 3

Thank you for your comments. If there are any questions, please contact me at 244-2015 or cheryl@munekiyohiraga.com.

Very truly yours,



Cheryl K. Okuma, Senior Associate

CKO:la

Attachment

cc: Kurt Wollenhaupt, Department of Planning (w/attachment)
Lynn McCrory, Pūlama Lāna'i (w/attachment)
Tom Hoen, Pūlama Lāna'i (w/attachment)

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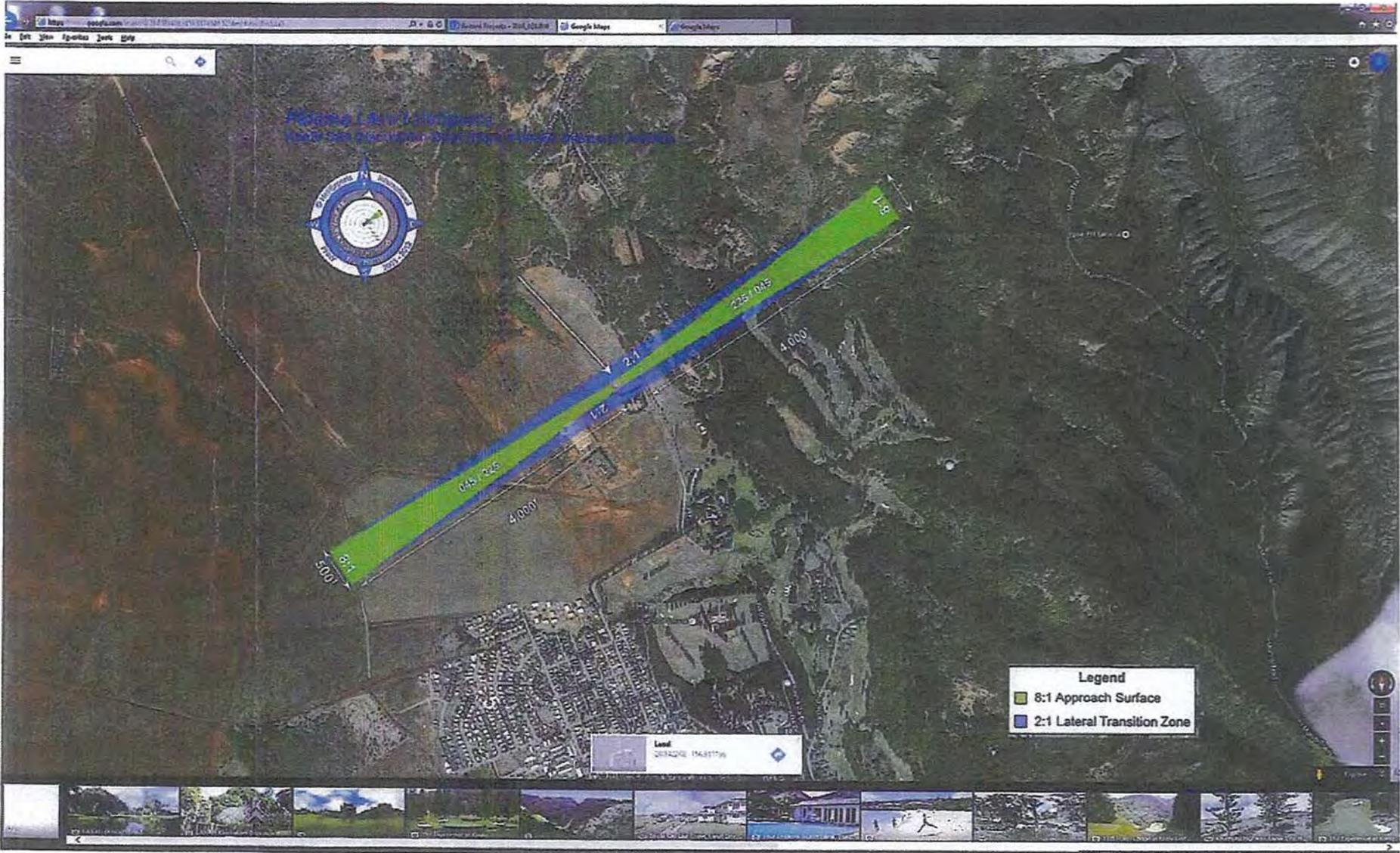


EXHIBIT I

**Exhibit #14. Department of Accounting
and General Services Comment Letter**

16/7

FEB 10 2016

DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
Comptroller

AUDREY HIDANO
Deputy Comptroller

2017 A 951
2017 A 951
2017 A 951

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

Response refer to:
L-026(16)

February 11, 2016

MEMORANDUM

TO: William R. Spence, Director
Department of Planning, County of Maui

ATTN: Kurt F. Wollenhaupt, Staff Planner

FROM: Reid K. Siarot, State Land Surveyor *[Signature]*
DAGS, Survey Division

SUBJECT: Two (2) Proposed Private Helistop Pads on Lanai
Applicant: Lanai Resorts LLC
TMK: 4-9-02: Por. 01
Permit Nos.: CP 2015/0010 and SUP2 2015/0014

This is in regards to your transmittal dated February 2, 2016 and request for comments on the subject proposal.

The subject proposal has been reviewed and confirmed that no Government Survey Triangulation Stations or Benchmarks are affected. Survey has no objections to the proposed project.

Should you have any questions, please call me at 586-0390.

Exhibit #14a. Applicant Response



MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

March 3, 2016

Reid K. Siarot, State Land Surveyor
State of Hawai'i
Department of Accounting and General Services
P.O. Box 119
Honolulu, Hawai'i 96810-0119

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit for Two (2) Proposed Private Helistop Pads on Lāna'i; (CP 2015/0010 and SUP2 2015/0014) TMK (2)4-9-002:001 (por); Reference: L-026(16)

Dear Mr. Siarot:

On behalf of Pūlama Lāna'i, the Applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Helistop Pads project on Lāna'i, we provide the following response to your comment regarding the project.

Comment:

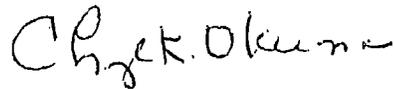
The subject proposal has been reviewed and confirmed that no Government Survey Triangulation Stations or Benchmarks are affected. Survey has no objections to the proposed project.

Response: We acknowledge that your office has no objections to the proposed project as no Government Triangulation Stations or Benchmarks are affected.

Reid K. Siarot, State Land Surveyor
March 3, 2016
Page 2

Thank you for your comments. I can be reached at (808) 244-2015 if there are any questions.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:tn

Cc: Kurt Wollenhaupt, Department of Planning
Lynn McCrory, Pūlama Lāna'i
Tom Hoen, Pūlama Lāna'i

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**Exhibit #15. Department of Hawaiian
Home Lands Comment Letter**

DAVID V. IGE
GOVERNOR
STATE OF HAWAII



JOHN M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

SHIAN S. TSUTSUMI
1ST VICE GOVERNOR
STATE OF HAWAII

WILLIAM J. AHL, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P O BOX 1879
HONOLULU, HAWAII 96805

February 19, 2016

Kurt Wollenhaupt, Staff Planner
County of Maui Department of Planning
2200 Main Street, Suite 315
Wailuku, Maui, Hawaii 96793

Dear Mr. Wollenhaupt:

Subject: Request for Comments on an Application for
Conditional Permit and Special Use Permit, Two (2)
Helistop Pads at Kō'ele and Mānele, Pūlama Lāna'i,
Paoma'i and Pālāwai, Lāna'i, Hawaii TMK: (2)4-9-
002:001 (POR.) CP 2015/0010 and SUP2 2015/0014

The Department of Hawaiian Home Lands acknowledges receiving the request for comments on the above-cited project. The location of the Kō'ele Helistop Pad is less than a mile from DHHL residential homestead lots and land at Lanai City. See Exhibit 'A'

After reviewing the project description, we do not anticipate significant impacts to our lands or beneficiaries from the project. However, we offer the following comments and request that the following additional information be provided by the applicant:

1. Kō'ele Site: Helicopter flights taking off from and landing at the Kō'ele Helistop Pad may come close to DHHL residential homestead land in the northwest quadrant of Lanai City. The old topo map included in Appendix C of the application is drawn at too big a scale to be useful and does not show parcel lines, roads etc. Please provide a georeferenced map, at a smaller scale, focused on the Lanai City area, that clearly shows the area around Lanai City with roads and other references and that describes whether the minimum AGL is 1,000 or 1,500 feet, so that DHHL can better assess potential impacts to residential homesteads on Hawaiian Home Lands. If possible, unless during an

Mr. Kurt Wollenhaupt
February 19, 2016
Page 2

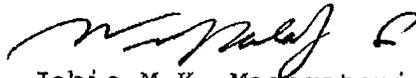
emergency, helicopters should avoid flying over Lanai City completely in order to mitigate potential noise impacts to the community.

2. Mānele Site: No concerns.

In addition, we highly encourage all agencies to consult with Hawaiian Homestead community associations and other (N)ative Hawaiian organizations when assessing environmental impacts in order to better assess potential impacts to cultural and natural resources, access and other rights of Native Hawaiians as well as to better design suitable mitigation measures to minimize those impacts.

Mahalo for the opportunity to provide comments. If you have any questions, please call Nancy McPherson, Planner at 620-9519 or contact via email at nancy.m.mcpherson@hawaii.gov.

Sincerely,



Jobie M.K. Masagatani, Chairman
Hawaiian Homes Commission

Enc.



EXHIBIT 'A'

Google earth



Exhibit #15a. Applicant Response



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

March 4, 2016

Jobie M. K. Masagatani, Chairman
State of Hawai'i
Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawai'i 96805

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit For Two (2) Proposed Private Helistop Pads on Lāna'i (CP 2015/0010 and SUP2 2015/0014)
TMK (2)4-9-002:001 (por)

Dear Ms. Masagatani:

On behalf of Pūlama Lāna'i, the Applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Helistop Pads project on Lāna'i, we provide the following responses in the order of your comments regarding the project.

Comment:

After reviewing the project description, we do not anticipate significant impacts to our lands or beneficiaries from the project. However, we offer the following comments and request that the following additional information be provided by the applicant:

- 1. Ko'ele Site: Helicopter flights taking off from and landing at the Ko'ele Helistop Pad may come close to DHHL residential homestead land in the northwest quadrant of Lāna'i City. The old topo map included in Appendix C of the application is drawn at too big a scale to be useful and does not show parcel lines, roads etc. Please provide a georeferenced map, at a smaller scale, focused on the Lāna'i City area, that clearly shows the area around Lāna'i City with roads and other references and that describes whether the minimum AGL is 1,000 or 1,500 feet, so that DHHL can better assess potential impacts to residential homesteads on Hawaiian Home Lands. If possible, unless during an emergency, helicopters*

Maui: 305 High Street, Suite 104 • Wailuku, Hawaii 96793 • Tel: 808.244.2015 • Fax: 808.244.8729

Oahu: 735 Bishop Street, Suite 321 • Honolulu, Hawaii 96813 • Tel: 808.983.1233

www.munekiyo-hiraga.com

should avoid flying over Lāna'i City completely in order to mitigate potential noise impacts to the community.

Response: We acknowledge that your office does not anticipate significant impacts to Department of Hawaiian Home Lands (DHHL) properties or beneficiaries from the project and additional information is requested from the Applicant as noted in your letter.

As requested, we are providing a map on a smaller scale that is focused on the Lāna'i City area that shows the roads in the area and other references. The map indicates a flight pattern for the Kō'ele Helistop aviation activity that avoids flying over Lāna'i City. The landing approach and take off flight pathway is located north and beyond Lāna'i City and DHHL residential homestead lots and runs in a northeast to southwest direction. See **Exhibit "1"**.

As discussed in the applications for the County Conditional Permit and State Land Use Commission Special Use Permit (page 8 of the Project Assessment Report), the Federal Aviation Administration (FAA) has helicopter flight height requirements for the above ground limitations (AGL) for Lāna'i. For the area around Lāna'i City and the Mānele area, the AGL for Lāna'i City and the Mānele area is higher than 1,500 feet above these areas. The applicant will comply with the Hawai'i FAA requirements in regards to flight restrictions and above ground limitations for Lāna'i.

Comment:

2. *Manele Site: No Concerns*

Response: We acknowledge that DHHL has no concerns in regards to the proposed Manele Helistop pad site.

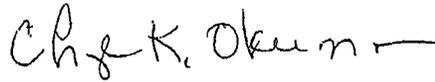
Comment:

In addition, we highly encourage all agencies to consult with Hawaiian Homestead community associations and other (N) native Hawaiian organizations when assessing environmental impacts in order to better assess potential impacts to cultural and natural resources, access and other rights of Native Hawaiians as well as to better design suitable mitigation measures minimize those impacts.

Response: The Applicant conducts monthly Community Informational meetings on its proposed projects prior to submitting for permits. The Community Informational meeting on the helistops was held at the ILWU hall on October 7, 2015 with forty-six Lānaʻi community members attending. These meetings are open to the public, are advertised throughout the island, and e-mailed to attendees of previous meetings.

Thank you for your comments. If there are any questions, please contact me at (808) 244-2015 or cheryl@munekiyohiraga.com.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:la
Attachment

cc: Nancy McPherson, Department of Hawaiian Home Lands (w/attachment)
Kurt Wollenhaupt, Department of Planning (w/attachment)
Lynn McCrory, Pūlama Lānaʻi (w/attachment)
Tom Hoen, Pūlama Lānaʻi (w/attachment)

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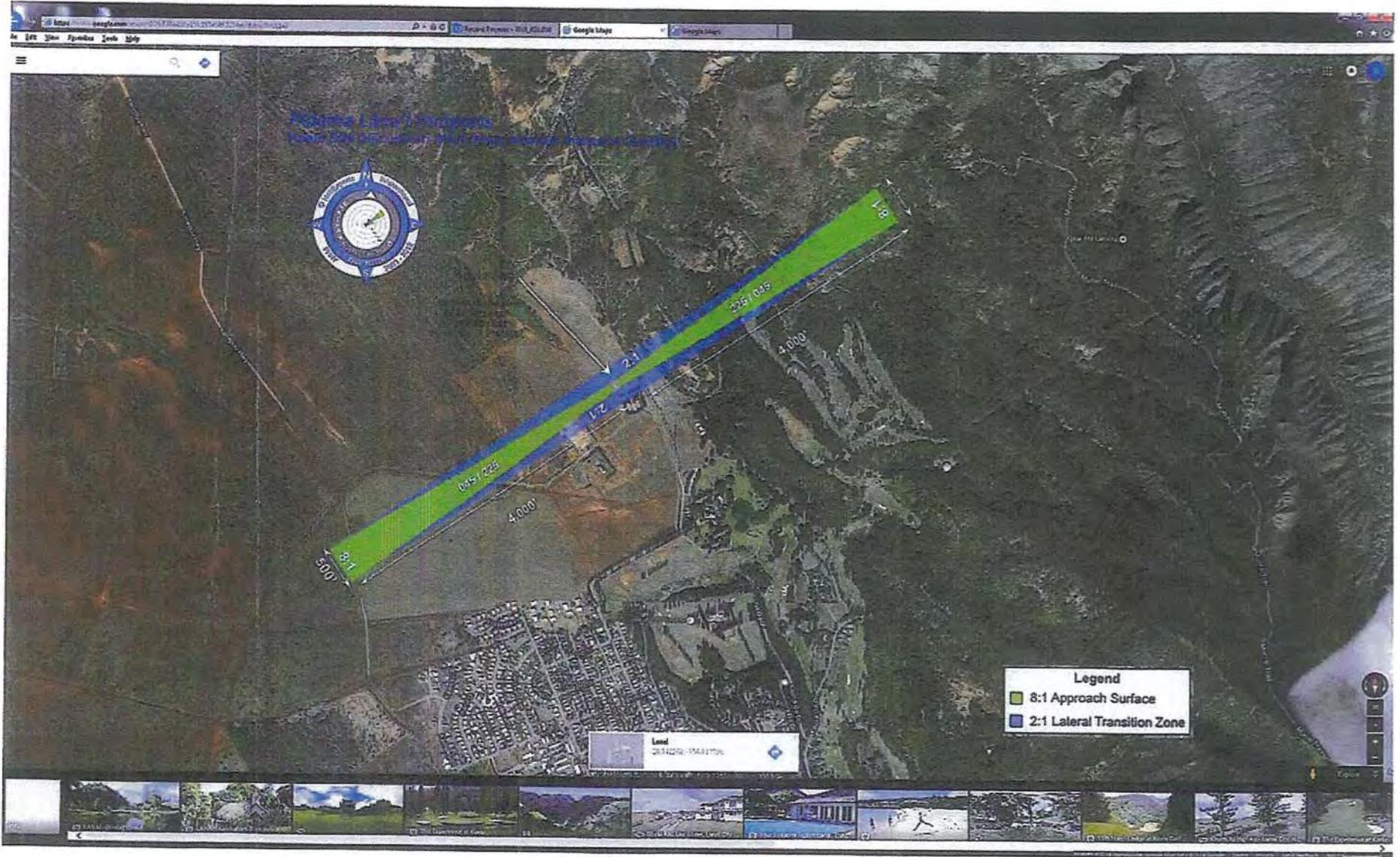


EXHIBIT 1

**Exhibit #16. Department of Health, Clean
Water Branch Comment Letter**

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
EMDCWB

02047PNN.16

February 25, 2016

Mr. Kurt F. Wollenhaupt
Staff Planner
County of Maui
Department of Planning
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

MAR 03 2016

RECEIVED

Dear Mr. Wollenhaupt:

**SUBJECT: Comments on the Two Proposed Private Helistop Pads on Lanai
Vicinity of Koele and Manele, Island of Lanai, Hawaii**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your transmittal, dated February 2, 2016, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: <http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>.

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).

For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

3. If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and HAR, Chapter 11-54.

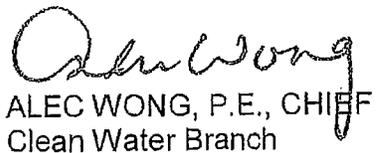
4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.
5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:
 - a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like

community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.

- b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g., minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
- c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.
- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

If you have any questions, please visit our website at:
<http://health.hawaii.gov/cwb>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,


ALEC WONG, P.E., CHIEF
Clean Water Branch

NN:ak

c: DOH-EPO [via e-mail Noella.Narimatsu@doh.hawaii.gov only]

Exhibit #16a. Applicant Response



MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

March 11, 2016

Alec Wong, P.E.
Clean Water Branch Chief
State of Hawai'i
Department of Health
P.O. Box 3378
Honolulu, Hawai'i 96801-3378

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit For Two (2) Proposed Private Hellstop Pads on Lāna'i (CP 2015/0010 and SUP2 2015/0014) TMK (2)4-9-002:001 (por.), Ref. EMD/CWB 02047PNN.16

Dear Mr. Wong:

On behalf of Pūlama Lāna'i, the applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Hellstop Pad project on Lāna'i, we provide the following response in the order of your comments regarding the project.

Comment:

Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: <http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>.

Response: The standard comments noted on your website will be reviewed, as may be applicable to the proposed project.

Comment:

1. *Any project and its potential impacts to State waters must meet the following criteria:*

- a. *Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.*
- b. *Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.*
- c. *Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).*

Response: The proposed project will not result in discharge into or impacts to State waters. The Kō'ele site is located mauka of Lāna'i City, while the Mānele site is located over 2,500 feet away from the ocean. In the event the project results in such impact, the Applicant acknowledges that the criteria according to the Antidegradation policy (HAR, Section 11-54-1.1), Designated uses (HAR, Section 11-54-3) and Water Quality criteria (HAR Sections 11-54-4 through 11-54-8) will be complied with.

Comment:

2. *You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).*

For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: <https://ehacloud.doh.hawaii.gov/epermit/>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

Response: A NPDES permit application will be submitted to your agency, as may be applicable for the proposed project.

Comment:

3. *If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.*

*Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters ... " (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and HAR, Chapter 11-54.*

Response: The proposed project does not involve discharge into or work in, over or under waters of the United States and as such a U.S. Army Corp of Engineers Department of Army Permit and Section 401 Water Quality Certification requirements are not anticipated to be triggered or required for the project.

Comment:

4. *Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.*

Response: The Applicant acknowledges that all discharges related to the project construction and operations will comply with the State's Water Quality

Standards, whether or not NPDES permit coverage and/or Section 401 Water Quality Certification is required.

Comment:

5. *It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:*
 - a. *Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.*

Response: The surface runoff discharge from the Kō'ele Helistop and Mānele Helistop project sites are not anticipated to be significant as there will be no change to existing drainage patterns in the project areas. Permanent Best Management Practices (BMPs) will be included in the project design for both sites such as vegetated swales to increase percolation of runoff waters into the soil). A detailed drainage plan will be developed during the project design phase, and low impact development methods may be considered for the project, as may be appropriate.

Comment:

- b. *Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g., minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.*

Response: The proposed project does not involve discharge into or impacts to State waters. The helistop operations are not anticipated to use water or generate wastewater flow at either the Kō'ele Helistop and Mānele Helistop project sites.

Comment:

- c. *Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.*

Response: A detailed drainage plan will be developed during the project design phase, and BMP measures will be considered as may be applicable to the project. As previously noted, the helistop operations are not anticipated to use water for irrigation.

Comment:

- d. *Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.*

Response: As the drainage plan is being developed during the project design phase, use of green building practices will be considered as may be appropriate for the project.

Comment:

- e. *Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.*

Response: There is no existing storm water infrastructure on or nearby the Kō'ele Helistop and Mānele Helistop project sites. According to the Federal Emergency Management Agency Flood Insurance Rate Map, the project sites are located in Zone X, an area of minimal flood hazard and determined to be outside the 0.2 percent annual chance flood plain. See **Attachment 1** (Flood and Zoning Confirmation Form).

Thank you for your comments. If there are any questions, please contact me at 244-2015 or cheryl@munekiyohiraga.com.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:la

Attachment

cc: Kurt Wollenhaupt, Department of Planning (w/attachment)
Lynn McCrory, Pūlama Lāna'i (w/attachment)
Tom Hoen, Pūlama Lāna'i (w/attachment)
Dean Uchida, SSFM International (w/attachment)

K:\DATA\Pūlama Lāna'i\Helistop\pads\CountyCP SLUC SUP Response Letters\DOH, CWB.resp.ltr.docx

Nov 20 2014

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 335
Wailuku, Hawaii 96793



Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7263
Facsimile: (808) 270-7634
E-mail: planning@maui-county.gov

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Muneklyo & Hiraga Inc. TELEPHONE 244-2015
PROJECT NAME Lanal Hellstop (Koele) E-MAIL planning@mhplanning.com
PROPERTY ADDRESS See Attachment 1 TAX MAP KEY (2)4-9-002:001

Yes No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with Instructions 2 & 3 below:
A) Yes No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____
B) State the purpose of subdivision and the proposed land uses (*ie 1-lot into 2-lots for all land uses allowed by law*);

INSTRUCTIONS:

- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
- 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
- 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

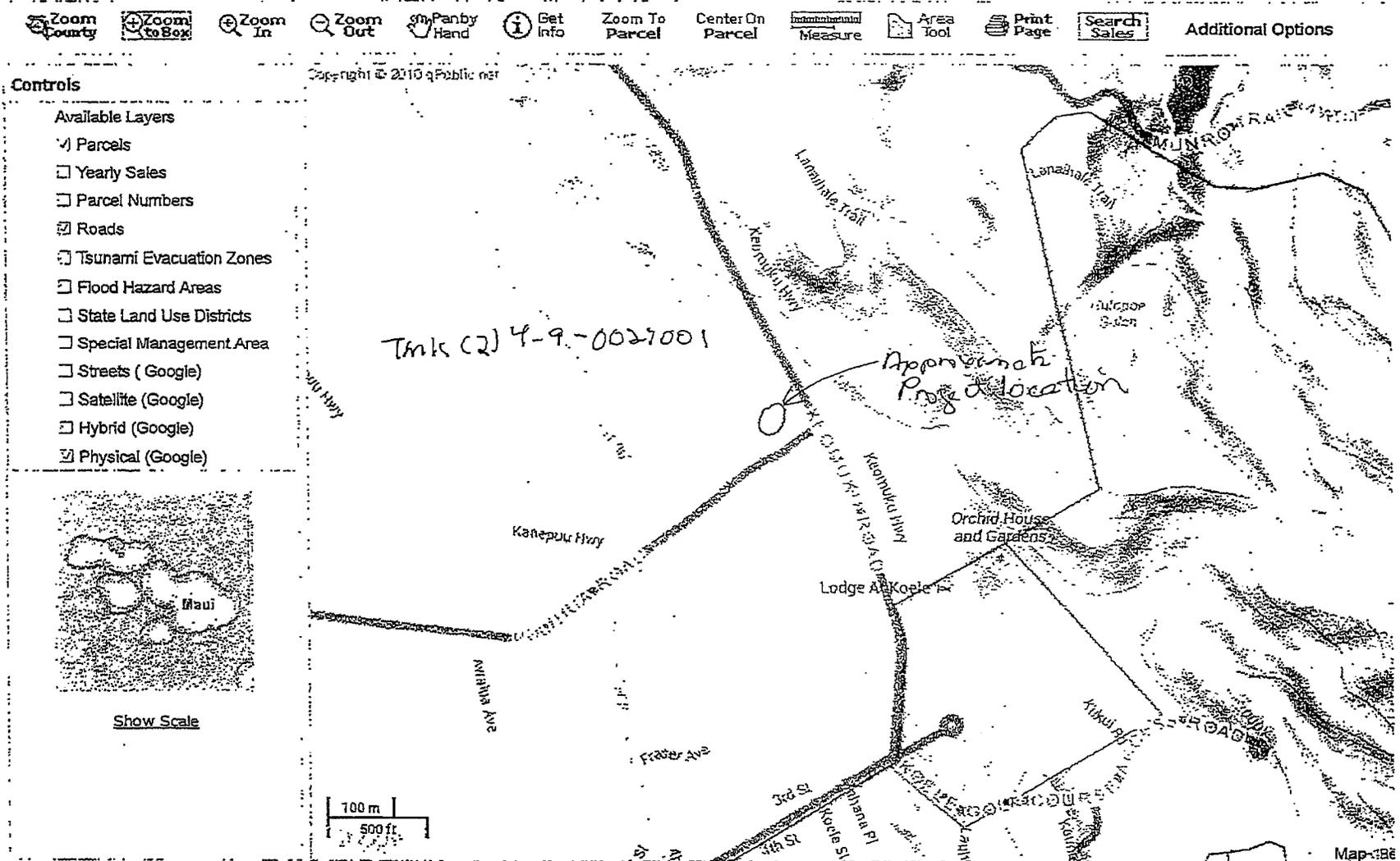
LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹ (SMA) Special Management Area
STATE DISTRICT: Urban Rural Agriculture Conservation
MAUI Growth Boundary: ² Urban Small Town Rural Planned Growth Area Outside Growth Boundaries
ISLAND PLAN Protected Area: ² Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas
COMMUNITY PLAN: ² Agriculture (PD) Planned Development
COUNTY ZONING: Agriculture (PH) Project District
OTHER/COMMENTS: All info. based on attached site plan See Additional Comments (Pg.2)
FEMA FLOOD INFORMATION: See Attached LUD Map
FLOOD HAZARD AREA ZONES ³ & BASE FLOOD ELEVATIONS: X
 FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH:
 FLOOD DEVELOPMENT PERMIT REQUIRED (Zones V, VE, A, AO, AE, AH, D, & Floodways)

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).
 Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).
(Signature) Interim Zoning, (The parcel or portion of the parcel that is zoned Interim shall not be subdivided).
 ⁴ Consistent, (LUDs appear to have ALL permitted uses in common).
 ⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.
 ⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

NOTES:
1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change in Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:
[Signature] 11/20/14
(Signature) (Date)
For: John S. Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division

ATTACHMENT 1



MauI County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The as information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

Attachment "1"

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 335
Wailuku, Hawaii 96793



Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253
Facsimile: (808) 270-7634
E-mail: planning@mauicounty.gov

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Muneklyo & Hiraga Inc. TELEPHONE 244-2015
PROJECT NAME Lanal Hellstop (Manele) E-MAIL planning@mhplanning.com
PROPERTY ADDRESS See Attachment 1 TAX MAP KEY (2)4-9-002:001

Yes No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:
A) Yes No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____
B) State the purpose of subdivision and the proposed land uses (e.g. 1-lot into 2-lots for all land uses allowed by law):

- INSTRUCTIONS:
- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
 - 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
 - 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: Urban Rural Agriculture Conservation (SMA) Special Management Area

MAUI ISLAND Growth Boundary: ² Urban Small Town Rural Planned Growth Area Outside Growth Boundaries

PLAN Protected Area: ² Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas

COMMUNITY PLAN: ² Agriculture (PD) Planned Development

COUNTY ZONING: Agriculture (PH) Project District

OTHER/COMMENTS: All info. based on attached site plan See Additional Comments (Pg.2)

FEMA FLOOD INFORMATION:

FLOOD HAZARD AREA ZONES ³ X See Attached LUD Map

& BASE FLOOD ELEVATIONS:

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH:

FLOOD DEVELOPMENT PERMIT REQUIRED (Zones V, VE, A, AO, AE, AH, D, & Floodways)

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).

Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).

Interim Zoning, (The parcel or portion of the parcel that is zoned Interim shall not be subdivided).

⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

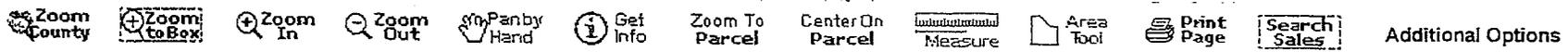
⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

NOTES:

- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change in Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
- 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
- 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
- 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

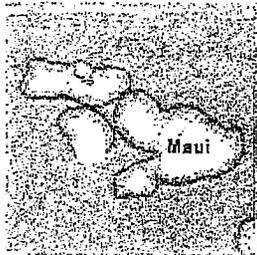
[Signature] 11/20/14
(Signature) (Date)
For: John S. Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division



Controls

Available Layers

- Parcels
- Yearly Sales
- Parcel Numbers
- Roads
- Tsunami Evacuation Zones
- Flood Hazard Areas
- State Land Use Districts
- Special Management Area
- Streets (Google)
- Satellite (Google)
- Hybrid (Google)
- Physical (Google)



Show Scale



Maui County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The as-is information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

**Exhibit #17. Department of Health, Maui
Comment Letter**



FEB 23 2016

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H.
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3378

February 22, 2016

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT
FEB 22 2016
RECEIVED

Mr. William R. Spence
Director
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawai'i 96793

Attn: Kurt F. Wollenhaupt

Dear Mr. Spence:

Subject: Two Proposed Private Helistop Pads on Lanai
Applicant: Lanai Resorts LLC, a Hawaii Limited Liability Company doing business
as Pulama Lanai
TMK: (2) 4-9-002:001 (por.)
Permit No. CP 2015/0010 and SUP2 2015/0014

Thank you for the opportunity to review this project. We have the following comments to offer:

1. National Pollutant Discharge Elimination System (NPDES) permit coverage may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor & Radiological Health Branch at 808 586-4700.

It is strongly recommended that the Standard Comments found at the Department's website: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/> be reviewed and any comments specifically applicable to this project should be adhered to.

Mr. William R. Spence
February 22, 2016
Page 2

Should you have any questions, please contact me at patricia.kitkowski@doh.hawaii.gov or 808 984-8230.

Sincerely,

A handwritten signature in cursive script that reads "Patti Kitkowski".

Patti Kitkowski
District Environmental Health Program Chief

c EPO

Exhibit #17a. Applicant Response



MUNEKIYO HIRAGA

Planning, Project Management, Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

March 3, 2016

Patti Kitkowski
District Environmental Health Program Chief
State of Hawai'i
Department of Health
Maui District Health Office
54 High Street
Wailuku, Hawai'i 96793

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit for Two (2) Proposed Private Helistop Pads on Lāna'i; (CP 2015/0010 and SUP2 2015/0014)
TMK (2)4-9-002:001 (por)

Dear Ms. Kitkowski:

On behalf of Pūlama Lāna'i, the Applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Helistop Pad project on Lāna'i, we provide the following responses in the order of your comments regarding the project.

Comment:

1. *National Pollutant Discharge Elimination System (NPDES) permit coverage may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.*

Response:

The Clean Water Branch will be contacted by Pūlama Lāna'i's contractor for NPDES permit coverage as may be applicable to the project.

Comment:

2. *The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control". A noise permit may be required and should*

be obtained before the commencement of work. Please call the Indoor & Radiological Health Branch at 808 586-4700.

Response:

A noise permit will be obtained prior to commencement of work on the project and the Indoor & Radiological Health Branch contacted, as may be applicable.

Comment:

It is strongly recommended that the Standard Comments found at the Department's website: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/> be reviewed and any comments specifically applicable to this project should be adhered to.

Response:

The design team will review the Standard Comments on the Department's website noted in your letter and implement comments that may be applicable to the project.

Thank you for your comments. I can be reached at 244-2015 if there are any questions.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:tn

Cc: Kurt Wollenhaupt, Department of Planning
Lynn McCrory, Pūlama Lāna'i
Tom Hoen, Pūlama Lāna'i

**Exhibit #18. Department of Land and
Natural Resources, Land Division
Comment Letter**

DAVID Y. ICE
GOVERNOR OF HAWAII



CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 19, 2016

County of Maui
Department of Planning
Attention: Mr. Kurt Wollenhaupt
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

via email: kurt.wollenhaupt@mauicounty.gov

Dear Mr. Kurt Wollenhaupt:

SUBJECT: Two (2) Proposed Private Helistop Pads on Lanai on Island of Lanai;
TMK (2) 4-9-002:001 (por.)

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from the (i) Engineering Division only on the subject matter. Should you have any questions, please feel free to call Kevin Moore at 587-0426. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure(s)

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



RECEIVED
LAND DIVISION

2016 FEB -5 AM 11:03

COUNTY OF MAUI
DEPARTMENT OF PLANNING
DEPT. OF LAND & RESOURCES
STATE OF HAWAII

TRANSMITTAL

DATE: February 2, 2016

STATE AGENCIES	
X	DAGS
X	Dept of Hawaiian Homelands
X	Dept of Health, Honolulu
X	Dept of Health, Maui (2)
X	DLNR-Land, Maui
X	DLNR-Planning (5)
X	DLNR-SHPD, Maui
X	DOT, Maui
X	DOT, Statewide Planning Office (4)
X	Land Use Commission (Hard Copy)
X	Office of Hawaiian Affairs
X	Office of Planning
OTHER	
X	Hawaiian Telecom (Hard Copy)
X	Maul Electric Company

COUNTY AGENCIES	
X	Civil Defense
X	Dept of Environmental Management (2)
X	Dept of Housing & Human Concerns
X	Dept of Public Works (3 Hard Copies)
X	Dept of Water Supply
X	Fire & Public Safety
X	Police Department
FEDERAL AGENCIES	
X	FAA
X	Fish & Wildlife
X	Molokai-Lanai Soil & Water Conservation
X	NRCS-USDA-Maui

PROJECT:	TWO (2) PROPOSED PRIVATE HELISTOP PADS ON LĀNAʻI
APPLICANT:	Lānaʻi Resorts LLC, a Hawaii Limited Liability Company doing business as Pūlama Lānaʻi
STREET ADDRESS:	In the vicinity of Koele and at Manele
PROJECT DESCRIPTION:	Construct two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Koele and the existing containerized plant nursery at Manele.
TMK:	(2) 4-9-002:001 (POR.)
PERMIT NO.:	CP 2015/0010 and SUP2 2015/0014

TRANSMITTED TO YOU ARE THE FOLLOWING:

X	Application(s)
	State Land Use Commission Special Use Permit
	County Conditional Permit

THESE ARE TRANSMITTED AS CHECKED BELOW:

X	For your Comment and Recommendation
---	-------------------------------------

Please identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by **February 23, 2016**. A comment box is also provided to assist you. If no comment, please sign the "No Comment!" box. Please reply either by email or regular mail. You may fill out this form and email to me as a PDF if that is more convenient.

AGENCY NAME		PHONE	
--------------------	--	--------------	--

Agency Transmittal – HELISTOP PADS LANAI (CP 2015/0010 and SUP2 2015/0014)
 February 2, 2016
 Page 2

Thank you for your time and assistance. For additional clarification, please contact me via email at kurt.wollenhaupt@maulcounty.gov or at (808) 270-1789.

Sincerely,



KURT F. WOLLENHAUPT
 Staff Planner

Attachment

- xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
- Kurt F. Wollenhaupt, Staff Planner (PDF)
- Project File
- General File

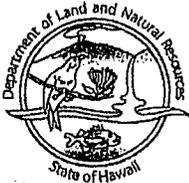
KFW:nt

K:\WP_DOCS\PLANNING\CP\2015\0010_LanaiHelistopPads_ProjectBackground\Draft Agency Transmittal List.doc

NO COMMENT			
Signed:		Dated:	
Print Name:		Title:	

COMMENT/RECOMMENDATION BOX			
Signed:		Dated:	
Print Name:		Title:	

DAVID Y. IGE
GOVERNOR OF HAWAII



RECEIVED
LAND DIVISION

12 AM 11:30

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 8, 2015

MEMORANDUM

TO: FR

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Maui District
- Historic Preservation

TO:
FROM:

Russell Y. Tsuji, Land Administrator
Two (2) Proposed Private Helistop Pads on Lanai
Island of Lanai; TMK: (2) 4-9-002:001(por.)
Lanai Resorts LLC

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

2016 FEB 12 AM 10:55

RECEIVED
LAND DIVISION

16 FEB 08 PM 11:10 ENGINEERING

Transmitted for your review and comment is information on the above referenced project. Please submit any comments by **February 19, 2016**.

Only one (1) copy of the CD is available for your review in Land Division office, Room 220.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed:

Print Name:

Carty S. Chang, Chief Engineer

Date:

2/11/16

cc: Central Files

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LD/Russell Y. Tsuji

**REF: Two (2) Proposed Private Hellstop Pads on Lanai, Lanai, County of Maui, Hawaii
Lanai.001**

COMMENTS

- () We confirm that the parcel/project site, according to the Flood Insurance Rate Map (FIRM), is located in Zones X. The National Flood Insurance Program does not regulate developments within Zones X.
- (X) **Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone X.** The National Flood Insurance Program does not regulate developments within Zones X.
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project site must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.
- () Mr. Carter Romero (Acting) at (808) 961-8943 of the County of Hawaii, Department of Public Works.
- () Ms. Carolyn Cortez at (808) 270-7253 of the County of Maui, Department of Planning.
- () Mr. Stanford Iwamoto at (808) 241-4896 of the County of Kauai, Department of Public Works.

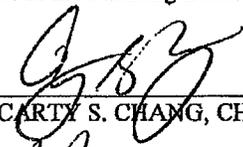
- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.

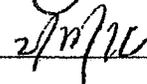
- () The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

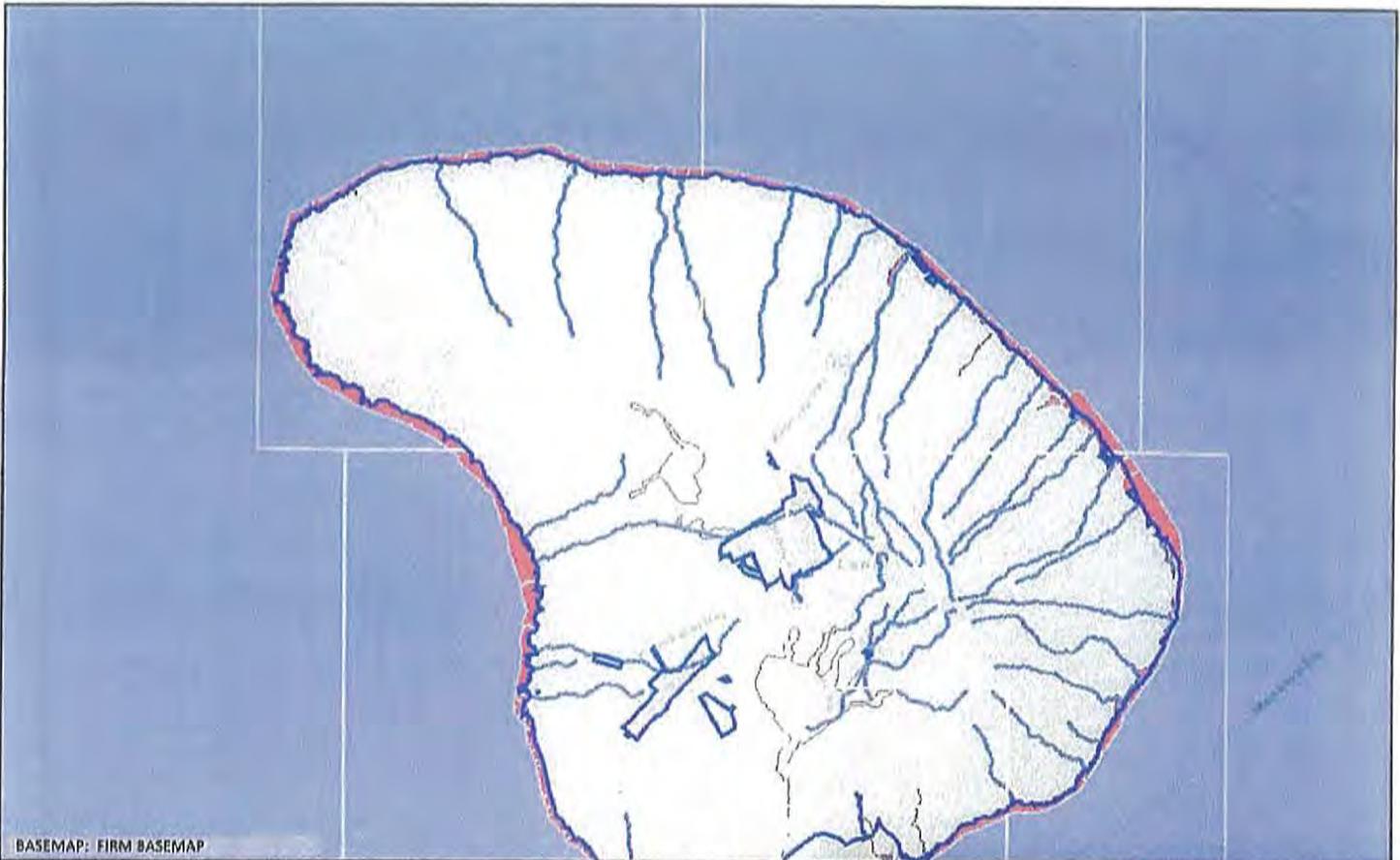
- () Additional Comments: _____

- () Other: _____

Should you have any questions, please call Mr. Rodney Shiraishi of the Planning Branch at 587-0258.

Signed: 
CARTY S. CHANG, CHIEF ENGINEER

Date: 



BASEMAP: FIRM BASEMAP



Flood Hazard Assessment Report

www.hawaiiifip.org

Lanai Helistop Pads

Property Information

COUNTY: MAUI
 TMK NO: (2) 4-9-002:001
 WATERSHED: ANAPUKA; AWEHI; HALULU; HAUJA; HAUOLA; HAWAIIANUI; HONOPO; KAA; KAAPAHU; KAHEA; KAHUA; KALAMAIKI; KALAMANI; KAPOH; KAPUA; KAUMALAPAU; KAWAII; KUAHUA; LAPAKI; LOPA; MAHA; NALUA
 PARCEL ADDRESS: 1007 MIKI RD
 LANAI CITY, HI 96763

Notes:

Flood Hazard Information

FIRM INDEX DATE: NOVEMBER 04, 2015
 LETTER OF MAP CHANGE(S): NONE
 FEMA FIRM PANEL - EFFECTIVE DATE: 0325F - SEPTEMBER 19, 2012; 0350F - SEPTEMBER 19, 2012; 0500F - SEPTEMBER 19, 2012; 0511F - SEPTEMBER 25, 2009; 0512F - SEPTEMBER 19, 2012; 0513F - SEPTEMBER 19, 2012; 0514F - SEPTEMBER 19, 2012; 0525F - SEPTEMBER 19, 2012;

THIS PROPERTY IS WITHIN A TSUNAMI EVACUATION ZONE: YES
 FOR MORE INFO, VISIT: <http://www.scd.hawaii.gov/>

THIS PROPERTY IS WITHIN A DAM EVACUATION ZONE: NO
 FOR MORE INFO, VISIT: <http://dlnr.hawaii.gov/dam/>



Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as 'PRELIMINARY', please note that it is being provided for informational purposes and is not to be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.

FLOOD HAZARD ASSESSMENT FLOOD LAYER LEGEND

(Note: legend does not correspond with NFHL)

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - The 1% annual chance flood (100-year), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHAs include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

	Zone A: No BFE determined.
	Zone AE: BFE determined.
	Zone AH: Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
	Zone AO: Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
	Zone V: Coastal flood zone with velocity hazard (wave action); no BFE determined.
	Zone VE: Coastal flood zone with velocity hazard (wave action); BFE determined.
	Zone AEF: Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

	Zone XS (X shaded): Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
	Zone X: Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

	Zone D: Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase apply, but coverage is available in participating communities.
--	--

Exhibit #18a. Applicant Response



MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT

Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy
VICE PRESIDENT

Tessa Munekiyo Ng
VICE PRESIDENT

March 3, 2016

Russell Y. Tsuji
State of Hawai'i
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 97809

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit for Two (2) Proposed Private Helistop Pads on Lāna'i; (CP 2015/0010 and SUP2 2015/0014) TMK (2)4-9-002:001 (por)

Dear Mr. Tsuji:

On behalf of Pūlama Lāna'i, the Applicant for a County Conditional Permit and State Land Use Commission Special Use Permit for the Two (2) Proposed Private Helistop Pads project on Lāna'i, we provide the following response to the Department of Land and Natural Resources (DLNR) Engineering Division comment regarding the project.

Comment:

Please take note that the project site, according to the Flood Insurance Rate Map (FIRM) is located in Zone X. The National Flood Insurance Program does not regulate the developments within Zones X.

Response: We acknowledge that the project sites are located within an area designated as Zone X, and as such, the National Flood Insurance Program does not regulate this proposed development.

Russell Y. Tsuji
March 3, 2016
Page 2

Thank you for your comments. I can be reached at (808) 244-2015 if there are any questions.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:tn

Cc: Kurt Wollenhaupt, Department of Planning
Lynn McCrory, Pūlama Lānaʻi
Tom Hoen, Pūlama Lānaʻi

K:\DATA\Pūlama Lānaʻi\HeliStopPads\CountyCP SLUC SUP Response Letters\DLNR, Eng.resp.llr.doc

**Exhibit #19. Department of
Transportation, Statewide Planning
Office Comment Letter**

DAVID Y IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
889 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO

STP 8.1947

March 8, 2016

Mr. Kurt Wollenhaupt
Staff Planner
County of Maui
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Mr. Wollenhaupt:

Subject: Private Helistop Pads on Lanai
State Land Use Commission Special Use Permit (SUP2 2015/0014)
County Conditional Permit (CP 2015/0010)
Lanai, Hawaii
TMK: (2) 4-9-002:001 (Por.)

The applicant should file a Federal Aviation Administration (FAA) Form 7480-1 Notice of Construction, Alteration and Deactivation of Airports, for the proposed two private helistop pads on Lanai. The form can be accessed at the following website: <http://www.faa.gov/forms/>

If there are any questions, please contact Mr. Norren Kato of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7976.

Sincerely,

A handwritten signature in black ink, appearing to read "Ford N. Fuchigami".

FORD N. FUCHIGAMI
Director of Transportation

EKT:gm

Exhibit #19a. Applicant Response



MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT
Karilynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

March 24, 2016

Ford N. Fuchigami, Director
State of Hawai'i
Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813-5097

SUBJECT: Applications for County Conditional Permit and State Land Use Commission Special Use Permit For Two (2) Proposed Private Helistop Pads on Lāna'i; TMK (2)4-9-002:001 (por)
(CP 2015/0010 and SUP2 2015/0014)
Reference: STP 8.1947

Dear Mr. Fuchigami:

On behalf of Pūlama Lāna'i, the applicant for a County Conditional Permit (CP) and State Land Use Commission Special Use Permit (SUP) for the Two (2) Proposed Private Helistop Pads project on Lāna'i, we provide the following response to your comment regarding the project.

Comment:

The applicant should file a Federal Aviation Administration (FAA) Form 7480-1 Notice of Construction, Alteration and Deactivation of Airports, for the proposed two private helistop pads on Lanai. The form can be accessed at the following website: <http://www.faa.gov/forms/>.

Response:

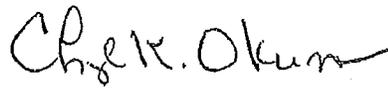
Prior to construction and after permits (e.g. State Land Use Commission Special Use Permit and County Conditional Permit) are received for the project, Pūlama Lāna'i will file the required Form 7480-1 with the FAA. As explained in the SUP and CP applications for the project, Pūlama Lāna'i sought review and approval for the site locations from the FAA for the two (2) helistop facilities. FAA personnel came to Lāna'i to inspect the two (2) helistop sites. In March 2015, the FAA provided a Determination of Landing Area Proposal for the two (2) helistop sites, which concluded that the two (2) sites would not adversely affect the safe

Ford N. Fuchigami, Director
March 24, 2016
Page 2

and efficient use of navigable airspace by aircraft and the safety of person and property on the ground, and included recommendations which Pūlama Lāna'i will comply with. See **Attachment "A"**. Also, it is noted that by letter dated July 28, 2014, the State Department of Transportation Airports Division informed Pūlama Lāna'i that no State permit is required for the two (2) proposed helistop pads.

Thank you for your comments. If there are any questions, please contact me at (808) 244-2015 or cheryl@munekiyohiraga.com.

Very truly yours,



Cheryl K. Okuma
Senior Associate

CKO:tn

Attachment

Cc: Kurt Wollenhaupt, Department of Planning (w/attachment)
Lynn McCrory, Pūlama Lāna'i (w/attachment)
Tom Hoen, Pūlama Lāna'i (w/attachment)

K:\DATA\Pūlama Lāna'i\HelistopPads\CountyCP SLUC SUP Response Letters\State DOT.doc

ATTACHMENT "A"

***Federal Aviation Administration,
Determination of Landing Area
Proposal for Kō'ele and Mānele
Helistops***



U.S. Department
of Transportation

Federal Aviation
Administration

March 13, 2015

Gordon K Wong
Box 50244
Honolulu, HI 96850

TO:
Pulama Lanai
Attn: Lynn McCrory
733 Bishop Street, Suite 2000
Honolulu, HI 96813
lmccrory@pulamalanai.com

RE: (See attached Table 1 for referenced case(s))
DETERMINATION OF LANDING AREA PROPOSAL

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2014- AWP-1667-NRA		Lanai City, HI	20-50-24.82N	156-55-15.57W	0	1756

Description: Construct new heliport

We have determined that the proposed private use landing area, will not adversely affect the safe and efficient use of the navigable airspace by aircraft, provided:

- All operations are conducted in VFR weather conditions.
- The landing area is limited to private use.
- The takeoff/landing area is appropriately marked.
- A non-obstructing wind indicator is maintained adjacent to the takeoff/landing area.
- All approach/departure operations are conducted from 040 degrees/220 degrees \pm 10 degrees.

The pilots are briefed and are familiar with the Final Approach and Take Off (FATO) size and the obstructions to the northeast and east of the heliport.

All aircraft using the site will have Hover Out of Ground Effect (HOGE) power available.

We recommend that:

- No night helicopter operations be conducted unless the takeoff/landing area and wind indicator are lighted and a heliport identification beacon is installed.
- Unauthorized persons be restrained from access to the takeoff/landing area during helicopter flight operations by use of a non-obstructing safety barrier.

- The proponent refer to AC 150/5390-2, "Heliport Design", in establishing an acceptable level of safety for helicopter operations at this heliport.
- The landing area is constructed in accordance with AC 150/5390-2 as planned.

The heliport proponent will reexamine obstacles in the vicinity of the approach/departure paths on an annual basis in accordance with AC 150/5390-2. Any new obstacles noted will be forwarded to the appropriate FAA Honolulu Airport District Office or FAA Flight Standards Division.

We recommend the following: 1) Installing omnidirectional approach lights for night operations to clearly define the approach path, and 2) Prior to use, a representative of FAA Flight Standards Service evaluate the heliport for compliance.

Please notify the FAA within 15 days of completing the landing area by calling the FAA Area Flight Service Station (AFSS) serving your landing area to let them know you are activating the landing area while the Airport Master Record form is being processed. Please tell the Flight Service Station representative that you have received an aeronautical determination from the FAA, and supply them with the name of your landing area and the coordinates.

Please return the enclosed Airport Master Record form to this office. When the processing of the Airport Master Record form is completed, your landing area will have a site number and a permanent location identifier. Indicate whether or not you would like to have your landing area shown on aeronautical charts. Charting also depends on the amount of "clutter" already on the charts near your site.

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until September 13, 2016. Should the facility not be operational by this date, an extension of the determination must be obtained by 15 days prior to the expiration date of this letter.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structures and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

The FAA cannot prevent the construction of structures near an airport. The airport environs can only be protected through such means as local zoning ordinances, acquisitions of property in fee title or aviation easements, letters of agreement, or other means.

This determination does not preempt or waive any ordinance, law, or regulation of any other governmental body or agency.

Enclosures:

- Airport Master Record

If you have any questions concerning this determination contact Gordon Wong, (808) 541-3565 and/or gordon.wong@faa.gov.

Gordon Wong
DivUser
HDOTA



AIRPORT MASTER RECORD

> 1 ASSOC CITY: Land City 4 STATE: HI LOC ID: FAA SITE NR: 0.
> 2 AIRPORT NAME: KOELE HELIPORT 5 COUNTY: Maui
3 CBD TO AIRPORT (NM): 1 N 6 REGION/ADO: AWP/HNL 7 SECT AERO CHT: HAWAIIAN ISLANDS

<u>GENERAL</u>		<u>SERVICES</u>	<u>BASED AIRCRAFT</u>
10 OWNERSHIP:	PR	70 FUEL:	90 SINGLE ENG: 0
11 OWNER:			91 MULTI ENG: 0
12 ADDRESS:			92 JET: 0
13 PHONE NR:			TOTAL: 0
14 MANAGER:			93 HELICOPTERS: 0
15 ADDRESS:			94 GLIDERS: 0
16 PHONE NR:			95 MILITARY: 0
17 ATTENDANCE SCHEDULE:			96 ULTRA-LIGHT: 0
MONTHS DAYS HOURS			

		<u>FACILITIES</u>
18 AIRPORT USE:	Private	> 80 ARPT BCN:
19 ARPT LAT:	20-50-24.82N	> 81 ARPT LGT SKED:
20 ARPT LONG:	156-55-15.57W	> 82 UNICOM: 0,0
21 ARPT ELEV:	1756.0	83 WIND INDICATOR:
22 ACRESAGE:	0	84 SEGMENTED CIRCLE:
> 23 RIGHT TRAFFIC:		85 CONTROL TYR: NO
24 NON-COMM LANDING:		86 FSS:
		87 FSS ON ARPT: NO
		88 FSS PHONE NR:
		89 TOLL FREE NR:

RUNWAY DATA

> 30 RUNWAY IDENT:	HI
> 31 LENGTH:	60
> 32 WIDTH:	60
> 33 SURF TYPE-COND:	

LIGHTING/APCH AIDS

> 40 EDGE INTENSITY:
> 42 RWY MARK TYPE-COND:

OBSTRUCTION DATA

50 FAR 77 CATEGORY:
51 DISPLACED THR:
52 CTLG OBSTN:
53 OBSTN MARKED/LGTD:
54 HGT ABOVE RWY END:
55 DIST FROM RWY END:

(=) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY>

111 OWNER/MANAGER SIGNATURE 113 DATE:



U.S. Department
of Transportation

Federal Aviation
Administration

March 13, 2015

Gordon K Wong
Box 50244
Honolulu, HI 96850

TO:
Pulama Lanai
Attn: Lynn McCrory
733 Bishop Street, Suite 2000
Honolulu, HI 96813
lmccrory@pulamalanai.com

RE: (See attached Table 1 for referenced case(s))
DETERMINATION OF LANDING AREA PROPOSAL

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2014- AWP-1688-NRA		Lanai City, HI	20-44-45.36N	156-54-46.95W	0	475

Description: Construct new heliport.

We have determined that the proposed private use landing area, will not adversely affect the safe and efficient use of the navigable airspace by aircraft, provided:

- All operations are conducted in VFR weather conditions.
- The landing area is limited to private use.
- The takeoff/landing area is appropriately marked.
- A non-obstructing wind indicator is maintained adjacent to the takeoff/landing area.

We recommend that:

- No night helicopter operations be conducted unless the takeoff/landing area and wind indicator are lighted and a heliport identification beacon is installed.
- Unauthorized persons be restrained from access to the takeoff/landing area during helicopter flight operations by use of a non-obstructing safety barrier.
- The proponent refer to AC 150/5390-2, "Heliport Design", in establishing an acceptable level of safety for helicopter operations at this heliport.
- The landing area is constructed in accordance with AC 150/5390-2 as planned.

The heliport proponent will reexamine obstacles in the vicinity of the approach/departure paths on an annual basis in accordance with AC 150/5390-2. Any new obstacles noted will be forwarded to the appropriate FAA Honolulu Airport District Office or FAA Flight Standards Division.

We recommend the following: 1) Prior to use, a representative of FAA Flight Standards Service evaluate the heliport for compliance.

Please notify the FAA within 15 days of completing the landing area by calling the FAA Area Flight Service Station (AFSS) serving your landing area to let them know you are activating the landing area while the Airport Master Record form is being processed. Please tell the Flight Service Station representative that you have received an aeronautical determination from the FAA, and supply them with the name of your landing area and the coordinates.

Please return the enclosed Airport Master Record form to this office. When the processing of the Airport Master Record form is completed, your landing area will have a site number and a permanent location identifier. Indicate whether or not you would like to have your landing area shown on aeronautical charts. Charting also depends on the amount of "clutter" already on the charts near your site.

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until September 13, 2016. Should the facility not be operational by this date, an extension of the determination must be obtained by 15 days prior to the expiration date of this letter.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structures and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

The FAA cannot prevent the construction of structures near an airport. The airport environs can only be protected through such means as local zoning ordinances, acquisitions of property in fee title or aviation easements, letters of agreement, or other means.

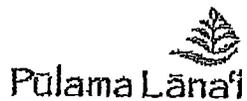
This determination does not preempt or waive any ordinance, law, or regulation of any other governmental body or agency.

Enclosures:

- Airport Master Record

If you have any questions concerning this determination contact Gordon Wong, (808) 541-3565 and/or gordon.wong@faa.gov.

Gordon Wong
DivUser
HDOTA



April 24, 2015

Mr. Gordon Wong
FAA Honolulu Airports District Office
Box 50244
Honolulu, HI 96850
By Express Mail

Re: Koele Heliport Airport Master Record and Manele Heliport Airport Master Record

Dear Mr. Wong:

Enclosed are the Airport Master Records for both the Koele Heliport and Manele Heliport sites. As we have not completed the Maui County permitting for construction of the two facilities, you have a large number of N/A's on this form. In discussing this and reviewing the form with Matt Boehm, Glass Aviation, the heliport facilities manager, he informed us that he will send to you a revised form when the facilities are completed.

Should you have any questions please let me know. Mahalo!

Me ke aloha pumehana
With warm aloha,

Lynn P. McCrory
Senior Vice President of Government Affairs

C: Kurt Matsumoto, Chief Operating Officer
Matt Boehm, Glass Aviation

Enclosures (2)

AIRPORT MASTER RECORD

>1 ASSOC. CITY: Lanai City 4. STATE: HI LOC ID: FAA SITE NR: 0.
>2 AIRPORT NAME: KOELE HELIPORT 5 COUNTY: Maui
3 ORD TO AIRPORT (NM): 1 N 6 REGION/ADO: AWP/HNL 7 SECT AERO CHT: HAWAIIAN ISLANDS

GENERAL	SERVICES	BASED AIRCRAFT
10 OWNERSHIP: LANAI HELICOPTER CORPORATION 11 OWNER: 733 BISHOP STREET, SUITE 2000 12 ADDRESS: HONOLULU, HI 96813	>70 FUEL:	80 SINGLE ENG: 0 81 MULTI ENG: 0 82 JET: 0 TOTAL 0
13 PHONE NR: 808-237-2001 14 MANAGER: MATTHEW BOEHM, GLASS AVIATION 15 ADDRESS: 3100 DOUGLAS LOOP N, HANGER TWO SANTA MONICA, CA 90405		83 HELICOPTERS: 0 84 GLIDERS: 0 85 MILITARY: 0 88 ULTRA-LIGHT: 0
16 PHONE NR: 310-880-7800 17 ATTENDANCE SCHEDULE: MONTHS DAYS HOURS	FACILITIES	
18 AIRPORT USE: PRIVATE - PPR ** 19 ARPT LAT: 20-50-24.82N 20 ARPT LON: 156-56-15.67W 21 ARPT ELEV: 1756.0 22 ACREAGE: 0 >23 RIGHT TRAFFIC: *** 24 NON-COMM LANDING:	>80 ARPT BDN: N/A >81 ARPT LGT SKED: N/A >82 UNICOM: 0,0 83 WIND INDICATOR: N/A 84 SEGMENTED CIRCLE: N/A 85 CONTROL TWR: NO 86 FSS: N/A 87 FSS ON ARPT: NO 88 FSS PHONE NR: N/A 89 TOLL FREE NR: N/A	

RUNWAY DATA	
>30 RUNWAY IDENT:	HI
>31 LENGTH:	80
>32 WIDTH:	80
33 SURF TYPE-COND	N/A
LIGHTING/APCH AIDS	
>40 EDGE INTENSITY:	N/A
>42 RWY MARK TYPE-COND	N/A
OBSTRUCTION DATA	
50 PART 77 CATEGORY	N/A / / / / /
51 DISPLACED THLD	N/A / / / / /
52 CTLG OBSTN	N/A / / / / /
53 OBSTN MARKED/LGTD:	N/A / / / / /
54 HGT ABOVE RWY END:	N/A / / / / /
55 DIST FROM RWY END:	N/A / / / / /

(-) ARPT MGR PLEASE ADVISE FSS IN ITEM 88 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY

>110 REMARKS:
* AS REQUIRED BY ARRIVALS AND DEPARTURES
** PPR - PRIOR PERMISSION REQUIRED
*** APPROACH AND DEPARTURES TO BE CONDUCTED ONLY FROM 040° AND 220° ± 10°. ALL AIRCRAFT MUST BE ABLE TO MAINTAIN "HOVER OUT OF GROUND EFFECT" (HOGE) CAPABILITY

111 OWNER/MANAGER SIGNATURE *Matthew Boehm* 113 DATE: 04-24-15

AIRPORT MASTER RECORD

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

>1 ASSOC. CITY: Lanai City 4. STATE: HI LOG ID: FAA SITE NR: 0.
>2 AIRPORT NAME: MANELE HELIPORT 5 COUNTY: Maui
3 CBD TO AIRPORT (NM): 6.5 6 REGION/ADO: AWP/HNL 7 SECT AERO CHT: HAWAIIAN ISLANDS

GENERAL			SERVICES	BASED AIRCRAFT	
10 OWNERSHIP: LANAI HELICOPTER CORPORATION			>70 FUEL:	80 SINGLE ENG:	0
11 OWNER: 733 BISHOP STREET, SUITE 2000				81 MULTI ENG:	0
12 ADDRESS: HONOLULU, HI 96813				82 JET:	0
				TOTAL	0
13 PHONE NR: 808-237-2001				83 HELICOPTERS:	0
14 MANAGER: MATTHEW BOEHM, GLASS AVIATION				84 GLIDERS:	0
15 ADDRESS: 3100 DOUGLAS LOOP N, HANGER TWO				85 MILITARY:	0
SANTA MONICA, CA 90405				88 ULTRA-LIGHT:	0
16 PHONE NR: 310-990-7800			FACILITIES		
17 ATTENDANCE SCHEDULE:					
MONTHS	DAYS	HOURS	>80 ARPT BCN:	N/A	
			>81 ARPT LGT SKED:	N/A	
			>82 UNICOM:	0.0	
			83 WND INDICATOR:	N/A	
			84 SEGMENTED CIRCLE:	N/A	
			85 CONTROL TWR:	NO	
			86 FSS:	N/A	
			87 FSS ON ARPT:	NO	
			88 FSS PHONE NR:	N/A	
			89 TOLL FREE NR:	N/A	
18 AIRPORT USE: PRIVATE - PPR **					
19 ARPT LAT: 20-44-46.30N					
20 ARPT LON: 158-54-48.86W					
21 ARPT ELEV: 175.0					
22 ACBAGE: 0					
>23 RIGHT TRAFFIC:					
24 NON-COMM LANDING:					

RUNWAY DATA	
>30 RUNWAY IDENT:	HI
>31 LENGTH:	60
>32 WIDTH:	60
33 SURF TYPE-COND:	N/A
LIGHTING/APCH AIDS	
>40 EDGE INTENSITY:	N/A
>42 RWY MARK TYPE-COND:	N/A
OBSTRUCTION DATA	
50 PART 77 CATEGORY:	N/A / / / / /
51 DISPLACD THLD:	N/A / / / / /
52 CTLG OBSTN:	N/A / / / / /
53 OBSTN MARKED/LOTD:	N/A / / / / /
54 HGT ABOVE RWY END:	N/A / / / / /
55 DIST FROM RWY END:	N/A / / / / /

(*) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY
>1 TO REMARKS.

* AS REQUIRED BY ARRIVALS AND DEPARTURES
** PPR - PRIOR PERMISSION REQUIRED

111 OWNER/MANAGER SIGNATURE 

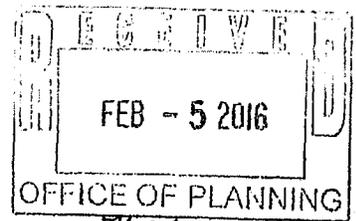
113 DATE: 04-24-15

**Exhibit #20. Office of Planning Comment
Letter**

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



76533

COUNTY OF MAUI

DEPARTMENT OF PLANNING

TRANSMITTAL

DATE: February 2, 2016

STATE AGENCIES	
X	DAGS
X	Dept of Hawaiian Homelands
X	Dept of Health, Honolulu
X	Dept of Health, Maui (2)
X	DLNR-Land, Maui
X	DLNR-Planning (5)
X	DLNR-SHPD, Maui
X	DOT, Maui
X	DOT, Statewide Planning Office (4)
X	Land Use Commission (Hard Copy)
X	Office of Hawaiian Affairs
X	Office of Planning
OTHER	
X	Hawaiian Telecom (Hard Copy)
X	Maui Electric Company

COUNTY AGENCIES	
X	Civil Defense
X	Dept of Environmental Management (2)
X	Dept of Housing & Human Concerns
X	Dept of Public Works (3 Hard Copies)
X	Dept of Water Supply
X	Fire & Public Safety
X	Police Department
FEDERAL AGENCIES	
X	FAA
X	Fish & Wildlife
X	Molokai-Lanai Soil & Water Conservation
X	NRCS-USDA-Maui

PROJECT:	TWO (2) PROPOSED PRIVATE HELISTOP PADS ON LĀNA'I
APPLICANT:	Lāna'i Resorts LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i
STREET ADDRESS:	In the vicinity of Koele and at Manele
PROJECT DESCRIPTION:	Construct two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Koele and the existing containerized plant nursery at Manele.
TMK:	(2) 4-9-002:001 (POR.)
PERMIT NO.:	CP 2015/0010 and SUP2 2015/0014

TRANSMITTED TO YOU ARE THE FOLLOWING:

X	Application(s)
	State Land Use Commission Special Use Permit
	County Conditional Permit

THESE ARE TRANSMITTED AS CHECKED BELOW:

X	For your Comment and Recommendation
---	-------------------------------------

Please identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by **February 23, 2016**. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box. Please reply either by email or regular mail. You may fill out this form and email to me as a PDF if that is more convenient.

AGENCY NAME	STATE OFFICE OF PLANNING	PHONE	(808) 582-2886
--------------------	--------------------------	--------------	----------------

Agency Transmittal – HELISTOP PADS LANAI (CP 2015/0010 and SUP2 2015/0014)
February 2, 2016
Page 2

Thank you for your time and assistance. For additional clarification, please contact me via email at kurt.wollenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,



KURT F. WOLLENHAUPT
Staff Planner

Attachment

- xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
- Kurt F. Wollenhaupt, Staff Planner (PDF)
- Project File
- General File

KFW:nt

K:\WP_DOCS\PLANNING\CP\2015\0010_LanaiHelistopPads_ProjectBackground\Draft Agency Transmittal List.doc

NO COMMENT			
Signed:	<i>Robney Funa</i>	Dated:	2/22/16
Print Name:	ROBNEY FUNA	Title:	PLANNING PROG ADM.

COMMENT/RECOMMENDATION BOX			
Signed:		Dated:	
Print Name:		Title:	

The State of Hawai'i, Office of Planning had no comment on the State Land Use Commission Special Permit and County Conditional Permit Applications.

**Exhibit #21. Federal Aviation
Administration Comment Letter**

4/10/16

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTIEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT
MAR 1 4 2016

RECEIVED

COUNTY OF MAUI
DEPARTMENT OF PLANNING

TRANSMITTAL

DATE: February 2, 2016

STATE AGENCIES	
<input checked="" type="checkbox"/>	DAGS
<input checked="" type="checkbox"/>	Dept of Hawaiian Homelands
<input checked="" type="checkbox"/>	Dept of Health, Honolulu
<input checked="" type="checkbox"/>	Dept of Health, Maui (2)
<input checked="" type="checkbox"/>	DLNR-Land, Maui
<input checked="" type="checkbox"/>	DLNR-Planning (5)
<input checked="" type="checkbox"/>	DLNR-SHPD, Maui
<input checked="" type="checkbox"/>	DOT, Maui
<input checked="" type="checkbox"/>	DOT, Statewide Planning Office (4)
<input checked="" type="checkbox"/>	Land Use Commission (Hard Copy)
<input checked="" type="checkbox"/>	Office of Hawaiian Affairs
<input checked="" type="checkbox"/>	Office of Planning
OTHER	
<input checked="" type="checkbox"/>	Hawaiian Telecom (Hard Copy)
<input checked="" type="checkbox"/>	Maui Electric Company

COUNTY AGENCIES	
<input checked="" type="checkbox"/>	Civil Defense
<input checked="" type="checkbox"/>	Dept of Environmental Management (2)
<input checked="" type="checkbox"/>	Dept of Housing & Human Concerns
<input checked="" type="checkbox"/>	Dept of Public Works (3 Hard Copies)
<input checked="" type="checkbox"/>	Dept of Water Supply
<input checked="" type="checkbox"/>	Fire & Public Safety
<input checked="" type="checkbox"/>	Police Department
FEDERAL AGENCIES	
<input checked="" type="checkbox"/>	FAA
<input checked="" type="checkbox"/>	Fish & Wildlife
<input checked="" type="checkbox"/>	Molokai-Lanai Soil & Water Conservation
<input checked="" type="checkbox"/>	NRCS-USDA-Maui

PROJECT: TWO (2) PROPOSED PRIVATE HELISTOP PADS ON LĀNA'I
APPLICANT: Lāna'i Resorts LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i
STREET ADDRESS: In the vicinity of Koele and at Manele
PROJECT DESCRIPTION: Construct two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Koele and the existing containerized plant nursery at Manele.
TWK: (2) 4-9-002:001 (POR.)
PERMIT NO.: CP 2015/0010 and SUP2 2015/0014

TRANSMITTED TO YOU ARE THE FOLLOWING:

<input checked="" type="checkbox"/>	Application(s)
	State Land Use Commission Special Use Permit
	County Conditional Permit

THESE ARE TRANSMITTED AS CHECKED BELOW:

<input checked="" type="checkbox"/>	For your Comment and Recommendation
-------------------------------------	-------------------------------------

Please identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by February 23, 2016. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box. Please reply either by email or regular mail. You may fill out this form and email to me as a PDF if that is more convenient.

RECEIVED
FEB 5 2016
HONOLULU
AIRPORTS DISTRICT OFFICE

AGENCY NAME	FAA, Honolulu ADD	PHONE	808-312-4028
--------------------	-------------------	--------------	--------------

Agency Transmittal – HELISTOP PADS LANAI (CP 2015/0010 and SUP2 2015/0014)

February 2, 2016

Page 2

Thank you for your time and assistance. For additional clarification, please contact me via email at kurf.wollenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,



KURT F. WOLLENHAUPT
Staff Planner

Attachment

- xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
- Kurt F. Wollenhaupt, Staff Planner (PDF)
- Project File
- General File

KFW:nt

K:\WP_DOCS\PLANNING\CP\2015\0010_LanaiHelistopPads_ProjectBackground\Draft Agency Transmittal List.doc

NO COMMENT			
Signed:		Dated:	3/8/2014
Print Name:	Gordon K Wong	Title:	Lead Program Manager, FAA

COMMENT/RECOMMENDATION BOX			
Signed:		Dated:	
Print Name:		Title:	

The Federal Aviation Administration had no comments on the State Land Use Commission Special Permit and County Conditional Permit Applications.

**Exhibit #22. Flood and Zoning
Confirmation Forms**

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 335
Wailuku, Hawaii 96793



Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253
Facsimile: (808) 270-7634
E-mail: planning@mauicounty.gov

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Munekiyō & Hiraga Inc. TELEPHONE 244-2015
PROJECT NAME Lanai Helistop (Koele) E-MAIL planning@mhplanning.com
PROPERTY ADDRESS See Attachment 1 TAX MAP KEY (2)4-9-002:001

Yes No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:

A) Yes No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____

B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law):

INSTRUCTIONS:

- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
- 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
- 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: Urban Rural Agriculture Conservation (SMA) Special Management Area

MAUI ISLAND Growth Boundary: Urban Small Town Rural Planned Growth Area Outside Growth Boundaries

PLAN Protected Area: Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas

COMMUNITY PLAN: ² Agriculture (PD) Planned Development

COUNTY ZONING: Agriculture (PH) Project District

OTHER/COMMENTS: All info. based on attached site plan See Additional Comments (Pg.2)

FEMA FLOOD INFORMATION:

FLOOD HAZARD AREA ZONES ³ X See Attached LUD Map

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH:

FLOOD DEVELOPMENT PERMIT REQUIRED (Zones V, VE, A, AO, AE, AH, D, & Floodways)

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).

Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).

(Signature) Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).

⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

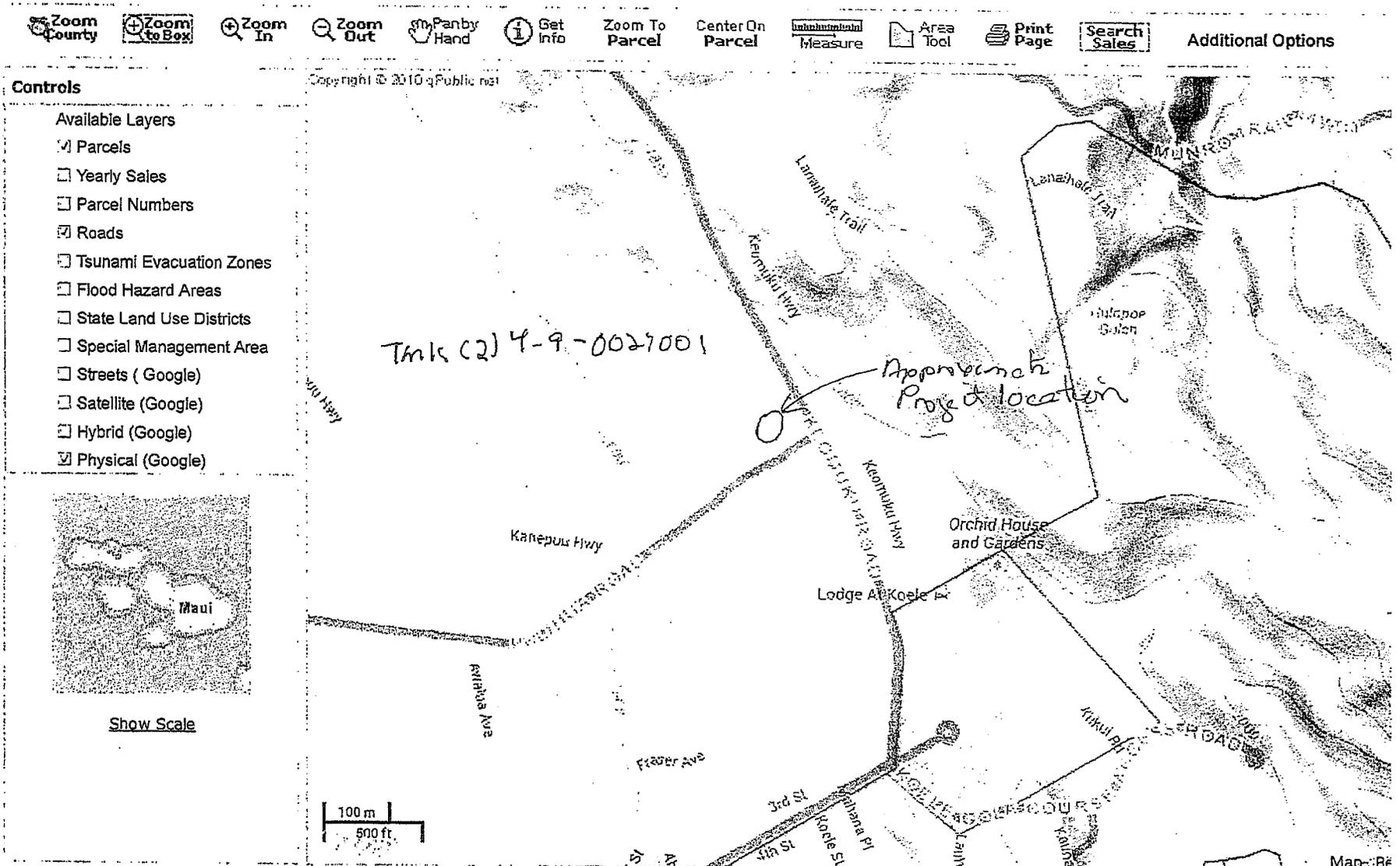
⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

NOTES:

- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change in Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
- 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
- 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
- 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

(Signature) _____ (Date) 11/20/14
For: John S. Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division



Maui County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The as information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

Attachment "1"

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 335
Wailuku, Hawaii 96793



Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253
Facsimile: (808) 270-7634
E-mail: planning@mauicounty.gov

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Munekiyo & Hiraga Inc. TELEPHONE 244-2015
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PROPERTY ADDRESS See Attachment 1 TAX MAP KEY (2)4-9-002:001

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(This section to be completed by ZAED)

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MAUI ISLAND PLAN Growth Boundary: Urban Small Town Rural Planned Growth Area Outside Growth Boundaries

Protected Area: Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas

COMMUNITY PLAN: ² Agriculture (PD) Planned Development

COUNTY ZONING: Agriculture (PH) Project District

OTHER/COMMENTS: All info. based on attached site plan See Additional Comments (Pg.2)

FEMA FLOOD INFORMATION:

FLOOD HAZARD AREA ZONES ³ X See Attached LUD Map

& BASE FLOOD ELEVATIONS: _____

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: _____

FLOOD DEVELOPMENT PERMIT REQUIRED (Zones V, VE, A, AO, AE, AH, D, & Floodways)

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).

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⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

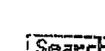
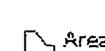
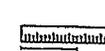
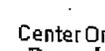
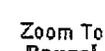
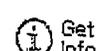
⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

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- 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
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- 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

For: John S. Rapacz (Signature) 11/20/14 (Date)
Planning Program Administrator, Zoning Administration and Enforcement Division

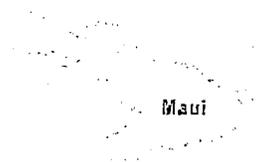


Additional Options

Controls

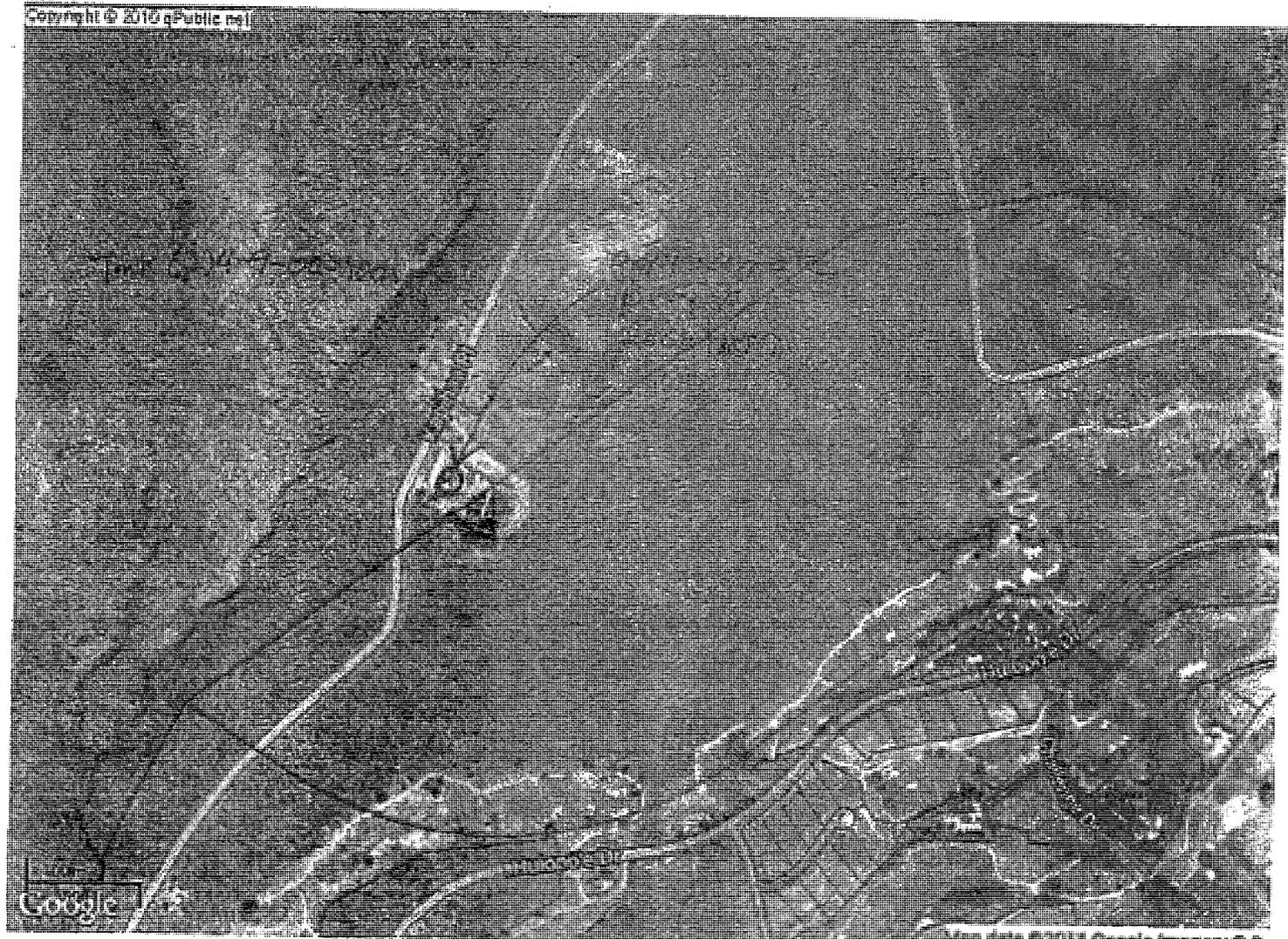
Available Layers

- Parcels
- Yearly Sales
- Parcel Numbers
- Roads
- Tsunami Evacuation Zones
- Flood Hazard Areas
- State Land Use Districts
- Special Management Area
- Streets (Google)
- Satellite (Google)
- Hybrid (Google)
- Physical (Google)



Maui

Show Scale



Maui County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The as information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

Exhibit #23. Archaeology Report

Archaeological Assessment for Helistop Pads

Lands of Paoma'i and Pālāwai, Lāhaina District, Lāna'i Island,
TMK: (2) 4-9-002:001 por.

Thomas S. Dye, PhD

Kepā Maly

July 24, 2015

Abstract

At the request of Pūlama Lāna'i, T. S. Dye & Colleagues, Archaeologists has completed an archaeological assessment for the Helistop Pads project, located at Paoma'i and Pālāwai, Lāhaina District, Lāna'i Island. The Helistop Pads project proposes to construct two helistop pads, one near the Lodge at Kō'ele and the other near the Mānele Bay Resort. Archaeological survey with 100 percent coverage indicates that there are no potentially significant historic properties within the two Helistop Pads project areas. The project area near the Lodge at Kō'ele was substantially altered by pineapple cultivation, and the project area near the Mānele Bay Resort is a graded pad currently associated with a nursery. There will be no historic properties affected by construction of the Helistop Pads.

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1 Introduction

At the request of Pūlama Lānaʻi, T. S. Dye & Colleagues, Archaeologists has completed an archaeological assessment of the Helistop Pads. The Helistop Pads comprises approximately 0.4 ac. in the lands of Paomaʻi and Pālāwai, Lāhaina District, Lānaʻi Island (figs. 1, 2). The *project* areas are identified on tax maps as TMK: (2) 4-9-002:001 por. The land is owned by Pūlama Lānaʻi.

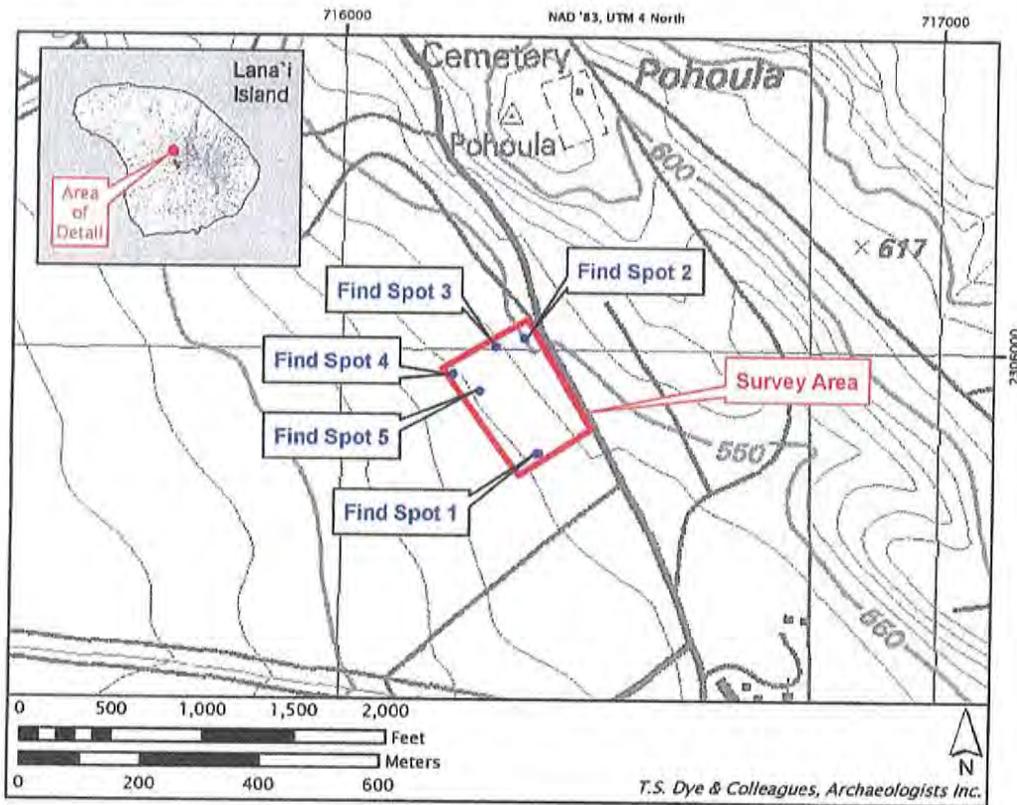


Figure 1: Location of the Helistop Pads near the Lodge at Kōʻele on a USGS quadrangle map.

The topography at the proposed helistop pad near the Lodge at Kōʻele is flat and slightly sloping down to the west. This is land that was used to cultivate pineapples for many years. Vegetation is composed of grasses and small herbs that have colonized the abandoned pineapple field. The soil, which contains very many small pieces of black plastic, is classified by soil scientists as Koele silty *clay* loam [11:70-71]. The annual

rainfall is 20–30 inches (in.) [15]. There are no streams in the vicinity of the proposed helistop pad.

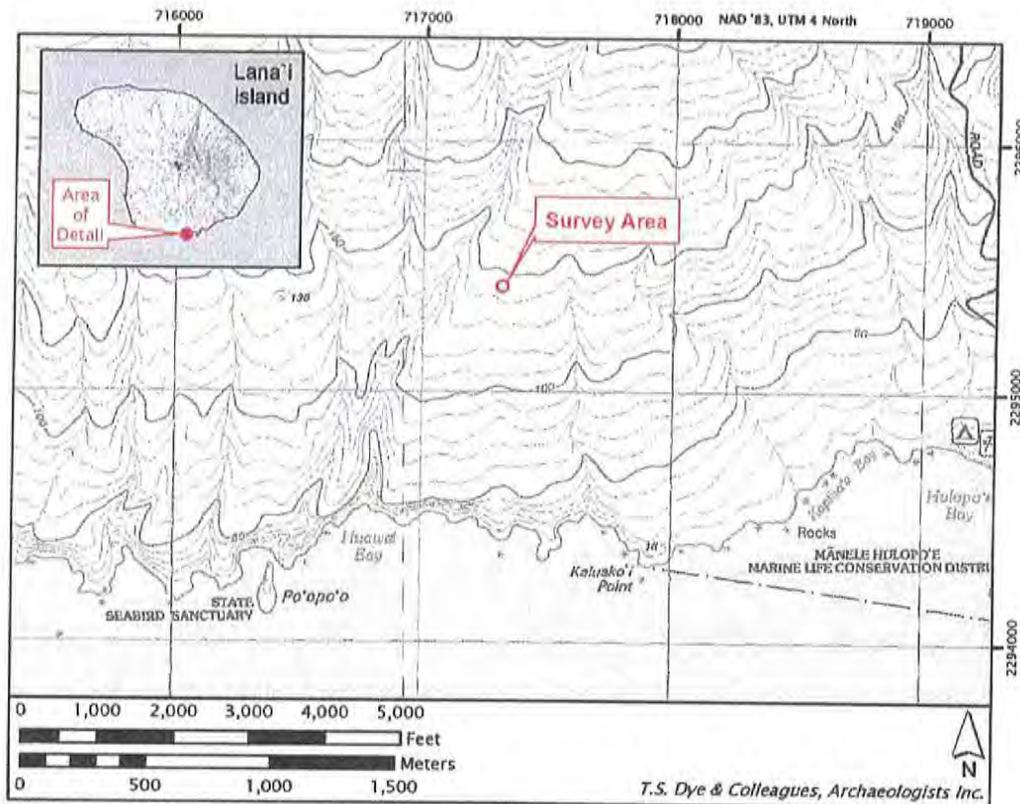


Figure 2: Location of the Helistop Pads near the Mānele Bay Resort on a USGS quadrangle map.

The topography at the proposed helistop pad near the Mānele Bay Resort is a flat, graded pad in a nursery facility. The grading for the nursery facility, which was carried out many years ago, cut down several feet at the north end of the facility, well below the thin layer of soil that has developed in this region of Lāna'i Island, which soil scientists classify as very stony land [11:13]. Vegetation consists of landscaping and potted plants. Average annual rainfall is up to 15 in. [15]. A dry gulch that carries rain water during storms is located about 100 m (meters) west of the proposed helistop pad.

2 Background

This section reports the results of historical and archaeological background research that can be used to predict the kinds and distributions of historic properties and to provide a context for understanding and evaluating the *significance* of the historic properties

found during the archaeological assessment. The historical background section reviews information on traditional Hawaiian times, the period of the *Māhele*, and through to the mid-twentieth century. The archaeological background section reviews five archaeological inventory survey reports that cover the coastal project area near the Mānele Bay Resort and seven archaeological studies that cover the project area near the Lodge at Kō‘ele.

2.1 Native Lore and Historical Accounts: Early Settlement of Lāna‘i

Lāna‘i is sixth in size of the major Hawaiian Islands (fig. 3), and like all islands in the group, it was formed through volcanic eruptions and is constantly being reshaped by erosional activity. The primary caldera was in the area now known as the Pālāwai Basin, and it is estimated that Lāna‘i first rose above sea level approximately 1.5 million years ago. It is approximately 13.25 mi. long by 13 mi. wide, and at its highest point, Lāna‘i Hale, stands 3,370 ft. above sea level. The island of Moloka‘i lies to the north of Lāna‘i, across the Kalohi Channel, and Maui lies to the east, across the ‘Au‘au and Naeheehe Channels; the channel of Ke-ala-i-Kahiki and the island of Kaho‘olawe lie to the southeast. The southern and western sides of Lāna‘i face the open ocean and are fringed by imposing cliff sides, while the windward side slopes gently to the sea. Thus, Lāna‘i sits in the lee of its sister islands. Its history, like that of Moloka‘i and Kaho‘olawe, has almost always been overshadowed by its larger neighbor, Maui.

2.1.1 He Wahi Mo‘olelo No Lāna‘i a Kaululā‘au: Some Traditions from Lāna‘i of Kaululā‘au

The name of the island may be literally translated as “Day of Conquest”—*Lā* meaning *day* and *Na‘i* meaning *Conquest*. Through the tradition of the chief Kaululā‘au, Lāna‘i was named on the day that the young chief vanquished the evil ghosts from the island. An early missionary dictionary translates the island’s name as “Hump,” but this translation does not fit in with traditional knowledge of the meaning or pronunciation of the name [cf. 36].

In addition to political and social contexts, Lāna‘i’s relationship to Maui and Moloka‘i includes a significant environmental one as well, sitting as it does in the rain shadow of the larger and higher islands. Lāna‘i’s fragile ecosystem evolved slowly over countless centuries—without the presence of herbivores or man—giving rise to cloud forest zones, which gave life to the land, and made the island hospitable to people when they settled Lāna‘i perhaps as long as 1,000 years ago. There were two primary forest-watershed zones, the major watershed of Lāna‘i Hale at the highest peak of Pālāwai Ahupua‘a; and what has historically been called the Kānepu‘u forest zone of Ka‘ā Ahupua‘a. Untouched for countless centuries, the forest systems of Lāna‘i evolved the unique ability to capture droplets of water, which in turn percolated through the ground to create water sources that were spread from mountain to shore across the island. While these precious forest regions have been radically altered by man’s activities and feral animals, evidence of the region’s water-producing capabilities are still visible on the landscape and in traditional accounts and historic literature.

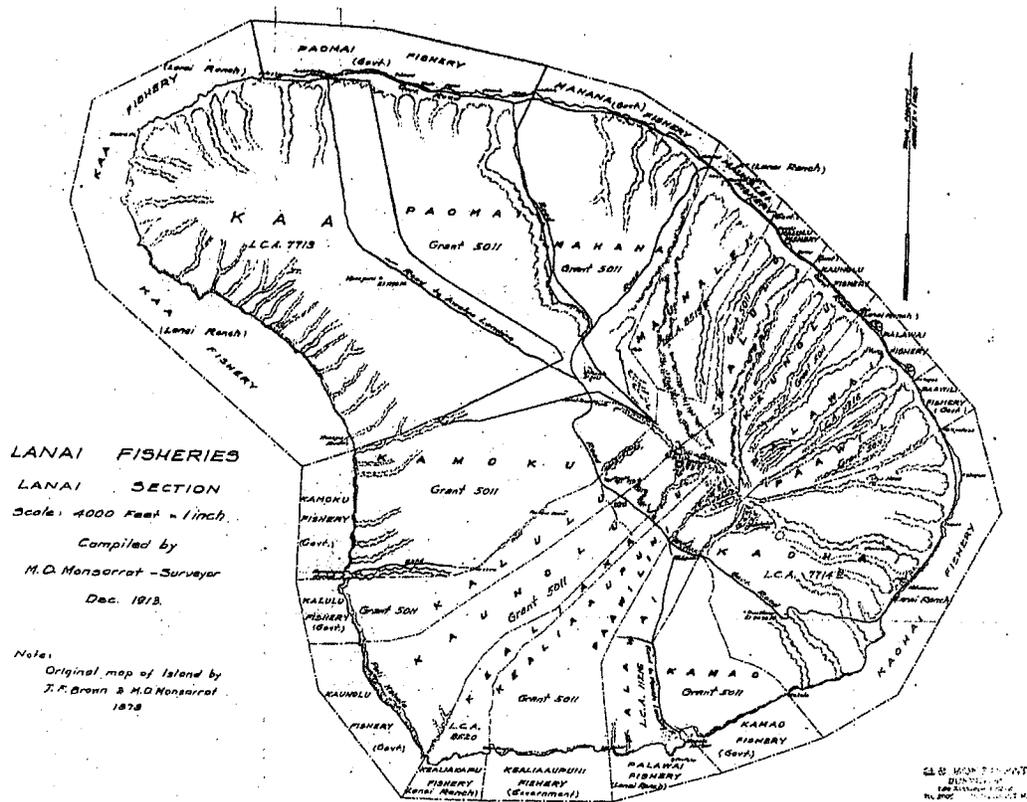


Figure 3: Map of the Island of Lānaʻi by M. D. Monsarrat naming 13 *ahupuaʻa* which form the major lands of the island, as well as historic trails and roads. Paomaʻi is outlined in red. Monsarrat participated in the Boundary Commission Surveys on Lānaʻi in 1876, and co-produced Kingdom Registered Map No. 1394, on which this map is based (George C. Munro Collection, Lānaʻi Culture & Heritage Center).

The earliest traditional lore of Lānaʻi describes the arrival of the gods Kāne, Kanaloa, and their younger god-siblings and companions to the southern shores of the island. Later accounts describe the visit of the goddess Pele and members of her family to the windward region of Lānaʻi. Subsequent narratives describe the settlement of Lānaʻi by evil spirits, and the difficulties that the early human settlers encountered in attempts to safely colonize the island. Another tradition relates that in the early 1400s, a young Maui chief by the name of Kaululāʻau traveled around Lānaʻi vanquishing the evil ghosts/spirits of the island, making it safe for people to live on Lānaʻi, and is the source of the island's name (Lānaʻi a Kaululāʻau).

By the early 1600s, all the islands of the Hawaiian group were settled sufficiently to develop an organized way to manage scarce resources. Each island was divided into political and subsistence subdivisions called *ahupuaʻa*, which generally ran from the ocean fishery fronting the land area to the mountains. Under the rule of Piʻilani, Lānaʻi was

divided into 13 *ahupua'a*. Native tradition describes *ahupua'a* divisions as being marked by stone cairns (*ahu*) with a carved pig (*pua'a*) image placed upon them, and these ancient divisions remain the primary land unit in the Hawaiian system of land management on Lāna'i today.

The culture, beliefs, and practices of the Hawaiians mirrored the natural environment around them. They learned to live within the wealth and limitations of their surroundings. There is significant archaeological evidence on the island indicating that in the period before western *Contact*, more people lived on the land sustainably—growing and catching all they needed—than currently live upon the island. Several important traditions pertaining to the settlement of Lāna'i, and the beliefs and practices of the ancient residents, are commemorated at such places as Kaululā'au, Kalaehi, Ke-ahi-a-Kawelo, Hālulu, Pu'upehe, Pōhaku ō, Kānepu'u, Ka'ena iki, Nānāhoa, Ha'alelepa'akai, and Puhio-Ka'ala.

Ancient Hawaiian villages, ceremonial features, dryland agricultural fields, fishponds, and a wide range of cultural sites dot the shoreline of Lāna'i at places like Keone, Kaumālapa'u, Kaunolū, Māmaki, Kapalaoa, Huawai, Kapiha'ā, Hulopo'e, Mānele, Kamaiki, Naha, Kahemanō, Lōpā, Kahalepalaoa, Kahe'a, Keōmoku, Ka'a, Hauola, Maunalei (including a wet land taro field system in the valley), Kahōkūnui, Kaiolohia, Kahā'ulehale, Kahue, Lapaiki, Awalua, Polihua, and Ka'ena.

In the uplands, localities at Ho'opulupuluamoia and Malulani, Kō'ele and Kihamāniania, Kalulu uka, Kaunolū uka, Keālia Kapu, Keālia Aupuni, and Pālāwai were also locations of significant traditional settlements and agricultural endeavors. We also know that over the generations, families with permanent residences in the Lāhaina District of Maui frequented Lāna'i to take advantage of its rich fisheries.

In the period leading up to 1800, there was a decline in the native population, and in the capacity of Lāna'i to produce agricultural resources. This was, in part, due to disputes between the rulers of Maui and Hawai'i which overflowed onto Lāna'i in the mid to late eighteenth century. In the late eighteenth century and early nineteenth century, foreign diseases and influences spread across the islands, leading to a further decline in the population. By the 1840s, there were approximately 600 inhabitants residing on Lāna'i. By the 1870s, the population hovered around 300 residents, and by the early 1890s, there were just 175 native residents.

The historical narratives cited on the following pages provide readers with access to some of the most detailed and earliest accounts recorded from Lāna'i with particular emphasis on the ancient land divisions of Pālāwai and Paoma'i. The narratives offer a glimpse into the history recorded from the experience and memory of native residents and eyewitness accounts of those who participated in the events which now make Lāna'i's history. Some of these historical narratives have been translated from Hawaiian-language accounts for the first time, and other accounts rarely seen since their original date of composition. They are compiled here to provide a more detailed history of the land than has been previously available.

Several traditions pertaining to the gods and people of ancient Lāna'i were found in a review of Hawaiian-language newspapers. These accounts describe the island condition and the life and practices of Lāna'i's ancient people. The narratives establish the bond between Lāna'i and neighboring islands of the Hawaiian group and more distant Kahiki—

the ancestral homeland of the gods—as Kāne, Kanaloa, Pele, and others of the god-family shaped the natural environment and lives of the people of the land. Coming into the historic period, readers find significant changes on the land and in the lives of the people of Lānaʻi. Selected accounts are related here that transition readers through the history of Lānaʻi and a native landscape to one of change under western settlement.

2.1.2 A Famine on Lānaʻi—an Ancient Prayer Offered by Pakeaulani to the God Kānepaʻina

This tradition tells of two ancient residents of Lānaʻi, a period of famine across the islands, and the death of the population. We learn the name of a god of one of the *heiau* on Lānaʻi, Kānepaʻina. The word *anela* (Hawaiianized angel) is used by the writer in place of the traditional words *ʻaumakua* or *akua*. Also cited within this account is a *pule* uttered by ancient residents of Lānaʻi.

No na Akua o ka wa kahiko...

Eia mai he wahi moolelo no ka malama ana o kekahi anela paha, a mau anela paha, oia hoi he mau Kane paha. Penei ua wahi moolelo la. Aia ma Lanai ka noho ana o Kaimumahanahana, a me kana keiki o Pakeaulani, a he nui loa no na kanaka ma Lanai ia manawa; a hiki mai ke kau wi, pau aku la na kanaka i ka make a ka ai, a koe elua o Kaimumahanahana, a me Pakeaulani, kokoke make nae ka makuakane. O ka Pakeaulani hana; oia keia. Hele wale aku la no keia e eli wale aku no i kulina uala, a loa ka uala liilii, (he au ia uala) kalua a moa, lawe aku la keia a he wahi heiau a ianei i hanaʻi, kaumaha aku la, alaila, pule aku la, penei kahi hapa o ka pule.

“Kini o ke akua

E ka lehu o ke akua

E ka pukui akua

E ka lalani akua

E kahuli, e kahele

E ka wahine e moe ana ke alo iluna

Eia ka ai au a Pakeaulani keiki a Kaimumahanahana.”

Pau ka pule, hoi keia a imi hou i ai no ke ahiahi, a moa ia ai lawe aku, i lawe aku ka

About the Gods of Ancient Times

Here is a little tradition pertaining to observances for a certain angel (guardian), angels, or perhaps men. The story is this: There was residing on Lānaʻi, Kaimumahanahana and his son, Pakeaulani, and there were many people living on Lānaʻi at that time. There came a time of famine, and all the people died, leaving only Kaimumahanahana and Pakeaulani, though the father was close to death. Here is what Pakeaulani did. He went and dug up some sweet potato runners and got a few small sweet potatoes (little potatoes growing on a vine), and baked them. He took these things to a heiau and did the following, he worshipped, made the offerings, and prayed. This is a portion of his prayer:

“Forty thousand gods

Four hundred thousand gods

Assembly of gods

Alignment of gods

Those that change, those that move about

O women that lie face up

Here is your food, prepared by Pakeaulani, son of Kaimumahanahana.”

When he finished praying, he went again

hana, ua pau kela ai, kau keia ai, pule no hoi e like me mamua. I kekahi imu liilii ana a ianei, honi mai la kona makuakane i ke ala o ka uala! I mai la kela, "Auhea hoi kau uala e kuu keiki e aala mai nei?" Pane mai la kela, "He ai ia na kuu akua." Pane hou mai kona makuakane, "Aohe o'u akua, a he akua ka hoi kou?" A hala ae la na la elima o kana hana ana pela, alaila, i ka po kamailio mai la kekahi anela o Kanepaina. I mai la, "Ea, a keia po e panipani aku oe i na pukapuka liilii o ko olua hale, a e noho malie mai kamailio pu me kou makuakane a pau ae la ka laua kamailio pu ana, a hele aku la ia anela. Ninau mai la kona makuakane ia ia, 'Owai kou hoa i kamailio mai la.' I aku la oia, 'O kuu akua hoi ia a'u e malama nei.' Aole liuliu ma ia hope iho, haule mai ana ka ua he nui, ka ua no ia a ao ka po a po ua la nei, a ao ua po nei, malie iho la ka ua. I puka aku ka hana iwaho ua palaku ka Maia, ua moe ke Ko a ala mai, hele ke anakiu o ka uala a keke, ua hele ka Ape a hilala ka ha; o ke kalo hoi ua makaole kekahi kihapai, a o kekahi pumaia ka ha o ke kalo. Ke kalua iho la no ia o ka ai a moa, kaumaha e aku la keia i ke Akua oia nei, a pau hoi mai la laua nei ai ka uala, ke kalo, a ai no hoi ka mai a maona; o ka laha hou no ia o kanaka o Hawaii nei, ma Lanai wale no. Oia iho la kahi moolelo o ka malama ana o kekahi o na Kane ia mau kanaka..."

Owau no me ka mahalo. John Puniwai.¹

and sought out food for the evening. He cooked the food and took it, doing the same with all the food until it was done, and set there (at the temple), and he prayed as he had before. He prepared the food in a small imu, and his father smelled the scent of the sweet potatoes! He said, "Where are your sweet potatoes, that I smell, my son?" He answered him, saying, "It is the food of my god." The father then answered, "I don't have a god, but you do?"

Five days passed in his (Pakeaulani) doing this same thing, then on the fifth night, an angel, Kānepa'ina, spoke. He said, "Heed me, this night go and close the very littlest of the holes in the house of you two, and stay calm, do not speak with your father." When they two were finished speaking, the angel departed. His father asked him "Who was the companion with whom you were speaking?" He answered, "My god whom I have been worshipping." Not long afterwards, a great rain fell. It rained night and day, and through several nights and days until there was calm, then the rains fell lightly. Looking outside to see what had transpired, there was seen ripe Mai'a (bananas), Kō (sugar cane) lying upon the ground, 'uala (sweet potatoes) spread all about, Ape (mountain taro) with long stalks leaning to the side; Kalo (taros) which filled the gardens, banana stalks were used as the channels (to irrigate) for the taro. He then cooked the food, and made an offering to his God. When finished, they two ate the sweet potatoes, taro, and bananas until filled. This is how Hawaiians came to once again be spread across Hawaii, only from Lāna'i. So this is one tradition of how one of the Kāne (gods), was worshipped by these men...

I am with appreciation. John Puniwai.²

1 *Nupepa Kuokoa*, November 8, 1862.

2 Trans. by Maly.

2.1.3 He Mo'olelo no Kaululā'au: A Tradition of Kaululā'au

One of the best known traditional accounts of Lāna'i dates from the early fifteenth century and associates the island with the ruling chiefs of Maui. In these narratives, a young chief, Kaululā'au, was born to Kaka'alaneo and Kanikaniā'ula. Kaka'alaneo's elder brother was Kāka'e, and Fornander reported that these royal brothers jointly ruled Maui and Lāna'i [13:II-82, 83]. During Kāka'e and Kaka'alaneo's rule, and for many generations preceding it, anyone who attempted to live on Lāna'i experienced great difficulties, as the island was inhabited by evil ghosts/spirits ruled by their king, Pahulu.

While there are numerous narratives that describe how Kaululā'au came to free Lāna'i from the rule of Pahulu, thus making it safe for people to inhabit the island [3; 10], there are two major versions of this tradition with variations on the events. The best known is the version published by King David Kalākaua in 1888, but the most detailed version was published in the Hawaiian language in 1863 in association with another tradition from Maui (see "Ka Moolelo o Eleio," p. 15).

King Kalākaua's version provides a significant description of Lāna'i and the ability of its people to sustain themselves by working the land and fishing the sea around the island. Through the encouragement of his friend and advisor Walter Murray Gibson,¹ the king compiled the traditions found within *The Legends and Myths of Hawaii* [29] and described Lāna'i as being richly supplied with food crops, natural resources, and fisheries that, but for the presence of the evil beings, made it a desirable place to live.

Excerpts of Kalākaua's version follow, entitled "The Sacred Spear-Point" and "Kelea, the Surf Rider of Maui." After these are an excerpt of "Ka Moolelo o Eleio," the Hawaiian-language version of Kaululā'au's legend (p. 15).

2.1.4 "The Sacred Spear-Point" and "Kelea, the Surf Rider of Maui," 1888

Kaululaau was one of the sons of Kakaalaneo, brother of, and joint ruler with, Kakae in the government of Maui ... The court of the brothers was at Lele (now Lahaina), and was one of the most distinguished in the [island] group.

The mother of Kaululaau was Kanikaniaula, of the family of Kamauaua, king of Molokai, through his son Haili, who was the brother or half-brother of Keoloewa and Kaupeepee...

Kaululaau was probably born somewhere between the years 1390 and 1400. He had a half-sister, whose name was Wao, and a half-brother, Kaihiwalua...

[Kaululaau] had a congenial following of companions and retainers, who assisted him in his schemes of mischief ... He would send canoes adrift, open the gates of fish-ponds, remove the supports of houses, and paint swine black to deceive the sacrificial priests. He devised an instrument to imitate the

¹Walter Murray Gibson settled on Lāna'i by early 1862, and came to control most of the land on the island through fee-simple and leasehold title. A friend of many chiefs, some of whom who had been on Lāna'i with Kamehameha I, Gibson recorded a number of traditions from the island, and is generally attributed with the Lāna'i narratives cited by King Kalākaua.

death-warning notes of the *alae*, and frightened people by sounding it near their doors; and to others he caused information to be conveyed that they were being prayed to death.

Notwithstanding these misdemeanors, Kaululaau was popular with the people, since the chiefs or members of the royal household were usually the victims of his mischievous freaks. He was encouraged in his disposition to qualify himself for the priesthood, under the instruction of the eminent high-priest and prophet, Waolani, and had made substantial advances in the calling when he was banished to the island of Lanai by his royal father for an offence which could neither be overlooked nor forgiven.

At that time Lanai was infested with a number of gnomes, monsters and evil spirits, among them the gigantic *moo*, Mooaleo. They ravaged fields, uprooted cocoanut-trees, destroyed the walls of fish-ponds, and otherwise frightened and discomfited the inhabitants of the island. That his residence there might be made endurable, Kaululaau was instructed by the *kaulas* and sorcerers of the court in many charms, spells, prayers and incantations with which to resist the powers of the supernatural monsters. When informed of these exorcising agencies by Kaululaau, his friend, the venerable Waolani, told him that they would avail him nothing against the more powerful and malignant of the demons of Lanai.

Disheartened at the declaration, Kaululaau was about to leave the *heiau* to embark for Lanai, when Waolani, after some hesitation, stayed his departure, and, entering the inner temple, soon returned with a small roll of *kapa* in his hand. Slowly uncoiling and removing many folds of cloth, an ivory spear-point a span in length was finally brought to view. Holding it before the prince, he said:

Take this. It will serve you in any way you may require. Its powers are greater than those of any god inhabiting the earth. It has been dipped in the waters of *Po*, and many generations ago was left by Lono upon one of his altars for the protection of a temple menaced by a mighty fish-god who found a retreat beneath it in a great cavern connected with the sea. Draw a line with it and nothing can pass the mark. Affix it to a spear and throw it, and it will reach the object, no matter how far distant. Much more it will do, but let what I have said suffice.

The prince eagerly reached to possess the treasure, but the priest withdrew it and continued:

I give it to you on condition that it pass from you to no other hands than mine, and that if I am no longer living when you return to Maui—as you some day will—you will secretly deposit it with my bones. Swear to this in the name of Lono.

Kaululaau solemnly pronounced the required oath. The priest then handed

him the talisman, wrapped in the *kapa* from which it had been taken, and he left the temple, and immediately embarked with a number of his attendants for Lanai.

Reaching Lanai, he established his household on the south side of the island. Learning his name and rank, the people treated him with great respect—for Lanai was then a dependency of Maui—assisted in the construction of the houses necessary for his accommodation, and provided him with fish, *poi*, fruits and potatoes in great abundance. In return for this devotion he set about ridding the island of the supernatural pests with which it had been for years afflicted.

In the legend of "Kelea, the Surf-rider of Maui," will be found some references to the battles of Kaululaau with the evil spirits and monsters of Lanai. His most stubborn conflict was with the gnome god Mooaleo. He imprisoned the demon within the earth by drawing a line around him with the sacred spear-point, and subsequently released and drove him into the sea.

More than a year was spent by Kaululaau in quieting and expelling from the island the malicious monsters that troubled it, but he succeeded in the end in completely relieving the people from their vexatious visitations. This added immeasurably to his popularity, and the choicest of the products of land and sea were laid at his feet.

His triumph over the demons of Lanai was soon known on the other islands of the group, and when it reached the ears of Kakaalaneo he dispatched a messenger to his son, offering his forgiveness and recalling him from exile. The service he had rendered was important, and his royal father was anxious to recognize it by restoring him to favor.

But Kaululaau showed no haste in availing himself of his father's magnanimity. Far from the restraints of the court, he had become attached to the independent life he had found in exile, and could think of no comforts or enjoyments unattainable on Lanai. The women there were as handsome as elsewhere, the bananas were as sweet, the cocoanuts were as large, the *awa* was as stimulating, and the fisheries were as varied and abundant in product. He had congenial companionship, and bands of musicians and dancers at his call. The best of the earth and the love of the people were his, and the *apapani* ['apapane] sang in the grove that shaded his door. What more could he ask, what more expect should he return to Maui? His exile had ceased to be a punishment, and his father's message of recall was scarcely deemed a favor.

However, Kaululaau returned a respectful answer by his father's messenger, thanking Kakaalaneo for his clemency, and announcing that he would return to Maui sometime in the near future, after having visited some of the other islands of the group; and three months later he began to prepare for a trip to Hawaii. He procured a large double canoe, which he painted a royal yellow, and had fabricated a number of cloaks and capes of the feathers of the *oo* and *mamo*. At the prow of his canoe he mounted a carved image of Lono, and at the top of one of the masts a place was reserved for the proud *tabu*

standard of an *aha alii*. This done, with a proper retinue he set sail for Hawaii.
[29:209-213]

The tradition continues by describing events in which Kaululā'au participated in battles with various demons similar to those on Lāna'i. His journey took him to the islands of Hawai'i, Moloka'i, and O'ahu prior to his return to Maui.

Upon returning to Maui, Kaululā'au was welcomed home by his father, and learned that Waolani, his priestly instructor and friend, had died. Recalling the promise made to Waolani, Kaululā'au secretly hid the sacred spear-point of Lono with the bones of Waolani. Kaululā'au married Laiea-a-Ewa, a high chiefess of O'ahu, and together they lived out their lives, residing at Kaua'ula in Lāhaina and parented six children [29:225].

In the tradition of "Kelea, the Surf-Rider of Maui" [29:229-246], mention is made again of Kaululā'au and his adventures on Lāna'i. The account is centered on Kelea, the daughter of Kahekili I, elder cousin of Kaululā'au. It is reported that when Kahekili I ascended to the throne (ca. 1415), he "became king of Maui and Lanai; for during that period the latter island was under the protection of the *mois* of Maui, while Molokai still maintained its independence" [29:229].

King Kalākaua described the introduction of 'ulu to Lele, now known as Lāhaina, and Kaululā'au's banishment to Lāna'i:

It was Kakaalaneo who introduced the bread-fruit there from Hawaii ... For some disrespect shown to his royal brother [Kakae], whose mental weakness doubtless subjected him to unkind remarks, he banished his son Kaululaau to Lanai, which island, traditions avers, was at that time infested by powerful and malignant spirits. They killed pigs and fowls, uprooted cocconut-trees and blighted *taro* patches, and a gigantic and mischievous gnome amused himself by gliding like a huge mole under the huts of his victims and almost upsetting them.

The priests tried in vain to quiet these malicious spirits. No sooner were they exorcised away from one locality that they appeared in another, and if they gave the *taro* patches a rest it was only to tear the unripe bananas from their stems, or rend the walls and embankments of artificial ponds, that their stores of fishes might escape to the sea. Aware of these grievances, Kaululaau took with him to Lanai a talisman of rare powers. It was the gift of his friend, the high-priest of his father, and consisted of a spear-point that had been dipped in the waters of *Po*, the land of death, and many generations before left by *Lono* on one of his altars.

Crowning a long spear with this sacred point, Kaululaau attacked the disturbing spirits, and in a short time succeeded either in bringing them to submission or driving them from the island. The gnome *Mooaleo* was the most difficult to vanquish. It avoided the prince, and for some time managed to keep beyond the influence of the charmed spear-point; but the monster was finally caught within the boundaries of a circular line scratched with

the talisman upon the surface of the earth beneath which it was burrowing, and thereby brought to terms. It could not pass the line no matter how far below the surface it essayed to do so. Heaving the earth in its strength and wrath, it chafed against the charmed restraint that held it captive, and finally plunged downward within the vertical walls of its prison. But there was no path of escape in that direction. It soon encountered a lake of fire, and was compelled to return to the surface, where it humbled itself before the prince, and promised, if liberated, to quit the island for ever. Kaululaau obliterated sixty paces of the line of imprisonment, to enable *Mooaleo* to pass to the sea, into which the hideous being plunged and disappeared, never to be seen again on Lanai. [29:229-230]

2.1.5 Ka Moolelo o Eleio (The Tradition of Eleio)

The tradition of Eleio is set in the time of Kaka'alaneo's rule over Maui, Lāna'i, Moloka'i, and Kaho'olawe (ca. 1400), and was published by W. N. Pualewa, in the Hawaiian-language newspaper *Kuokoa* in 1863. The account tells us that Eleio was a famous *kūkini* associated with the court of the king. He was noted for his ability to travel the circuit of the island, to fetch a choice fish from one district and bring it to the court in another district, keeping it alive. When it was learned that Kelekeleioka'ula, Kaka'alaneo's wife, was expecting, the king granted Eleio the privilege of naming the child. Eleio stated his desire, that if it was a boy, he should be named Kaululā'au (The-forest-grove). When the child was born, it was indeed a boy, and he was named Kaululā'au. As the child grew, his mysterious manner and mischievous nature created many problems for his parents and the people of Maui. Eventually, the youth was banished from Maui and sent to Lāna'i to fend for himself. At that time in history, Lāna'i was reportedly inhabited by hordes of *akua* under the rule of Pahulu. While on Lāna'i, Kaululā'au was accompanied by his own personal god, Lono. Together, the two traveled about Lāna'i, tricking the ghosts, killing them, and setting the lands free from their dominion.²

In this version of the tradition, Kaululā'au traveled around Lāna'i. We are told that he has already killed many of Pahulu's minions, and that Pahulu then feigned friendship with Kaululā'au, telling him that he would help him seek out the other *akua* who remained on the island. Pahulu's real objective was to round up the remaining *akua* to fight and kill Kaululā'au. The party traveled around the island counterclockwise, leaving the Keōmuku region, passing through Ka'ena, Honopū, Kaumālapa'u, Kaunolū, and Mānele. The excerpts below cover the lands of the southern coast of Lāna'i between Kaunolū and Mānele.

Ka Moolelo o Eleio

A mamuli o keia olele ana a Pahulu; alaila, ua nee io aku no lakou a noho ma Honopu, aia ia wahi ma kahi e ane kokoke aku ana

The Tradition of Eleio

Pahulu then flew on ahead, and they went on to stay at Honopū. This place is situated not too far away from the cliffs of Kaholo,

²*Nupepa Kuokoa*, October 24 & 31, 1863.

i ka pali o Kaholo, aka, o Kaumalapau nae kahi e pili pu ana me Kaholo.

A hiki lakou nei ma Honopu, a noho malaila i kekahi mau po, aole nae he akua oia wahi, no ka mea, ua kaapuni hele o Pahulu ia mau la a me ia mau po ma ia apana mai o a o, mai ka a uka, aole ona halawai iki me ke akua, nolaila, aole o lakou kuleana e noho hou ai malaila.

Nolaila, ua nee hou aku la lakou a noho ma Kaunolu, a malaila a noho loihi hou lakou ma ia wahi, no ka mea, ua ike o Pahulu he wahi akoakoa ia o ke akua.

Nolaila, olelo aku la o Pahulu ia Kaululaau,

"E aho e noho kakou ianei, no ka mea, ua ike mai nei au, aia iluna pono o Kahilikalani ke akua kahi i nohoai. Eia nae ka mea hai aku ia oe e Kaululaau, e luku auanei oe i ka nui o ke akua apau; ao ke akua auanei e kapai'na la o Kanemakua, alaila, mai pepehi auanei oe iaia no ka mea, he hana nui kana. O kana hana, oia ke kamaaina mau o keia wahi, a nana no e malama i kela i-a o ke kai. Oia ke akua, no ka mea, ina oia e make, aole mea nana e kiai pono i keia lae akua. No ka mea, malama paha e pau io ana ke akua o keia aina ma keia hana au e hana nei, a e noho mai ana paha ka mea i like pu me kou ano a'u e ike aku nei. Alaila, ua koe iho la no ke kumu e laka mai ai o ke akua, a ma ona la e hiki ai ke kaumaha aku, a e lilo o Kanemakua i aumakua lawaia no ia poe."

Alaila, ua maikai ia mea i ko Kaululaau manao. A noho lakou malaila, me ka hana aku i kana oihana mau o ka pepehi aku i ke akua oia wahi, a malaila hoi o Kaululaau i ao ai i ka paeaea ana i ke akua, e like me ka hana ana o na kanaka o Molokai i pae mai ai ma Kahulehale, a no ka lehulehu o na hana maalea i loa ia Kaululaau mamuli o ke ao-ao ana mai a kona akua a Lono, nolaila, ua pau na akua i ka make o Kaunolu.

A pau ka lakou hana ana mau Kaunolu,

though Kaumālapa'u is there, adjoining Kaholo.

They arrived at Honopū, and stayed there several nights. Pahulu had traveled all about the place, from one side to the other of the land, and into the uplands, but he could find no akua in the district. Therefore, they had no reason to stay there for long.

Then they traveled once again, and stayed at Kaunolū. They remained at this place for quite a long time, because Pahulu knew that this was a place where the akua gathered.

Therefore Pahulu said to Kaululā'au, "Let us stay here a while, for I see there atop Kāhīlikalani, is the place where the akua reside. But this is what I have to tell you, Kaululā'au, that you shall indeed destroy all the akua; but you should not kill the god called Kānemakua, for he has an important job here.

His work, is that he is the native of this place, it is he who cares for the fish of the sea. He is the god, and if he should be killed, there shall be no other god who can watch over this godly point. So be careful, that you do not destroy the akua of this land as you do your work. From what I have seen, he is perhaps like you in what he does. So let him remain free, that he may be worshipped. Kānemakua will become the god of the fishermen of this place."

Kaululā'au thought this was a good idea. So they dwelt there, and he did his work, killing all the akua of this place. Kaululā'au then instructed them in praying to the gods, as he had done with the men of Moloka'i, who had washed ashore at Kahā'ulehale. So it was that the multitudes do this, as Kaululā'au had been instructed by his god, Lono. Thus vanquished, were the akua of Kaunolū.

So when their work at Kaunolū was com-

alaila, mano iho la lakou e haalele ia wahi a e nee hou aku ma kekahi wahi hou aku. Nee iki ae lakou a noho ma Mamaki, a malaila i luku ia aku ai. . .

A pau ke koena o ke Akua o Kaunolu i ka lukuia, a pepehi pu ia kekahi akua opu ohao, o Kuahulua ka inoa oia akua, a no ka make ana oia akua ia Kaululaau, nolaila, hele hou ae ia lakou a noho ma Manele.

A malaila, ua noho loihi loa lakou i kekahi mau la ame kekahi mau po, a o ka Pahulu hana mau no i ka hele e nana i ke akua mao a maanei. A no ka halawai ole o lakou me ke akua, nolaila, hooholo lakou i ka olelo e pii o Kaululaau ame Lono iuka, a o Pahulu hoi, ua hele loa oia ma kahakai a hiki aku i Naha, a malaila oia e huli ae ai ia Kaululaau ma.

A o Kaululaau ma hoi, hele aku la laua mai Manele aku a pii aku a hiki i Kanauau, a malaila aku no a ke kuahiwi o Kaohai, a hele ae la no malaila a Kahaalelepaakai, a ma ia kuahiwi aku no ka hele ana a hiki ae i Ohiahalo, a malaila aku ka hele ana hiki i ka mauna o Lanaihalo, kahi hoi a Kaululaau i kapili ai i ka maka o ke akua i ke kepau.¹

1 *Nupepa Kuokoa*, October 24 & 31, 1863.

2 Trans. by Maly.

pleted, they then thought of leaving the place, and they went on a short distance and stayed at Māmaki. And there also destroyed them. . .

Thus the remaining akua of Kaunolu were destroyed, and there was also killed a god with a protruding belly. The name of this god was Kuahulua. When this god was killed by Kaululā'au, they then continued their journey and stayed at Mānele.

They resided there for some time—a number of days and nights—and as was Pahulu's usual practice he went about looking here and there for the ghosts. Not encountering any, he went to tell Kaululā'au and Lono that they should ascend to the uplands, while Pahulu would travel along the coast to Naha, and from there he would seek out Kaululā'au and his companion.

Kaululā'au folks went from Mānele, ascending up to Kanauau [Kāneua'u (also written Kaniua'u)], and from there up the mountain of Ka'ōhai. From there they went to Kaha'alelepa'akai, and that peak they went to 'Ōhi'alalo. And from there they went to the mountain summit of Lāna'ihale, at the place where Kaululā'au glued closed the eyes of the ghosts with the glue.²

2.1.6 Regarding the *weke pahulu* (*Upeneoides arge*)

A tradition was spoken among Lāna'i *kūpuna* about eating this fish which was named after Pahulu. When living along the shore, and fishing in the Kalaehi-Kaiolohia vicinity, the people of old would not talk about their fishing, or take food with them on fishing trips. For if they took food with them or spoke about it, the spirits would know and drive the fish away. Also, when eating the *weke pahulu* which had been caught on the fishing trip, the bones and head of the fish would be set in a pile, and when finished eating, the remains would be cast away with the utterance of the following expression, "E Pahulu, eia kau wahi!" (Say Pahulu, here is your portion!), the thought being that none who partook of the fish would suffer from nightmares of Pahulu.

2.1.7 The History of Honu (Turtles) on Lānaʻi

In ancient Hawaiʻi, all facets of the environment were believed to be physical manifestations of gods and goddesses who were the creative forces of nature. Various occupations were inspired by a deity who excelled in the areas of arts and valued skills. Some of the gods took human form and lived among the general population. Among these gods were Kūʻula and Hina-puku-iʻa, who were the gods of fisher-people. Their son ʻAiʻai followed them in the practices of catching fish and aquatic resources. In one native tradition, we learn how *honu* came to Hawaiʻi and how the coastal region of Polihua in the Kaʻā-Paomaʻi vicinity is connected to the tradition. An account published in the 1902 *Hawaiian Annual and Almanac* reveals this history:

Aiai went to Lanai where he started fishing for aku (bonito) at Cape Kaunolu, using his pearl [mother of pearl lure] Kahuoi. This is the first case known of fishing for aku with pearl from the land, as it is a well-known fact that this fish is only caught at deep sea, far from shore. In the story of Kaneapua it is shown that he was the only one that had fished for aku at the Cape of Kaunolu, where it was started by Aiai.

From Kaunolu Aiai went to Kaena cape where, at a place close to Paomai, was a little sandy beach now known as Polihua. Here he took a stone and carved a figure on it, then carried and placed it on the sandy beach and called on his parents. While making his incantations the stone moved towards the sea and disappeared under the water. His incantations finished, the stone reappeared and moved toward him till it reached the place where it had been laid, whereupon it was transformed into a turtle and gave the name of Polihua to that beach. This work of Aiai on the island of Lanai was the first introduction of the turtle in the seas of Hawaiʻi, and also originated the habit of the turtle of going up the beach to lay their eggs, then returning to the sea.³

2.1.8 The Winds of Lānaʻi

In the tradition of Kū-a-Pakaʻa, a supernatural windgourd plays a significant role in the naming of winds across the Hawaiian Islands. Several lines reference Lānaʻi and specifically name a familiar wind of Paomaʻi:

He maaa ko Lahaina,
Ke kau mai la i Kamaiki,
Moae ae aku la ka pali,
He alani ko Liloa,
Ka pa-a-la o na Kaha,
Na keiki aku a Naiwi,
Holio mai nei ka makani,
Lau koaie i ke kula,

Maʻaʻa is the wind of Lahaina,
That settles at Kamaiki,
The Moaʻe is next, along the cliff,
The Alani is at Liloa,
Paʻalā is there along the shore lands,
Where are the youth of Naiwi,
The wind causes the leaves of
the koaiʻe to glitter upon the plains,

³"Koʻa (Fishing Stations) on the island of Lānaʻi. Kūʻula becomes turtle and is the source of the place name, Polihua," *Hawaiian Annual and Almanac*, 1902, p. 121.

Holo kaomi ma Paomai,
He pelu ka makani no kai,
He kupa he okea ka makani,
He paiolua i ka moana,
Ka hoolua o ka moae...

Kaomi is the wind that travels across Paoma'i,
Pelu is the wind of the shore,
A wind that stirs up the sands,
Paiolua is the wind on the ocean,
The Hoolua (strong gusts) of the Moa'e...

Ma'a'a - A noted wind the blows from Lahaina.

Mo'ae - A tradewind.

Alani - A wind along the coast.

Pa'alā - A wind along the coastal lands.

Kaomi (to press down) - A northeast tradewind.

Pelu (to fold over) - Perhaps a local name of a particular wind.

Paiolua - Perhaps a local name of a particular wind.

Ho'olua - A strong, northerly wind.⁴

2.1.9 Pu'upehe: The Hill or Mound of Pehe

One of the most beautiful natural scenes of Lāna'i is a small islet or tower of lava situated off of the Pālāwai coastline. The traditional name of the little island is Pu'upehe, though for some years it has been called "Sweetheart Rock." The bay and northern point also bear the name Pu'upehe, and the surf that rounds the northern point into Hulopo'e Bay is called Uolokeahi. There is a tradition of how this place came to be called Pu'upehe that was first recorded in 1868 by Walter M. Gibson, then owner of large portions of Lāna'i, who reportedly learned the account from the chief Pi'ianai'a, who was on Lāna'i with Kamehameha I.

Gibson published the account under the title of "The Tomb of Puupehe, A Legend of Lanai," in the island newspaper the *Hawaiian Gazette* of March 3, 1867 (Vol. 3 No. 7), and his narratives follow. Though lacking some of the details and prose of Gibson, elder *kama'āina* of Lāna'i continued to tell the story of Pu'upehe through the early 1970s, when asked.

One of the interesting localities of tradition, famed in Hawaiian song and story of ancient days, is situated at the southwestern point of the island of Lanai, and known as the Kupapau o Puupehe, or Tomb of Puupehe. At the point indicated, on the leeward coast of the island, may be seen a huge block of red lava about eighty feet high and some sixty feet in diameter, standing out in the sea, and detached from the mainland some fifty fathoms, around which centers the following legend.

Observed from the overhanging bluff that overlooks Puupehe, upon the summit of this block or elevated islet, would be noticed a small inclosure [platform] formed by a low stone wall (fig. 4). This is said to be the last resting-place of a Hawaiian girl whose body was buried there by her lover Makakehau, a warrior of Lanai.

⁴S. K. Kuapuu, "He Wahi Moolelo, Hehu 5, Kuapakaa, me ka Ipu Makani o Laamaoamao," *Ka Hae Hawaii*, May 15, 1861. [cf. 37]

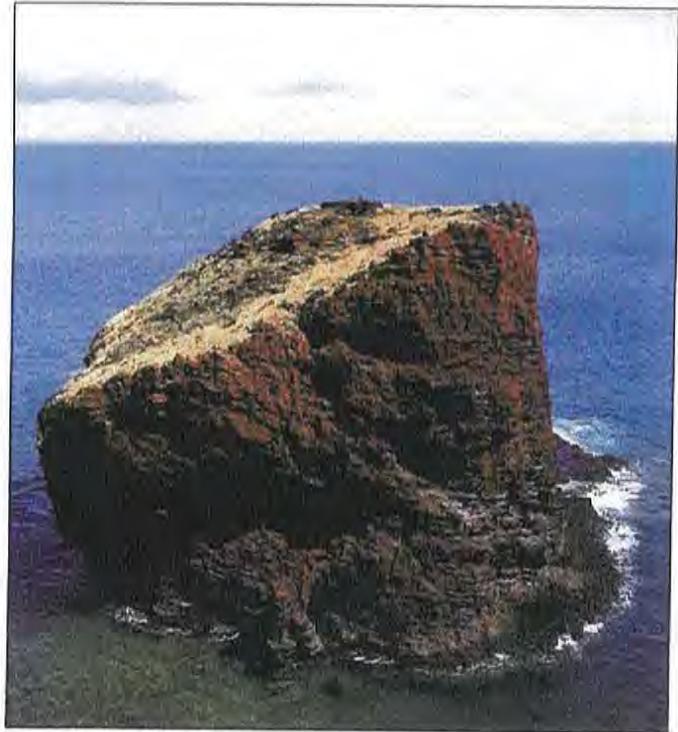


Figure 4: Pu'upehe Islet, with platform identified as the tomb of Pu'upehe (Pehe). Courtesy of Kumu Pono Associates (Photo No. KPA-C687).

Puupehe was the daughter of Uaua, a petty chief, one of the dependents of the king of Maui, and she was won by young Makakehau as the joint prize of love and war. These two are described in the Kanikau, or Lamentation, of Puupehe, as mutually captive, the one to the other. The maiden was a sweet flower of Hawaiian beauty. Her glossy brown, spotless body “shone like the clear sun rising out of Haleakala.” Her flowing, curly hair, bound by a wreath of lehua blossoms, streamed forth as she ran “like the surf crests scudding before the wind.” And the starry eyes of the beautiful daughter of Uaua blinded the young warrior, so that he was called Makakehau, or Misty Eyes.

The Hawaiian brave feared that the comeliness of his dear captive would cause her to be coveted by the chiefs of the land. His soul yearned to keep her all to himself. He said: “Let us go to the clear waters of Kalulu. There we will fish together for the kala and the aku, and there I will spear the turtle. I will hide you, my beloved, forever in the cave of Malauea. Or, we will dwell together in the great ravine of Palawai, where we will eat the young of the uwau birds, and we will bake them in ki leaf with the sweet pala fern root. The ohelo berries of the mountains will refresh my love. We will drink of the cool waters of Maunalei. I will thatch a hut in the thicket of Kaohai for our resting-place, and we shall love on till the stars die.

The meles tell of their love in the Pulou ravine, where they caught the bright iwi birds, and the scarlet apapani. Ah, what sweet joys in the banana groves

of Waiakeakua, where the lovers saw naught so beautiful as themselves! But the "misty eyes" were soon to be made dim by weeping, and dimmer, till the drowning brine should close them forevermore.

Makakehau left his love one day in the cave of Malauea while he went to the mountain spring to fill the water-gourds with sweet water. This cavern yawns at the base of the overhanging bluff that overtops the rock of Puupehe. The sea surges far within, but there is an inner space which the expert swimmer can reach, and where Puupehe had often rested and baked the honu or sea turtle, for her absent lover.

This was the season for the kona, the terrific storm that comes up from the equator and hurls the ocean in increased volume upon the southern shores of the Hawaiian Islands. Makakehau beheld from the rock springs of Pulou the vanguard of a great kona,—scuds of rain and thick mist, rushing with a howling wind, across the valley of Palawai. He knew the storm would fill the cave with the sea and kill his love. He flung aside his calabashes of water and ran down the steep, then across the great valley and beyond its rim he rushed, through the bufferings of the storm, with an agonized heart, down the hill slope to the shore.

The sea was up indeed. The yeasty foam of mad surging waves whitened the shore. The thundering buffet of the charging billows chorused with the howl of the tempest. Ah! where should Misty Eyes find his love in this blinding storm? A rushing mountain of sea filled the mouth of Malauea, and the pent-up air hurled back the invading torrent with bubbling roar, blowing forth great streams of spray. This was a war of matter, a battle of the elements to thrill with pleasure the hearts of strong men. But with one's love in the seething gulf of the whirlpool, what would be to him the sublime cataract? What, to see amid the boiling foam the upturned face, and the dear, tender body of one's own and only poor dear love, all mangled? You might agonize on the brink; but Makakehau sprang into the dreadful pool and snatched his murdered bride from the jaws of an ocean grave.

The next day, fishermen heard the lamentation of Makakehau, and the women of the valley came down and wailed over Puupehe. They wrapped her in bright new kapa. They placed upon her garlands of the fragrant na-u (gardenia). They prepared her for burial, and were about to place her in the burial ground of Manele, but Makakehau prayed that he might be left alone one night more with his lost love. And he was left as he desired.

The next day no corpse nor weeping lover were to be found, till after some search Makakehau was seen at work piling up stones on the top of the lone sea tower. The wondering people of Lanai looked on from the neighboring bluff, and some sailed around the base of the columnar rock in their canoes, still wondering, because they could see no way for him to ascend, for every face of the rock is perpendicular or overhanging. The old belief was, that some akua, Kanekoa, or Keawe-mauhili (deities), came at the cry of Makakehau and helped him with the dead girl to the top.

When Makakehau had finished his labors of placing his lost love in her grave

and placed the last stone upon it, he stretched out his arms and wailed for Puupehe, thus:

“Where are you O Puupehe?
Are you in the cave of Malauea?
Shall I bring you sweet water,
The water of the mountain?
Shall I bring the uwau,
The pala, and the ohelo?
Are you baking the honu
And the red sweet hala?
Shall I pound the kalo of Maui?
Shall we dip in the gourd together?
The bird and the fish are bitter,
And the mountain water is sour.
I shall drink it no more;
I shall drink with Aipuhi,
The great shark of Manele.”

Ceasing his sad wail, Makakehau leaped from the rock into the boiling surge at its base, where his body was crushed in the breakers. The people who beheld the sad scene secured the mangled corpse and buried it with respect in the kupapau of Manele.⁵

2.1.10 Lānaʻi Invaded by the Forces of Kalaniʻōpuʻu and Kamehameha I

In 1766, Kamehameha-nui died and his brother Kahekili became the king of the Maui-Molokaʻi-Lānaʻi island group [30:82]. In 1775, Kalaniʻōpuʻu returned to Maui in his efforts to usurp the rule of the island’s hereditary chief. This time, the Hawaiʻi forces were routed, and forced to return to Hawaiʻi. In the period between ca. 1776 and 1779, Kalaniʻōpuʻu returned to Maui on several occasions to make war, and it was in these battles on Maui that a young chief of Hawaiʻi, Kamehameha, earned his fame as a fierce fighter [30:85–89, 91]. Native historian S. M. Kamakau described the events which took the battle to Lānaʻi:

Holo mai la o Kalaniopuu i ke kaua i Lanai, he kaua nui loa ma Lanai, aia ma ka puu kaua na ʻIii a me na koa o Lanai. O ka puu kaua, oia no, o Hookio, aia mauka o Maunalei oia ka puuhonua o Lanai i ka wa kaua; ua haiki ka hewa; ua hiki no ke maaia i ka pohaku, oia ke kumu i kee ai ka puu kaua, a no ke pani paa ia o kahi e loa ai o ka wai e inu ai o na koa, nolaila, ua luku ia naʻlii me na kanaka o Lanai. O ka mokupuni holookoa o Lanai, ua luku ia me ka hoomainoino ia e na koa o Kalaniopuu. Ma Paomai, malaila ke Aea i kokoke o ka laau, a ma Kaohai malaila kahi i kapaia o Kamokupeu, oia ke alina o ke kaua i ka wa kahiko. O kekahi kanaka, ua lawe pio ia me ka nakinaki i a o na lima a paa, a alakai ola ia i mua o Kalaniopuu, aka, i ke kokoke ana i ka pali, olelo mai la ua kanaka nei, ua pilikia au i ka mai, e hookookoo ae kuu kaula

⁵W. M. Gibson, “The Tomb of Puupehe, A Legend of Lanai,” *Hawaiian Gazette*, March 3, 1867, Vol. 3 No. 7.

o kuu lima, aole hopohopo o ka poe lanakila, ua ike lakou i ka pali a ua paa ia lakou kahi papu, i ke wa i kaawale aku ai o ua kana nei, e lele aku ana ua kanaka nei i ka pali.

O keia kanaka, he kanaka kaulana i ka mama i ka lele pali, o Kini ka inoa, nana no i lele ka pali kiekie o Kukaemoku ma Iao, a ma Olowalu, ma ka mama o Kini i ka lele pali i pakele ai kona ola i ke kaua ma Lanai.

I ka noho ana o Kalaniopuu ma Lanai, ua wi loa ka aina o Lanai, no ka nui loa o na koa o Kalaniopuu, a me na kanaka, aole ai e ola ai, nolaila, ua ai na kanaka i ke kupala, a no ka nui o ka ai ana, ua hanahemo na kanaka; ua kapaia ka inoa oia kaua o Kamokuhi, he kaua kaulana ia no Lanai a ka i na mamo.

Manao iho la o Kalaniopuu ma Koolau o Maui e hoi ai, no ka mea, he nui ka ai ma Koolau.⁶

The translation of Kamakau's description by M. K. Pukui is below.

Ka-lani-'opu'u carried the war into Lanai and attacked the chiefs and soldiers in their stronghold called Ho'oki'o, mauka of Maunalei, which was their place of refuge. The trouble with the place was that when the chiefs and soldiers fled thither, their water supply was cut off and they were all slaughtered. The whole island of Lanai was ravaged by the forces of Ka-lani-'opu'u. At Paomai, at Keaea close to the forest, and at Ka'ohai was the place called Kamokupeu scarred by war markings of old. A certain captive who was being led to Ka-lani-'opu'u with his hands tied, as he neared a cliff asked to have the cords loosened, pretending he was in pain. Since they were so close to the cliff the men felt no fear of his escaping, but no sooner were his hands released than he leaped over the precipice. His name was Kini and he was famous for his skill in leaping cliffs. He had leaped down the rough cliff of Kukaemoku at 'Iao and Olowalu, and it was this skill in leaping down cliffs that saved his life in the battle on Lanai. During Ka-lani-'opu'u's occupancy of Lanai, the food ran out, and the men had to eat the root of a wild plant called kupala. This had a loosening effect upon the bowels when eaten in quantity. The war is therefore called The-land-of-loose-bowels (Ka-moku-hi) and it is a war still talked of among the descendants on Lanai.⁷

Ka-lani-'opu'u decided to go on to Ko'olau, Maui, where food was abundant. [30:90-91]

2.1.11 Place Names of Paoma'i

Paoma'i is one of thirteen *ahupua'a* that make up the island of Lāna'i. Pursuant to 1870s Boundary Commission survey, Paoma'i contains 9,078 acres (see fig. 3, p. 7), and is a peculiarly shaped land division which cuts off other *ahupua'a*, and has unusual angles. Native tradition accounts for the peculiar boundaries, recounting the time in history when

⁶S. M. Kamakau, "Ka Moololo o Kamehameha I - Helu 7," *Nupepa Kuokoa*, Dekemaba 22, 1866, aoao 1.

⁷*Kupala*, also called *paha*, is a native cucurbit, species *Sicyos pachycarpus* [30:91].

the chiefs called upon runners to race from coast to uplands, and claim lands based on the routes they ran. Pao was a great runner and cut off other runners, and then from Lāna'i, paddled to the Lāhaina region where he also claimed the hill called "Pu'u Lāna'i" before falling down ill (*ma'i*) from the exertion. Because of this the *ahupua'a* was named Paoma'i (Sick Pao) [9:20].

Place names almost always document some significant event in history, or describe features, either natural or man-made, of the named area. In 1902, after fifty years of survey work, Kingdom/Government Surveyor General W. D. Alexander compiled a lexicon of place names from across the islands. He observed that

It is very difficult, if not impossible, to translate most of these names, on account of their great antiquity and the changes of which many of them have evidently undergone. It often happens that a word may be translated in different ways by dividing it differently. Many names of places in these islands are common to other groups of islands in the South Pacific, and were probably brought here with the earliest colonists. They have been used for centuries without any thought of their original meaning. [1:395]

In 1921-1922, Kenneth Emory of the Bishop Museum conducted an archaeological inventory on Lāna'i [9]. Though not a speaker of the Hawaiian language, Emory documented facets of the archaeological landscape, recorded some of the native history of the island, and documented place names, traditions associated with them, and their meanings.

In addition to the *ahupua'a* land name, we find some 40 place names that have been recorded in Paoma'i. Beginning at the eastern point along the coast, running along the shore, and then along the southwestern boundary to the uplands, and then along the northeastern boundary to the shore, with interior place names cited as the route rises from or descends to the coast, these names are listed and described in table 1.

Table 1: Place names of Paoma'i

Place Name	Emory Site No.	Translation or Location
Lae Wahie	211	"Drift wood point"
Keonohau	269	—
Kahue	270	"The gourd." Coastal village.
Makaiwa	229	"Frigate bird eyes - mother of pearl eyes of an image"
Honua'ula	272	"Red earth"
Ka'okana	277	"The land section." Beach area.
Paopao	279	"Hollows, dug out areas"
Ka'onini	281	Name of a gentle breeze. Beach area.
Pōkeana	282	Beach area.
Kanāele	283	"The boggy area." A coastal settlement.
Pōhakuloa	285	"Distant or long stone"

Continued on next page

Continued from previous page

Place Name	Emory Site No.	Translation or Location
Honowae	286	Beach area
Awalua iki	288	"Little twin harbor/landing"
Awalua	287	"Twin harbor landing"
Hale o Lono	290	"House - Temple of Lono"
Laepālolo	289	"Clay point"
Lapaiki	284	"Little ridge"
Kealakaha	278	"The shoreline path"
Wahia'ahu	276	Place of a cairn.
Kuamo'o	273	"Ridge line"
Kaunu-a-Kāne	280	"The altar of Kāne"
Hawai'ilānui	275	"Hawai'i's big day"
'Umikililoa	274	Head of valley
Keonehe'ehe'e	19	"The sliding sands/cinder"
Kalapu'u	20	"Cut hill"
Kukuikāhi	21	"Single kukui tree"
Nāimuhui	265	"The joined/combined ovens"
Kaka'alani	46	Name of wind, descriptive of clouds rolling over the mountain ridge
Kalihi	23	"The ridge" or a narrow land division.
Piliamo'o	—	"Cling to a stone like a lizard"
Ho'opāpālani	262	"Touching the heavens"
Ōpū	73	"Clump" Intersection of Paoma'i with Kamoku, Kalulu and Maunalei
Kukui	267	"Kukui tree"
Hulopo'e	266	Section of valley
Pu'u Lā'au	—	"Wooded hill"
Poho'ula	263	"Red hollow/depression"
Kealakole	—	"The red path"
Pu'ulala	—	"Diagonal hill" Boundary point in the uplands between Paoma'i and Ka'ā Ahupua'a
Pu'u'āle'ale'a	264	"Sports hill"
Pu'u Māmane	—	"Māmane tree hill"
Halalala	268	"Passed by"

No specific place name was recorded at the proposed location of the helistop pad.

2.1.12 Place Names of the Coastal Lands of Pālāwai

Pālāwai is one of four *ahupua'a*, of the 13 on the island, that crosses over the top of the island from the leeward coast to the windward coast. Pālāwai contains 5,897 ac. of land.

In addition to the *ahupua'a* names, several place names survived the passing of time

along the southern shore of Lānaʻi. Among these places are the following names—the *site* numbers are those recorded by Kenneth Emory [10]:

- Hua-wai** Water gourd (Site 163). A bay and site of former residences and salt pans.
- Hulo-po'e** Reportedly named for a traditional resident of the area (Site 237). A traditional village site. Kūpuna of Lānaʻi say that the name describes the swirling motion of the sands on the beach. Alternatively, Hulapoʻeo or Huelopoʻeo.
- Ka-lua-koʻi** The adze pit (Site 235). A former village site.
- Ka-pihaʻā** The drift wood debris (Site 236). Area where the sand ends and the rocks begin on Hulopoʻe Bay. Site of an ancient village of importance on Lānaʻi.
- Kaupakuea** Uplifted ridgepole (Site 52). Gulch and center of Mānele Bay.
- Ke-ālia-aupuni** The salt bed for the people. An *ahupuaʻa* of Lānaʻi.
- Ke-ālia-kapu** The restricted salt bed. An *ahupuaʻa* of Lānaʻi. Lands of this *ahupuaʻa* were at one time part of a pāhonua (*puʻuhonua*), or place of sanctuary.
- Lae-paʻakai** Salt point. A land area which identifies the shoreward boundary between Pālāwai and Keālia Aupuni Ahupuaʻa.
- Leino-hau-nui** Leaping place of Haunui (Site 240). From the early 1900s to 1940s, a cattle chute situated there was used to load livestock off and on ships.
- Malauea** Perhaps translated as, “Rising from the calm” (Site 201). A cave on the ocean below Puʻupehe, also called Keanapuka. It was in this cave that Pehe was trapped and killed by an ocean surge while she was awaiting the return of Makakēhau (see Puʻupehe).
- Mānele** A sedan chair, stretcher, or litter (Site 241). Bay and ancient village site with various features, including a *heiau*. Now the location of the small boat harbor. The *sand* dunes extending behind Mānele are also culturally sensitive.
- Pālāwai** A freshwater moss (pond scum). An *ahupuaʻa* of Lānaʻi, and name of the crater basin in the center of Lānaʻi. This land is one of three unique subdivisions on Lānaʻi, which crosses the mountain from the leeward to windward side. Water settling in the lowest part of Pālāwai Basin would pond up and cause moss to grow.
- Pā-wili** To blow and twist, as of the wind (Site 164). An *ahupuaʻa* of Lānaʻi. This land division is unique in that it covers areas on both the *Koʻolau* (windward) and *Kona* (leeward) side of the island, but does not run in a contiguous piece.
- Poʻopoʻo** Hollows, nooks, and crannies (Site 162). An islet marked by holes and depressions.
- Puʻu-pehe** Hill or mound of Pehe (Site 238). An islet tower off of the point. Reportedly named for a young woman of Lānaʻi, who was buried in the platform atop the islet.

As was the case throughout the Hawaiian Islands, the ancient residents of Lānaʻi commemorated their *aloha* and attachment to place through *mele*. This *mele*, published by Lululipolani of Kaupakuea of Pālāwai, identifies noted places of the landscape along the Pālāwai shoreline.

Mele

Aloha ke one alohi o Kaupakuea,
Aloha ke kawa lele o Lainohau,
Aloha Puupehe e au nei i ke kai,
Aloha ka nalu o Uolokeahi,
Aloha ke one o Hulopoe,
Aloha ke kai o Kaluakoi...¹

1 *Ko Hawaii Pae Aina*, June 22, 1878.

2 Trans. by Maly.

Tradition

Aloha to the glistening sands of Kaupakuea,
Aloha to you the diving spot of Laino-
haunui,
Aloha to you Puupehe swimming in the sea,
Aloha to you the surf of Uolokeahi,
Aloha to you o sands of Hulopoe,
Aloha to you the sea of Kaluakoi...²

2.1.13 Chiefly Lineages of Lānaʻi

It was after the events in which Kaululāʻau participated that we see references to chiefly lineages associated with Lānaʻi, and the island fell under the dominion of Maui rulers. The role and fate of Maui's chiefs in warfare with the chiefs of other islands also spilled over to Lānaʻi in the centuries following Kaululāʻau, and lasted through the time of Kamehameha I. In fact, a review of Lānaʻi's history since the time of western Contact reveals that the island and its people have been subjected to Maui's political policies throughout modern times.

Between the time of Kaululāʻau and his immediate peers until the middle 1700s, there are only a few notable references to chiefly associations on Lānaʻi and several passing references—generally one or two liners—to some event in which a chief visited or was associated with Lānaʻi. Samuel M. Kamakau made an interesting reference to Lānaʻi in his discussion of the Hawaiian nation in 1869:

Ka Moololo o Hawaii—Helu 108

He aupuni kahiko loa ke aupuni Hawaii ma keia pae aina, aka, he aupuni liliu a mokua-hana nae o ka noho ana, a ua lehulehu wale na 'lii Moi ma keia mau pae aina, aole i lilo ka pae aina o Hawaii i ka Moi hookahi, i kekahi elua Moi o Maui, a he alii okoa ko Lanai, a pela ko Molokai, ko Oahu, a me ko Kauai. A ma ko Kamehameha ikaika i ke kaua a na 'lii i kokua pu iaia ma ke kaua ana, ua huipua ma ke aupuni hookahi ke aupuni Hawaii. Mai ia manawa mai a loa wale mai ia kakou i ka poe o keia wa ke kapaia o keia mau pae moku ke Aupuni Hawaii.¹

The History of Hawaii

The Hawaiian kingdom is an ancient kingdom in these islands, though it was a little kingdom and divided. There were many chiefs and Kings on these islands, the Hawaiian islands were not subject to one Sovereign. Once there were two Kings for Maui, with a different chief for Lanai, and the same for Molokai, Oahu and Kauai. As a result of Kamehameha's strength in battle, and with the chiefs that helped him in battle, the kingdom was unified as one Hawaiian nation. From that time until our present time, we are people of these islands, a Hawaiian Nation.²

1 *Nupepa Kuokoa*, March 18, 1869.

2 Trans. by Maly.

According to Fornander, a review of genealogies and traditions indicated that Lānaʻi, while “independent at times,” nonetheless shared a “political relation” with Maui a few generations after the cleansing of Lānaʻi by Kaululāʻau. This relationship was probably fortified during the reigns of Kiha-a-Piʻilani and his son Kamalālāwalu [14:94, 207]. The research of Kamakau and Fornander makes several passing references to the fact that in ca. 1500, Kiha-a-Piʻilani⁸ was for a time forced to hide on Lānaʻi, until the path was open for his taking the throne from a cruel elder brother, Lono-a-Piʻilani. Kiha-a-Piʻilani’s reign was one of progress and peace, though nothing more is mentioned of Lānaʻi [30:22,14:87, 206].

Following Kiha-a-Piʻilani’s death, Kamalālāwalu became the king of Maui, attempted to invade the island of Hawaiʻi, and was killed. His son Kauhi-a-Kama took the throne, and was subsequently succeeded by his son, Kauhi. It is during the later years of Kamalālāwalu’s reign that we find reference to a chief of Lānaʻi. Fornander [12] published an account compiled from native informants whose narratives reference a king named Kūaliʻi who was said to have unified the Hawaiian islands several generations before Kamehameha I. Kūaliʻi was imbued with godlike characteristics, and reportedly lived between ca. AD 1555 and 1730. He was a sacred chief, feared by all, and famed for his strength. In ca. 1600, Hāloalena was the king of Lānaʻi, though he ruled under the authority of Kamalālāwalu and Kauhi-a-kama. Fornander [12] reported that

Haloalena, the chief of Lanai was considered a very good ruler. His great favorite pastime was the collection of the skeletons of birds. When the chief’s bird tax was about due it was the usual custom of the agents to go out and proclaim the chief’s wishes. [12:IV-422]

Hāloalena had the skeletons of the birds cleaned, prepared, and posed for safe keeping in one of several large storehouses on Lānaʻi as his personal treasures. Kauhi, a mischievous son of Kauhi-a-Kama, destroyed all the skeletons and

This was the cause of the hostilities between the king of Lanai and the king of Maui, and the reason why the king of Lanai wanted to be independent and not be any longer under the king of Maui. At this time the chiefs of Lanai were under the control of Kamalalawalu, king of Maui. [12:IV-424]

Kūaliʻi was drawn into the dispute, and settled it without bloodshed, though Hāloalena and Lānaʻi remained under the Maui kingdom [12:IV-426].

It is not until the 1760s-1770s that we find references to Lānaʻi, its people, and chiefs, having been drawn into the path of war between the kings of Hawaiʻi and Maui. This period of Lānaʻi’s history has a direct impact on the lands of the Kaʻā region, and several prominent native and foreign historians described this time in Lānaʻi’s history. Samuel M. Kamakau’s series on Kamehameha I—which includes background information on the

⁸Kiha, son of Piʻilani, who lived in about the fifth generation after Kaululāʻau.

chiefs in historical events predating and during the youth of Kamehameha—names several chiefs from Lānaʻi:

Ka Moolelo o Kamehameha I—Helu 5

I ka makahiki 1769, oia ka lawe ana o Kalaniopuu ia Hana a me ka puali hikina o Maui. I ka hoi ana o Kalaniopuu i Hawaii, a mahope iho o ia manawa, hele mai la o Kamehameha Nui ka Moʻi o Maui, a kaula ia Puna ke alii Kiʻaaina Kalaniopuu i hoonoho ai no ka puali hikina o Maui. He kaula kaulana keia no na aoao elua. Ma ka aoao o Kamehameha Nui, ka Moʻi o Maui, ua hui pu mai naʻlii o Molokai, oia hoi o Kaohele, Kaolohaka a Keawe, o Awili, o Kumukoa, o Kapooloku; o na ʻlii o Lanai, oia hoi o Namakeha, o Kalimanuia, o Keliiaa a me na ʻlii o Maui.¹

¹ *Nupepa Kuokoa*, December 1, 1866.

Kalaniʻōpuʻu failed in an attempt to take control of Maui in ca. 1778, and took the battle directly to Lānaʻi. Fornander [14] reported that

Kalaniopuu ravaged the island of Lanai thoroughly, and the Lanai chiefs, unable to oppose him, retreated to a fortified place called “Hookio,” inland from Maunalei. But being short of provisions, and their water supply having been cut off, the fort was taken by Kalaniopuu, and the chiefs were killed. This Lanai expedition is remembered by the name of Kamokuhi. [14:156-157]

Forty-five years after Kalaniʻōpuʻu’s raid on Lānaʻi, his granddaughter, Keʻōpūolani, also the sacred wife of Kamehameha I and mother of his acknowledged heirs, died. She had been an early and influential convert to the Protestant mission, and her passing was documented in the *Missionary Herald*.

Keopuolani was greatly beloved by her people . . . Her native disposition was remarkably amiable and conciliatory, and her treatment of her subjects was ever humane.

We are informed by her biographer, who is a missionary at the Sandwich Island, that she was born on the island of Mowee [Maui], in the year 1773; that her father’s family had governed the island of Owhyhee [Hawaii] for many generations; and that her mother’s family belonged to the islands of Mowee, Woahoo [Oahu], Ranai [Lanai] and Morokai [Molokai]. Her grandfather was the king of Owhyhee when it was visited by Capt. Cook, in 1777 [1778].⁹

⁹“Keopuolani, Queen of the Sandwich Islands Died on September 16th, 1823, while in residence at Lahaina,” *Missionary Herald*, July 1825:234-235.

The History of Kamehameha—No. 5

In the year 1769, that is when Kalaniʻōpuʻu took Hāna and the eastern district of Maui. Kalaniʻōpuʻu then returned to Hawaii, after which time, Kamehamehanui went to make war on Puna, whom Kalaniʻōpuʻu had left in charge of the eastern district of Maui. This was a famous battle for both sides. On the side of Kamehameha Nui, the King of Maui, there were joined the chiefs of Molokaʻi, being Kaohele, Kaolohaka a Keawe, Awili, Kumukoa, and Kapooloku; and the chiefs for Lānaʻi, being Namakeha, Kalaimanuia, Keliiaa, and the other chiefs of Maui.

2.2 Land of the Southern Coastal Region of Pālāwai Ahupua'a

The proposed Helistop Pads sites are situated in the area overlooking Hulopo'e Bay, Kapiha'a, Lae Pa'akai, and Huawai in the *ahupua'a* of Pālāwai, Island of Lāna'i. The land area lies above the southern coast of Lāna'i. As described above, Lāna'i lies in the rain shadow of the West Maui mountains. While it is likely that Lāna'i was always water challenged, the effects of more than 180 years of ungulate depredation and loss of forest have created a modern setting that is much more arid than it once was. Today, the south shore region receives little more than 10 in.s of rain annually [cf. 39].

The southern coastal lands of Lāna'i are a jumble of rock-strewn slopes, rough gulches, a cliff-lined shore, and dry, flat lands. The sands of Hulopo'e Beach are the only break in the shoreline that extends from the cliffs of Ka-lae-o-ka-hano on the east, to the bay of Kāne'āpua at Kaunolū on the west. Hulopo'e forms a bay that is sheltered from the northeast trade winds, and from most ocean swells by the Pu'u Pehe bluff, while to the east are the bays of Mānele and Papaloa.

Most of the rain that falls along this region of Lāna'i's shoreline comes during winter storms between December and March. The natural vegetation of the Hulopo'e vicinity coastal region was made up of small native shrubs like *'ilima*, *'uhaloa*, *ko'oloa kea*, and the Hawaiian cotton *ma'o* covers the grassy slopes. By early 1900, the introduced *kiawe* tree was spreading across the landscape, and is now the dominant vegetation of the island.

In 1921-1922, Kenneth Emory came to Lāna'i on an archaeological and ethnographic expedition sponsored by the Bishop Museum. Emory spent six months on the island, traversing the landscape by foot, car, and horseback. He spoke with elder *kama'āina*, mapped sites, and collected and cataloged artifacts.

It was not until the mid-1980s that archaeological studies were again undertaken in the area of the Hulopo'e vicinity as a part of the development plans for a resort-residential community and golf course. The later archaeological studies covered over 420 ac. at and above the shoreline from Mānele Bay to Hulopo'e (Kama'o-Pālāwai Ahupua'a) to Huawai Gulch in the *ahupua'a* of Keālia Aupuni. Most of the land area covered by the Helistop Pads project site was surveyed in the 1980s and 1990s, with reports submitted to and approved by the State Historic Preservation Division (SHPD) at the time (sec. 2.6).

2.2.1 Hulopo'e-Kapiha'a Fishermen's Trail

There are numerous locations around the coast of Lāna'i where Hawaiians of old once resided. Some of the locations were used seasonally, with visitation recurring over the generations. Other locations served as permanent village sites, with the formalized structures and outlying facilities available to support a permanent population. Several important villages occurred along the southern and southwestern coastline of Lāna'i, which is marked by sea cliffs ranging in height from a few feet to over 1,000 feet in height. Most notably, these included villages at Mānele and Kaupakuea, the area of the present-day small boat harbor; the village of Hulopo'e, which is fronted by the beautiful white sand beach of the same name; and the smaller villages perched along the low cliffs at Kapiha'a, Kaluako'i, Lae Pa'akai, Kūahulua, Māmaki, and Kapalaoa, with the major

village and religious center at Keāliakapu and Kaunolū. All of these village sites were connected by a series of trails, some running between the coast and upland settlements and agricultural areas, and others running lateral to the shore.

Native traditions and historical accounts describe life in these villages as being focused on the rich offshore fisheries. The ocean—poetically referred to as the *ipu kai* (meat dish)—provided the inhabitants with the rich proteins (fish), seaweeds, and salt necessary to the well-being of the people. By traveling to the uplands, the residents gained access to fertile lands which were developed into extensive planting fields, and there were small valleys in which waterholes and springs were found.

While there were only limited freshwater supplies along the coastal region, the traditional residents knew how to get potable water from the sea, and they also caught and collected water from periodic rainfall and dew drip. In the 1970s, Kumu Pono Associates began to record stories of elder *kūpuna* of Lānaʻi. Among them was Hattie Holohua Kaenaokalani Kaopuiki, a.k.a. Tūtū Mama, whose family had resided in Pālāwai Ahupuaʻa for generations. From Tūtū Mama and her husband, Reverend Daniel Kaopuiki, Sr. (Tūtū Papa), we learned that in ancient times, the residents of this coastal region learned to dive into the nearshore waters to fetch pure drinking water.

There are areas around the island where fresh water escapes from the water table, through cracks in the rocks. When swimming in the ocean, you can feel a change in the water temperature, and it is in these places where the water becomes cold, that the fresh water is entering the sea. The *kūpuna* learned of these locations, and would dive into the water, carrying an empty *ipu* (gourd container). Once they were at the hole from which the fresh water was escaping, they would tilt the *ipu*, to allow it to fill up with the fresh water, and then return to the surface. This way they had access to drinking water year round, whether or not there were regular rains. One of the best known of these locations is situated at Mānele, where the rocky coastline is situated, and just beyond the area of the present-day boat harbor. The people of old would frequently dive there with their gourds to capture fresh water for drinking. The *kūpuna* expressed this thought as “Life at Mānele was good, for there was water found, which was caught in the gourd” (“Maikaʻi Mānele i ka wai kaohi ipu”).¹⁰

The ancient trail from Hulopoʻe Beach continues for a number of miles over rugged country to the ceremonial center at Kaunolū. The trail passes several village sites along the shore, and crosses through Huawai Gulch.

2.2.2 Land Tenure in Coastal Region of Pālāwai Ahupuaʻa

The *Māhele ʻĀina* (Land Division) of 1848 set the foundation for fee-simple property rights in the Hawaiian Islands. As a part of major ethnographic work conducted by Kepā and Onaona Maly for the development of the Lānaʻi Culture & Heritage Center, a full history of

¹⁰Personal communications, ca. 1972.

land tenure on Lānaʻi in the period from 1848 to 1960 has been conducted and made available to the public at <http://www.lanaichc.org/lanai-land-and-water-records/lanai-land-and-water-records.html>.

Kepā Maly has been collecting oral history and archival literature narratives for Lānaʻi for the last 40+ years. Through that research and a review of all land records, it has been learned that no fee-simple *kuleana* or Royal Patent Grant land parcels were given to native tenants in the Hulopoʻe-Huawai section of Pālāwai.

The narratives below summarize the *Māhele ʻĀina* on Lānaʻi, drawn from a review of all records compiled as a part of the *Māhele ʻĀina* of 1848, with subsequent actions of the Land Commission and government through issuance of Royal Patents on the awards.

Māhele ʻĀina Statistics on Lānaʻi

- 110 claims that could be verified for Lānaʻi were recorded. These include both chiefly and commoner/native tenant claims.
- 105 claim records were located in the volumes of the Native Register.
- 88 claim records were located in the volumes of the Native Testimony.
- 2 claim records were located in the volumes of the Foreign Register.
- 21 claim records were located in the volumes of the Foreign Testimony.
- 64 of the claims were surveyed and recorded in the Māhele Award Survey Books.
- 51 claim records were recorded in the volumes of the Royal Patent Books.

The combined claims from Lānaʻi represent 331 separate documents, some overlapping in records of the Native and Foreign Books:

- 56 claims were awarded. Of those awarded, five claimants were chiefly awardees, who received entire *ahupuaʻa*.
- 51 awards made to native tenants and individuals of lower chiefly lineage totaled a little over 600 acres of the approximately 89,000 acres of land on Lānaʻi.

Place Names Referenced in Claims by Applicants A total of 86 place names is in the records provided to the Land Commissioners. The names from Pālāwai are cited in table 2. All but Mānele are situated on the windward coast of Pālāwai.

Table 2: Place names recorded during the *Māhele*

Names of Places and ʻIli	Location
Kaa kai	Windward Pālāwai
Kaa loko	Windward Pālāwai
Kahea	Windward Pālāwai
Keomoku (Keomuku)	Windward Pālāwai
Manele	Leeward Pālāwai
Moouli	Windward Pālāwai

Disposition of Ahupua'a and Konohiki Claims on Lāna'i As a part of the *Māhele*, the king and chiefs were required to file their claims for their personal lands; determine how they would pay for their lands—usually by giving up certain lands in lieu of cash payment; and to claim their *kapu* fish and the wood of their land. The *kapu* fish and wood were the *konohiki*'s rights and the *konohiki* used them as resources for sustenance and revenue. In eliciting claims and documentation of rights, the chiefs began submitting letters for the record to the Minister of the Interior.

There were only limited letters submitted for Lāna'i. Of particular interest is a letter dated August 26, 1852 from Noa Pali to Keoni Ana, Minister of the Interior, documenting the *kapu* or *konohiki* fish and trees for 11 of Lāna'i's 13 *ahupua'a*, including Pālāwai and Paoma'i (table 3).

Table 3: Forbidden fish of the *konohiki* and the prohibited woods

Konohiki	Land	Fish	Wood
Mataio Kekuanaoa	Kaa	Uhu	Koko
Mataio Kekuanaoa	Kaohai	Hee	Naio
Nahaolehua	Maunalei	Hee	Kukui
Kanaina	Mahana	Hee	Ahakea
Kanaina	Paomai	Hee	Aiea
Haalelea	Palawai	Anae	Ahakea
Kaeo	Kealia [Kapu]	Uhu	—
Kaahou	Kamao	Hee	Koko
Ii	Kalulu	Hee	Ahakea
Pali	Kamoku	Uhu	Koko
Pali	Kealia [Aupuni]	Uhu	Koko

Buke Māhele (Land Division Book), 1848 In preparation for the final “division” of lands between the king, *konohiki*, and government, a *Buke Māhele* was kept as a log of the agreed-upon division. This book is the basis of the Crown and Government land inventory now known as the Ceded Lands. There are 13 *ahupua'a* on Lāna'i. Disposition of 10 *ahupua'a* was recorded in the *Buke Māhele* (1848) and before the Land Commissioners. Three *ahupua'a* were apparently dropped through an oversight on the part of the king, Commissioners, and staff. Titles confirmed at the close of the Land Commission are presented in table 4.

Ali'i and Native Tenant Claims from Pālāwai Ahupua'a Pālāwai, literally “freshwater moss,” is one of four Lāna'i *ahupua'a* that spans both the *Kona* and *Ko'olau* sides of the island. It contains 5,897 ac., and included fisheries (also in fishponds), *kula* (dryland) agricultural field systems, forest resources, and numerous freshwater sources with springs and intermittent streams. Potable water sources were developed in the nearshore sections of Pālāwai, and villages could be found all along the coast. On the *Kona* side of Lāna'i,

Table 4: Disposition of *ahupua'a*

Ahupua'a	Claimant	Disposition	Buke Māhele (1848)
Kaa	Victoria Kamamalu	Awarded	Page 4, Jan. 27, 1848
Kalulu	Daniela Ii	Crown	Testimony of M. Kekauonohi, Dec. 1847
Kamao	Kahanaumaikai	Government	Page 47, Jan. 31, 1848
Kamoku	No record	Crown	Record of Boundary Commission (1877)
Kaohai	M. Kekuaiwa (M. Kekua-naoa)	Awarded	Page 14, Jan. 27, 1848
Kaunolu	Keliiahonui	Government	Page 130, Feb. 9, 1848; Page 209, Mar. 8, 1848
Kealia Aupuni	Kahanaumaikai	Government	Page 47, Jan. 31, 1848; Page 209, Mar. 8, 1848
Kealia Kapu	Iosua Kaeo	Awarded	Page 34, Jan. 28, 1848
Mahana	Wm. C. Lunalilo	Government	Page 22, Jan. 28, 1848
Maunalei	Pane (Fanny Young)	Awarded	Page 161, Feb. 12, 1848
Palawai	M. Kekauonohi	Awarded	Page 26, Jan. 28, 1848
Paomai	No record	Crown	Testimony of C. Kanaina, Dec. 1847
Pawili	Wm. C. Lunalilo	Government	Page 21, Jan. 28, 1848; Page 207, Mar. 8, 1848

Pālāwai is bounded by Keālia Aupuni on the west, and by Kama'o on the east. Pālāwai shares the highest peak, Lāna'i Hale (site of a traditional spring) at the mountaintop as a boundary point with Kaunolū and Pāwili. These same *ahupua'a* also run down the mountain and form the windward boundaries of Pālāwai down to the shore. The first foreign settlement on Lāna'i, in the form of the original Mormon colony in the islands, was settled in the basin region of Pālāwai in 1854. Pālāwai was awarded to Chiefess Kekau'ōnohi during the Māhele, and later inherited by her husband, Ha'alelea. The *kapu* fish was 'anae and the *kapu* wood was 'ahakea.

The native tenants of Pālāwai Ahupua'a who filed claims for *kuleana* (fee-simple property rights) in 1847–1855 are listed in table 5.

Only one claim and award of a *kuleana* was cited along the southern coastal lands of Pālāwai. Registered Map 2227 covers a section of leeward Lāna'i, identifying *kuleana* and other fee-simple parcels of land in the region (fig. 5). The *kuleana* of Kanekelaia (*Helu* 10041) is cited in the Mānele Harbor area, with no other properties in the lowlands of Pālāwai.

The following are translations of various Land Commission documents. The first is

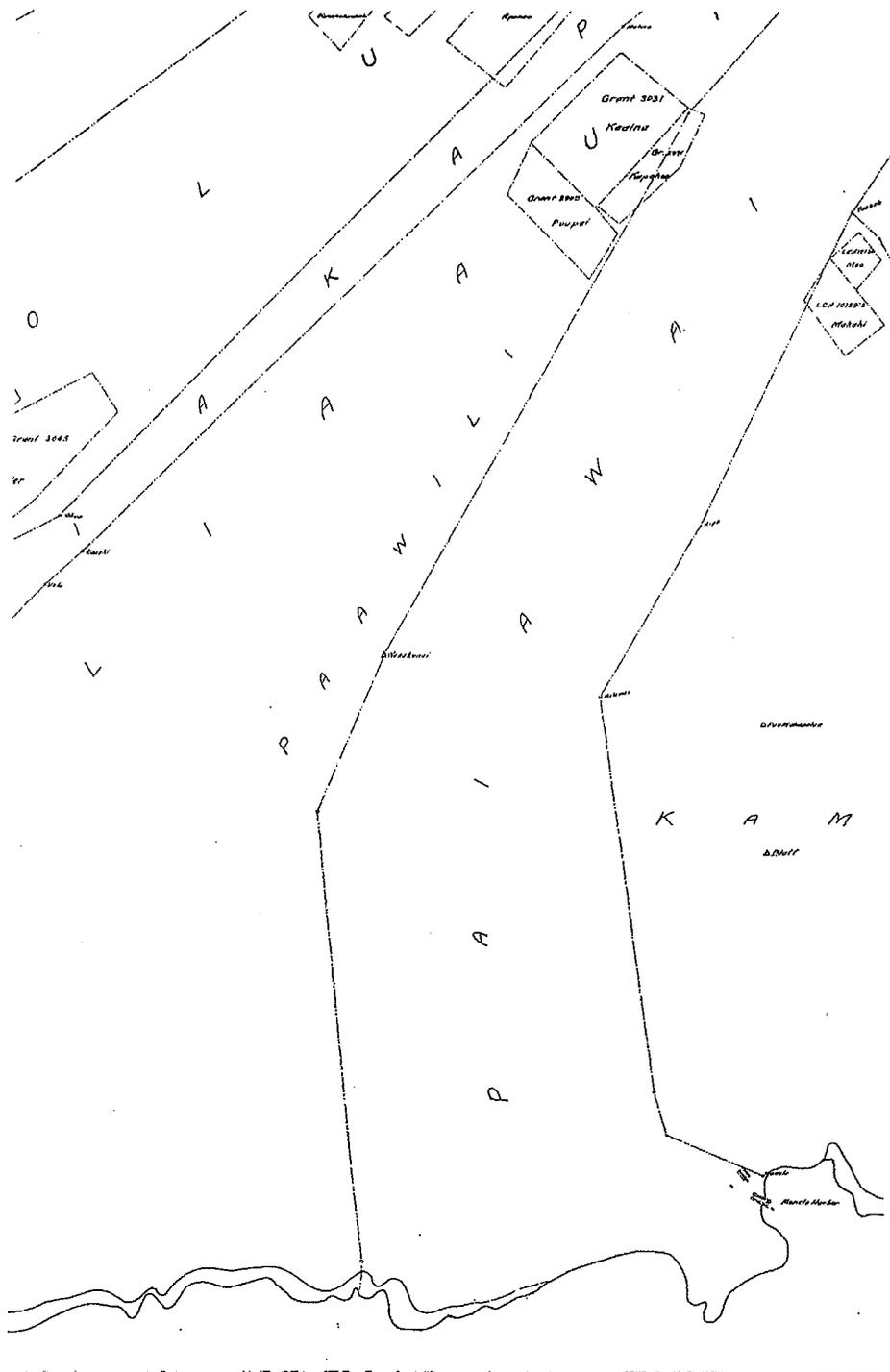


Figure 5: Portion of Registered Map 2227. F. E. Harvey, Surveyor, December 1903.

Table 5: Native tenants of Pālāwai Ahupua‘a

LCA Helu	Claimant	Ahupua‘a	‘Ili
4145	Kauihou	Palawai	Keomoku/Keomuku
6892	Kaunele	Palawai	—
6893	(Kuaokaulu) Kuakaulu	Palawai	Paiwi
10025	Kaneakua	Palawai	Moouli
10038	Kaiole	Palawai	—
10040	Pohano	Palawai	Palawai
10041	Kanekeleia	Palawai	Palawai, Manele
10042	Nakalo	Palawai	—
10044	Kapahoa	Palawai	—
10045	Haalu	Palawai	—
10046	Nalei	Palawai	—
10058	Kaunele	Palawai	Kaa loko, Kaa kai
11216	M. Kekauonohi	Palawai	Ahupuaa

from the Native Register. It is from the claimants on Lāna‘i and describes the land to which they stake claim. Reproductions of the original document are included as figures 6 and 7.

Aloha to you Commissioners who Quiet Land Claims of the Hawaiian Kingdom. We hereby petition to enter our claims on the Island of Lanai.

Here are our claims — moo (planting parcel) lands; kula (open plains and planting) lands; the mountains; the wood, woods to be taken under the Konohiki; fishes, fishes to be taken under the Konohiki; the length is from the moana (open ocean) to the fishery of Kaholo; from one fishery to the other fishery. We are the people in the Ahupuaa of Palawai, Pawili, Kaunolu, Kalulu, Maunalei and Mahana. Here are our names:

Helu	Name	Helu	Name	Helu	Name
10024	Lono	10042	Nakalo	10025	Kaneakua
10043	Paele	10026	Papalua	10044	Kapahoa
10027	Nalimu	10045	Haalu	10028	Oawa
10046	Nalei	10029	Apolo (See O)	10047	Pauahi
10030	Napuulu	10048	Haole	10031	Palaa
10049	Moo	10032	Pakele (See O)	10050	Wailaia
10033	Kaia	10051	Kalamau	10034	Nakuala
10052	Kuakaa	10035	Naehulua	10053	Kapuhi
10036	Paaoao	10054	Elikai	10037	Pamioa
10055	Kunea	10038	Kaiole	10056	Keaka
10039	Puupai	10057	Ohoe	10040	Pohano
10058	Kaunele (See O)	10041	Kanekeleia		

That is the end.¹¹

The next Land Commission document is from the Native Testimony. Kalehuamakanoe testifies that the description of the land of Kaliliaumoku in Pālāwai listed here is true. A reproduction of the original document is included as figure 8.

Kaliliaumoku, Sworn. I know his Parcels of land at Palawai, Lanai. 2 Parcels of land in the ili below.

Par. 1 1 pauku (cultivated section) of uala, in the ili of Palawai.

Par. 2 1 Kahuahale (House site) and sweet potato garden in the ili of Manele.

Par. 1 The boundaries are thus. Mauka, land of Konohiki. Kamaiki, land of Makahi. Makai, land of Kaiole. Kaena, land of Konohiki.

Par. 2 The boundaries are thus, all about, land of Konohiki.

He received these Parcels of land from his parents in the time of Kamehameha I, and resided there peaceably till his death in the year 1848. He bequeathed these lands to Kauhi, his son, and he has held it since. No one has objected.

Kalehuamakanoe, Sworn. The words above are all true. That is what I know of his claim.¹²

This is from the *Māhele* Award Book. It gives the boundaries of Land Commission Award claim 10041 in Pālāwai. A reproduction of the original document is included as figure 9.

Parcel 1. In the distant uplands ... [metes and bounds] ... 10 Acres.

Parcel 2. Division 1. At the beach. Beginning at the cliff, Eastern corner, and running: Nor. 48° West 3.0 Chs. along the beach ... [metes and bounds] ... 7/10 Acre.

Parcel 2. Division 2. At the beach ... [metes and bounds] ... 1 1/10 Acres.¹³

Palapala Sila Nui (1855–1867): Royal Patent Grant Lands on Lānaʻi At the same time the *Māhele ʻĀina* was being undertaken, it was realized that many native tenants were not receiving lands claimed, or in the case of environmentally stressed areas, they were not able to claim adequate land areas to support their families. As a result, the king signed into law an act giving applicants the right to apply for larger tracts of land from the inventory of government lands set aside for the support of government operations.

On Lānaʻi, Pālāwai was held in fee-simple title by M. Kekauʻōnohi and her heirs, so no grants were awarded from the *ahupuaʻa*.

¹¹*Helu* 10041 (Recorded with *Helu* 10024), Kanekeleia (and Lono et al.), Palawai, Native Register 6:510–511, Lanai, February 12, 1848, translated by Maly.

¹²*Helu* 10041, Kanekeleia, Palawai, Native Testimony 13:279, translated by Maly.

¹³*Helu* 10041, Kanekeleia, Palawai, *Māhele* Award Book 7:271, July 26, 1853, translated by Maly.

10024 Lono ma Lanai Feb. 12, 1848

Alaha e hoku e ma Lono Lono
kuleana aino ma ke Oupuni Hawaii
ke hopeni aku nei ma hoku e hopeni
aku i ke maha kuleana ma ke
Oupuni o Lanai

Lanai. Eia ke maha o mau kuleana, he
mou mo iina, he mou kula, he kua-
hiwi, he laau malalo o ka laau a ma
komoiki, he ia malalo o ka ia a ma
komoiki, o ka loki mai ke moana mai
a hiki i ke kai i Kahalo, mai kea kai
a kea kai, he hopeni ma ke Oupuni
o Palawai, Puni o Kaunohi o
Kaula Mamala, Mahona Eia ma
ina o maha.

10024	Lono	10037	Panina	
10025	Komekela	10038	Koiake	
10026	Papaha	10039	Punika	
10027	Kalima	10040	Pohono	
10028	Oana	10041	Komekela	
See 0	10029	Ahala	10042	Kahalo
	10030	Kapaha	10043	Paele
	10031	Palaau	10044	Kapaha
See 0	10032	Pakela	10045	Kaala
	10033	Koia	10046	Kalei
	10034	Kahala	10047	Pauahi
	10035	Kahala	10048	Kaala
	10036	Panaa	10049	Mou

Figure 6: Page 1, Helu 10041, Kanekela (and Lono et al.), Pālāwai, Native Register 6:510-511, Lānaʻi, February 12, 1848.

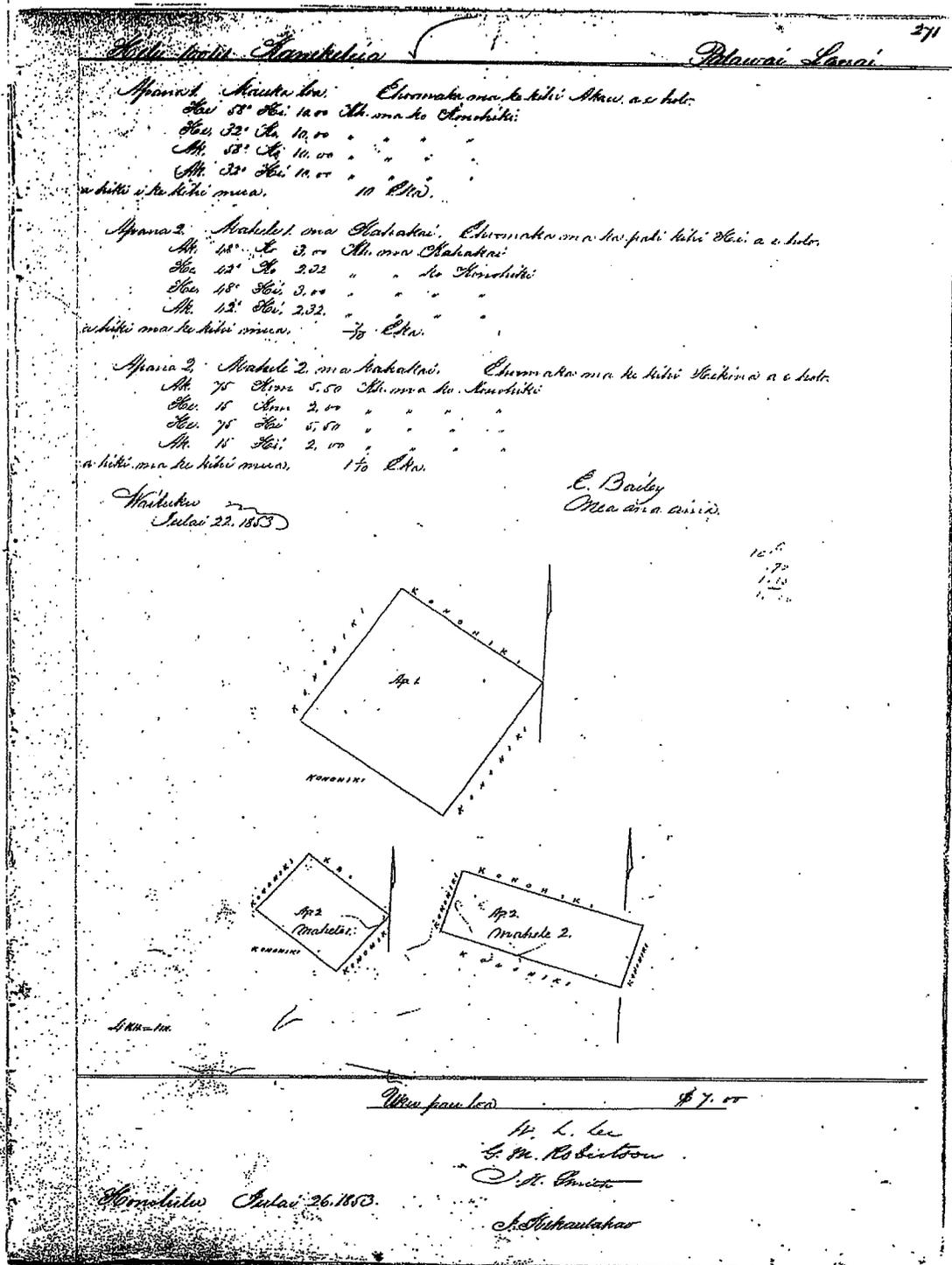


Figure 9: Helu 10041, Kanakeleia, Pālāwai, Māhele Award Book 7:271, July 26, 1853.

Transfer of Title in Kuleana Helu 10041 to Kanekeleia Research in the records of the Bureau of Conveyances provides us with further details on the transfer of the single *kuleana* parcel held in fee-simple title by a native tenant in the coastal region of Pālāwai Ahupua‘a. The award to Kanekeleia, situated on the shore of Mānele Landing, was first transferred in 1868. This first excerpted document transfers the land from the estate of Kanekeleia to John S. Gibson.

This Indenture made this twentieth day of December A.D. eighteen hundred and sixty _____ [eight] by and between Walter M. Gibson, Administrator of Estate of Kaneakeleia deceased of Island of Lanai H.I. of the first part, and John S. Gibson of Lanai H.I. of the second part. Witnesseth: That whereas on the 30th day of October A.D. 1868 the Honorable A.J. Lawrence Circuit Judge of the 2nd Judicial District H.I. made an order of that date authorizing and directing the said party of the first part to sell certain real property belonging to the estate of Kaneakeleia deceased, to wit, a certain kuleana on lot of land composed of three parcels situated in the ahupuaa or district of Palawai on the Island of Lanai H.I. at public auction and whereas under and by virtue of said order of Sale and pursuant to legal notices given thereof, the said party of the first part did on the 16th day of November A.D. 1868 in the town of Lahaina, Island of Maui H.I. offer for sale to the highest bidder the said kuleana parcels of land, and at such sale the said party of the second part became the purchaser thereof for the sum of Twenty five Dollars being the highest bid offered therefore. Now, therefore the said party of the first part pursuant to the order of the Honorable A.J. Lawrence sitting as aforesaid for and in consideration of the sum of twenty five dollars to him in hand paid by the party of the second part, the receipt of which is hereby acknowledged has granted, bargained and sold and by these presents does grant, bargain, sell and convey unto the said party of the second part his heirs and assigns forever all the right title and interest and estate of the said Kaneakeleia deceased in and to all that certain kuleana parcels of land being the same as described in Helu No. 10041 awarded by the Honorable Board of Commissioners to quiet land titles and comprising about eleven and seven-tenths acres. To have and to hold the same with all the rights privileges appurtenances and improvements to the same belonging unto the said John S. Gibson the party of the second part his heirs and assigns forever. In testimony whereof the said party of the first part has hereunto set his hand and seal the day and year first above written.

Walter M. Gibson,
Administrator of the Estate of Kaneakeleia.¹⁴

The following excerpted document deeds the land from John L. Gibson to Walter M. Gibson in 1876.

¹⁴W. M. Gibson, Administrator of the Estate of Kaneakeleia [Kanekeleia] to John S. Gibson, Deed, Conveying Land Commission Award No. 10041 to Kanekeleia at Palawai, December 20, 1868, Bureau of Conveyances, Liber 27, p. 453-454.

This Indenture made the Seventeenth day of July Eighteen hundred and seventy six. Between John L. Gibson of the Island of Lanai one of the Hawaiian Islands of the first part, and Walter M. Gibson of the same place of the second part: Witnesseth: That in consideration of the sum of Fifty dollars paid by the said Walter M. Gibson to the said John L. Gibson the receipt whereof is by the execution of this instrument acknowledged, he the said John L. Gibson doth hereby give, grant bargain sell and convey unto the said Walter M. Gibson and his heirs and assigns: All those three pieces of land situated at Palawai on said Island of Lanai containing about eleven acres, and eight tenths of an acre or thereabouts, being the same and all the lands described or referred to in Royal Patent No. 4767 dated the fourteenth of December eighteen hundred and fifty nine, issued to Kaneakeleia based upon Land Commission Award Kuleana Helu 10041, and being the same premises conveyed to said John L. Gibson by deed recorded in Liber 27 on pages 453 and 455 in the Office of the Registrar of Conveyances at Honolulu. Together with all tenements and improvements thereon; and all the estate and interest of the said John L. Gibson therein and thereto. To Have and to Hold the granted premises, with all the rights easements and appurtenances thereto belonging unto the said Walter M. Gibson and his heirs and assigns, to his and their own use and behoof for ever . . . In witness whereof the said John L. Gibson has hereunto set his hand and affixed his seal the day and year first above written.¹⁵

The following excerpt conveys the land from N. Keaweamahi and his wife Namohai to Annie N. Zablan, who is their daughter, in 1893.

This is a sales agreement, executed this 15th day of June, A.D. 1893, between Keaweamahi (k) of Kohala Akau, Island of Hawaii, of the first part, and Annie N. Zablan (w), of Lahaina, Island of Maui, of the second part. Witnesseth, that for the sum of One Dollar, given into the hands of the party of the first part, by the party of the second part, and out of love, being another of the reasons, as witnessed by this instrument. Having received the money in the hands of the party of the first, part, he therefore sells, gives, conveys to his own daughter, that is Annie N. Zablan, party of the second part, aforesaid, for herself, her heirs executors, and administrators for all time, those several parcels of land, being three pieces, situated at Palawai, Island of Lanai, containing a total of 11 8/10 Acres more or less; the said parcels of land being described in Royal Patent Number 4767, Kuleana Number 10041, in the name of Kanekeleia. The exact boundaries of the lands are given in the aforementioned Royal Patent.

All of the rights appertaining to these parcels of land, along with all things within and upon the land are conveyed together to the party of the second part, her administrators, executors, heirs, and assigns for all time. Witnesseth that the authority of the party of the first part to enter into this agreement, is

¹⁵John L. Gibson to Walter M. Gibson, Deed, Conveying Land Commission Award No. 10041 to Kanekeleia at Palawai, July 17, 1876, Bureau of Conveyances, Liber 47, p. 49-50.

that the said party is the true grandson of the late Kanekelaia, the only living relative of Kanekelaia at this time. . .

I, Namohai, the lawfully wedded wife of the party of the first part, do hereby agree and consent to this conveyance by my husband.¹⁶

Boundary Commission Surveys and Testimonies Following the *Māhele 'Āina*, there was a growing movement to fence off land areas and control access to resources which native tenants had traditionally been allowed to use. By the 1860s, foreign land owners and business interests petitioned the Crown to have the boundaries of their respective lands—which were the foundation of plantation and ranching interests—settled. In 1862, the king appointed a Commission of Boundaries (the Boundary Commission), whose task was to collect traditional knowledge of place, pertaining to land boundaries and customary practices, and determine the most equitable boundaries of each *ahupua'a* that had been awarded to *ali'i*, *konohiki*, and foreigners during the *Māhele*. The commission proceedings were conducted under the courts and as formal actions under the law. As the commissioners on the various islands undertook their work, the kingdom hired or contracted surveyors to begin the surveys, and in 1874, the Commissioners of Boundaries were authorized to certify the boundaries for lands brought before them.¹⁷

Primary records in this collection from Lāna'i were recorded from 1876 to 1891. The records include testimonies of elder *kama'āina* who were either recipients of *kuleana* in the *Māhele*, holders of Royal Patent Land Grants on the island, or who were the direct descendants of the original fee-simple title holders, as recorded by the surveyors/commissioners. The resulting documentation covers descriptions of the land, extending from ocean fisheries to the mountain peaks, and also describe traditional practices; land use; changes in the landscape witnessed over the informants' lifetime; and various cultural features across the land.

The native witnesses usually spoke in Hawaiian, and in some instances, their testimony was translated into English and transcribed as the proceedings occurred. Other testimonies from Lāna'i have remained in Hawaiian, untranslated, until development of a manuscript for the Lāna'i Culture & Heritage Center.¹⁸ Translations of the Hawaiian-language texts below were prepared by Kepā Maly. The descriptions and certificates of boundaries for the *ahupua'a* of Pālāwai are cited, which includes citation from Keālia Aupuni and Kama'o which bound Pālāwai.

A list of place names cited in the Boundary Commission/Survey records for Pālāwai Ahupua'a and adjoining lands includes 20 names. The list also includes notes on characteristics or features of the locality (where located) and translations of the place names when known—literal (lit.) or interpretive (int.) based upon local knowledge of place.

Place Names of the Pālāwai Ahupua'a Cited in Boundary Commission Surveys

¹⁶N. Keaweamahi & Namohai to Annie N. Zablan, Deed, Conveying the lands of Land Commission Award No. 10041 to Kanekelaia at Palawai, June 15, 1893, Bureau of Conveyances, Liber 141, p. 290-291; Maly, translator.

¹⁷W. D. Alexander in *Thrum's Hawaiian Annual*, 1891:117-118.

¹⁸See <http://www.lanaichc.org>.

- 'Eho'ehonui** Site of some large rocks in a hollow on the boundary between Pālāwai and Keālia Aupuni Ahupua'a. Lit. large pile of stones.
- Ha'alele Pa'akai** One of two main summit peaks of Lāna'i Hale. A water hole in the mountain ridges called Ha'alele Pa'akai. Lit. salt discarded or set aside.
- Kaupakuea** Small ravine that marks boundary between Pālāwai and Kama'o Ahupua'a in Mānele Bay. Lit. ridge pole of a house.
- Ke'a'akū** A small ravine below Kapano and above the edge of Pālāwai Crater. A boundary point along Kamoku and Kalulu. Lit. the brave, upright one (interpretive).
- Lae Pa'akai** A large pile of stones on the shore boundary between Keālia Aupuni and Pālāwai. This was an area used for salt making in traditional times. Lit. salt point.
- Mānele** Ancient canoe landing and harbor crossed by the boundary between Pālāwai and Kama'o Ahupua'a. Lit. litter or chair.
- Pālāwai** An *ahupua'a* that crosses the island of Lāna'i, comprising 5,897.1 ac. Name also given to the crater that forms the central basin of the island. Lit. freshwater moss.
- Paliako'e** A gulch where the *ahupua'a* of Kama'o, Kaohai, and Pālāwai meet. Lit. cliff of the tropic bird.
- Palikea** Area on the eastern side of the ravine that marks the boundary between Pālāwai and Kama'o Ahupuaa. Lit. white cliff.
- Pāwili** An *ahupua'a* of Lāna'i comprising 1,785.8 ac. Its primary land is situated on the windward side of the island, though there is a detached *lele* that extends into Pālāwai Crater along the boundary of Keālia Aupuni and Pālāwai. The *lele* does not extend to the sea on the leeward side. Lit. blow and twist. The name is descriptive of the buffeting winds.
- Pu'u Pehe** Islet and cove on leeward coast of Pālāwai Ahupua'a. Lit. hill of Pehe.
- Waiaka'iole** A gulch that forms part of the boundary between Pālāwai and Keālia Aupuni. Lit. spring of the rat.
- Waiakeakuaiki** Spring and branch of a gulch that runs from Kaohai into Pālāwai Ahupuaa. Lit. smaller section of the water of the gods.
- Waiakeakuanui** Spring and branch of a gulch that runs from Kaohai into Pālāwai Ahupuaa. Lit. larger section of the water of the gods.
- Wai'ōpae** Boundary between Pālāwai and Pāwili Ahupuaa, on the windward shore of Lāna'i. Lit. spring of shrimp.
- Waiapa'a** A gulch that adjoins Waiaka'iole and forms a lower part of the Pālāwai-Keālia Aupuni boundary. The principal watering place of the region. Lit. steady spring.
- Waikeke'e** A part of the gulch below Waiapaa and Koi, which drains into the crater. Lit. twisted water.

Surveyor Communications and Certificate of Boundaries The following are excerpts from the notes of W. D. Alexander, who worked for the Boundary Commission. The notes, dated 1875-76, give boundary information collected from *kama'āina*.

At Halepalaoa March 28th, '76.

Hoa, an old Kamaaina states that the boundary between Kaohai and Paawili begins at the inlet of the sea a little south of the Church, & thence follows the bottom of the kahawai to the top of the mountain.

Kaumalapau & Kalama are both Ilis of Kamoku. Three lands run across from sea to sea, viz., Palawai, Kalulu, & Kaunolu.

Kalulu includes most of the mountain ridge, i.e., wherein the ua'u birds were found in ancient times.

Bearings with Prismatic Compass

Lahaina Mill, 61°

E end Molokai, 5°

Haleakala Sta., 88°

Kahoolawe, 129 ¾°

Trend of Shore to Northward, 319°

Red Hill inland, 249°. ¹⁹

Palawai

According to Kaka's testimony, the North boundary of Palawai crosses the mountain at its highest point & descends a precipitous ridge into the Waiakirole [Waiakairole] gulch which it follows down, meeting first the Waiapaa gulch on the north which contains the principle watering place, below the junction being called the Koi gulch, and then near the edge of the terrace (where it debauches into the crater), the Waikekee gulch, both belonging to Kealia Kapu. A large rock on the N. side of the gulch at its entrance, & another a few yards south of the wall of a Kuleana, where Makalena set his compass, were pointed out.

Thence the north west line of Palawai runs straight across the crater to an old house site, near Puupai's house.

(Here Kaka's evidence closes)²⁰

Palawai

Kahikanaka, an honest old kamaaina, says the small Govt. land of Paawili adjoins Palawai in the crater, but does not extend any distance down the slope towards the sea.

From the last mentioned point the line turns more to the south along Kealia Aupuni, to some large rocks in a hollow, called Ehoehonui. Thence it follows this ravine over a mile in a straight line, but leaves it near the sea, where it (the ravine) makes a bend to the west, & continues in the same direction straight to certain rocks on the shore, at Lae Paakai. The island off Manele is called Puu Pehe.

¹⁹W. D. Alexander, LANAI (Memo.), 1875-76, Register Book No. 153, p. 14. Pages 1-13 in this book contain memos and maps of land holdings at Nu'uuanu, O'ahu. Lāna'i notes begin at page 14. Alexander also uses macron accents on certain place and people names as indicated in the citations here.

²⁰Ibid., p. 28.

The N.E. boundary of Palawai begins at the middle of the harbor a little north of the mouth of the Kaupakuea creek, runs west to the old road, & follows it up in a northerly direction along the west side of the ravine.²¹

Below is a letter from M. D. Monsarrat, a surveyor, to W. D. Alexander dated 1877. There is some description of Monsarrat's process, as well as the areas of Lāna'i which he has already surveyed.

Palawai, Lanai

Since writing my last letter I have found an old Kamaaina by the name of Pali who has been absent for some time. He gives his age at ninety nine and is pretty helpless as I had to lift him off and on his horse. I could not get him to come for less than two dollars a day but I think that he is worth it as he seems to be very honest. He puts Kamoku boundary the same as Keliihue and not wrongly as Papalua did.

I have surveyed Kaunolu boundary on this side of the mountain, also both sides of Palawai from the top of the mountain to the South wall of Palawai crater from there to the sea. I will leave until I return from the other side of the mountain, where I intend starting early Monday morning. Don't you think that I had better survey the boundary between the government land of Kamao and Kaohai which is very short and will survey with Paawili on the upper side of the island to Palawai form a survey of Kaohai. I have started to carry a set of triangles around from Puu Manu to Halepalaoa and find that it can be done with little effort and few triangles. When I was in Lahaina Mr. Gibson spoke of having me stop here and complete the survey of the island as he is very anxious for a map.

It is beginning to get very dry here and water scarce. Potatoes are also very scarce and expensive. Pai ai are a dollar apiece in Lahaina now having jumped from seventy five cents since I came over. Mika the cross eyed chap is very lazy and not worth anything. A few nights ago I slept in a cave at the beach while at work on Kaunolu and made Mika lead the pack telling him to follow us, but instead he wandered off and I had to send the other native after him & the consequence was that we did not have supper until 9 P.M. which is a long stretch from 7 A.M.

I spoke to him and asked him why he did not come along with us and he answered that he did not want to be following behind us. If I send him to set a flag he does it and then lays down and goes to sleep by it instead of returning to where we are at work. Kealaiki is a good man and works hard. I think that we will have a pretty hard time on the upper side of the island as food, water, & pasturage is scarce.

I would like you to send me by the first opportunity a kuleana book, also some of that chick fools cap for writing notes of survey in & some letter paper. I

²¹Ibid., p. 29-30.

would also like very much to have the Planimeter to work up areas with that is if you can possibly spare it.

As soon as I finish Kaunolu I will send you the notes of survey as the minister of interior is very anxious to get them. Mr. Gibson is going to start his men shearing at Palawai in a few day[s]. Hoping to hear from you soon. I remain yours...

P.S. Will you please send me half a yard or so of that unclotched drawing paper the 58 inch wide?²²

The following Boundary Commission document gives testimonies of the surveyor, Monsarrat, as well as the *kama'āina*, Pali.

Hooponopono Palena Aina a ke Komisina

Ma ka la 14 o Julai, A.D. 1877, ua waiho mai o Prof. W.D. Alexander he palapala noi i ke Komisina Palena Aina o Maui, no ka hooponopono ana i na palena o kahi mau aina i pau i ka Anaia o ka Mokupuni o Lanai. Oia hoi o "Palawai" no W.M. Gibson Esq. "Kaohai" no Ka Mea Kiekie R. Keelikolani; "Kalulu," "Kamoku," he mau Aina Lei Alii; "Kamao," "Kealia," "Pawili," & "Kaunolu," he mau Aina Aupuni.

Ma ka la 17 o Sepatemaba, A.D. 1877, ua noho ka Aha a ke Komisina e hoolohe no ke noi maluna'e. O M.D. Monsarrat (Hope Ana Aina Aupuni) ka mea i hiki mai ma ka aoao o ka mea noi. A no ka mea hoi nana no i Ana ia mau aina apau. A ua hoomana pu ia mai no hoi oia e Jno. O. Dominis e lawelawe imua o ke Komisina ma na mea e pili ana i na Aina Lei Alii ma Lanai. - Hoohikiia a olelo mai:

Na'u no i Ana keia mau aina a pau; ua hele pu au me na kamaaina ma na palena apau o keia mau Aina. A ua lokahi lakou apau, ua pono, a ua pololei ka'u ana ana. O Rev. N. Pali ko'u alakai nui nana i kuhikuhi, a ua make iho nei kekahi. No ka hiki ole

Decision of Boundaries by the Commission

On the 14th day of June, A.D. 1877, Prof. W.D. Alexander, set before the Boundary Commissioner of Maui, an application to Certify the boundaries of several lands which have all been surveyed on the Island of Lanai. They being, "Palawai" of W.M. Gibson Esq. "Kaohai" of Her Highness R. Keelikolani; "Kalulu" and "Kamoku," Crown Lands; "Kamao," "Kealia," "Pawili," & "Kaunolu," Government Lands.

On the 17th day of September, A.D. 1877, the Commission convened to hear the above applications. M.D. Monsarrat (Assistant Government Surveyor) was present on behalf of the applicant. Also as the one who Surveyed all of the lands. Jno. O Dominis was authorized to bring the matter forward to the Commission by those adjoining the Crown Lands on Lanai.

Sworn and stated:

I surveyed all these lands; I went along all the boundaries of these lands with natives. They were all in agreement, My surveys are correct and true. Rev. N. Pali was my primary guide, he pointed out things, others have since passed away.

²²M. D. Monsarrat (Surveyor) to W. D. Alexander (Surveyor General), June 2, 1877, Hawai'i State Archives, DAGS 6 Box 1 - Survey.

ana mai o Pali i keia la, ua hoopono ka Aha a hiki mai oia noho hou.

Ma ka la 30 o Sepatemaba 1877, ua hiki mai o Pali, a ua noho hou ka Aha. Hoohikiia o Pali a olelo mai:

O Pali au, he kamaaina au no Lanai, na ko'u mau makua i kuhikuhi mai ia'u. A no ko'u noho konohiki ana hoi malalo o Kauikeaouli maopopo loa ia'u na palena. Noho Konohiki au no "Kalulu," "Kamoku." He mau aina Aupuni o Kamao, Kealia, Pawili, ame Kaunolu. Maopopo loa ia'u.¹

Because Pali did not arrive this day, the Commission moved Await his arrival before reconvening.

On the 30th day of September, 1877, Pali arrived, and The Commission reconvened. Pali Sworn and stated:

I am Pali.

I am a native of Lanai, my parents pointed them (the boundaries) out to me. And as a result of my having been Land overseer under Kauikeaouli, the boundaries are known to me. I was the Konohiki of "Kalulu" and "Kamoku." Kamao, Kealia, Pawili, and Kaunolu are Government lands. I know them well.²

1 Palawai Ahupuaa, Island of Lanai, Boundary Commission Volume No. 1, p. 108-110, No. 34, Keena Kiaaina o Maui, Lahaina, September 17, 1877.

2 Trans. by Maly.

Survey of Pālāwai, Lāna'i, Property of W. M. Gibson The following are the metes and bounds of the property of W. M. Gibson at Pālāwai as determined by the Boundary Commission.

Commencing at a concrete post (the same being the point of Commencement of "Kamao" survey) at the seashore near the middle of "Manele" Harbor, the boundary runs:

1. N 67° 55' W true 1940 feet along Kamao to a stone on the West side of the road marked with a cross. Thence,
2. N 16° 30' West true 850 feet along Kamao up road to stone on East side of same marked with a cross.
3. N 8° 17' W true 7440 feet along Kamao up road to a stone in road marked with a cross.
4. N 29° 55' E true 3750 feet along Kamao to a red wood post on South edge of Palawai Crater and 300 feet West of an old stone sheep pen.
5. N 25° 3' E true 6515.5 feet along Kamao across Palawai crater to a large rock marked with a cross at the mouth of "Paliakoe" gulch.
6. Thence along Kaohai up bottom of said gulch and the West branch of same to a stone marked thus Y; and from said stone up West bank to a rock on edge of gulch marked with a cross. The traverse from the large rock at mouth of gulch is as follows: 1 N 33° 37' E true 3169 feet to point on West bank. 2 N 61° 52' E true 1877 feet to rock marked with cross. Thence
7. N 12° 17' E true 1755 feet along Kaohai to the top of a red hill.

8. N 41° 57' E true 1290 feet along Kaohai to a concrete post at a place called "Haalele Paakai." Thence
9. N 40° 40' E true 1470 feet along Paawili to head of a large gulch. Thence
10. N 56° 29' E true 6427 feet along Paawili down bottom of above mentioned gulch to a red wood post on a prominent red bluff on North side of gulch. Thence
11. N 54° 22' E true 12997 feet along Paawili down ridge and across gulch near its mouth to a red wood post at seashore at a place called "Waiopae." Thence
12. N 33° 50' W true 1727 feet along seashore.
13. N 50° 25' W true 1770.5 feet along seashore.
14. N 27° 21' W true 2549.5 feet along seashore.
15. N 48° 31' W true 2888 feet along seashore to a red wood post on shore. Thence
16. S 37° 9' W true 10808 feet along Kaunolu up ridge to a red wood post on the top of a red hill.
17. S 48° 12' W true 6071 feet along Kaunolu up ridge and across a small gulch and up another ridge to a red wood post. Thence
18. S 30° 33' W true 1564 feet along Kaunolu up a path that follows up ridge to a red wood post. Thence
19. S 1° 30' W true 4425 feet along Kaunolu across the large gulch of Palawai to the highest point of the Island. Thence
20. S 71° 12' W true 1675 feet along Paawili down ridge to two Tri. pits dug at end of ridge.
21. Thence along Pawili the boundary strikes down to the bottom of the "Waiakiole" [Waiakiole] gulch (which gulch is the first branch to the East of the "Waiapaa" gulch, said gulch (Waiapaa) being called at its mouth the "Waikekee") to a large rock in the upper part of Grant 2971 to Kapahoa. Said rock being situated a few feet from a large Kukui tree and marked with a cross. The traverse down the gulch from the Triangular pits; being as follows:
 - a) S 57° 25' W true 3939 feet to two Triangular pits on the east side of the gulch at bend.
 - b) S 41° 58' W true 3020 feet to above mentioned large rock. Thence
22. S 28° 32' W true 11633 feet along Pawili (passing around the East side of the above mentioned Grant) and across Palawai crater to a rock marked with a cross on the South edge of crater at an old house site near a large straw house owned by Puupai. Thence
23. S 22° 50' W true 3150 feet along Kealia Aupuni to a cross cut in a large rock amongst a lot of rocks in a hollow called "Ehoehonui."
24. S 5° 58' E true 6671.8 feet along Kealia Aupuni following down ravine for some ways but leaving it near the sea; where it (the ravine) makes a bend to the West and the boundary continues straight to some stones, one of which being marked with a cross.

25. S 6° 6' E true 1779 feet along Kealia Aupuni to a large pile of stones at seashore at a place called "Lae Paakai."
26. Thence along seashore to point of Commencement. The traverse along the shore being as follows:
 1. S 82° 48' E true 6575 feet to Manele Point.
 2. N 20° 1' E true 2301 feet.
 3. N 22° 37' E true 292 feet to Commencement.

Area 5897.1 Acres [fig. 10]

Surveyed by

M.D. Monsarrat,

Assistant Hawaiian Government Survey

Lanai, June 1877. [p. 108-110]

Below is a document certifying the boundaries determined by the Boundary Commission through the survey of Monsarrat.

Olelo Hooholo

Ke hooholo nei au. O na palena o na aina apau ma Lanai i anaia e M.D. Monsarrat, oia hoi o "Palawai" no W.M. Gibson, "Kaohai" no ka Mea Kiekie R. Keelikolani, "Kalulu" a me "Kamoku" he mau aina Lei Alii ame "Kamao," "Kealia," "Pawili" & "Kaunolu" he mau aina Aupuni, e like me na ana pakahi i hoikeia maloko nei, ua pono a ua pololei.

Kakauia ma Lahaina i keia la 30 o Sept. 1877.

Komisina P. A. Apana Elua, ko H. P. A.¹

Decision

I hereby move. The boundaries of all the lands on Lanai, surveyed by M.D. Monsarrat, they being, "Palawai" of W.M. Gibson, "Kaohai" of Her Highness, R. Keelikolani, "Kalulu" and "Kamoku" Crown Lands, and "Kamao," "Kealia" [Aupuni], "Pawili" & "Kaunolu," being Government lands, as uniformly surveyed and given within, are right and correct.

Signed at Lahaina, this 30th day of Sept. 1877.

Commissioner L.B. [Land Boundaries],
Second District, of the H.I. [Hawaiian Islands].²

¹ Boundary Commission Volume No. 1, Palawai Ahupua'a, Island of Lanai, p. 113.

² Trans. by Maly.

2.2.3 A Brief History of the Development of the Mānele Road on Lāna'i

The road from Mānele Harbor to the uplands of Pālāwai on the island of Lāna'i is an adaptation from the ancient foot trail that was established in the centuries prior to western Contact with the Hawaiian Islands. The Mānele trail, and later the historic road alignment, connected the *ahupua'a* of Pālāwai, in which most of Mānele Harbor sits, with the major trail that rises out of Ka'ōhai Ahupua'a, and the major trail system across Lāna'i.

By 1847, King Kamehameha III promulgated a law establishing the "Alamui Aupuni" (Kingdom/Government Road) system. Beginning in the mid-1850s, native and foreign

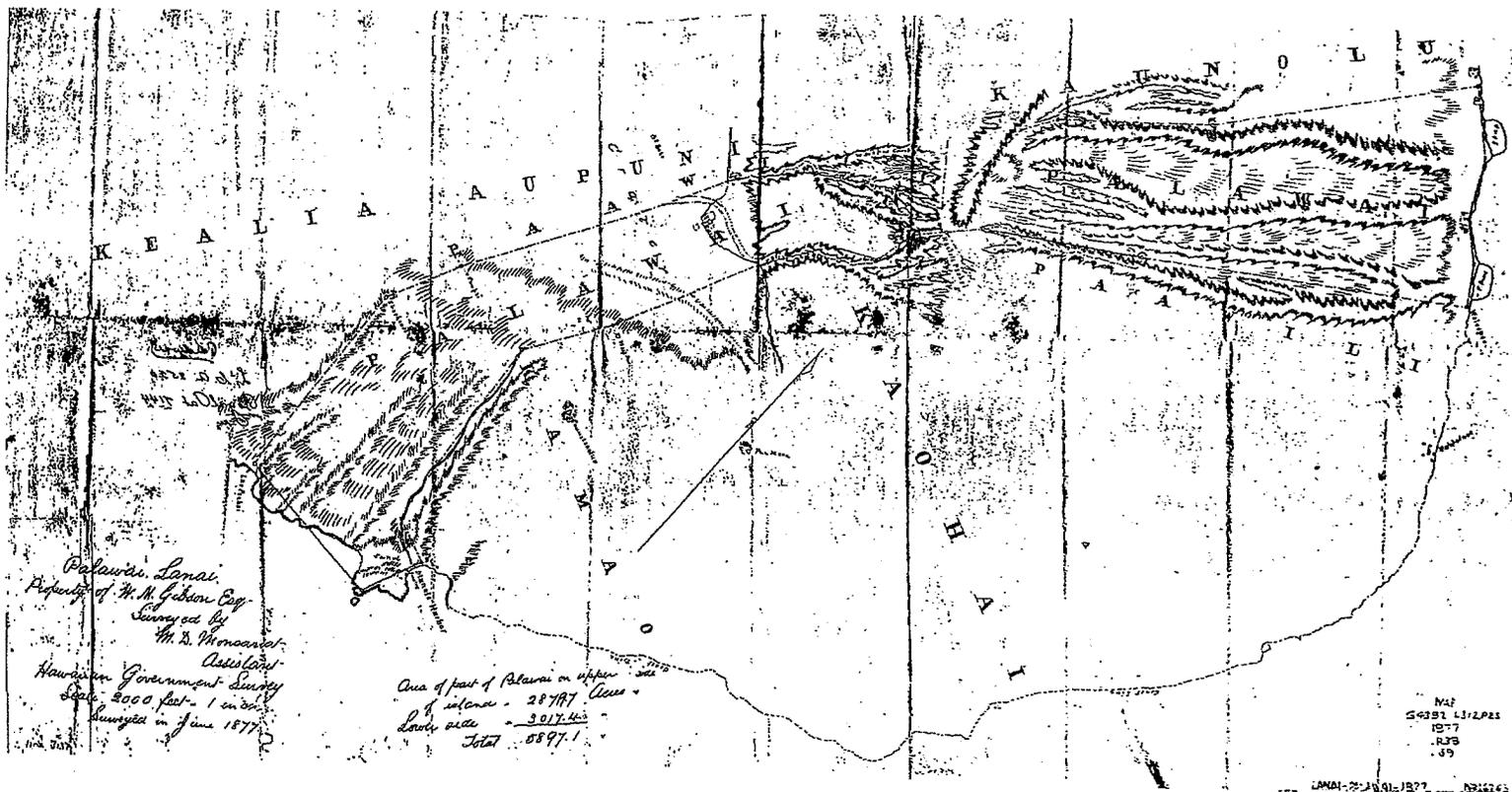


Figure 10: Map of Pālāwai Ahupua'a, surveyed for Walter Murray Gibson in 1877.

residents of Lānaʻi began documenting in written form, government and community public service efforts in developing a roadway that would facilitate not only foot traffic, but also cart/wagon traffic.

The earliest communication found to date was penned in 1854, which identifies native resident Kaaina as the “Road Supervisor” for Lānaʻi. Kaaina reported that public labor of 148 residents over the period of 36 days had been completed on the roads at “(1) Paomai; (2) Maunalei; (3) Kaa; (4) Kaunolu; (5) Palawai; (6) Kaohai.” The Pālāwai and Kaʻōhai roads are directly associated with the Mānele Road, and all roads connected to form a circuit around much of the island.²³

In 1854, Mormon elders settled in Pālāwai Basin, and set about making the native trail into a road which could support horse and wagon traffic. Communications from Ephraim Green describe the early efforts at converting the native trail into a cart path (see p. 57).

In 1857-1858, the Mormon leaders were called back to Utah, and the road work ended. In 1862, Walter Murray Gibson reestablished a settlement on Lānaʻi and petitioned to the king for assistance with development of the road and boat landing at Mānele. Gibson’s petition included the following excerpts:

There is no road over which to carry our produce by wheeled conveyance; there is nothing but a dangerous bridle path through a wide belt of lava boulders, bound in the coast.

It would require a large community well organized, or large capital, or the aid of Government to overcome these difficulties to settlement. Single handed agriculturists could not subsist here.

An organization like the one I represent is qualified to overcome, these difficulties and make this waste territory a source of subsistence for thousands of Your Majesty’s native subjects.

We would if in possession of the land make a good wagon road to the coast. We would also construct wells, and substantial cisterns; or even reservoirs for purposes of irrigation. We have constructed some small cisterns for domestic use.

Furthermore we would construct a slip at the roadstead of Manele suitable for the safe mooring of one or more coasting craft.²⁴

By 1869, John L. Gibson, son of W. M. Gibson, was appointed road supervisor and offered the following comments on labor needs of the Mānele Road:

I propose to make a good cart road from Manele Bay to the top of the ridge entering into Palawai Valley as condition at this time is like that of the bed of a mountain torrent. The best that could be done heretofore with the few days of labor devoted to road work, was merely to throw stones out of the way and throw in a little dirt which is washed away by the first rain. I propose

²³Hawaii State Archives, December 14, 1854, ID Misc. Bx. 146.

²⁴Hawaii State Archives, July 16, 1862, Series U-178, Box 1, 1847-1864.

to make an easy grade up this most important road of the island, which is constantly used by the most of His Majesty's subjects resident upon the island. I wish to make a small bridge across a wash or gulch, the timber for which I hope the Department will supply for the use of the road outside of the money appropriation. I subjoin a list of timber, and certain utensils needed.

The whole of the appropriation mentioned by you \$300. will be needed for labor to make a good cart road to Manele, the only one upon which my freight is carried. The larger portion of His Majesty's subjects live Mauka and use this road. The smaller portion who reside on the N.E. beach, who are chiefly fishermen, have only a trade intercourse with Lahaina by boats and canoes, of course a good road to Manele will greatly benefit my father's estate, who has however increased the report of the island from nothing to quite a respectable figure, and he proposes to supplement with his own means the aid rendered by the Government in working this road.²⁵

In late 1869, John Gibson received permission to commence work on the road between Pālāwai Basin and the Mānele Landing. Gibson wrote

As I am about to commence to make the Roads on the Island of Lanai and the Manele Road is very bad and as it is the Road that is most used and wanted as all the People on that part of the Island have to travel and take their produce over it to get it to market, and as there is not labor enough to put it in repair. Therefore if you would be so kind as to send me the money you promised me when I was at Honolulu so that I can go on, and put the road in repair. I should be very glad as it is needed very much and would be of great benefit to the people if you will send me the money I will expend it to the best advantage and report to you, it will not be of much use to commence on the Road with the Labor I have unless I have Some assistance from you.²⁶

By May 28, 1870, it was reported that

Much work has been done on the Manele Government road, and is now a tolerable good wagon road from the beach up to the rim of the Palawai Valley; but not yet finished.²⁷

An inspection of the road in 1871 resulted in the following statements:

I have visited Lanai and examined the road which leads from Gibson's place to the landing at Manele, the road is in my estimation a very passable one, a good deal of hard labor must have been expended to make it so, especially in removing large masses of stones; a cart may now be driven from any part of the upland to the landing at Manele which would have been almost impassible before the making of this road.²⁸

²⁵Hawaii State Archives, March 22, 1869, ID Lands.

²⁶Hawaii State Archives, November 3, 1869, ID Lands.

²⁷Hawaii State Archives, ID Roads.

²⁸Hawaii State Archives, August 26, 1871, ID Roads.

The alignment of this road is still visible at points along the existing paved road (Highway 440).

In 1877, a full survey of the island of Lānaʻi was undertaken, and at that time the major “Alanui Aupuni” or “Government Roads” were included on the resulting map (fig. 11).

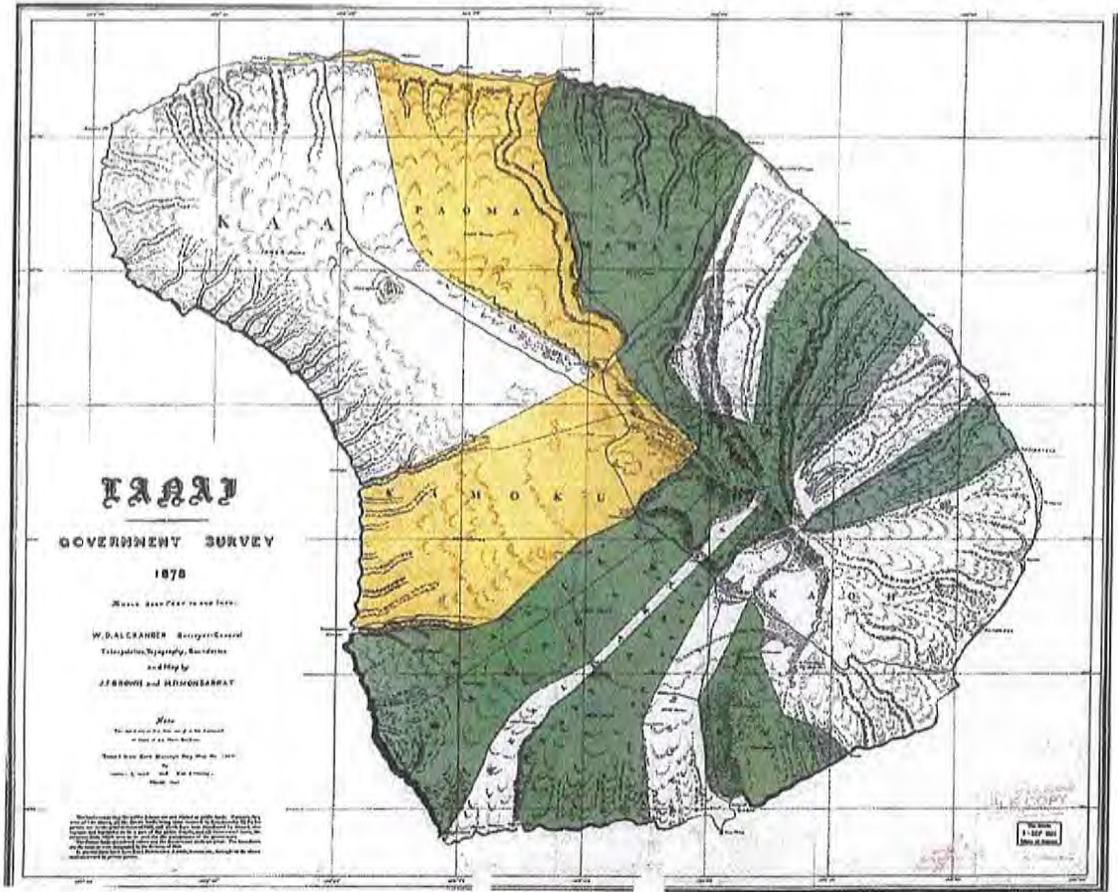


Figure 11: “Lanai,” Government Survey, 1878. Registered Map 1394.

It appears that after 1880, little or no work on the road was done again until 1915–1920, when Charles Gay and family began efforts in delivery of crops and livestock to the Mānele Landing for shipping off island. In 1921–1922, Bishop Museum archaeologist Kenneth Emory spent a total of about seven months on Lānaʻi documenting facets of the island’s native history and cultural landscape. Among Emory’s journal letters is an account of a trip on the Mānele Road:

At breakfast a trip was planned for a swim at Manele beach, as Hector had to go down to resurrect a baulky Ford ... We bumped down to Manele landing in 40 minutes ... It was sweltering hot; the sands burned under our feet. We cooled off in the green waves. The surf washing on the beach was right for

body surfing. This beach will compare with Nanakuli or Makaha beaches on Oahu ... then we were off. But around the first bend was Okada and the Ford in a helpless condition. We shoved her off the road to let our Ford pass. Okada joined us.²⁹

Emory photographed the Ford that was driven by Okada, pulled off to the side of Mānele Road, with the cliff of Kalaeokahano in the background (fig. 12).



Figure 12: Okada's Ford pulled off to the side of Mānele Road in 1921 (Kenneth Emory Collection).

Following the Dole acquisition of Lāna'i in 1922, development of major road accesses occurred. In 1923, it was reported that seven miles of road between Kaumālapa'u and Lāna'i City had been paved with asphalt. Most of the roadways were dirt or gravel filled, and by 1938, the plantation and County of Maui were engaged in programs of paving and dedicating roads on Lāna'i.³⁰

By the 1940s, the Mānele Landing had become a popular place with plantation families. The Hawaiian Pineapple Company had built several beach houses which families could use for gatherings, and the old breakwater, built by the 1870s, still provided enough protection in the little bay to allow for small fishing boat storage. A 1954 photo from the collection of William G. Munro depicts Mānele landing with the dirt road running upslope towards the Pālāwai Basin (fig. 13). The road was paved by ca. 1960, and over the years sections of it were realigned to minimize where possible the number of bends and curves. Much of the present alignment has been in use for more than 30 years.

2.2.4 The Pālāwai "Experiment" — A Mormon Mission Settles: The City of Joseph in the Valley of Ephraim

On October 17, 1853, a special committee of the lead Mormon elders stationed in the Hawaiian Islands made a trip to Lāna'i to inspect the *ahupua'a* of Pālāwai, which belonged to the chief Levi Ha'alelea, who inherited the *ahupua'a* from his wife, High Chiefess M. Kekau'ōnohi; Kekau'ōnohi received the land during the Land Division with the king. On November 2, 1853, the committee reported back to Brigham Young in Utah, that

²⁹K. Emory, Sunday, July 31, 1921, from collection of Bernice Pauahi Bishop Museum.

³⁰*Maui News*, March 30, 1938, p. 1, c. 6.



Figure 13: Aerial view of Mānele Harbor in 1954 with early county road alignment from shore to uplands. Courtesy of William and Jean Munro, No. WGM 13.

They found the place well adapted in many respects for this purpose, the soil being good, the situation a central one and having ready intercourse with the two principal markets, Honolulu and Lahaina, and sufficiently isolated to be comparatively free from the surrounding evil influences.

On July 25 and 26, 1854, the foreign and Hawaiian “Saints” met in conference at Wailuku, Maui to review the report of the land committee, and take action on the recommendations tendered. Brother Reddin A. Allred reported that Lāna‘i was selected the gathering place—setting in motion plans for the “experiment.” Allred also reported that Levi Ha‘alelea was friendly towards the Mormon brethren, and granted them a four to five year lease (unrecorded) of his land on Lāna‘i, free of rent:

Wailuku, Maui; S. I.

Tues. July 25th, 1854.

Eld. Hammond then reported in favor of the committee for locating the saints; he said that the committee visited different islands but nothing definite had yet been accomplished; but the prospects was favorable, as Haalelea had offered his land on Lanai for four or five years free of charge, and bro. H. believed it a suitable place. Report of the committee received. Adjourned - to half past nine tomorrow.

Weds. 26th, July, 1854.

Conference convened at the hour appointed. Opened by singing and prayer. The report of the committee for obtaining a suitable for the gathering of the

saints was received, which was that Lanai was the most suitable place that could be obtained taking all things into consideration. The committee was then discharged leaving the matter in the hands of the Presidency.³¹

2.2.5 Residency at Pālāwai in the 1850s Described in the Journal of Ephraim Green—The Gathering Place on the Island of Lānaʻi

The Mormon elders kept journals of their residency in Pālāwai, and while their primary activities focused on the basin lands, in an area that they called the City of Joseph, in the Valley of Ephraim, many interesting facts and descriptions of the land were also recorded in their writings. The excerpts below are taken from the journal of Ephraim Green, and include notes on trips to the coastal lands of Pālāwai, development of the cart trail to the landing, and a description of the use of a native weed—based on the description, *'auhuhu* (*Tephrosia purpurea*)—in the stunning and capture of fish along the shore.

Saturday 9th Sept/54.

This morning after I had got my breakfast, being somewhat lonesome, I concluded to take a walk down to the sea where the natives were a fishing. When I got there they were eating their dinner. I sat down to a fine broiled fish and some roasted potatoes. This was quite a luxury to me, I assure you, for I am very fond of fresh fish. *The natives had got a large bundle of weeds [auhuhu] pounded it up to poison the fish as large as a large pumpkin, and done up in leaves. One of these bundles a piece.* They then prepared to the sea and went to prayer. There was twenty of them besides swimming and children. They then each one took his Bundle of medicine and walked into the water up to their necks, then they began to scatter their fish bait. This weed operates on the fish the same as the gasses on any person, and they become stupid for a while, then they recover. As soon as the fish eats it, they will float on the top of the water and the natives will drive and catch them, and string them on a small cord, then they are ready for another. This fun lasted for two hours. When they came out they had caught nearly half a barrel. Some of them weighing over 5 pounds a peace. brethren returned to the house and they broiled me another fish. I then started for home. There was a canoe landed at the same time from Lahaina with the mail. I received two letters and the Deseret News, so ended this day.

Tuesday 3rd Oct/54.

This morning Bro. Hammond left for Maui. *I took my compass and commenced to lay out a town. I commenced at the little town at the foot of the mountain and laid out one street running south to the sea three miles to a fine little harbor where we land our boats. Here we intend to build a store house to leave our produce. I then laid out three more streets running the same direction, one mile to the foot of the Bench, with cross streets through the town into Blocks four*

³¹http://www.allredfamily.org/reddin_alexander_allred_twin.htm.

acres each with the streets four rods wide. This is a beautiful location for a town.

Saturday 10th March/55.

I have spent this day in company with Bro. Rice in hunting a place to make a road down to the sea that we can go down with the cart. This we found to be a difficult job without a great deal of expense. We returned nearly sundown having traveled nearly twenty miles over the rocks and among the bushes. I think that we shall have to work the road for pack animals this year.

The Protestant Mission in Lāhaina filed the following report on the Mormon endeavor in May 1855:

There is a Mormon priest at Lahaina who is a shoemaker by trade. When they commenced operations there, some years since, quite a number of the lowest class of the natives joined them—also three excommunicated persons of our chh. Those three soon left them in disgust. By the census, Dec. 1853, they numbered 77. I do not think they have half that number now. The priest does not practice according to his preaching; for he preaches the duty of taking a multiplicity of wives, while he says he has taken but one himself; for he says, his wife prefers, that he shd not marry another. He speaks of polygamy as a Christian duty, but once acknowledged, that some good Christian wives of the present generation found it a hard doctrine to submit to. A more perfect generation may come when it will be very easy.

For many reasons, the Mormons can never make much advance, with their peculiar system, unless they can form an independent community by themselves. Their customs run counter to the laws of every Christian nation, & therefore, in order to carry out their principles, they must have a secluded or independent location, in whh they can manage both chh & state. There is no doubt that they have searched for such a place on these islands. Whether they have pitched upon the spot I cannot say; but numbers of their priests have been over to Lanai, & they have hired a land there, of one of the chiefs. A few foreigners & perhaps natives have gone to live there; they have planted Irish potatoes whh the *peelua* has eaten up. I know not, that they have built even a grass hut; but they have begun to talk about *the City of Joseph*, in the valley of *Ephraim*.³²

2.3 Land of Paoma'i

A review of Hawaiian-language newspapers revealed a few passing references to Paoma'i and neighboring lands. The narratives include poetic descriptions of the land, resources, residents, and events in history. A few of the accounts also describe unfortunate events in which murders occurred in 1871 and 1892. Selected narratives follow below.

³²Report of Lahaina Station - May, 1855, D. Baldwin p. 6-7 (typed copy).

2.3.1 Travel through Paoma'i in 1869

The first narrative offers a description of the lands from Polihua to Honua'ula. A party had traveled through these areas in 1869.

[Polihua] — Kaulana keia wahi no ke nee o ka honu i uka, a hanau iloko o ke one a me ka pohuehue, aole nae hoi i hiki i ka wa hanau o ka honu, ina paha e hanau i na la hoi ua ike makou.

He wahi one palahalaha maikai keia, he pohopoho, a he loko kai kekahi; a wahi a ka lohe a kamaaina, aia ka ka ike ia Polihua a lei i ka manewanewa, o ko makou lele like iho la no hoi ia u-u e like me ka u-u ana i ka maile; i kau mai hoi ka hana i ka a-i, onaona launa ole mai i ke ala o ka hala o Panaewa, he ano like me ka rose ke ala, a o ka hao mai ia no ia kapalili ana ma kaha one.

He nani hemolele maikai ia hele ana mai, he pae wale no ia holona mai a kaa moku i ka pa a ka Maaa mahope, pono pono na peaheke, a hiki ana i Awalua. He nani okoa no hoi ia, he awa ku moku o kai, he mau hale maikai no e ku ana ma kapakai, i laila makou i inu iho ai i ka wai opuni o Puako i Hawaii, me ka haawi aku i ke aloha no lakou, ulele mai no a hehi ana ia Paomai a me Awili.

He mau aina nui keia mai kahakai a kuahiwi, kiola ae la makou ia mau aina i hope, holo aku no a hiki i Honuaula.

I laila ke keiki a ke aloha i noho ai o Mr. Palau, hookipa kela ia makou. He alihikaua oia no ua hana pono ma ke uhane ma ia Kihapai o ka Haku, a he alihikaua no hoi e alakaia ana i na wahi pulapula opio o koe malaila; a pau ka paina ana me ne poke hee, o ka hele ae la ia a liki toil [?] kapaia ka wahi a ka haole.³³

The translation of the above narrative follows.

[Polihua] — This place is famous for the movement of the turtles to the inland areas, and for their birthing in the sand and pohuehue. We were not there at the time of the birthing of the turtles, perhaps had we been there in those days we would have seen it.

This place is a fine, wide beach, with hallows and some salt ponds; and it is said by the natives, "It is known that you have seen Polihua, when you wear a lei of manewanewa." So we quickly went and stripped it, just like how you strip the maile. When we finished our work, we placed it upon our necks. Its fragrance is second to none, like the fragrant pandanus of Panaewa, also like the fragrance of a rose. Its fragrance is born across the sea beach.

It is beautiful beyond compare to travel here, and as we went on we felt the Maaa blowing behind us, causing the sails to billow, and we reached Awalua. There is a different beauty here, it is the boat harbor, and there are many good houses here along the shore. It is there that we drank the brackish water, which causes one's stomach to enlarge, as at Puako on Hawaii. Offering our aloha for the people there, we departed for Paomai and Awili.

³³"Naue ana e ike i ka mokupuni o Kaululaau," *Nupepa Kuokoa*, Januari 9, 1869, aoao 4.

These are large lands, from shore to mountain. Leaving these lands behind, we then went on to arrive at Honuaua.

There, the beloved child, Mr. Palau resides, and he welcomed us. He is a leader of the good work in the field of the Lord, and a leader of the young people who still remain there. When we finished our meal of raw octopus, we then continued on the way in toil, as the foreigner says...

The visitors then gave the left over water for the kind hospitality of Mr. Palau, and the other households, on the calm of the shore. Then mounting the horses to travel on.

2.3.2 Murder at Paoma'i

The excerpt below originates from a newspaper article which describes the unfortunate occurrence of a murder at Paoma'i.

We have received, at a late hour this morning, a letter from Lanai, which points pretty plainly to the fact that in March, 1870, a native named Palau³⁴ was murdered at Paomai, on that island. An inquest was recently held on certain remains found, resulting in a verdict that they were those of Palau, and that he came to his death by violence.³⁵

The following editorial, written on November 2, 1871, expands and speculates on the circumstances of Palau's murder.

Mr. Editor:—This quiet island has been lately the scene of a little excitement, and is trying to have its share in the carnival of disaster and crime now pervading the world. In March, 1870, a native, I. W. Palau, residing on Paomai, west end of the island, was suddenly missing. Some said he had perished whilst fishing and was not much sought for. After a while there were rumors of foul play, and suspicion attached to a certain family, the near neighbors of the lost one. On the 3d October last, the remains of I. W. Palau were found in a small cave, or hole, in a rocky ravine, near his late abode, and were immediately recognized by the clothing and other objects known to have belonged to Palau. It was plain to be seen that he had been done to death maliciously. Several bones were broken after the fashion of ancient Hawaiian bone-breakers, and heavy stones lay upon the bones in the cave.

An inquest was held upon the spot where the bones were found, Justice Solomona Kahoohalahala acting as coroner, and after a careful investigation and examination of witnesses during three days, the jury unanimously agreed upon a verdict that I. W. Palau had come to his death by blows from some heavy instrument in the hands of some person unknown to the jury. But the

³⁴Palau is the gentleman referenced in the previous narrative as the host at Paoma'i of the party that visited the island in 1869.

³⁵"Murder on Lanai," *Pacific Commercial Advertiser*, November 4, 1871, p. 3.

suspicion of every native on the island fastens on certain parties, a father and son. The wife of Palau and another witness confessed that they, with these suspected parties, were participants in a large theft of sheep from a foreigner, Mr. Gibson. They stole several hundreds, burying numbers which were branded, and which they could not dispose of. Palau was acquainted with the theft and threatened exposure. He was a stranger on the island, reputed to be a steady church-goer and honest man, and was aggrieved at the villainies of many of the islanders.

This is the fourth death on this island in seven years, accompanied with suspicions of foul play. A jury, a few years ago, decided that a woman, Mahaoe, had been stabbed to death. Some reward ought to be offered by the Government in order to induce the natives to testify. There are many, no doubt, who know the guilty parties.³⁶

2.3.3 A Sightseeing Journey in 1872

The narrative below was written by S. A. Kanakeawe from Waialua, Molokai on September 9, 1872 and recounts a sightseeing journey on Lānaʻi.

E ka Nupepa Kuokoa e;

Aloha oe:— Would you and your associates grant space for this explanation of some of the famous places of Lanai so that our many friends from Hawaii to Kauai might know of them, should they come to visit Lanai. [Having landed at Awalua] They are thus:

From Awalua, Polihua is west, and from Awalua, Keahiakawelo is south. West of there is Nalehua o Kapoai and the lehua grove of Malulani. Then beginning from Keahiakawelo going to the southeast, you arrive next at Kanepuu. To the east of Kanepuu is Hoopulapulamoā, then the kula (open lands) of Kaa. From here, one may then see to Kihamanienie, and the valley cliffs of Kaiholena. Traveling from Hoopulapulamoā on the kula of Kaa, there are two pili thatched houses along the side of the trail. That is Kukuikahi, and from there you go straight to the residence of Holokahiki. You may then ask Holokahiki about the trail that ascends to Kaiholena, where the fresh water spring of those who resided at Palawai, Kealii and Pulehulua, Kihamanienie, Kiekie, Nininiwai. That is the water for bathing and where their horses are watered. . .

[Departing from Maunalei Valley, traveling along the coast of Mahana]

Then you come to Kahokunui, where there are two houses. Then comes the kula of Kaiolohia. At the time of this journey, there are not many houses here. At Kahaulehale there is one house and at Kahue, there are two houses. At Honuaula there are six houses, and at Paomai there is one house. Now you have encircled Lanai. So that is the news of the country folk here, for those young people in the town of Honolulu who are interested in the various places of these 12 islands.

³⁶“Letter from Lanai - Supposed Murder,” *Pacific Commercial Advertiser*, November 11, 1871, p. 3.

This is a good land, the natives help the visitors who pass by on horse. So we give our warm aloha to Kamai, Hao, Palau, Iosepa and Naeole for their help offered to us, with the horses, and to those who welcomed us, Holokahiki, Lapaki, Ohua and Kekawewe. I now return to Molokai to rest at Kawela. Aloha to you.³⁷

2.3.4 *Kanikau* for Maea

The following is a *kanikau*, which laments a loved one who has passed on. Some places of Lānaʻi are mentioned, which suggests the departed one had resided at or frequented these places.

Ua hala kuu lani, kuu mea minamina, he wahine i ke ala hoi ole mai... Ua make o Maea i ka la 12 o Novemaba, 1880 ma Kuloloia, Honolulu, Oahu... Aloha ino...

... He kanikau he aloha keia nou e Maea
Kuu kupuna wahine mai ka hono ona moku
Mai ka makani hulilua o ka aina
E wehe ana i ka lau o ka ulu...
Kuu kupuna wahine i ke kaha o Paomai
E nana ana i ke one o Polihua
E kahiko ana i na lehua o Malulani
Mai ka makani Kehau o Kihamanienie
Makani popokapa o Kaiholena
Hoomaha aku i kahi wai ono Pulehulua
Ola ke kini kiai wai o Kaa—e.
Auwe kuu kupuna wahine—e.
Kuakeaweniho.³⁸

The translation of the *kanikau* is below.

My heavenly one has passed on, my regret is that this woman has departed upon the trail from which there is no return. Maea died on the 12th day of November 1880 at Kuloloia, Honolulu, Oahu... Grief...

This is a lamentation of love for you, Maea
My grandmother from the bays of the islands
From the variable winds of the land
That open up the leave of the breadfruit...
My grandmother there on the shore of Paomai
From where one may look to the sands of Polihua

³⁷S. A. Kanakeawe, "Makaikai ia Lanai (A Siteseeing Journey on Lanai)," *Nupepa Kuokoa*, Kepakemapa 21, 1872, aoao 2. Translated by Maly.

³⁸"He Kanikau Aloha no Maea," *Ko Hawaii Pae Aina*, Kekemapa 4, 1880, aoao 4.

Adorned in the lehua blossoms of Malulani
From the Kehau wind of Kihamanienie
The wind that bundles up the kapa of Kaiholena
One found rest at the place of sweet water of Pulehulua
The natives of Kaa have life in guarding the water
Alas my grandmother—
Kuekeaweniho.³⁹

2.3.5 Triple Murder at Awalua in 1892

The following narrative describes some gruesome events that occurred on Lāna'i in 1892. The crimes described occurred at Awalua.

A much worse tragedy was enacted on the island of Lanai this month than the first dark and vague reports of the uncanny conduct of a family there made evident. By the Kinau on Sunday morning there arrived in Honolulu two officers in charge of eleven persons committed to jail for trial on the charge of murder. There is a twelfth person who has been accused of murder, in connection with the same blood-freezing horror, left lying in jail at Lahaina charged with participation in the crimes, while being himself one of the sufferers from the brief but frightful reign of fanaticism at the hamlet of Awalua.

The prisoners comprise five women—Puulolo (the principal), Kanoë, Kanoëna, Nawai and Kahikina, and six men—Kala, Kakaio, Kealaka, Keola, Keliikuewa and Kealakaalilii. Puulolo is charged with three murders, one of them wholly her own cruel work. The others are charged with participation in one or both of two of the murders with which the principal is charged. According to the commitments, the first murder was the killing of Kalalilii, a nephew of Puulolo's and a child of only six years, in which the murderous kahuna was assisted by nine of the family group, on the night of February 11. Puulolo is charged singly with the murder of Puni, whom she beat to death with a club, the night of February 12. The same night Kaholokai was seized by the assistants of the priestess, while she beat him with a club into unconsciousness. She is supposed to have finished him after the retirement of the others. Early in the morning the hut was burned down, and the fanatics threw Kaholokai's body into the flames. Paa, who is in jail with his wife at Lahaina, was one of the first ones to be attacked for his skepticism of the powers of the priestess. He is a brother of Puulolo and his treatment gives some idea of the intensity of her malignant frenzy. By her orders he was held down, while the devilish wench roasted his face, arms, and body with a burning torch composed of rags dipped in grease. The foregoing is a summary of the crimes for which the prisoners await trial. Below will be found a history

³⁹Translated by Maly.

of the awful tragedy, in which the motives already hinted at are made more clear.

The following facts are gathered from the report of Deputy Sheriff Sam. F. Chillingworth, Wailuku, to Marshal Wilson:

On Monday the 15th inst. A boat arrived at Lahaina from Lanai, bringing information of several deaths at Awalua, Lanai. A constable from Lanai and two witnesses came by the boat, on hearing whose statements Captain of Police Hose rode to Olowalu, and thence? telephoned an account of the affair to Wailuku.

Sheriff T. W. Everett instructed Deputy Sheriff Makalua of Lahaina and Capt. Hose at once to Lanai, make a thorough investigation, and report to the sheriff at Wailuku with all possible dispatch. Deputy Makalua having earache confined himself to holding a consultation with the Police Justice and finally swearing out a warrant for twelve persons named by a woman Kafue, who had come from Lanai with the officer. Capt. Hose taking some officers with him went in a boat to Lanai, where, employing horses for himself and three officers, he proceeded to Awalua. Arriving there he arrested the twelve persons named in the warrant, and brought them together with a number of witnesses to Lahaina on Wednesday.

Capt. Hose after lodging his prisoners in jail rode to Wailuku and reported his action to Sheriff Everett. The Sheriff directed that Mr. Chillingworth should go to Lahaina and attend to the case, and in pursuance of his instructions the Wailuku Deputy arrived at Lahaina early Friday morning the 19th inst. He found that the prisoners (with the exception of Paa and his wife Awili) had been arraigned Thursday morning and charged with murder, and their cases postponed, awaiting the return of Hose from Wailuku, until Friday morning.

On Mr. Chillingworth's arrival the prisoners were again remanded until Saturday morning. In the meantime the Deputy-Sheriff worked up the case, and that day presented charges as follows:

Puulolo (w.), for the murder of Puni (w.) on Friday, February 12, 1892.

Kala (k.), Kakaio, Kealakaa, Keola, Keliikuewa, Kanoe, Kanoena, Nawai, Kahikina and Puulolo (ten in all), for the murder of Kalaliilii on February 11, 1892.

Puulolo (w.), Kakaio, Kala, Keola and Kealakaalilii (five), for the murder of Kaholokai, on February 12, 1892.

Defendants had a local lawyer for counsel. They pleaded not guilty, waived examination and were committed for trial at next June term, Circuit Court at Wailuku.

Paa (k.) and Awili his wife are in the jail at Lahaina. Paa was the first one abused, having been terribly burned about the face and upper portion of the body, with a torch in the hands of Puulolo, Paa being held by the others during the burning. He is under the treatment of Dr. Davison and, although his injuries are shocking, he will probably recover. It is quite evident, in the opinion of Deputy-Sheriff Chillingworth, that Paa could not have had anything to do with the subsequent terrible occurrences. His wife would testify as

to what was done after his torturing. Mr. Chillingworth gives the following connected narrative of the case, as gathered from his investigations:

“All of the defendants now in jail and the murdered persons resided at Awalua, a small landing place on Lanai, there being at that place only four houses—two storehouses belonging to Mr. Hayselden and two other houses occupied by the parties to the tragedy.

“Puulolo went to Honolulu and returned from there about two months ago, and on her return claimed to be possessed of supernatural power, especially in the curing of diseases, which she claimed were all the results of evil spirits that entered into the bodies of people and destroyed them. After her arrival back from Honolulu, Puulolo had opportunity to show her skill by the treatment of two young people (one of whom was the boy Kaia whom she since beat to death). These patients she appeared to cure by necromancy, and her power was at once acknowledged by the rest of the villagers (who by the way were all related to each other either by blood ties or marriage).

“Probably emboldened by her success and power Puulolo went from one extravagance to another. She claimed that at intervals she had a spirit or god that entered her and gave her the power to detect the evil spirits that had entered other people, and she played the role of kahuna with sovereign power. In fact, as some of the unfortunate, misguided people say, she was their ‘Queen and God.’

“The different murders were committed under her instructions, that a devil needed to be driven out of the person attacked. Any attempted questioning was promptly punished by her orders to the people around. They were afraid of her and afraid of each other, none knowing whose turn would come next, and each and all afraid to refuse the execution of her orders, fearing that his fellows would be ordered to inflict summary punishment to drive out the devil that had prompted the disobedience.

“So the dismal details of the crime, fanaticism, and superstition followed rapidly on one another through the days and nights of the week of the murders, until, encouraged by the presence of some outsiders, some of her deluded followers turned on her and tied her and her husband up, to be so found by the officers on their arrival with the warrants of arrest.

“Last night I went to the jail and had Puulolo brought to me for examination. She impresses me as a more than clever schemer with a cruel nature. She unhesitatingly admitted the deaths of the three persons and the burning of Paa, but denied altogether any knowledge of the cause of death of the woman Puni or of the boy Kala. She says that Kaholokai (k.) must have been killed by the burning of the house. She admits that she was present at the other two deaths, but knows of no cause. I sat with the woman for over an hour, questioning her closely as to the facts of the case, but could not either confuse her or gain any admissions from her.

“So far as I can detect, there is not the slightest trace of insanity of my examination with the statements of the others as to her instructing the burning

of the house, crimes committed, I believe her to be perfectly sane, but given over entirely to her love of power and the indulgence of a terribly cruel nature.”

Mr. Chillingworth asks for instructions as to the exhumation of the bodies for the purposes of evidence. Dr. Davison having advised him that decomposition would have destroyed traces of violence in tissues and flesh, and fractures of bone could be discovered later as well as now. The deputy-Sheriff gives high praise to Capt. Hose, for the energy he displayed in arresting the accused and securing witnesses.⁴⁰

Information on the verdicts and sentencing in the murder case was published in the *Pacific Commercial Advertiser* on June 16, 1892.

The Kinau arrived yesterday and brought news of the conclusion of the famous Lanai murder case, full particulars of which were published at the time. The evidence of the witnesses placed on the stand fully authenticated the accounts previously published and showed that the murders committed were due to what must be regarded as an outbreak of cruelty, animal ferocity, and degraded superstition all combined. A nol. pros. was entered as to five of the defendants, and a verdict of murder in the second degree found by the jury in the case of five others, viz. Puulolo the kahuna and four of the men implicated with her. Kala, the father of the murdered child, was sentenced to thirty years' imprisonment and Keola Kakaia and Keliikuewa to twenty years' each. In the case of Puulolo, the principal, sentence was reserved, owing to a discrepancy between English and Hawaiian versions, but it will be for life. The cause of the difficulty is the use of the word “term” in English, which led to some doubt in the mind of the court whether a simple sentence for life would be sufficient, or whether a term of years would have to be fixed.

Despite the life sentence, the murderer Puulolo regained her freedom in 1914.

With a stroke of the pen Governor Pinkham lopped off forty-eight years, the unserved prison sentence of Puulolo, the Kahuna Wahine of Lanai, yesterday. The woman, convicted of a triple murder in 1892 and sentenced to seventy years in prison, had been in Oahu Prison a little over twenty-two years. She was about thirty-eight years old when the prison door closed on her, and now at the age of sixty, old, decrepit and alone, Puulolo has regained freedom, for the Governor yesterday granted her a full pardon.

Puulolo was known on the island of Lanai as a kahuna—sorceress—and it is related that she once told a woman whom she hated, that she would be dead within twenty-four hours. Puulolo's prophecy came true, the woman dying twelve hours earlier than the limit given her.

Puulolo Killed Three

⁴⁰“Revolting Tragedy! Three Murders by Fanatics on Lanai. A Fourth Victim Shockingly Tortured by Fire. The Work of a Cruel Female Kahuna. Puulolo and Ten Accomplices Under Commitment in Oahu Jail for Murder,” *Daily Bulletin*, February 22, 1892, p. 3.

The Kahuna wahine fell fatally in love with her brother-in-law. She killed her own sister, her nephew, and then fearing that her brother-in-law would give her away, killed him also. With some of her “vassals” she placed the bodies in the house and burned the house and bodies to a cinder.⁴¹

2.3.6 Touring the Bays of Pi'ilani in 1917

In an account published in 1917, Steven Desha, Sr. describes a sightseeing tour to the bays of Pi'ilani.

He mau makahiki i ke ola ana o ka mea e kakau nei keia huakai i hooihala ai ma keai Mokupuni o Kaululāau i na la opio, a ia manawa he aneane eono hale kula o keia mokupuni, oia hoi he hookahi hale kula ma Awalua, he hookahi ma Paoma'i, ka Home o ko'u Ohana i noho ai, a he hookahi no hoi i Maunalei, he hookahi no hoi i kahi kokoke i Kahalepalaoa, a he hookahi i uka o Kihamaninia, a he hookahi no hoi i Palawai. A ina la hoike nui o ka makahiki, e hui ana kela mau kula ma Kahalepalaoa Luakini, a malaila e hoike ia ai na kula like ole, a i kekahi makahiki hoi ma ka Luakini iuka o Kihamaninia e hoike ai, a i maluna o ka 250 mau haumana o keia mau kula e hoike ia ai, a he la laukanaka maoli no ia o ua Mokupuni nei o Kaululāau. I keia ike hou ana aku nei hou ua nele na wahi i noho ia e na kanaka i ke kanaka ole, a he mehameha wale ka aina ma na wahi lehulehu...⁴²

A translation of Desha's account is below.

There were some years past in the young life of the writer of this journey to the Island of Kaululā'au, a time when there were six school houses on this island. There was one at Awalua; one at Paoma'i, the place where my family resided; one at Maunalei; one close to Kahalepalaoa; one in the uplands at Kihamāniania; and one at Pālāwai. And on the days of the annual exhibition (of skills), the schools would all gather together at the Church of Kahalepalaoa, where the schools would exhibit their knowledge. Then the next year, they would gather at the Church in the uplands at Kihamāniania to exhibit their knowledge. There were more than 250 students in these schools who participated in the exhibitions. Indeed, those were days when there were many people living on the Island of Kaululā'au. Now, upon seeing it once again, those places have no people, it is without people. All about, the land is silent...⁴³

⁴¹“Wahine Kahuna Now Freed From Prison As Yuletide Gift. Puulolo, Sorceress of Lanai, Convicted of trial Murder, Pardoned by Governor. She was Notorious for Her Misdeeds. Executive Clemency Extended to Fourteen Inmates of Oahu Prison On Christmas Eve,” *Hawaiian Gazette*, December 25, 1914, p. 3.

⁴²Steven Desha, Sr., “Ka Huakai i na Hono a Piilani,” *Ka Hoku o Hawaii*, Okatoba 11, 1917, aoao 3.

⁴³Translated by Maly.

2.3.7 Land Tenure in Paoma'i Ahupua'a

Information pertaining to native residency and land tenure in Paoma'i Ahupua'a is fragmented, and most comes from historical accounts penned after 1840. The following narratives provide a summary of the land history, coming from source documents that form the foundation of current land tenure.

Paoma'i Ahupua'a (literally "sick Pao") is situated in the northern region of Lāna'i, and contains 9,078 acres. It is bounded by Mahana on the east, and by Ka'ā on the west. The *ahupua'a* extends from the reef-lined fisheries, across the *kula* lands, and into the forest region. Major villages were located along the coast, where access to fisheries and nearshore water sources sustained the people. A significant portion of the Lāna'i dry forest could be found on the *kula* lands, and gulches hosted seasonably collectible potable water. The forest cover in the uplands supplied people with access to necessary resources for daily life and sheltered crops cultivated there. Several places in the uplands of Paoma'i were noted as gathering places for chiefly and community events. Paoma'i was identified as belonging to Kamehameha III at the outset of the *Māhele*, though Charles Kana'ina made a claim for the *ahupua'a* on behalf of his son, William C. Lunalilo. The *kapu* fish was *he'e*, and the *kapu* wood was *'aiea* (*Nothocestrum*). No one held specific title to Paoma'i at the close of the *Māhele*, but it later appeared in the government land inventory and was sold as a Royal Patent Grant.

No claims by native tenants for *kuleana* in Paoma'i were identified in the records of the *Māhele*. Among the kingdom records found in collections of the Hawai'i State Archives which include references to Paoma'i are the following communications:

Aloha oe,

Ke hai aku nei au i na inoa o na aina pono i ka Moi e like me kau i kauoha mai ai i'au. Eia no ka papa inoa o na aina, a me na mokupuni ma lalo iho.

... Mokupuni Lanai
Helu 4 Paomai.

Mokupuni o Kahoolawe Helu 5...

Oia ka'u i ike, a i lohe, a i kaulana no hoi, no Kamehameha I, K. II. I. III...⁴⁴

The preceding is translated below.

Aloha to you,

I hereby tell you the names of the lands the rightly belong to the King, as you instructed me to do so. Here is the list of names of the lands and the islands, below:

Island Lanai.
Number 4. Paomai.

Island of Kahoolawe, Number 5...⁴⁵

⁴⁴N. Namaau to G. P. Judd, Clerk, Na Aina Pono i ka Moi, Lanihuli Hale, Dekemaba 15, 1847. Hawai'i State Archives, Interior Department Lands.

⁴⁵Translated by Maly.

In December of 1847, C. Kana'ina reported the following to the Minister of the Interior. The original Hawaiian is on the left, and the translation is on the right.

<p>Na Aina Pono'i o ka Moi a'u i ike ai, a i lohe ai ma keia Pae Aina: ... Hehu 4 Mokupuni o Lanai Kaunolu Kaohai Kalulu Paomai¹</p>	<p>The King's own lands that I have seen and heard of in these Islands. Number 4. Island of Lanai. Kaunolu Kaohai Kalulu Paomai²</p>
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1 Hawai'i State Archives, Interior Department Lands.

2 Translated by Maly.

Buke Māhele (Land Division Book), 1848 In preparation for the final “division” of lands between the king, *konohiki*, and government, a *Buke Māhele* was kept as a log of the agreed-upon division. This book is the basis of the Crown and Government land inventory now known as the Ceded Lands. There are thirteen *ahupua'a* on Lāna'i. Disposition of ten *ahupua'a* was recorded in the *Buke Māhele* (1848) and before the Land Commissioners. Three *ahupua'a* were apparently dropped through an oversight on the part of the king, commissioners, and staff. The *Buke Māhele* records from Paoma'i and its three major neighbors provide the details on tenure in table 6.

Table 6: *Māhele* information of Paoma'i and neighboring *ahupua'a*

Ahupua'a	Claimant	Disposition	Buke Mahele (1848)
Kaa	Victoria Kamamalu	Awarded	Page 4, Jan. 27, 1848
Kamoku	No record	Crown	Record of Boundary Commission (1877)
Mahana	Wm. C. Lunalilo	Government	Page 22, Jan. 28, 1848
Paomai	No record	Crown	Testimony of C. Kanaina, Dec. 1847

The *konohiki*, prohibited fish, and prohibited wood for Paoma'i and neighboring *ahupua'a* are listed in table 7.⁴⁶

Table 7: Prohibited fish and wood of Paoma'i and neighboring *ahupua'a*

Aina	Konohiki	Ia Hoomalu	Laau Hoomalu
Mahana	Kukaloloua	Hee	Ahakea
Paomai	Kauila	Hee	Naio
Kaa	Kaawa	Uhu	Naio

Noa Pali reported the prohibited fish and wood to Keoni Ana, Minister of the Interior, in the following, dated August 26, 1852.

⁴⁶Hawai'i State Archives, Interior Department Lands, 1848.

Ia kapu o na konohiki me ka laau hoomalu. E like ke ke kanawai.

Konohiki	Aina	Ia	Laau
Makaio Kuanaoa	Kaa,	Uhu,	Koko...
Kanaina	Mahana,	Hee,	Ahakea
	Paomai,	Hee,	Aiea...
Pali	Kamoku,	Uhu,	Koko...

E ka mea kiekie nau e hooponopono keia ma kau keena.

Noa Pali⁴⁷

The report is translated below.

Forbidden fish of the konohiki and the prohibited woods. According to law.

Overseer:	Land:	Fish:	Wood:
Makaio Kuanaoa	Kaa,	Uhu,	Koko...
Kanaina	Mahana,	Hee,	Ahakea
	Paomai,	Hee,	Aiea...
Pali	Kamoku,	Uhu,	Koko...

Your highness, you straighten this out in your office.

Native Tenants and Land Tenure in Paoma'i Records of the kingdom and subsequent government bodies contain documentation pertaining to residency, land use practices, and eventual fee-simple property rights. While no native tenant claims for *kuleana* were found in the books of the *Māhele 'Āina*, kingdom land records provide us with information on residents who came to live on Paoma'i by the 1870s. Records prior to the 1870s offer little on the life and practices of early Paoma'i resident. But on May 16, 1873, a group of 35 Hawaiians petitioned King Lunalilo regarding the Hawaiian lessee of Mahana, named Maeha, who was granted a lease (Lease No. 220) for the entire *ahupua'a* of Mahana. Through their petition we learn that the 35 petitioners and families had moved from Mahana to Paoma'i, and their petition describes the plight of the people. They also raised their concerns about the possible leasing of Paoma'i to the foreigner Walter Murray Gibson.

O makou o ka poe nona na inoa malalo nei kekahi o kou makaainana na kauwa aou e noho kuewa ana maluna o Paomai, Mokupuni o Lanai.

Ke noi aku nei makou ia oe e oluolu oe e ae mai ia Paomai nei e hoolimalima makou me oe ma ka uku au e hai mai ai i ko makou mau luna ia Kamai, Kalili, Iwirole.

O makou he poe Kupa makou no ka aina ua noho a kulaiwi, aole no ka pono io o keia a makou e noho nei. Ke noho nei makou me ka hoomanawanui i ka wi no ko kamkou, no ko makou aloha i ka wahi i maa ia makou a mai ko makou mau Kupuna mai a mau makua a hiki wale ia makou.

⁴⁷Hawai'i State Archives, Interior Department Lands.

Eia ko makou mau pilikia e hai aku ia oe i ka wa ia olua ka aina a moku ia wa, i ka lilo au nei ia Maeha ua Kipaku ia mai makou aia makou ma Paomai nei e noho nei.

I keia wa hou ke lohe hou nei no makou e hele mai ana ka haole e kipaku hou ia makou, aole makou e noho ma Paomai nei ina e nele mai ia oe e kii hele loa ana ka manu o Kaula, aohe punana e hoomoe ai.

I ko makou noonoo ana a me ka hoomaopopo ana o na malihini ka poe mai na aina e mai, ua lilo lakou i poe koikoi ma ka aina a o makou la ua like makou me na uhini i ko lakou mau maka.

E ike ia kakou hookanaka o kipa hewa ke aloha i ka Ilipuakea.

Ua oki.

Na ka Hui hoolimalima,⁴⁸

- | | |
|---------------------|----------------|
| 1. Kamai | 19. Kahalemake |
| 2. Iwirole | 20. Apaki |
| 3. Kalili | 21. Kukololoua |
| 4. Hau | 22. Paahao |
| 5. Iosepa | 23. Namilimili |
| 6. Kala | 24. Uilama |
| 7. Paa | 25. Kimo |
| 8. Lawaole | 26. Keonehana |
| 9. Nawai | 27. Holokahiki |
| 10. Puniai | 28. Pia |
| 11. Kahaulekini | 29. Namauu |
| 12. Lukela | 30. Kalawaia |
| 13. Naehu | 31. Kailikea |
| 14. Waiahao | 32. Aikake |
| 15. Kahoolealeamaka | 33. Kauwila |
| 16. Palau | 34. Kaai |
| 17. Kaaialii | 35. Keawe |
| 18. Kawika | |

The petition is translated below.

Greetings to you,

We, the undersigned, some of your subjects, and your servants who are living as trespassers on Paomai, Island of Lanai.

We make application to you, that you be kind and consent that Paomai be leased to us by you upon such rent that you may inform our representatives, Kamai, Kalili and Iwirole.

We are natives of the land and have lived and become long residents, not because of the land that we have been living on being of much benefit. We are living in great fortitude and in famine, because of our love of the place which we are used to from our grandparents and parents, and down to us.

⁴⁸Hawai'i State Archives, Interior Department Lands.

These are our troubles of which we inform you, at the time you had the land and were leasing, we were satisfied then. When it was acquired by Maeha, we were driven off and we are now living here on Paomai.

At this time, we are hearing again that the foreigner is coming to drive us off again, we are not to stay on Paomai. If we are denied by you, then the birds of Kaula will go for all time, as there is no nest to rest on.

According to our thought and understanding, the strangers from foreign countries have become more important people in the land, and we are like grasshoppers in their eyes.

Recognize us fellow men, or love will by mistake visit the Whiteskin.
It's ended.

Done by the Leasehold Association...⁴⁹

Subsequent communications provide further documentation on the petition by the above cited natives, the eventual lease of Paoma'i to W. M. Gibson, and the subsequent sale of the government's land interests to Charles Gay in 1906.

The correspondence below, dated June 12, 1873, is from Edwin O. Hall, Minister of the Interior, to P. Nahaolelua, governor of Maui. The original Hawaiian is on the left, and the translation is on the right.

Ua noi mau kekahi kanaka o Lanai he 35, e hoolimalima ia laku ma ka inoa o Kamai, Kalili a me Iwirole, kahi aina, o Paomai ka inoa.

He aina aupuni anei keia? Ina pela, ua lilo anei ia i ka hoolimalima paha i na makaainana, ma ka ohi makahiki, e like me na aina aupuni e ae o Lanai, au i hoike mai nei ma kau palapala o ka la 5 o Iune nei.

E hai mai oe i kou mana'o no keia mea.

Ke mana'o nei au, ina e ohi mau ana kahi mau dala i keia mana'awa, no na makaainana mai, he pono ia. O ka lilo no ia.¹

Certain natives on Lanai, about 35, have applied to have leased to them, in the name of Kamai, Kalili and Iwirole, a certain land, Paomai by name.

Is this a Government land? If so, is same held by the residents under a tenancy at will, as is the case with other Government lands on Lanai, of which you made report upon in your letter of the 5th of this June.

Give your thoughts in regard to this matter.

I am of the opinion, if a certain amount could be collected from the residents at the present time, it would be a good thing, and the occupancy thereof must be granted...
E. O. Hall.²

1 Hawaii State Archives, Interior Department Book, Volume 12:273.

2 Translated by Maly.

P. Nahaolelua responds to E. O. Hall in the correspondence below, dated June 13, 1873.

I have better give you a list of all the lands on Lanai: Pawili, Kamao, four Kealia, Kaunolu, Kalulu, Kamoku & Paomai. These are all the Government

⁴⁹Translated by Maly.

lands, and Gibson has acquired Six Lands, and three land remain.

But it is all right according to what have been decided by you people. And the proper rent for these six lands, according to my belief, at Two Hundred Dollars per annum, and for the remaining lands for the first lease Two Hundred. That is what I think... P. Nahaolelua.⁵⁰

The following correspondence from Walter Murray Gibson to H. A. Widemann, Minister of the Interior, documents his desire to lease some lands on Lānaʻi, including Paomaʻi. The letter is dated April 15, 1874. Gibson also included a sketch map, which is included here as figure 14.

I desire to lease the following Government lands situated upon the island of Lanai.

The Ahupuaa of Kaunolu

The Ahupuaa of Kalulu

The Ahupuaa of Paomai

The Ahupuaa of Mahana

Also the Ahupuaa of Kamoku, which is now under lease, nearly expired.

I make this application on the ground that it is due as an act of justice on the part of the government, to concede to me a lease of these lands. I received a promise from the Interior Department that I should have a lease of these lands, and in consequence of this assurance, addressed to me Feb. 20th, 1863 by S. Spencer, Chief Clerk, by authority of the then Minister, H. R. H. Prince L. Kamehameha. I was led to make many improvements, such as opening a road to a landing, making fences, and other works; - all of which proved a loss in consequence of the denial by a succeeding Minister of a lease as promised by his predecessor: and this took place, notwithstanding the solemn assurance from the Department, "that no under advantage will be taken, if you should proceed to enclose and cultivate any portion of the Government land, (of Lanai), or that you will assume any risk by so doing."

It is true, I received a lease from your Excellency's immediate predecessor of a few small government lands, but these are mere unimportant strips, or areas within my own lands, and unavailable to anyone else, and no portion of the lands above mentioned, which were especially promised, and upon which I had made some improvements.

I will pay the rents priced by the Government, semi-annually in advance.⁵¹

Below is an Interior Department memo regarding Gibson's application to lease Lānaʻi lands. The memo is dated June 9, 1874.

The application on lease:

The Ahupuaa of Kaunolu

The Ahupuaa of Kalulu

⁵⁰Hawaiʻi State Archives, Interior Department, Lands.

⁵¹Hawaiʻi State Archives, Interior Department Lands.

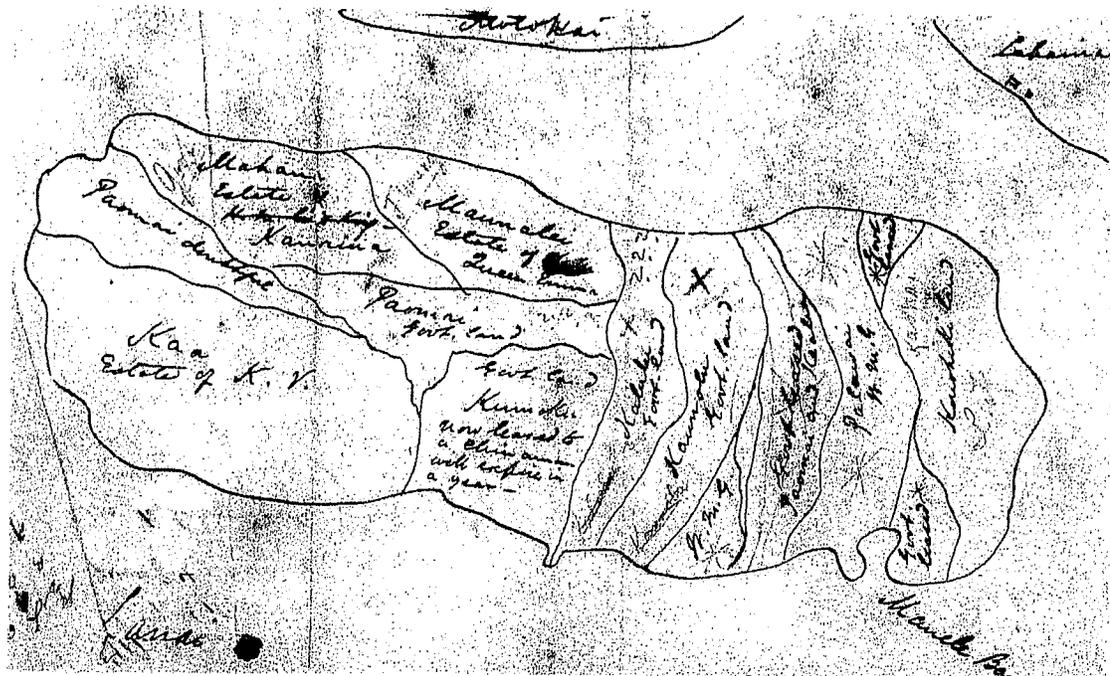


Figure 14: Sketch map of Lānaʻi depicting the disposition of the lands. Drawn by Walter Murray Gibson, April 15, 1874 (Hawaiʻi State Archives).

The Ahupuaa of Kamoku
 The Ahupuaa of Mahana
 The Ahupuaa of Paomai

As the chief portion of natives on Government lands on Lanai, reside on Kaunolu and Kalulu on the northern side of the mountain ridge, therefore Mr. G. proposes to reserve natives, to be rented to them, all of Northern Kaunolu and Kalulu, — the summit of the ridge to be the dividing line between such lands, and the northern portion of these two districts, and he desires to confine his application to lease government lands on Lanai at present to the southern points of Kaunolu and Kalulu, with the sea of Kamoku on expiration of present lease.⁵²

After acquiring the lease for Paomaʻi, Gibson released the following statement in a Hawaiian newspaper, forbidding natives from the land.

Wherefore, a lease for the lands of Kaa and Paomai, Island of Lanai, has been secured by me, I now forbid all people from releasing their livestock, Horses, Cattle, Sheep, Goats, Pigs and Turkeys, to roam on these lands. Those who trespass will be prosecuted as allowed by the law.

⁵²Hawaiʻi State Archives, Interior Department Lands.

Walter M. Gibson (Kipikona).
Awalua, Lanai. Aug 17, 1974.⁵³

This indenture, dated September 30, 1874, documents the lease agreement between Wm. L. Green, the Minister of the Interior, and Walter Murray Gibson. The twenty-year lease includes the *ahupua'a* of Paoma'i.

This Indenture made this 30th day of September A.D. 1874 between His Excellency W. L. Green His Hawaiian Majesty's Minister of the Interior for and in behalf of the Hawaiian Government of the first part and Walter Murray Gibson of the Island of Lanai of the second part. Witnesseth that for and in consideration of the rents covenants and agreements hereinafter reserved and contained on the part and behalf of the said party of the second part, his executors administrators and assigns to be paid kept and performed he the said party of the first part hath demised and leased and by these presents doth demise and lease unto the said party of the second part his executors administrators and assigns.

All that tract or parcel of Land situate on the Island of Lanai one of the Hawaiian Islands known as "Paomai." To have and to hold all and singular the said premises above mentioned and described with the appurtenances thereunto belonging unto the said party of the second part his executors administrators and assigns for and during the term of Twenty Years to commence from the first day of August A.D. 1874, the said party of the second part his executors administrators and assigns yielding and paying therefore from and immediately after the commencement of the said term and during the continuance thereof unto the said party of the first part and his Successors in office the annual rent of Fifty (\$50) Dollars over and above all leases changes and assignments to be levied or imposed thereon by Legislative Authority the first payments of the said rent to be made on the first day of August next ensuing the date last mentioned and the said party of the second part for himself and his executors administrators and assigns does consent grant promise and agree to and with the said party of the first part and his Successors in Office by these presents in manner following that is today that he the said party of the second part his executors administrators and assigns shall and will well and truly pay or cause to be paid unto the said party of the first part or his Successors in office the said annual rent above reserved according to the true intent and meaning of these presents clear of and over and above all taxes impositions changes and assessments whatsoever and also that he the said party of the second part his executors administrators and assigns shall and will from time to time during the term of this present demise bear, pay, and discharge all taxes, changes impositions and assessments and ordinary and extraordinary which may hereafter at any time during the continuance of the said term be laid, imposed, assessed or charged on the said demised

⁵³Walter M. Gibson, "Na Aina Ma Lanai," *Nupepa Kuokoa*, Augate 29, 1874, aoao 3. Translated by Maly.

premises on any part thereof on upon any improvements made on to be made thereon on which may be imposed on changes on the said party of the first part on his Successors in effect for or in respect of the said promises or any part thereof and shall and will indemnify the said party of the first part and his successors in office, if from and against all damages, costs and changes which he made at any time sustain or be put to by reason of any neglect in the due and punctual discharge and payment of the said taxes impositions charges and assessments.

And also that he the said party of the second part his executors administrators and assigns shall and will bear, pay and discharge at his own cost and expense all costs and charges for fencing the whole on any part or parcel of the above demised premises if such fencing should be so required by any law now in force or that may be hereafter enacted by Legislative authority, and shall and will indemnify the said party of the first part and his successors in Office of from and against all damages, costs, expenses and charges which he may at any time sustain by reason of any neglect or refusal of the party of the second part his executors administrators and assigns in the performance of the promises and agreements last aforesaid and also that he the said party of the second part his executors administrators and assigns shall not nor will at any time during the term hereby granted, do or commit or permit to be done any willful or voluntary waste spoil or destruction in and upon the above demised premises on any part thereof or cut down trees now growing, or being, or which shall hereinafter grow or be in and upon the above demised premises or any part thereof and will at the end on other sooner determination of the said term hereby granted peaceably and quietly lease and yield up unto the said party of the first part his successors in office all and singular the premises hereby demised with all erections buildings and improvements of whatever name or nature now on or which may be hereafter put set up erected and placed upon the same in as good order and condition in all respect (reasonable use wear and tear excepted) as the same one at present or may hereafter be put by the said party of the second part his executors administrators and assigns. And also that he the said party of the second part, his executors or administrators or any of them shall not nor will at any time during the continuance of the said tm demise let set, assign over the said premises or any part thereof to any person or persons whatsoever for any term or time whatsoever without the license and consent of the said party of the first part or his Successors in office in writing under his or their hands first had and obtained for such purpose and the said party of the first part for himself and his Successors in office doth covenant and agree to and with the said party of the second part his executors administrators and assigns by these presents that the said party of the second part his executors administrators and assigns shall or may at all times during the said term hereby granted by and under the annual rent, covenants, conditions and agreements herein contained peaceably and quietly have, hold, occupy all and singular the said premises hereby

demised and every part and parcel thereof with the appurtenances (except as before excepted) without the let trouble hindrance molestation interruption and denial of the said party of the first part his Successors in office or of any person or persons whatsoever lawfully claiming or to claim the same or any part or parcel thereof. Provided always and these presents are upon this condition nevertheless and it is the true intent and meaning of these presents that if it shall happen that the annual rent herein before reserved shall be behind and unpaid in part or in all by the space of Thirty Days after the same ought to be paid according to the reservation aforesaid and no sufficient distress can or may be found in and upon the premises whereby the same with the arrears thereof (if any shall happen to be) can be made on if the said party of the second part his executors and administrators shall demise, set, let or assign the said premises or any part thereof to any person or persons for any term or time whatsoever without the license or consent of the party of the first part or his Successors in Office first had and obtained in writing or if the said party of the second part his executors administrators and assigns shall not well and truly observe, keep and perform all and singular the covenants and agreements on his part to be observed kept and performed according to the true intent and meaning of these presents that then and from thenceforth in any of the said cases it shall and may be lawful to, and for the said party of the first part and his Successors in Office without warrant on other legal proofs into and upon the said hereby demised premises or any part thereof in the name of the [illegible] and the same to have again, repossess, and enjoy as in his first and former estate and right. This Indenture in anything hereinbefore contained to the contrary thereof in any wise notwithstanding. In witness whereof the parties to these presents have hereinto set their hands and seals the day and year first above written. . .

W. L. Green

Walter M. Gibson⁵⁴

Subsequently, Gibson published another announcement in the Hawaiian newspaper on October 3, 1874, declaring his lease of Paoma'i, and forbidding the release of livestock onto his leased land.

The one whose name is below, and obtained a leases for a term of twenty years for the land of Paomai on the island of Lanai, therefore All people are notified that they may not release their livestock, horses, cattle, sheep, goats, pigs and turkeys without permission, or they will be prosecuted pursuant to the law.

Walter M. Gibson (Kipikona)

Honolulu, Oct. 1, 1874.⁵⁵

⁵⁴Bureau of Conveyances, Liber 40, p. 356-359.

⁵⁵Walter M. Gibson, "Aina ma Lanai!" *Nupepa Kuokoa*, Okatoba 3, 1874, aoao 3. Translated by Maly.

The indenture below, dated January 1, 1878, records the lease from the Commissioners of Crown Lands to Walter M. Gibson. The twenty-year lease includes the lands of Kamoku and Kalulu, with Paoma'i.⁵⁶

This Indenture, made this first day of January, A.D. 1878 between the Commissioners of Crown Lands of the first part, and Walter M. Gibson of Lanai of the second part. Witnesseth, that for and in consideration of the rents, covenants and agreements herein after reserved and contained, on the part and behalf of the said party of the second part, his executors, administrators and assigns, to be paid, kept and performed, they, the said parties of the first part, by virtue of the authority in them vested, by the Act entitled "An Act to relieve the Royal Domain from Encumbrances, and to render the same inalienable," approved January 3rd, 1865, have demised and leased ... unto the said party of the second part ... All those tracts and parcels of land, situated in Island of Lanai, one of the Hawaiian Islands, known and described as follows, to wit:

The Ahupuaas of Kamoku, and Kalulu, except the timber trees, and all young trees fit and proper to be raised and reserved for timber trees, now growing or being, or which shall hereafter grow, or be in and upon the above demised premises ... together with free liberty of ingress and regress, to and for the said parties of the first part, and their successors in office ... for and during the term of Twenty years, to commence from the first day of January A.D. 1878 ... paying there for, from and immediately after the commencement of the said term ... unto the said parties of the first part ... the yearly rent of Four Hundred dollars, payable semi-annually, over and above all taxes...

Jno O. Dominis,
Commissioner and Land Agent.⁵⁷

According to the Interior Department,⁵⁸ the following are the lengths of the coastlines for the lands listed, followed by the disposition of the land.

Kamoku	1.54 Mile	Crown
Kaa	11.52 Miles	H. R. H. Keelikolani
Paomai	5.56 Miles	Crown

In the letter below, dated September 9, 1887, Robert Hoapili Baker, governor of Maui, writes to L. A. Thurston, Minister of the Interior, because the natives of Lāna'i have inquired about the status of government lands.

Aloha to you - I have been instructed by the natives of Lanai, to inquire of your excellency about some Government lands there on the island of Lanai:

⁵⁶Receipt of rents paid on Kamoku and Kalulu are recorded from May 19, 1882 through July 2, 1888. Beginning August 1, 1882, receipts of payment for lease of Crown Land of Paomai are recorded through August 21, 1888.

⁵⁷Hawai'i State Archives, Series 369, Vol. 1 Crown Land Leases.

⁵⁸Hawai'i State Archives, Interior Department Letter Book, 1878, Vol. 15:110.

Kalulu, Kaunolu, Kamao, Mahana, Kamoku and Paomai. Because the above named lands are still under lease to W. M. Gibson, and now the natives living on these lands are in trouble. Therefore, I ask your excellency, are these lands above listed under lease to W. M. Gibson, or not?

They wish to know the truth about this from your honor, they trusting that their rights and benefits are with you.

Will your excellency please answer this question.⁵⁹

The following excerpt is from a correspondence by W. D. Alexander to L. A. Thurston. In it, Alexander identifies Paoma'i Ahupua'a as a Crown Land. The letter is dated January 18, 1889.

Dear Sir - By some inadvertence I omitted the land of Paomai, Lanai, area 9079 acres, in the list of unassigned lands occupied by the Commissioners of Crown Lands.⁶⁰

The indenture below records a twenty-five-year lease from the Commissioners of Crown Lands to F. H. Hayselden. The lease includes the *ahupua'a* of Kamoku and Paoma'i.

This Indenture, Made this Nineteenth day of December, A.D. 1890. Between The Commissioners of Crown Lands of the first part, and F. H. Hayselden of the second part. Witnesseth, that for and in consideration of the rental, covenants and agreements hereinafter reserved and contained on the part and behalf of the said party of the second part, his executors, administrators and assigns, to be paid, kept and performed, they, the said parties of the first part, by virtue of the authority in them vested, by the act entitled, "An Act to Relieve the Royal Domain from Encumbrances, and to render the same Inalienable," approved January 3d, 1865, have demised and leased, and by these presents do demise and lease, unto the said party of the second part, his executors, administrators and assigns, all of those tracts and parcels of lands situate on the Island of Lanai, Hawaiian Islands, known as the Ahupuaas of Kamoku and Paomai, by their ancient boundaries or as may be hereafter determined by legal authority; excepting therefrom all of the Kuleanas and rights of native tenants; and especially canceling and annulling those certain indentures of Lease of the same premises made between the Commissioners of Crown Lands and W. M. Gibson dated January 1st, 1878 and August 1st, 1874 [see leasehold records in dates referenced above] except the timber trees, and all young trees fit and proper to be raised and preserved for timber trees now growing or being or which shall hereafter grow, or be in and upon the above demised premises, or any part there; together with free liberty of ingress, egress, and regress to and for the said parties of the first part, and their successors in office.

⁵⁹Hawai'i State Archives, Interior Department Lands.

⁶⁰Hawai'i State Archives, Interior Department Lands.

To Have and to Hold, all and singular, the said premises above mentioned ... unto the said party of the second part ... for and during the term of Twenty five (25) Years, to commence from the First day of January A.D. 1891 ... Paying therefore the yearly rental of Five Hundred (\$500.00) Dollars, over and above all taxes, charges and assessments to be levied or imposed upon the said premises by Legislative Authority.⁶¹

When Walter Murray Gibson died in 1888, his estate was inherited by one of his children, a daughter Talula who married Frederick Hayselden. Prior to Gibson's death, Hayselden had been appointed administrator of the assets. In 1896, the liens held on the Gibson estate were in arrears and foreclosure proceedings initiated. Reference to leasehold and fee-simple land title, including Paoma'i Ahupua'a, was found in the foreclosure notice:

In the Circuit Court of the First Judicial Circuit, Republic of Hawaii. In equity - S. M. Damon, J. H. Fisher and H. E. Waity. Copartners under the firm name of Bishop and Company, plaintiffs, vs. Cecil Brown, Administrator with the will annexed of the Estate Walter Murray Gibson, and Trustee of the Estate of said Walter Murray Gibson, deceased, under said will, and Jane Walker, Executrix under the will of J. B. Walker, deceased, and H. E. McIntyre, in his own behalf, and as Executor under the will of said J. S. Walker; Talula Lucy Hayselden, and Frederick H. Hayselden, her husband; Wilder's Steamship Company, a corporation; Walter H. Hayselden, Lucy T. Hayselden, Frederick H. Hayselden, Junior, a minor; David Kalakaua Hayselden, a minor; and Rachel K. Hayselden, a minor, defendants.—Foreclosure Proceedings.

Pursuant to decree of foreclosure and sale, made in the above entitled suit and Court, May 11th. A.D. 1896, notice is hereby given that the property hereunder described will be sold at public auction at the Court House (Aliiolani Hale) in Honolulu, Island of Oahu, Hawaiian Islands, on Wednesday, August 26th, at 12 o'clock Noon, said sale to be confirmed by said Circuit Court.

List of The Property ... Leaseholds.

First.—Lease No. 167 from the Hawaiian Government of Paomai containing 9078 acres, and of Kamoku, containing 8291 acres, expiring January 1, 1916, annual rental \$500, payable semi-annually in advance...

Personal Property. As follows:

The sheep, cattle and horses belonging to the said estate of W. M. Gibson on said Island of Lanai, numbering 24,000 sheep, more or less, 550 cattle, more or less, 200 horses, more or less; also all wool presses, wagons, carts, harnesses, tools, implements, chattels, household furniture and effects belonging to the estate of W. M. Gibson, situate on said Island of Lanai...

⁶¹Bureau of Conveyances, December 19, 1890, Lease No. 167, Liber 128, p. 276-279. Carried over from leasehold agreements dated September 30, 1874 and January 1, 1878.

Maps of the property to be sold can be seen at the Hawaiian Safe Deposit and Investment Company, 408 Fort street, Honolulu, and for further information apply to the undersigned.

P. C. Jones, Receiver.

Office with the Hawaiian Safe Deposit and Investment Company.

Dated Honolulu. May 25, 1896.⁶²

The following is from a 1901 report of the Governor of Hawai'i.⁶³ The report lists lands known as Crown Lands that are now classed as public lands, one of which is Paoma'i.

Lanai		
Paomai	Acres	9,000.00
	Lease No.	167
	Annual Rental	[combined with Kamoku]
	Expires	Jan. 1916
	— Acres taken for settlement purposes	
	Estimated Value	\$12,000.00
	Remarks	Grazing land

Exchange of Government and Crown Lands on Lāna'i to Charles Gay When Charles Gay and family began to purchase the Gibson-Hayselden land interests on Lāna'i, Gay recognized that if they were to make a go of their business efforts that they would need to hold title to the majority of land on the island. The initial acquisition began in August 1902, with subsequent conveyances recorded between 1903 and 1927. While Charles Gay was purchasing land on Lāna'i he was also mortgaging the properties to continue acquisition of larger holdings. This kept him in debt to a number of parties. Walter Giffard, a friend of Gay's, and also an officer of W. G. Irwin and Company, which already owned the *ahupua'a* of Ka'ā and Ka'ōhai, and held mortgages under the Hayseldens, was quietly enlisted by Gay to assist with brokering a land exchange to bring the public lands on Lāna'i under Gay's ownership.

In June 1903, the Commissioner of Public Lands agreed to allow the Gibson heirs to transfer interest in the public lands to Charles Gay. In 1906, Territorial Governor George R. Carter and James Pratt, Commissioner of Public Lands in the Territory, engaged in the land exchange deal with Charles Gay. Gay would transfer valuable pieces of land in the Honolulu District to the territory in consideration of title of the government lands on Lāna'i, covering Paoma'i and seven other *ahupua'a*, to him in fee-simple. Giffard and Irwin and Company agreed to facilitate the exchange. Representative Lincoln McCandless sued Carter, Pratt, and Gay on the premise that the public lands on Lāna'i should be granted to homesteaders. A court case evolved, and important documentation regarding environmental conditions, failed business efforts, residency of the native population on Lāna'i, and assessments of the land on Lāna'i were recorded. The case went all the way to

⁶²"Lanai - Notice of Sale Under Decree of Foreclosure and Sale," *Hawaiian Gazette*, June 23, 1896, p. 4.

⁶³Hawai'i State Archives, 1901, p. 12.

the United States Supreme Court, which found in favor of the territory and Charles Gay, and resulted in the extinguishing of all government claims on public lands on Lānaʻi.

The public lands recorded under the name of Walter Giffard via Land Patent Grant No. 5011 were transferred to Charles Gay on February 10, 1907 for \$1.00. On April 10, 1907, Gay mortgaged the entire Lānaʻi holding to W. G. Irwin Company, combining all outstanding debts to the amount of \$337,279.98. The debt owed by Gay to Irwin, along with the degraded landscape and inability of the ranch operations to support economic gains, placed the family under extreme financial distress. On September 7, 1909, with foreclosure looming, Gay deeded all of the Lānaʻi holdings and assets to W. G. Irwin and Company.⁶⁴

The narratives below, ordered chronologically, include selected documentation on the initial acquisition of Lānaʻi lands by Charles Gay, and the series of transfers of Paomaʻi and other “ceded” lands from the territorial government to his private holdings. Gay quickly lost financial control and the lands transferred to other parties, eventually becoming the holdings of the Hawaiian Pineapple Company, Ltd., in 1922.

The following is an excerpt from a commissioner’s deed conveying William M. Gibson’s estate to Charles Gay. The document was recorded on August 28, 1902. Included in Gibson’s estate are lands, livestock, and other personal property on the island of Lānaʻi.

This Indenture made this 28th day of August A.D. 1902, between Albert Barnes, Commissioner, of Honolulu, Island of Oahu, Territory of Hawaii of the first part, and Charles Gay of Makaweli, Island of Kauai, in said Territory, of the second part...

Leases

...Second. All the property conveyed by Frederick H. Hayselden on January 24th A.D. 1891, to wit. That certain Indenture of Lease of the Ahupuaa of Kamoku and Paomai, on the Island of Lanai made by and between the Commissioners of Crown Lands of the first part and said Frederick H. Hayselden, of the second part, dated December 19th, 1890, of record in liber 128, fols. 276-279.

The lease document from September 1902 excerpted below transfers the lease of Crown Lands of Kamoku and Paomaʻi from F. H. Hayselden to J. F. Colburn.

The Indenture executed this Twelfth day of September A.D. 1902, between Frederick H. Hayselden, party of the first part, and John F. Colburn, party of the second part, both of the City of Honolulu, Island of Oahu, Territory of Hawaii. Witnesseth: That the said party of the first part, for and in consideration of the sum of Ten Dollars, (\$10.00), to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, hath bargained and sold, and doth by these presents, sell, assign, transfer and set over unto the said party of the second part, that certain Indenture of Lease executed on or about the 19th day of December, A.D. 1890, of record in Liber 128,

⁶⁴Bureau of Conveyances, Liber 316, p. 474-479.

pages 276 et seq., wherein and whereby the then Commissioners of Crown Lands demised and leased unto the said party of the first part, those certain lands situated on the Island of Lanai, in the then Kingdom, and in the present Territory of Hawaii, more particularly known and described as the Ahupuaas of Kamoku and Paomai, together with all and singular the rights and equities of said party of the first part to and under said lease, and in and to the lands described therein and to the possession of said lands, and all erections and improvements that have been placed thereon by said party of the first part, or by any other person acting or claiming under said party of the first part in the premises; and all other the additions to and improvements upon said lands, as the same exist at this date. To have and to hold the said described lease, rights, equities and premises unto said party of the second part for and during all the rest, residue and remainder of the term limited in and by said described lease, and to his executors, administrators and assigns. And said party of the second part, for himself, his executors, administrators and assigns in consideration of this foregoing assignment, doth hereby covenant and agree to and with the said party of the first part, and his executors and administrators, that the said party of the second part, will well and truly keep, observe and perform all and singular the covenants and agreements in said recited lease expressed and made this obligatory upon the lease therein named, to wit; the said party of the first part.

In witness whereof, the said party of the first and second parts have hereunto, and to another instrument of even date and tenor, set their hands and seals, at Honolulu aforesaid, the day and year first hereinabove written.⁶⁵

On July 18, 1906, James Pratt, Commissioner of Public Lands, wrote to George R. Carter, governor of the Territory of Hawai'i, regarding land exchange on Lāna'i. An excerpt of the letter is below.

I beg leave to acknowledge receipt of your letter of 13th inst., re Public Lands of Lanai, and in reply to same will state that about three weeks ago Mr. Giffard again brought up the subject of exchange of Bishop Wharf and approaches for balance of Lanai lands. He stated that the smallest sum he could purchase the wharf for was \$125,000.00 and this amount was about \$15,000.00 in excess of the value of Lanai lands, in opinion of Mr. Irwin. . .

His first agreement with Gay, (I understand) was to sell his 29000 acres for \$80,000.00, then it is stated that he cut the figure to \$60,000.00 and now Mr. Giffard says \$40,000.00. Mr. Irwins' lands have no running water thereon, and that portion (about 500 acres) that might be classed as agricultural land (if watered) has no water shed from which the storm waters could be conserved.

The Government property covers very nearly the entire water shed and reservoir sites, and also practically all the natural running water. With a proper conservation of water, plus the natural precipitation (at an average

⁶⁵Bureau of Conveyances, Liber 240, p. 159-160.

elevation of 1600 feet above sea) our land, to the extent of about 7500 acres could be cultivated in pines or other products that do not require so great a quantity of water as sugar cane must have.

Prior to the occupancy of Lanai by the present lessee, rain water conserved in cisterns satisfied all demands for ordinary purposes about the ranch houses of W. M. Gibson, F. H. Hayselden and other residents of the upper plateau.

This would indicate that there is a considerable and regular rainfall on these lands, and, as 30 to 50 inches annually is fully sufficient for many crops, I believe that I make no mistake in classing about 7500 acres of our land in neighborhood of "Koele" as "Agricultural," leaving about 39000 acres "Pastoral," and 1000 acres "Forest and Water reserve."

Mr. Irwins land (without water) is and always will be classed as Pastoral land unless handled with the Government lands.

The principal owners on Lanai at this time are as follows:

Hawaii Terr.	about 47,298.14
W. G. Irwin et als	about 29,103.10
Chas Gay	about 11,055.24
Kuleanas & Grants	about 1,497.53
Total	88,954.01

I believe that the comparative real values are about as follows:

Government	130,000.00
Irwin	40,000.00
Gay	20,000.00
Kuleanas & Grants	12,000.00

In case it is believed that there is a good opportunity at this time to dispose of these lands at a fair valuation, I would respectfully suggest that the best way to settle their value would be to send a couple of good men over there and let them appraise the premises.⁶⁶

On September 29, 1906, Paul Jarrett wrote to Jas. W. Pratt, the Commissioner of Public Lands, regarding his observations of lands on the island of Lānaʻi. He gives descriptive classifications of the types of lands and assigns values to them.

In compliance with your request for appraisalment of the Public Lands on the Island of Lanai for Pasturage purposes, I beg to submit the following report which I have carefully prepared according to my personal observation of these lands and investigation as to their climatic conditions; and from data obtained at your office regarding names, acreage and location of these lands on the map of Lanai island:

⁶⁶Hawai'i State Archives, DLNR 2-21.

...PAOMAI 9078 A.

No Kul.

About 7818 acres are situated on the windward side and this area consists of land that is very barren, being most exposed to the trade winds, of the Public Lands on Lanai, the only vegetation being a few scattered and stunted Pua and Hualama trees growing upon the top section of this land. A very large gulch runs from top to bottom of this windward section, and the lower portion is very stony and cut up by ravines and gulches, with sandy soil near the beach. I value this windward section of about 7818 acres at 50cents per acre = \$3909.-.

About 1260 acres of this land is situated on the leeward side of the island and this area is fairly good land being slightly exposed to the trade winds. It is covered with Pilipiliula grass, although this grass is not fattening for livestock. At the extreme top boundary of this section which is very narrow, is a small sprinkling of scrubby trees. I value this leeward section of about 1260 acres at \$1.50 per acre = \$1890.-.

The following article carries a long, but explicit title: "Calls a Halt on the Lanai Deal. L. L. McCandless Secures a Temporary Injunction Restraining the Governor and the Land Commissioner from Carrying Out the Proposal to Exchange Lanai Government Lands for Land in Other Parts of Territory." It was published on December 15, 1906 in the *Pacific Commercial Advertiser*.

The proposed exchange of the government lands on the island of Lanai has been checked. Late yesterday afternoon Senator L. L. McCandless secured an injunction from Circuit Judge Robison, preventing Governor Carter and Land Commissioner Pratt from carrying out the proposed exchange. The move by McCandless was a big surprise and caused a great deal of comment in official circles this morning when the details of the course became known.

Senator McCandless opposition to the proposed exchange whereby Charles Gay or probably the Spreckels interests will secure complete control of the island, is well known. The island comprises 86,698 acres of land and out of this over 47,000 acres are government land. One special reason for McCandless opposing the government allowing its control of the island to pass, is the fact that there [are] at least two good harbors on the island. All water front control would pass from the Territory if the transfer be made.

The allegations in the bill in equity are of some length. The bill first sets forth the usual facts that McCandless is a resident of the territory, that Carter is governor and Pratt land commissioner. It then continues:

"First. All those certain public lands known as and called Kamoku containing an area of 8,291 acres, and those public lands known as Paomai containing an area of 9,078 acres all of said lands being now leased to Charles Gay by the Territory of Hawaii under Government Lease No. 167, dated December 19th, 1890, for the term of 25 years, said lease expiring January 1st, 1916, at an annual rental of \$500 lawful money of the United States of America...

“And your orator further showeth unto your Honor that the island of Lanai, Territory of Hawaii, contains a total area of not more than 86,400 acres and that out of said total area of 86,400 acres the Territory of Hawaii holds as public lands only the lands above described by name containing a total area of 47,669 acres, that said 47,669 acres constitutes more than one-half of the total area of said island of Lanai; “And your orator further showeth unto your Honor that on the 28th day of November, 1906, the respondent herein George R. Carter, as Governor of the Territory of Hawaii caused to be promulgated the following order, to wit:

“LANAI LANDS. Notice is hereby given that having decided an exchange of the Public Lands on the Island of Lanai to be advisable, the Commissioner of Public Lands is prepared to receive offers of other lands that are equal in value to those of Lanai, and of greater immediate service to the Territorial government, from any responsible person, up to and including Saturday, the fifteenth day of December, 1906.

G. R. Carter
Governor.

On February 1, 1907, title of government lands—including Paoma‘i Ahupua‘a—was sold as Land Patent Grant No. 5011 to Walter Giffard, who held title to the land in a mortgage to Charles Gay. The description of Paoma‘i in the grant followed the same survey as recorded in the Boundary Commission proceedings of 1891, and are cited in the following section of the present study.

The introductory narratives of the grant provide the following recitals:

Land Patent Grant No. 5011

On Land Exchange—By this Patent the Governor of the Territory of Hawaii, in Conformity with the Laws of the United States of America and of the Territory of Hawaii, makes known to all men that he has this day granted and confirmed unto Walter M. Giffard for the consideration of the transfer to the Territory of Hawaii by the said Walter M. Giffard of certain lands situate in the District of Honolulu, Island of Oahu, Territory of Hawaii as evidenced by that certain Warranty Deed of the said Walter M. Giffard to the Territory of Hawaii of even date herewith and of record in the office of the Registrar of Conveyances at Honolulu, Island and County of Oahu in Liber 291 at page 1 et seq. all of the land situate on the Island of Lanai bounded and described as follows:

Certificate of Boundaries of the land of Paomai [Crown Land]⁶⁷

The excerpt below is from an article about the report on Lāna‘i lands which indicates that the Committee on Public Lands is in favor of the land exchange. The article is entitled

⁶⁷The original Surveys of the Boundary Commission (AD 1877 & 1891), and boundaries and features recorded on Kingdom Registered Map No. 1394 were the source of the survey notes in Land Patent Grant No. 5011; and subsequently the source of the *ahupua‘a* surveys recorded in Land Court Application No. 862.

"The Report on Lanai: Findings of Committee in Favor of the Big Deal," and was published in the *Pacific Commercial Advertiser* on May 2, 1907.

The Lanai Report.

A long report from the Committee on Public Lands on the Lanai deal was presented. The document was a lengthy one of fifty-eight pages, the reading of which occupied over an hour and the clerk had to call upon the interpreter to help him out.

... "Second Class Grazing Land. Under this division would fall almost the whole of Kamao and the makai portions of Kealiaapuni, Kaunolu, Kalulu and Kamoku on the kona side of the island; also on the windward side of the island probably the whole of Paawili, Kaunolu, Mahana and Paomai, although we examined only a portion of the mauka portion of Paomai and Mahana. All of this country is good grazing land. The makai portions of the Kona government lands have the heaviest growth of pili grass that I have seen anywhere in the islands.

There are probably 5000 acres of second-class agricultural and first-class grazing land on the portion of the island which we did not see. The second-class grazing land, approximately 30,000 acres, would certainly be worth \$1 per acre, averaging good and bad."

2.3.8 Surveys and Boundary Commission Records from Paoma'i Ahupua'a

Following the *Māhele 'Āina*, there was a growing movement to fence off land areas to control access to resources which native tenants had traditionally been allowed to use. By the 1860s, foreign land owners or lessees and business interests petitioned the Crown to have the boundaries of their respective lands—which were the foundation of plantation and ranching interests—settled. In 1862, the king appointed a Commission of Boundaries, a.k.a. the Boundary Commission, whose task was to collect traditional knowledge of place pertaining to land boundaries and customary practices, and determine the most equitable boundaries of each *ahupua'a* that had been awarded to *ali'i*, *konohiki*, and foreigners during the *Māhele*. The commission proceedings were conducted under the courts and as formal actions under the law. As the commissioners on the various islands undertook their work, the kingdom hired or contracted with surveyors to begin the surveys, and in 1874, the Commissioners of Boundaries were authorized to certify the boundaries for lands brought before them.⁶⁸

Primary records in this collection from Lāna'i were recorded from 1876 to 1891. The records include testimonies of elder *kama'āina* who were either recipients of *kuleana* in the *Māhele*, holders of Royal Patent Land Grants on the island, or who were the direct descendants of the original fee-simple title holders. The Boundary Commission proceedings provide a significant record of traditional and customary knowledge of native residents of Lāna'i, with personal informant memories dating back to ca. 1800. The narratives cited below include several sources of documentation: (1) letters of request

⁶⁸W. D. Alexander in *Thrum's Hawaiian Annual*, 1891:117–118.

and announcements in preparation for establishing the boundaries; (2) letters from the surveyors in the field; (3) excerpts from surveyor's field books (Register Books); (4) the record of testimonies given by native residents of Lāna'i; and (5) the entire record of the Commission in certifying the boundaries of each *ahupua'a* on Lāna'i. The resulting documentation covers descriptions of the land, extending from ocean fisheries to the mountain peaks, and also describes traditional practices, land use, changes in the landscape witnessed over the informants' lifetime, and various cultural and natural features across the land.

The native witnesses usually spoke in Hawaiian, and in some instances, their testimonies were translated into English and transcribed as the proceedings occurred. Other testimonies from Lāna'i have remained in Hawaiian, untranslated, until development of this manuscript. Translations of the Hawaiian-language texts below were prepared by Kepā Maly as a part of this research project.

Table 8 lists the place names of Paoma'i and adjoining lands that are documented through surveys of the Boundary Commission.

Lāna'i Testimonies and Survey Notes (1876) In the period of 1876-1877, William D. Alexander, Surveyor General; M. D. Monsarrat, Assistant Surveyor; J. F. Brown; and party surveyed the entire island of Lāna'i, traveling with elder native tenants. Alexander's field book, covering late March and early April 1876, contains his notes, compiled through interviews and fieldwork.⁶⁹ The book provides readers of the present day with glimpses into the cultural and natural landscape of Lāna'i, and identifies several elder informants on Lāna'i. Of particular importance is documentation of traditional sites such as *heiau*, areas of residence, burial sites, shrines, former *'ua'u* nesting grounds, and trails. In the record are also found a number of place names and descriptions of features not mentioned in other documentary sources.

Unfortunately, few of the narratives recorded in Alexander's field book made it into the formal proceedings and documents of certification authorized by the Boundary Commission. The court proceedings focused on metes and bounds, relying on the authenticity and accuracy of the documentation provided by the surveyors. Thus, the notes copied verbatim from the field book provide us with the background as to how the boundaries were determined, and they identify significant cultural resources of Lāna'i.

March 30, '76

Kapuniai states that at a place called Ka Lae o Kawahie, the boundary between Mahana & Paomai begins at a row of large rocks & runs directly inland. He also state that Ioba Kahema once surveyed the land of Mahana.

Names of hamlets in Paomai:

Panau, two wooden houses 2 miles E of Awalua

Honowai ½ mile E of Awalua

Kanaele 1 ½ mile E of Awalua

⁶⁹Register Book No. 153, copied from the collection of the State Survey Division.

Table 8: Place names of Paoma'i and adjoining lands documented through surveys of the Boundary Commission

Place Name / Alternative Spelling	Characteristic, Feature	Meaning
Awalua	Village site and landing on coast of Paomai	Twin landings.
Halala/Hālala	A place along the old trail (road) and near the boundary of Mahana and Paomai Ahupua'a.	Big, swollen, large.
Hale o Lono	An ancient <i>heiau</i> on the coast, that marks the boundary between Paomai and Kaa.	House of the god Lono.
Honowai	A village site in Paomai, east of Awalua.	Fresh water cove.
Honuaua/Honuau'ula	A village site in Paomai, east of Awalua.	Red earth.
Kahue	A village site in Paomai, east of Awalua.	The gourd.
Kakaalani/Kaka'alani	A place situated along the boundary of Mahana and Paomai, having been identified as the "crest of the watershed," and about 500 ft. northwest of Keoni's house.	Rolling, turning over the heavens.
Kanaele	A village site in Paomai, east of Awalua.	The rocky crevices.
Ka Pohaku Ahi / Pohaku Ahi / Ka Pōhaku Ahi	An area along a gulch near the upper boundary of Paomai and Mahana (near the divide between Paomai and Mahana gulches).	The fire stone.
Kealakole	Area near boundary of Paomai and Mahana Ahupuaa, by trail to shore, and white house.	Red earth path.
Lae wahie / Ka Lae o ka Wahie	A point on the shore that forms the boundary between Paomai and Mahana Ahupuaa.	The firewood point (a place where debris washes up).
Panau/Pānau	Site of two houses on coast of Paomai.	To move up and down (as the sea).
Pohakuloa/Pōhakuloa	A sandy hill on the boundary between Paomai and Kaa Ahupuaa. Kapuniai's house was situated along gulch above here.	The long stone.
Pohoula/Poho'ula	Situated near boundary between Paomai and Mahana Ahupuaa. "At its foot was the general burying ground for this part of Lanai in ancient times."	Red hollow or depression.
Puu Kawwela / Pu'u Kawwela	A hill along the boundary between Paomai and Mahana Ahupuaa.	Summer hill; Hill of the hot season.

Honuaua 3 miles E of Awalua
 Kahue 3 miles E of Awalua
 Ka Lae o Kawahie 4 miles E of Awalua

Bearings with Prismatic Compass:
 From Awalua Village
 Leahi not visible today
 Mauna Loa on Molokai 320°
 Round Hill on Molokai 296 ½ °

Kalae on Molokai 348 ½ °

March 31st

Old Kamai states that the boundary between Paomai & Kaa begins at a heiau called Hale o Lono about a mile West of Awalua. He confirms the statement that Ioba surveyed Paomai for Kanaina in the reign of K. IV. His father Lauaole was Ioba's guide. They assert that Paomai takes the strip of sand beach about 200 ft. wide from Hale o Lono to Pohaku Loa, & the adjacent fishery. Pohaku Loa is about a mile East of Awalua, a large rock & row of rocks. From Ka Lae o Kawahie, the boundary between Mahana & Paomai, runs tolerably straight inland a little east of the Paomai gulch, coinciding with a road most of the way. It turns a little to the west around the head of the Paomai gulch & along a narrow ridge between the head of Paomai gulch & that branch of Maunalei which belongs to Mahana.

At a point where the latter gulch divides into two branches called "Ka Pohaku Ahi," the boundary crosses and runs up to the top of the mountain, till it meets Kalulu.

The other side of Mahana is bounded by the sea and by the Maunalei line which was surveyed by Mayor & settled by Judge Robertson.

The boundary between Paomai and Kaa, after following the top of the sand beach from Hale o Lono eastward to Pohaku Loa turns inland and runs straight for a small gulch near Kapuniai's house.

From Kapuniai's house, the line follows the foot of a line of bluffs, sending off a branch to the sea on the west between Kaa and Kamoku. It grows narrower towards the south and forms a narrow strip between Kamoku and Mahana as mentioned before. One of its landmarks is an ahupuaa [stone marker where tribute was paid in ancient times] near Koele, at foot of the encircling ridge near the mouth of a small ravine.

April 1.

Appr. Elevation of the water shed near the road from Maunalei to Kamoku = 1750 ft.

Appr. Elevation of the Koele station 1550 ft.

Kealakaa states that the boundary line between Kaa and Paomai after leaving Kapuniai's house, strikes the edge of the encircling line of bluffs about 500 ft. N.W. of Keoni's house on the crest of the water shed, at a place called Kakaalani. Thence the line descends a transverse ridge to S.W., marked by two or three large rocks, to the central plain. Thence it runs straight Southwesterly to the head of a ravine which separates Kaa from Kamoku. According to ancient tradition the bottom of this ravine to the sea belonged to Paomai. A stone was pointed out on a low ridge at about the middle of this line, as one of Ioba's marks.

A commanding hill N.W. of the central plain, which was selected for a primary trig. station, is called Kanepu [Kanepuu].

The boundary between Paomai & Kamoku begins at the west, at the head of the ravine...

...Paomai Boundary which separates Kaa from Kamoku. In Makalena's [survey], he commenced here at a house site. The line then runs S.E. nearly straight to the ahupuaa before mentioned near Koele. One of Makalena's stations was a house site on a rising ground about half way, where there is a group, or clump of rocks.

The name of the square red bluff in the encircling ridge, a little S. of Kakaalani, is Pohoula. At its foot was the general burying ground for this part of Lanai in ancient times.

From the above mentioned ahupuaa, the boundary between Paomai & Kamoku runs up a small ravine to the top of the dividing ridge. It then follows the edge of the pali round to the main branch of the Mahana gulch & thence returns to the northward along the west side of that gulch to Pohaku ahi mentioned above.⁷⁰

The following is an entry from Alexander's field book which he copied from an old survey by Ed Mayor dated July 25, 1859.

Local Names.

On Paomai boundary [circle with dot] is at a place called "Piliamoo."

Dividing ridge in Maunalei Valley is called "Koloiki."

Paomai [circle with dot] 3 near white house is "Kealakole."

[circle with dot] NE at Kamaainas "Puu Kauwela."

[circle with dot] on road "Halala."

Kaiholena.

The following is from notes of old surveys of the island of Lāna'i by W. D. Alexander and M. D. Monsarrat.

Konohiki Land Titles

Ahupuaa	Owner	Title
Kaa	V. Kamamalu	Award 7713
Kaohai	M. Kekuaiwa	Award 7714
Maunalei	Fanny Young	Award 8519 B
Palawai	M. Kekauonohi	Award 11216
Kealia (Kapu)	J. Kaeo	Award 8520

Govt. Lands

...Mahana ceded by Lunalilo for Commutation

⁷⁰W. D. Alexander, "LANAI (Memo.)," Register Book No. 153, 1875-1876. Note: Pages 1-13 in this book contain memos and maps of land holdings at Nu'uuanu, O'ahu. Lāna'i notes begin at page 14. Alexander also uses macron accents on certain place and people names as indicated in the citations here.

Paomai omitted in the Mahele

Kamoku only in part, the ilis of Kaumalapau 1 & 2, and Kalama being mentioned in the Mahele book as Govt. lands.⁷¹

On January 18, 1889, W. D. Alexander wrote to L. A. Thurston and identified Paoma'i as a Crown Land.

Dear Sir - By some inadvertence I omitted the land of Paomai, Lanai, area 9079 acres, in the list of unassigned lands occupied by the Commissioners of Crown Lands.⁷²

A notice was issued by the Boundary Commissioner regarding the boundaries of Paoma'i. The notice is given below.

Application having been made to me for the settlement of the boundaries of the land of "Paomai" on the Island of Lanai, all parties interested in said land or lands adjoining same are hereby notified that Thursday, Feby. 28, 1889, at 12 o'clock noon at the Court House in the town of Lahaina, is the time and place set for hearing proofs of survey and any objections thereto.

Sam'l. F. Chillingworth.

Commissioner of Boundaries Second Judicial Circuit.⁷³

King Kalākaua declared Paoma'i a Crown Land in 1890 in the following.

AN ACT.

To Declare Certain Lands to be Part of the Crown Lands and Royal Domain.

Whereas, certain unassigned lands have hitherto and at all-time heretofore been held to be part of the Crown Lands and Royal Domain and as such were and are now in the possession of the Crown Land Commissioners; therefore,

Be it Enacted by the King and Legislature of the Hawaiian Kingdom:

Section 1. The Ahupuaa known under the following names and situated as hereinafter set forth, that is to say...

5. Kamoku, in the Island of Lanai;

6. Paoma-i in the island of Lanai. . .

Are hereby declared to be a part of the Crown Lands and Royal Domain of the Hawaiian Kingdom and as such subject to the provision of the Act entitled "An Act to relieve the Royal Domain from encumbrances, and to render the same inalienable," approved the 3rd day of January, A.D. 1865; and the possession

⁷¹W. D. Alexander and M. D. Monsarrat, "Notes of Old Surveys, Island of Lanai," H.T.S., Reg. No. 162, 1878, p. 3.

⁷²Hawai'i State Archives, Interior Department Lands.

⁷³"Boundary Commissioner's Notice!" *Hawaiian Gazette*, February 5, 1889, p. 5.

of said lands is hereby confirmed in accordance with the provisions of Sections 3 and 4 and 6 of said Act to the Crown Land Commissioners and successors in office...

Approved this 14th day of November, A.D. 1890.
KALAKAUA REX.⁷⁴

Paoma'i Ahupua'a Boundary Commission Survey, 1891 The following document sets out the official boundaries for Paoma'i Ahupua'a determined by the Boundary Commission.

Lahaina, Maui, Feb. 28th, 1891.

In the matter of the settlement of the Boundaries of the land of Paomai, Island of Lanai.

Application made by Commissioner of Crown Lands, Curtis P. Iaukea.

Mr. R. W. Meyer for Honorable C. R. Bishop, Mrs. B. P. Bishop and himself and Mr. M. D. Monsarrat for the Hawaiian Government respectively, and having filed their authorization to act in the premises, the following were agreed to be the Boundaries of this land, and in accordance with the agreement and their [*sic*] being no parties of interest, it is decreed that the Boundaries of the said land of Paomai, Island of Lanai, are as follows:

Commencing at a cross cut in a rock at a rocky point called Lae Wahie the boundary runs:

1. S 22° 47' W true 4482 feet along Mahana to a cross cut on a stone.
2. S 9° 04' E true 5279 feet along Mahana to a triangle cut on a stone.
3. S 27° 24' E true 3830 feet along Mahana to a cross cut on a stone at a place called Halala.
4. Thence along Mahana following up the East edge of the gulch, to a red wood post which bears S 12° 51' E true 5995 feet from last point (at a place called Puu Kauwela). Thence:
5. Still along Mahana up edge of gulch to a point on East bank. The traverse from the red wood, post being as follows:
6. S 15° 01' W true 1076 feet.
7. S 37° 05' E true 2023 feet.
8. S 73° 29' E true 1928 feet.
9. S 59° 11' E true 1578 feet.
10. S 14° 03' East true 1438 feet to above mentioned point.
11. S 37° 17' W true 1447 feet along Mahana to a red wood post at head of Paomai gulch and on edge of a branch of the Maunalei gulch.
12. S 28° 53' E true 3143 feet along Mahana to three stones set in a triangle on South edge of branch of Maunalei gulch.
13. S 49° 14' E true 8425 feet along Mahana to a red wood post on ridge that comes down from the central mountain range (said post being the North edge of Valley that contains the water hole of Kaiholena).

⁷⁴"Lanai Crown Lands," *Hawaiian Gazette*, December 16, 1890, p. 7.

14. N 62° 37' W true 6742.5 feet along Kamoku down above mentioned ridge and across valley into a small ridge and down said ridge to a red wood post at end of same.
15. S 84° 37' W true 1316.8 feet along Kamoku to a cross cut on a stone.
16. S 74° 08' W true 6258 feet along Kamoku passing to the North of a couple of Hala clumps to two triangular pits at an old house site.
17. S 74° 51' W true 5045 feet along Kamoku to a cross cut on a stone at head of gulch.
18. N 86° 06' W true 1368 feet along Kamoku down South side of gulch.
19. S 83° 45' W true 1455 feet along Kamoku to a cross cut in a stone.
20. S 74° 09' W true 920 feet along Kamoku.
21. N 55° 12' W true 898 feet along Kamoku across gulch to a red wood post a little West of a cactus clump.
22. N 67° 28' E true 1475 feet along Kaa to a rock marked thus T.
23. N 56° 34' E true 1574 feet along Kaa to a red wood post set in middle of triangular [*sic*] formed by three stones.
24. N 63° 22' E true 10649 feet along Kaa to a hugh [huge] rock marked thus [diagram].
25. N 57° 20' W true 1622 feet along Kaa to a red wood post at a place called Kakalani [Kakaalani] from which point Puu Manu Signal Station bears S 36° 57' E true.
26. N 59° 42' W true 13846 feet along bed of shallow ravine to a rock marked thus
27. N 54° 19' W true 3449 feet along Kaa to red wood post on small hill from which point Signal of hill Kanepuu bears S 54° 38' W true.
28. N 33° 59' W true 2310 feet along Kaa to rock marked thus X.
29. N 17° 12' W true 2334 feet along Kaa to center of triangle formed by three stones set in the ground.
30. N 11° 57' W true 14243 feet along Kaa to a red wood post set in a sandy hill near place called Pohakuloa.
31. N 86° 18' W true 4574 feet along Kaa to corner of enclosure at Kamai's house.
32. S 77° 18' W true 1776 feet along Kaa;
33. N 89° 09' W true 4737 feet along Kaa to place called Hale o Lono.
34. N 83° 47' E true 10966 feet along sea shore.
35. S 76° 21' E true 8288 feet along sea shore.
36. S 88° 15' E true 8889 feet along sea shore to point of Commencement.

Area 9078.97 Acres...

Saml. L. Chillingworth
 Commissioner of Boundaries II J. C.⁷⁵

⁷⁵"Paomai Ahupuaa, Island of Lanai," Boundary Commission, Volume No. 2, p. 35-37, No. 81, Land of

2.4 Historical Events and Transitions in Population

Research has revealed a number of historical documents that describe changes on Lānaʻi from ca. 1820 to the 1890s. With the exception of the periods from 1854 to 1864 and 1899 to 1901, there were no increases in the population on Lānaʻi. The two periods of increase were tied to foreign endeavors, the first being the efforts of the Mormon Church to establish a station on Lānaʻi in 1854–1864; this experiment increased the Hawaiian population by some 300 souls, and was quickly followed by a decline when the program failed. The second period of “growth,” in 1899–1901, occurred when the Maunalei Sugar Company brought in some 600 non-Hawaiian laborers to operate a sugar plantation. The island population rapidly dropped to little more than 120 residents when the plantation failed; those who remained were mostly members of Lānaʻi’s long-established native families.

A common theme through most of the historical events on Lānaʻi is the decline of the native population throughout the nineteenth century and early twentieth century. The raids of Kalaniʻōpuʻu, which ravaged the population and laid waste to important agricultural field systems, were the start of the decline. But the introduction of foreign diseases, starting with Captain Cook’s arrival in 1778 and followed by successive foreign vessels, furthered the overall decline in the native population of the Hawaiian Islands at large. It is estimated that in 1804 to 1805, as many as 150,000 Hawaiians died as a result of the *maʻi ʻōkuʻu*, believed to have been Asiatic cholera, and the decline continued, with each subsequent decade witnessing the deaths of tens of thousands of Hawaiians at a time.

Also adding to the decline of the native population was the growing impact of introduced herbivores dropped off by foreign vessels to build meat stocks for ships wintering in the islands. The European boar, goats, sheep, cattle, and Scandinavian rats immediately began to alter the landscape. On Lānaʻi, this had a rapid and devastating impact on the island’s ability to draw moisture from the trade wind-borne clouds, and develop groundwater resources. In addition to the introduction of herbivores, western demand for staple crops such as potatoes, along with the demand for *ʻiliahī* as a trade item and firewood for processing whale blubber, led to the clearing of vast tracts of land. Just as the Hawaiians had no immunities or natural protection from introduced diseases, the native plants, animals, and ecosystems were also unprepared for the impacts of human clearing of the landscape, and foraging animals that browsed everything visible and trampled root systems into the ground.

The earliest population estimate for Lānaʻi in ca. 1793 was 6,000 [5]. By 1823, the population on Lānaʻi was estimated to be between 2,000 and 3,000 people, and by the early 1890s the population was around 200. William Ellis, an English missionary who worked with the early Protestant missionaries in the Hawaiian Islands, described Lānaʻi, the nature of its resources, and the estimated population in the early 1820s.

RANAI, a compact island, seventeen miles in length and nine in breadth, lies north-west of Tahaurawe, and west of Lahaina, in Maui, from which it is separated by a channel, not more than nine or ten miles across. Though the

Paomai, Island of Lanai.

centre of the island is much more elevated than Tahaurawe, it is neither so high nor broken as any of the other islands: a great part of it is barren, and the island in general suffers much from the long droughts which frequently prevail; the ravines and glens, notwithstanding, are filled with thickets of small trees, and to these many of the inhabitants of Maui repair for the purpose of cutting posts and rafters for their small houses.

The island is volcanic; the soil shallow, and by no means fertile; the shores, however, abound with shell-fish, and some species of medusae and cuttle-fish. The inhabitants are but few, probably not exceeding two thousand. Native teachers are endeavouring to instruct them in useful knowledge and religious truth, but no foreign missionary has yet laboured on this or the neighboring island of Morokai, which is separated from the northern side of Lanai, and the eastern end of Maui, by a channel, which, though narrow, is sufficiently wide for the purposes of navigation. [8:6-7]

A Protestant mission station was established in Lāhaina in 1823, and was responsible for West Maui, Lānaʻi, Molokaʻi, and Kahoʻolawe. Mission station leaders were tasked with overseeing the spiritual, educational, and health needs of island residents. In addition to the Protestant missionaries, Lānaʻi experienced a period of development as a Mormon mission station from late 1853 to early 1864. As noted above, the “experiment” brought an increase in Lānaʻi’s Hawaiian population, with Hawaiians from other islands moving to Lānaʻi, and also fostered some significant changes on the island, notably in the area of land tenure. The work of the various missionaries and their associates resulted in the creation of an important record of history on the island. Excerpts of reports, personal journals, and articles published in Hawaiian and missionary papers—documenting Lānaʻi population statistics, land use, health, and development of churches and schools—provide important records from Lānaʻi.

The islands of Lanai and Morokai have, till within a few weeks, been entirely without teachers. To the former [Lanai], I last week sent a man, who is to act as superintendent of four schools, which are to embrace all the people of the island. There are a few people there, who have frequently visited Lahaina, and when here, have always been in our schools. From among this number, the superintendent is to select four assistants; and thus I hope all the people will have it in their power to learn to read and write, and to acquire, by means of our books, many of the first principles of Christianity. Of the number of pupils which will be embraced in these schools, I can form no estimate, as I have yet received no report, and the island has never been explored by any of our number. . .

The communications between the two last mentioned islands and Lahaina, are frequent, and even constant. There is scarcely a day, but canoes pass and repass. Almost the only communication is by canoes, though small vessels occasionally visit Morokai. The inhabitants of those islands have very little communication with any other place except Lahaina. If therefore they are illuminated at all, they must derive their light from this station. Tawawa

[Kahoolawe], too communicates with no other island except Maui, though there are few inhabitants there, and those mostly fishermen, who are not permanent residents.⁷⁶

2.4.1 A Visit to Lānaʻi in July 1828

The earliest eyewitness description of travel on Lānaʻi was penned in 1828, when William Richards, in the company of Kamehameha I's sacred daughter, Princess Nahi'ena'ena, made a visit to the island. The journal notes were forwarded to the secretary of the American Board of Commissioners of Foreign Missions (A.B.C.F.M.)⁷⁷ through a communication on December 25, 1834, and the excerpts from the journal cited below describe conditions on Lānaʻi at the time.

As it is especially desirable that you have correct information respecting all our fields of labor, I prepare in this letter to give you some account of Lanai, the little island which lies directly opposite Lahaina & about seven miles, distant. You will perceive by the accompanying map [map not in files with this letter], that its greatest length is about 17 ½ miles and its greatest breadth is about 12 miles. The land rises from the shore to the interior, and terminates in lofty points. The sides of the mountains are cut up by innumerable ravines or alternate ridges and hollows. But these valleys are not like the valleys on the windward side of the other islands, furnished with openings & rivulets.

There is but one permanent brook on the island, and that is so small that it is all lost in a few small talo [kalo - taro] ponds, and their fare does not reach the shore except in the wet seasons of the year. There is not a well of good water on the island, except such as are prepared after the manner of the Hebrews. These wells, though few on Lanai, are common at many parts of the Sandwich Islands. They are either natural or artificial pits, sometimes only a few feet in diameter, and at other times many yards. They are so prepared as that when it rains the water for a distance may flow into them. There are steps to go down into them, but they are not often very deep. In places where they are exposed [page 1 - Reel 797:762] to direct light & from the wind, they are uniformly covered and even where they are not thus exposed they are often covered, to prevent the water from drying up as soon as it would otherwise. Some of these wells are never exhausted even though they are not replenished for eight or nine months. Others which are small, depend entirely on the almost nightly rains which fall on most of the high mountains of the Sandwich Islands, though in many places these rains are little more than heavy dews.

⁷⁶August 9, 1825, Letter of William Richards Describes Progress of Instruction—Four Schools Established on Lanai, *Missionary Herald*, June 1826:174–175.

⁷⁷Maly & Maly researched the American Board of Commissioners of Foreign Missions (A.B.C.F.M.) collection at Harvard in 2004, and subsequently digitized it for return to Hawai'i. This journal, along with thousands of other records of importance to Hawaiian history, have been lost to Hawai'i for 177 years and are seen here in print for the first time.

There are many people who make no use of water for washing either themselves or their clothes, except the dew or water on the grass and some times, there is so little of this that they resort to the juice of the succulent plant which they collect. Most of these people however, have two places of residence, and only spend a part of the year on the mountain where there is also a great scarcity of water. In the sea shore, both at Lanai and throughout the islands, with few exceptions, there is a full supply of brackish water, but such as none can drink except those who are accustomed to it. I know not a single well on the Sandwich Islands, supplied with water from the bottom, except such as are on the sea shore on a level with the sea.

Owing to the scarcity of water on Lanai, the inland is barren almost beyond conception. I have recently been quite round the island, and visited every principal village on the island except one, and during my whole tour, I saw but one good well of water; and no spring or brook, and I saw nothing growing which was suitable for food, either for man or beast, and nothing grows except sea weeds and sea grass. I should except a few cocoanut trees and two or three [page 2 - Reel 797:763] or four have trees.

Most of the people live near the shore for the purpose of taking fish in which the shores of Lanai abound, and a considerable portion of their vegetable food they receive from Lahaina, in barter for fish. There is however one inland plantation of some extent, which furnishes considerable food. It is watered by the mist or light rain which falls during the night, in sufficient quantities for the growth of potatoes and in wet seasons some upland - taro is raised. There are few people that reside at that place constantly, but considerable number who reside generally on the shore, go up & spend a month or two at a time so as to keep their land under cultivation, and then return again to the sea side where they can have abundance of fish, and water too, such as it is for there is a plenty of that which is brackish.

The numbers of inhabitants on the island, has been estimated at about 1600; but at the present time I think there are not so many though there has been no regular census of the island taken & it is impossible to make such an estimate as can be relied upon.

The island is always under the same governance as the island of Maui, but the direct care of it has for years been given to Kapeleaumoku, an elderly man, who is a member of our church, and a man of established reputation. . .

In a letter of mine written Oct. 15th, 1828 [page 3 - Reel 797:764] I alluded to a tour around the island of Lanai, made by myself in company with the Princess, and promised a full account of it. The following is from my journal kept at that time, but which was never sent.

[At this point Richards inserts lengthy narratives from his personal journal of 1828, and his visit to Lānaʻi with Chiefess Nahiʻenaʻena and the near loss of Kapeleaumoku while traveling from Lāhaina to Lānaʻi.]

July 24, 1828 - Thursday.

A few missionaries located at the principal places on each of the islands

exert an important influence not only over those inhabitants who receive their constant instruction, but also over all the inhabitants of the several islands. This they do, in part, through the chiefs in part, through native teachers, but principally, in consequence of the roving habits of the people which induce them often to visit the principal places by which means they are brought under the occasional sound of the gospel and for a season under the direct influence of missionary instruction.

The chiefs too are after calling the people to the places where they reside to do work for them. In the winter & spring of 1832, all the able bodied men of Maui, Molokai & Lanai were called to Lahaina, and most of them spent several weeks there. It is probable that scarcely a year passes in which most of the people are not thus called to the residence of the chiefs. [page 17 - Reel 797:778]⁷⁸

The following are extracts from the Lahaina Report dated October 15, 1828. It mentions the people of Lanai assembling for prayer and instruction, as well as population and school enrollment statistics.

You are already aware that this place is the centre of missionary operations for Maui, Molokai, Lanai, and Kahoolawe. Lahaina is the only place where there is regular preaching. It is, however, by no means the only place where people assemble for religious worship on the Sabbath. There are not less than twenty places on this island, and several on Molokai and Lanai, where people assemble for prayer and instruction. The native teachers take the direction of the meetings, occupying the time in reading and teaching the various Scripture tracts and other books, and conclude with prayer. By this course the people are inspired with a reverence for the Sabbath; and though the teachers are themselves extremely ignorant, yet they are able, in this manner, to communicate some instruction, and the people are thereby kept from assembling for vicious purposes, and worse than idle conversation.

Examination of the Schools

During the summer and early part of the fall of 1828, subsequently to the arrival of the late reinforcements, owing to an increase of their numbers, the missionaries at Lahaina were enabled to make tours over Maui and the small island adjacent, for the purpose of preaching the Gospel, examining the schools, and giving the people such counsel and encouragement as their circumstances required...

...A great proportion of the pupils are persons of middle age, and still they have learnt to read the Scriptures. According to the estimate we made, only one fifth of the scholars are under fourteen years of ages.

⁷⁸Wm. Richards to Rev. Rufus Anderson, Secretary of the A.B.C.F.M., Recounting Trips to Lanai in 1828 and 1834.

No. of Scholars

Islands	Sch'ls.	Mal.	Fem.	Writers	Readers	Total
Ranai	11	236	249	31	201	485

The people of every district which we visited were addressed particularly on this subject, both by ourselves and the princess [Nahienaena]. We have received the fullest evidence that our exertions have not been in vain. Since our return from the tour of the island, about 5,000 spelling books have been called for, principally to establish schools among children. This increases the whole number enrolled in the schools to about 18,000; viz. 15,500 to this island [Maui]; 1,000 to Molokai; and 700 to Ranai. It is not probable that, with the present population, so large a number as this can ever appear at an examination. But 18,000, we think less than the full number of those who are now enrolled in the schools under the direction of this station. . .

The population of Maui has been heretofore estimated at 20,000, that of Molokai at 3,000 or 4,000, and that of Ranai at 2,000 or 3,000, making the whole population on these three islands not more than 27,000. The present estimate represents the population as probably amounting to 37,000. Upon comparing with this the number of learners in the schools on these islands, as just given, it will be seen that almost half the whole population, of both sexes, and all ages, are in the schools; a larger portion of the people, probably, than are enjoying the advantages of instruction in any other country on the globe.⁷⁹

2.4.2 Alanui Aupuni: Government Trails and Roadways

In the ancient land system, trails crossed the landscape, both *mauka* to *makai* and laterally along the shore, and at various elevations. As a result of western Contact, and the development of wagon and horse trails, a more formalized system of roadways was needed. By 1847, King Kamehameha III promulgated a law establishing the *Alanui Aupuni* kingdom/government road system. Major trails which provided access around islands and between primary places of habitation and business were integrated into the Alanui Aupuni system and maintained through funding from the government and public work days by tenants of the lands through which the roads and trails passed.

Beginning in the mid-1850s, native and foreign residents of Lānaʻi began written documentation of government and community public service efforts in developing a road system that would facilitate not only foot traffic, but also cart/wagon traffic to major locations in the uplands and along the shore of the island. Several Alanui Aupuni routes were identified on Lānaʻi. These included five major points of access, and one for which little information has been found:

⁷⁹*Missionary Herald*, July 1829:208-211.

The road from Mānele landing to the uplands through Pālāwai Basin;
 the road from Pālāwai Basin to Kō'ele;
 the road from Kō'ele to Awalua, situated in Paoma'i Ahupua'a;
 the road from Awalua to Keōmoku, crossing the coastal lands of Paoma'i Ahupua'a;
 the road from Keōmoku to Naha, up to Waiakeakua flats and down into Pālāwai;
 and the road that follows the Kalulu-Kamoku Boundary down to Kaumālapa'i Harbor.

From these major routes, smaller trails provided native tenants with access to their personal properties and access collection areas. Kingdom Registered Map No. 1394 (fig. 15) is the master map of the Alanui Aupuni on Lāna'i, and is the basis of the routes that are protected under the Highways Act of 1892.

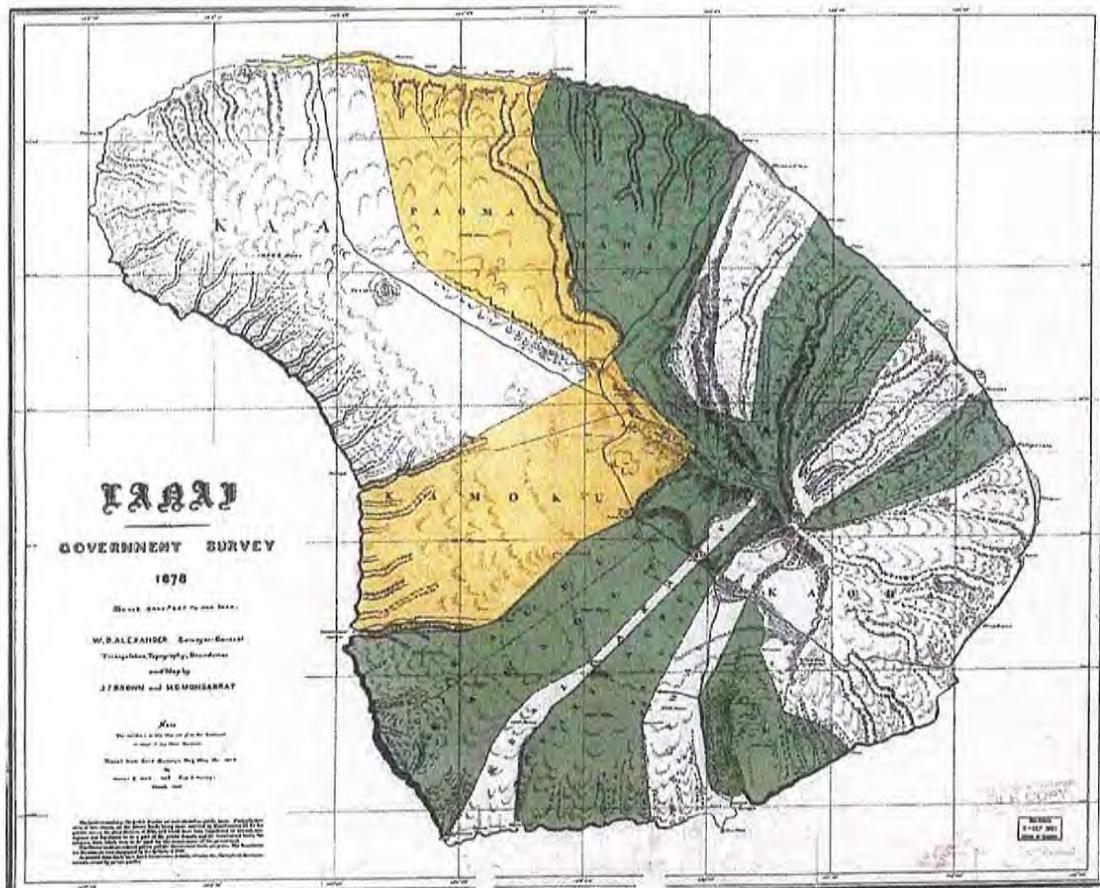


Figure 15: Registered Map No. 1394, Lanai, Government Survey, 1878. Two of the Alanui Aupuni alignments pass through Paoma'i Ahupua'a.

The earliest communication found to date was penned in 1854, which identifies native resident, Kaaina as the "Road Supervisor" for Lāna'i. Kaaina reported that public labor of 148 residents over the period of 36 days had been completed on the roads at "(1) Paomai;

(2) Maunalei; (3) Kaa; (4) Kaunolu; (5) Palawai; (6) Kaohai.”⁸⁰

As a part of Land Patent Grant 5011, which conveyed all government interest in the public lands on Lānaʻi to Walter Giffard on behalf of Charles Gay, grant conditions included the exclusion of all roads, trails, and right of way:

Reserving therefrom all lands covered by Grants and Land Commission Awards, Reserving to Government ownership for public uses, all existing roads, trails and right of way.⁸¹

With the advent of the Hawaiian Pineapple Company, Limited ownership of nearly 99 percent of Lānaʻi, the corporation undertook research and filing of title for all lands on Lānaʻi—those held by the company, and those held by private parties or the government. Land Court Application proceedings of the Hawaiian Pineapple Company, Limited reconfirmed the exclusion of all roads, trails, and right of way, stating: “Also excluding all existing roads, trails, and rights-of-way as shown on Government Survey Registered Map No. 1394.”⁸²

Historical communications provide background information on the evolution of the Alanui Aupuni through Paomaʻi to Awalua Landing, and connecting with other thoroughfares on Lānaʻi.

The excerpted letter below regards the Lānaʻi road report. It is written by L. Kaaina, the Assistant Road Supervisor, to C. B. Analu on December 14, 1854.

Love to you.

I have heard your orders by the mouth of Pualewa, saying, that my road report which was sent is wrong, is it true that it is wrong?

This is my explanation now in order to make it clear. The number of labor days was 36, persons subject to road tax 148, 1 man paid in full \$2.00. Government tools and implements with me, none. This is how those 36 working days were arrived at. Here in Lanai, 6 roads were repaired,—at (1) Paomai; (2) Maunalei; (3) Kaa; (4) Kaunolu; (5) Palawai; (6) Kaohai.

On each road were 6 days work, multiply 6 roads, will equal 36 days work as above described, that is the number of work days.

The persons subject to road tax are 148, multiplied by 6 days for each person, will be 888 days. The 888 days, all the 36 days were worked.

Here is another, in case you wish to write about the ballots, you send them right away by Pali’s boat, so that I may be able to publish notice about the ballots here for the road. I will not be able to go to Molokai, I have appointed acting judge, Koiku, he is going to Molokai to publish the notice of the ballots for the representatives.

After the election day here, I will go to gather up the ballots.

This is mine to you, with thanks.⁸³

⁸⁰Hawaiʻi State Archives, December 14, 1854; ID Misc. Bx. 146.

⁸¹Land Patent Grant 5011, February 1, 1907, p. 476.

⁸²Land Court Application No. 862, Map 1, June 5, 1929.

⁸³Hawaiʻi State Archives, Interior Department Roads, Misc. Box 146.

Walter M. Gibson was, for a time, the acting Superintendent of Roads on Lānaʻi. During that time, he wrote the following, dated December 22, 1876, to I. Mott-Smith:

I was assured by your predecessor in office, His Ex. W. L. Moehonua, that a certain proportion of the road monies appropriated for Maui, Molokai, and Lanai, would be set apart for Lanai, and according to the recommendation of Mr. Meyers road superintendent for Molokai, and Lanai. I understood the amount for Lanai to be \$600. This could not be drawn at the time, but I was assured, both by your predecessor, and the late Minister of Finance that I might commence certain needed improvements on a road leading from Awalua to Manele on Lanai, with full assurance that in return of Mr. Meyers from the coast in December as expected, the proportion of public money designated for Lanai roads would be paid to me. Will your Excellency, kindly inform me, what action I may expect of your Department in this matter.⁸⁴

An article from the *Hawaiian Gazette* entitled "Legislative Appropriation for Roads on Lanai," and published on August 4, 1880, indicated that \$2,000 was appropriated for Lānaʻi.⁸⁵

Another letter regarding the roads was written by Henry H. Gibson to H. A. P. Carter, Minister of the Interior, on September 12, 1881.

Dear Sir:

I beg to submit herewith a statement in relation to roads on Lanai.

A highway leading from the landing of Manele in the S.E. end of the island, and terminating at the landing of Awalua on the N.W. end of the island, a distance of about fifteen miles, is known as a government road (ala nui aupuni). For a distance of about a quarter of a mile leading from Manele, and for about the same distance leading from Awalua, the road is impassable for a vehicle on account of masses of volcanic rock or aa. It would require an amount of labor and blasting at these two ends of the road that would cost about \$400 each, or a total of \$800.

Another government road, "ala nui aupuni," leads from the landing of Maunalei in the N. side of the island, into an upper valley, where a junction is formed with the Manele and Awalua road. Part of the Maunalei road is an ancient paved ala nui through the aa. This is much broken up and not passable for a vehicle. A horse can barely pick his way along such a road. Labor and blasting material to the amount of about \$300 would be required to put the road in good travelling order. In the interior of the island where the soil is easily worked, and there are not obstructing rocks, road work is easy, yet the road readily washes into gulches, and there are places where stone and other material should be hauled to make permanent repairs.

⁸⁴Hawaiʻi State Archives, Interior Department, Roads.

⁸⁵*Hawaiian Gazette*, August 4, 1880, supplement, p. 5.

The sum of \$1400 cash for labor of men and use of carts; and about \$100 for blasting material could at this time be applied advantageously in making good roads on Lanai; and I ask permission of Your Excellency to draw on the Department for the repair and completion of these roads.⁸⁶

The following is correspondence from F. H. Hayselden to J. A. Hassinger, Chief Clerk of the Interior Department. Hayselden wrote to Hassinger on August 24, 1893, requesting reimbursement for funds expended for the roads.

Dear Sir:

Your favor of 19th, in regard to Lanai Roads is to hand. Also copy of instructions of May 2nd. There is as you say some misunderstanding in regard to the amt. to be expended. You will perhaps remember that before authorizing me to make repairs on Lanai Roads you enquired of one of your clerks for the amt. to the credit of Lanai Road acct. in Interior Department books, and if I remember rightly it was with the special deposit in your safe upwards of \$500.00. I stated at the time that we should need the whole of it, but upon consultation with the Minister it was decided to advance me then \$200.00 of said amt. further advances to be made as the work went on. The work done mostly on the Awalua road, eleven miles in length, was absolutely necessary and we now have a good road there. It had to be worked all over for five miles of its length and I consider it was most economically done, had I not felt sure that the amt. of the credit of Lanai Roads was not wholly available I should have hesitated to commence the work, however, I can only do as you request, send you vouchers for the \$200.00 advanced and for the \$57.40 you held as special deposit according to copy of instruction of May 2nd, 1893; original of which I have been hunting for but cannot find as it is mislaid somewhere. But I trust that when His Excellency the Minister of the Interior has a spare moment that you will explain matters to him. But before doing so please look up on your books for the amt. to credit of Lanai Roads and which by law cannot be used for any other purpose and if you find it as I say, I hope His Excellency will authorize the expenditure of the same through me or accept my vouchers for what has been expended on the roads.

Awaiting your further instructions, I have the honor to remain your obedient servant,

Fred. H. Hayselden.⁸⁷

The legislature revisited road appropriations in 1898.

The House amendments to the current accounts appropriation bill were resumed where left off yesterday, with the following results:⁸⁸

⁸⁶Hawai'i State Archives, Interior Department, Roads - Molokai & Lanai.

⁸⁷Hawai'i State Archives, Interior Department, Roads Box 46.

⁸⁸"The Senate This Morning: Lanai Road Appropriations," *Evening Bulletin*, June 23, 1898, p. 1.

Roads and Bridges:

... Road from Koele to Awalua, Lanai. \$500.

A. Kaaloa wrote the following newspaper article in 1897, describing the progress of the road building.

There was started again work on our roads this year, on the 22nd day of March, on the road that runs to the boat landing of Awalua to Koele. It has been two weeks or more, and this week the work began on the road from Maunalei. S. K. Peleaumoku is the supervisor. In the past years, our landlord was the road supervisor, for many years past. Only recently has our friend in the Maaa winds of Kahalepalaoa been given the task.

This is the first time that a native has been given this work to do, it has not been known to have happened in the Interior Department before, that someone's name was taken at his place of residence. He has taken the work with skill and thoroughness. Blessings upon the one who does this work.

A. Kaaloa

In the Kumumaomao wind of Keomoku, Lanai.⁸⁹

Cecil Brown, a representative of William M. Gibson, wrote to James A. King, Minister of the Interior, about funds for the Lāna'i roads on April 18, 1899.

Sir: I note that there is to the credit of Lanai Road account a sum approximating \$144, and also an appropriation by the last Legislative assembly of \$500 more.

This last amount I believe was for a specific road, i.e. from Koele to Awalua, the then landing for Lanai. The conditions now however, are changed, for since the appropriation was made, the landing at Awalua has been wiped out, and the buildings and pens there and the road have been washed away by freshets, so that as a landing Awalua is no longer a port.

Representing as I do as Administrator of the Estate of W. M. Gibson, the largest interests on the Island of Lanai, I beg to draw your attention to the following facts:

The principal business with the estate I represent, is, that of raising cattle and sheep, and the wool of said sheep. You will by reference to the tax books find that we pay the majority of taxes on said Island.

In consequence of high winds and floods of rain, the Awalua road has been for the past year practically useless. So much so that last year's clip of wool is still in warehouse in the interior of the island.

On May the 1st next, shearing will commence, and within 3 months another clip of wool will be taken off.

⁸⁹A. Kaaloa, "New Work is Progressing on the Roads of Lanai Kaululaau," *Ka Makaainana*, April 26, 1897, p. 3. Translated by Maly.

This wool and also the clip of last year must be transported to a landing where a steamer can take it. The only port now available is Manele on the south east point of Lanai.

I would therefore ask Your Excellency to direct that the \$500 appropriated for (road from Awalua to Koele) be applied to the road from Koele to Manele.

I have seen Mr. Hassinger and he has a map that will more fully explain the requirements.

I will guarantee that the money will be properly and economically expended, and I will furnish Your Excellency detailed bills of expenditure properly endorsed and authorized.⁹⁰

2.4.3 Ranching Operations on Lānaʻi (1854–1951)

Goats, sheep, cattle, the European boar, and horses were introduced to the islands between 1778 and 1810. During those early years, Kamehameha I and his chiefs placed *kapu* over the newly introduced animals to ensure that their populations would grow. In the fifty-year period from 1780 to the 1830s, populations of these non-native animals—like the *hipa* (sheep) and *puaʻa bipi* or *pipi* (wild steer or cattle), and *kao* (goats)—grew to become a great nuisance to the Hawaiian population, and had devastating effects on the Hawaiian environment.

Records indicate that the first of these introduced ungulates was brought to Lānaʻi around the 1830s, where a few native tenants, living under landed chiefs, managed the populations. In 1848, a new system of land management was instituted in the Hawaiian Kingdom, and individuals of means were granted large tracts of land. When fee-simple title to land was granted to native Hawaiians and foreign residents who had sworn oaths of allegiance to the king, formal efforts at controlling the *hipa*, *pipi*, *kao*, and other grazers were initiated.

Ranching was a part of Lānaʻi's history for close to 100 years, in the period from ca. 1854 until closure of the ranch in 1951. Initially, Mormon elders brought livestock to Lānaʻi as a part of their effort to establish a mission in the uplands at Pālāwai. In 1862, Walter Murray Gibson took over the Mormon settlement, and focused the livestock efforts on herds of sheep and goats, of which nearly 100,000 roamed the island, almost uncontrolled by the 1890s. As a result, Lānaʻi suffered from rapid deforestation and a drying up of the island's water resources. This impacted every other aspect of life on Lānaʻi and was one of the contributing factors to the continual decline in the native population of the island.

From 1910 to 1951, Lānaʻi ranch operations focused on cattle and a steady decline in the population of other livestock. The steady transition to cattle grazing led to the eradication of tens of thousands of goats, sheep, and pigs—many driven over the cliffs of Kaʻāpahu in Kaʻā—in an effort to reduce impacts on the steadily decreasing pasturage. In 1914, the *Maui News* reported on a visit by rancher-investor J. T. McCrosson to Lānaʻi. McCrosson makes specific reference to the leeward pastures on the island, extending from the 150 ft. to 1,000 ft. elevation, including the area of the proposed Helistop Pads project.

⁹⁰Hawaiʻi State Archives ID Roads, Molokai & Lanai.

Big Improvements on Lanai

I spent a week on Lanai inspecting the ranch. The lee side of the island is greener than it has been for years. The finest *Pili* grass pastures in the Territory extend in a broad belt the whole length of the island, from 150 feet above sea level to about 1000 feet elevation. The belt varies from a quarter to two miles wide. Up in the shallow crater that occupies the center of Lanai a good many hundred acres have been plowed and planted in Rhodes grass and Paspalum. It formerly took twenty acres of the wild pasture land to support a bullock. The Paspalum pastures now fatten fifty head of stock on every hundred acres.⁹¹

In 1929, L. A. Henke published *A Survey of Livestock in Hawaii* [25], which included the following description of the Lānaʻi Ranch operations. Henke notes that a water line system and extensive fences were made on the island. The proposed Helistop Pads project site is situated in Paddocks 13 and 14, which were divided by a major stone wall and fence line (fig. 16). Though not recorded in the proposed Helistop Pads project site, the stone wall is visible in the area leading to the plateau lands of Pālāwai Basin. Henke reported

The Island of Lanai, while primarily given over to the growing of pineapples since 1924, still has an area of 55,000 acres of fairly well grassed but rocky and rather arid country extending in a belt around the 55 miles of coast line of Lanai, that are utilized as ranch lands and carry about 2,000 Herefords and 180 horses. This belt is from two to four miles wide and extends from the sea to about 1,000 feet in elevation.

The total area of the Island is about 140 square miles and it ranges in height from sea level to about 3,376 feet elevation, with an average annual rainfall on a great part of the uplands of about 34 inches.

In 1922 before the upper lands were given over to the more profitable pineapples an area of some 2,000 acres had been planted to Pigeon peas (*Cajanus indicus*) and Paspalum dilatatum. On the lower, rather rocky, present ranch lands the algaroba tree (*Prosopis juliflora*) is valuable because of its bean crop, and Koa haole (*Leucaena glauca*) and Australian salt bush (*Atriplex semibaccata*) are considered desirable forage crops. It is planned to further improve the lower pastures by additional planting of the above crops and by light stocking and resting present pastures.

In the future the ranch will not do much more than raise beef and saddle horses for the pineapple plantation needs. The ranch, though a part of the Hawaiian Pineapple Company's property, still operates as the Lanai Company, Ltd.

The Hawaiians formerly herded goats, probably for their skins on the uplands of Lanai, and some agricultural work was done by Walter Murray Gibson, who arrived in 1861, in connection with the Mormon Church. Gibson acquired considerable land and when he died in 1888 his daughter, Talula Lucy Hayselden, became the owner. Gibson and the Hayseldens developed a sheep

⁹¹ *Maui News*, October 24, 1914, p. 5, c. 1.

ranch on the island, much of which was then owned by the Government and by W.G. Irwin.

Irwin later acquired the Government lands and the Hayseldens about 1902 sold out to Charles Gay and nearly the whole island of 89,600 acres was combined under the ownership of Charles Gay, which passed to Irwin in 1910 and from him to John D. McCrosson and associates in the same year, when the Lanai Company, Ltd., was formed. Their interests were sold in 1917 to H.A. and F.F. Baldwin, who in turn sold the property to the Hawaiian Pineapple Co., Ltd., in December 1922, who are the present owners.

Mr. Gay continued with the sheep ranch started by Gibson and Hayselden, probably carrying as high as 50,000 at times, but when the Lanai Company, Ltd., was started in 1910 they changed to cattle and put in extensive provisions for water and fences, and a count in April 1911, gave 20,588 sheep and 799 head of cattle. At the end of 1920 there were only 860 sheep and early in 1923 a count showed that the number of cattle had increased to 5,536 and besides 4,462 had been sold during the previous five years. Reduction of the herd to make room for pineapples was started on a large scale in 1924, and from the end of 1922 to October 1928, 6,764 head of cattle were sold.

Mr. Moorhead was manager for the Hayseldens, Mr. Gay managed his own property for a time, Lt. Barnard was manager for the Lanai Company in 1910, and G.C. Munro, the present manager, took charge in 1911. [25:51-52]

The ranch ended operations in 1951 when the Hawaiian Pineapple Company decided to focus all its efforts on the pineapple plantation.

2.4.4 Lānaʻi: From Ranch to Pineapple Plantation

By the time of the *Māhele ʻĀina* in the late 1840s, it was recognized that goats and sheep were impacting the lands and practices of native tenants, and that there was some money to be made from the animals. Several native tenants of Lānaʻi cited goats in the *kule-ana* claims. In the 1850s, Mormon elders who settled in Pālāwai Basin began importing additional livestock, and informal, free-range ranching was underway. In the early 1870s King Kamehameha IV and Walter Murray Gibson formalized the ranching venture focusing on sheep and goats,⁹² with smaller herds of cattle, horses, pigs, and fowl. The king's operation focused on sheep, and Awalua landing on the coast of Paomaʻi served as the port for imports and exports.

By 1875, Gibson's ranching operation centered around Kōʻele, with the "home pastures taking in upper Kamoku and Paomaʻi." Gibson's heirs continued the ranching operation, and also ventured into several other fields of agriculture, including the raising of vegetables in the Kōʻele uplands for Honolulu markets, and development of a sugar plantation in the Maunalei-Kahalapalaoa region of windward Lānaʻi.

The following item from a newspaper indicates that the ranching business was bustling.

⁹²Hawaiʻi State Archives, M-88, Records of Lot Kamehameha.

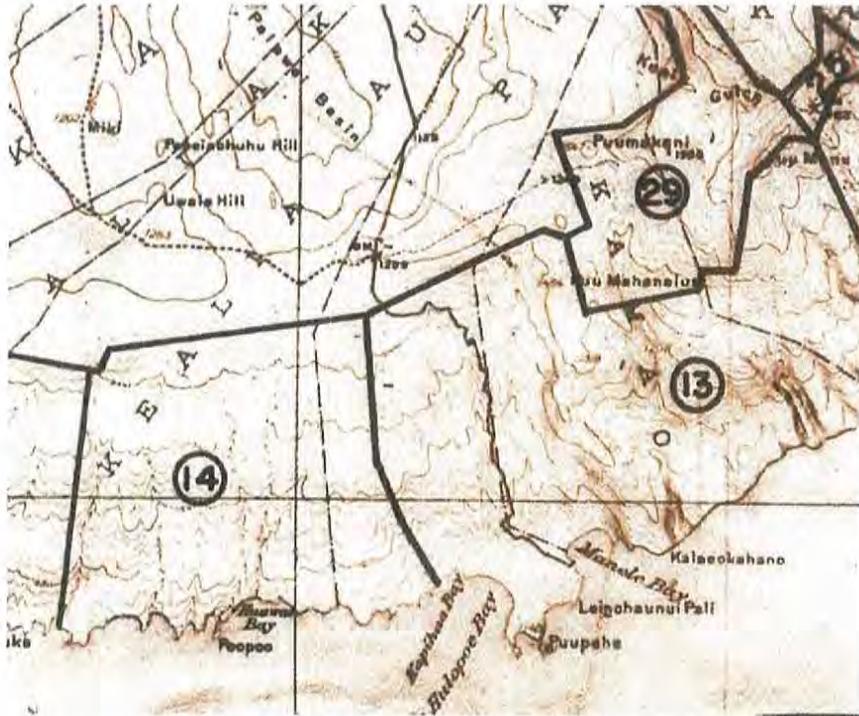


Figure 16: Portion of “Lanai Ranch Paddock Map.” Note Paddocks 13 and 14, in which the Helistop Pads near the Mānele Bay Resort are located. September 24, 1948.

Business on Lanai. By arrival from the wool-growing island of our friend W. M. Gibson, we learn that one day during last week, three vessels were lying at anchor in the harbor of Awalua, busily engaged, the Kamaile in loading wool, the Warrick in discharging freight for the ranch, and the Kapiolani in loading sheep.⁹³

In 1902, Charles Gay secured his first interest in the Lānaʻi land assets. He also began to develop more cattle on the ranch lands. Subsequent to Gay’s tenure, ranching operations steadily moved away from sheep to cattle. This was particularly important following an outbreak in 1913 of cerebrospinal meningitis among the sheep herds. The ranch improved the cattle herd, and operations focused on cattle and pigs. When the ranch was finally closed by Hawaiian Pineapple Company, Limited in 1951, grazing had been restricted to the slopes beyond the ca. 20,000 acres dedicated to pineapple cultivation in a series of paddocks that encircled the island. Figure 17 is a portion of the 1947 Lanai Ranch Paddock Map, depicting Ranch Paddock 26 covering the Paomaʻi current study area.

The ranch operated on some 55,000 acres of land which extended from the shore to around the 1,000 foot elevation along the leeward side, with Kōʻele serving as the ranch hub.

⁹³“Notes of the Week,” *Pacific Commercial Advertiser*, May 15, 1875, p. 3.

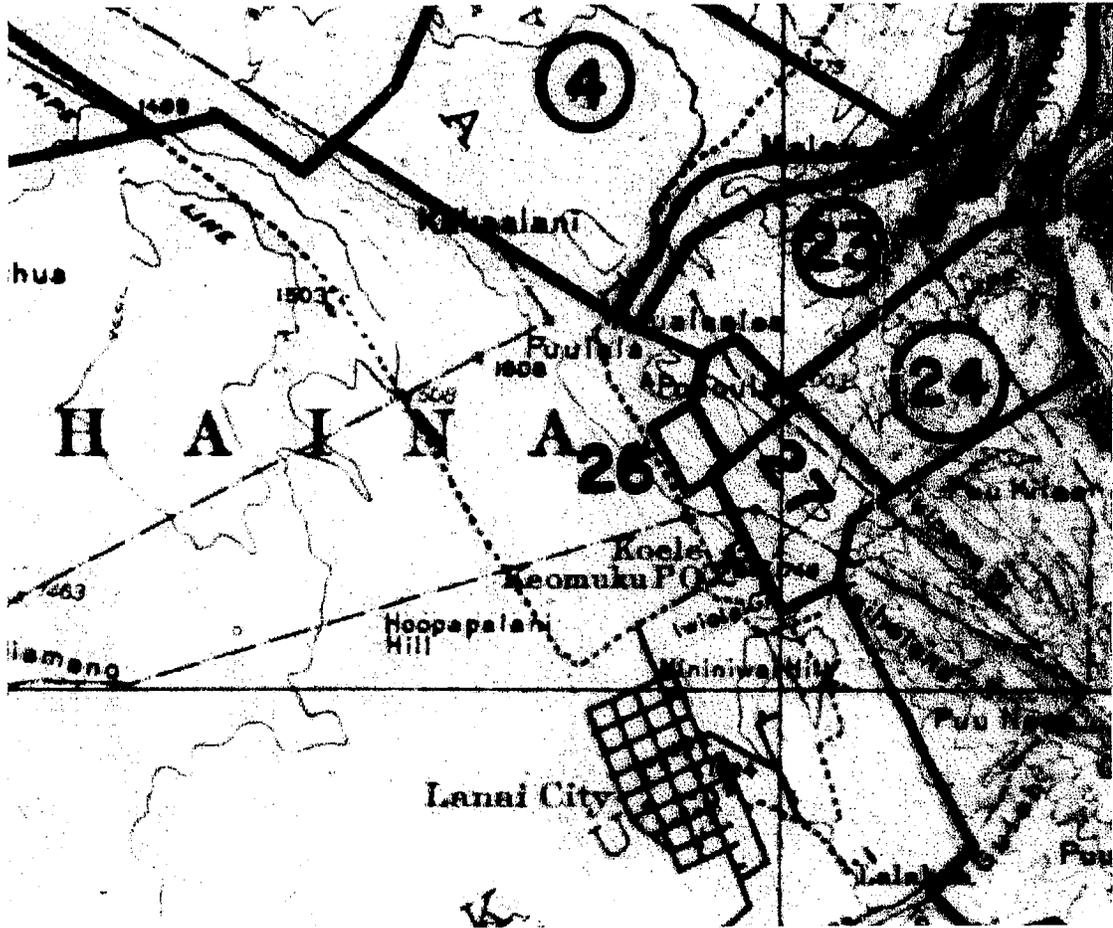


Figure 17: Portion of the Lanai Ranch paddock map, September 24, 1947. Detail of paddock no. 26, in Paoma'i Ahupua'a (Lāna'i Culture & Heritage Center Collection).

Mr. Gay continued with the sheep ranch started by Gibson and Hayselden, probably carrying as high as 50,000 at times, but when the Lanai Company, Ltd., was started in 1910 they changed to cattle and put in extensive provisions for water and fences, and a count in April 1911, gave 20,588 sheep and 799 head of cattle. At the end of 1920 there were only 860 sheep and early in 1923 a count showed that the number of cattle had increased to 5,536 and besides 4,462 had been sold during the previous five years. Reduction of the herd to make room for pineapples was started on a large scale in 1924, and from the end of 1922 to October 1928, 6,764 head of cattle were sold. [25:52]

Charles Gay picked up the ranching program on Lāna'i from the heirs of Walter Murray Gibson. Between 1903 and 1907, Gay secured fee-simple title to 99% of the land on Lāna'i, but his ranch was in debt beyond its ability to generate income. Verging on

bankruptcy, Gay conveyed all of his Lānaʻi assets to his creditor W. G. Irwin and Company on September 7, 1909.⁹⁴ Gay remained on Lānaʻi with residences at Kōʻele and Keōmoku, while Irwin explored opportunities for new business ventures on the island.

On April 28, 1910, Cecil Brown and Robert Shingle, partners with J. T. McCrosson, purchased Irwin's Lānaʻi interests, and formed the Lanai Company, Limited and Lanai Ranch.⁹⁵ Through this transaction, all of Lānaʻi, except for small native holdings, were conveyed to the new partnership.

In 1910, Ralph Hosmer, Superintendent of Forestry in the Territory of Hawaiʻi, conducted an investigation of Lānaʻi, and provided the following assessment of Paomaʻi and neighboring lands:

The following report is drawn up by the Division of Forestry of the Territorial Board of Agriculture and Forestry at the request of the Lanai Company, under the offer of assistance to tree planters contained in Circular No. 1 of the Division of Forestry. Its purpose is to outline a comprehensive program of forest protection and forest planting for the Island of Lanai. From its nature such work must be done gradually. It is not the expectation that all the recommendations in this report will be carried out at once; rather that the several parts of the plan can be put into effect as the property is developed and as opportunity offers...

The West End of the Island.

As the result of continued overstocking in former years, a large section at the western end of Lanai has now reached a condition that makes it not only of little value in itself but a menace as well to the better land in that vicinity. The problem is how best to check the present waste and restore this section to a permanently productive condition. It is a situation that demands the most energetic measures, but from work that has already been done there is every reason to believe that the reclamation of this section can be successfully accomplished.

From the head of the Maunalei gulch there extends toward the west end of the island a flat topped ridge having an average elevation of about 2000 feet. On the windward side the slope is fairly regular down to the north shore of the island. On the south there is a sharp descent into the extension of the Great Basin that lies to the west of Koele. The area in question is a belt of varying width, principally from the west branch of the Maunalei Gulch to a point somewhat to the north of the hill on the land of Kaa known as Kanepuu. Blowing down the channel between West Maui and Molokai, the full force of the trade wind is concentrated on this portion of Lanai. The soil cover once broken, erosion by wind and rain goes on a pace. The upper layers of soil being lost the surface is worn down to hardpan or to the only slightly less compact subsoil. In places where the soil is somewhat more sandy, dunes are forming

⁹⁴Bureau of Conveyances, Liber 316, p. 474-479.

⁹⁵Bureau of Conveyances, Liber 333, p. 153-164; and Liber 338, p. 2-6.

the unless speedily checked will spread and render valueless still further areas. With the example of Kahoolawe as a warning the Lanai Company cannot afford not to undertake prompt and strenuous measures of reclamation. The extent and character of the damage over the exposed areas is by no means uniform. The area may in fact be divided into four main sections; (1) The land between the main road and a line roughly parallel thereto, from the crest of the ridge down across the basin in the Paomae [Paomai] Gulch, where it is proposed to construct the dam and storm water reservoir; (2) the section of "bad lands", including the dunes, immediately to the west of this line; (3) the slope on the southern side of the crest of the ridge, above the Basin; and (4) the section along the crest and extending toward Kanepuu, already reclaimed through the planting of Manienie grass.

On the windward slope of the ridge are several groves of native trees, the remnants of the old time forest. These groves consist mostly of the Wild Olive Ulupua [Olopua] ([Osmanthus] sandwicensis). Other trees are Lama ([Diospyros] Maba sandwicensis) and in scattering groups, Halapepe (Dracaena [Pleomele spp.]).

The object in the reclamation of this area should be to restore it to a condition of permanent productiveness. It is primarily a questions of finding suitable grasses and other soil binding plants that can in time be themselves used for grazing, or that when they have checked erosion can be made to give place to other plants of greater forage value. Comparatively little of this area is suitable for any agricultural crop. Part of it should be kept permanently in forest, both because trees are the most valuable crop that such land can produce and also because groves in the more exposed parts would afford protection to the better land. It goes without saying the that the groves now on the land form a starting point.

The solution of this problem rests in the establishment of certain grasses and other soil binding plants, rather than in tree planting pure and simple. That much work is feasible and will yield results is amply proved by the Manienie grass planting done by Mr. Morehead.⁹⁶

As early as 1910, the Lanai Company was also exploring the possibility of pineapple cultivation on the island, as reported in the *Hawaiian Gazette*:

Several thousand pineapple tops have been sent to Lanai by the Lanai Company to develop its pineapple enterprise. The pineapple experiment on Lanai has been successful. The first ones raised weighed about eight and a half pounds each, but later ones were not so heavy, on account of the rows being too close. The industry will be developed on the island and made one of the principal by crops.⁹⁷

⁹⁶Ralph S. Hosmer, Superintendent of Forestry, "A Report on Possibilities of Forest Work on the Island of Lanai, Territory of Hawaii," Board of Agriculture and Forestry, Division of Forestry, September, 1910. Drawn up by request for The Lanai Company.

⁹⁷*Hawaiian Gazette*, November 22, 1910, p. 8.

By November 28, 1910, it was reported that nearly 7,000 pineapple plants had been planted on Lānaʻi.⁹⁸

In 1911, George C. Munro was hired as the new ranch manager, and operations quickly shifted to cattle operations and work in stabilizing the landscape through planting of *eucalyptus*, black wattle, *ironwood*, and various grasses; his work also extended up the mountain lands, and led to the planting of thousands of Cook Island Pine seedlings as a means of drawing moisture out of the clouds and recharging the diminishing aquifer.

The efforts at developing diversified agriculture on Lānaʻi in this period failed, and in 1917 Lānaʻi was once again on the market. In January 1917 it was reported that both the Hawaiian Pineapple Company and Libby, McNeill & Libby were exploring the possibility of purchasing Lānaʻi for pineapple cultivation. The deal did not progress, and on March 3, 1917, Frank and Henry Baldwin purchased the entire island, along with all the Lanai Ranch lands, livestock, and personal property for \$588,000.⁹⁹

In 1922, Ulupalakua Ranch, which also operated ranching on the island of Kahoʻolawe, came on the market. The Baldwin brothers wanted to add the ranch to their already substantial Maui holding, so they offered the island of Lānaʻi with all the ranching assets for sale. This time James Dole's Hawaiian Pineapple Company (HAPCo) stepped up and on December 5, 1922, the Hawaiian Pineapple Company, Limited purchased all of the Baldwin holdings on Lānaʻi.¹⁰⁰ In 1923, Dole began development of the Lānaʻi plantation, and land in Kamoku was selected for the new city, with the ranch operations continuing to run out of Kōʻele.

Figure 18 is a portion of the 1947 HAPCo field map, with details of the lands in the upper Paomaʻi-Kamoku region, and numbered fields below Kōʻele. At the time the plantation absorbed the ranch lands, turning them into cultivated pineapple fields, surface features were destroyed. Interestingly, a small stone image was found in the area below the existing tennis courts in 2008. The stone has the appearance of a *pueo*, and is in the collection of the Lānaʻi Culture & Heritage Center.

Land Court Application 862, Island of Lānaʻi In 1927, HAPCo began the process of confirming title to all of its Lānaʻi land holdings and recording them through the Land Court System. The notice specified all *ahupuaʻa* and *kuleana* and grant parcels on the island. Eventually some 20,000 acres of the top lands of Lānaʻi came under the plow of the pineapple plantation.

To all whom it may concern: Hawaiian Pineapple Company, Limited, a Hawaiian corporation, hereby gives notice that on the 11th day of May 1928, it filed an application in the Land Court of the Territory of Hawaii to have its title to certain land, in said application described, registered and confirmed pursuant to Chapter 186 of the Revised Laws of Hawaii 1925.

Said land is the Island of Lanai, Territory of Hawaii, U.S.A., lying between 20° 44' and 20° 57' North Latitude and 156° 45' and 157° 02' West Longitude (as

⁹⁸ *Evening Bulletin*, November 22, 1910, p. 3.

⁹⁹ Bureau of Conveyances, Liber 468, p. 189-194.

¹⁰⁰ Bureau of Conveyances, Liber 659, p. 412-416.

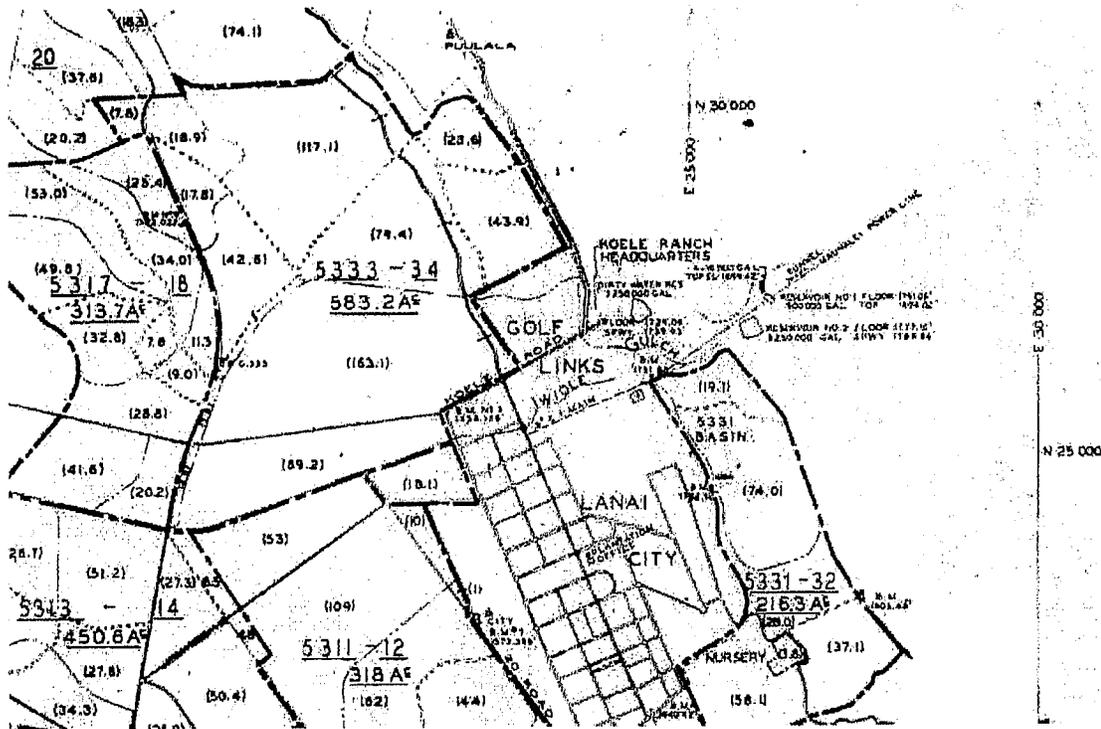


Figure 18: Portion of a HAPCo Lānaʻi plantation map, October 1947. Note the pineapple fields located in upper Paomaʻi and Kamoku Ahupuaʻa (HAPCo Collection, Lānaʻi Culture & Heritage Center).

shown on Government Survey Registered Map No. 1394), containing an area of 88,953 acres, or 139.0 square miles, more particularly described as follows:

The following Ahupuaas cover the Island of Lanai, and with the exceptions of Exclusions 1 to 32-B (inclusive) are owned by the Hawaiian Pineapple Company, Limited.¹⁰¹

- | | | |
|-----|--|--------------------|
| 1. | Paomai - Grant 5011 to Walter M. Giffard | Area 9078 Acres |
| 2. | Mahana - Grant 5011 to Walter M. Giffard | Area 7973 Acres... |
| 12. | Kamoku - Grant 5011 to Walter M. Giffard | Area 8291 Acres |
| 13. | Kaa - R.P. 4475, L.C.A. 7713, Ap. 29, to Victoria Kamamalu | Area 19468 Acres |

2.5 Summary of Traditional and Historic Background

In summary, Paomaʻi is an *ahupuaʻa* in the northern region of Lānaʻi of over 9,000 ac. Its unusual boundaries are explained in native traditions as the routes of the runner Pao. Several place names have been documented for Paomaʻi; however, none is specific to the

¹⁰¹Bureau of Conveyances, Liber 939, p. 133-157.

proposed heliport location. One of the most notable traditions of Lānaʻi, in which the story of how *honu* first came to Hawaiʻi is told, is associated with the coastal region of Polihua in the Kaʻā-Paomaʻi vicinity.

No native tenant claims were filed in the *Māhele* for Paomaʻi; the *ahupuaʻa* was identified as a Crown Land. The *ahupuaʻa* was leased by W. M. Gibson and later bought by Charles Gay; both individuals used the land for ranching. During the mid to late nineteenth century, the area was improved with government roads to ease the transport of goods from the area. Gay eventually sold the land to Hawaiian Pineapple Company, Ltd., and Paomaʻi lands were used for pineapple cultivation.

The coastal region of Pālāwai Ahupuaʻa where the Helistop Pads near the Mānele Bay Resort is at the south of the island of Lānaʻi. The entire *ahupuaʻa* spans a strip of land from the south to the east coast of the island, and not ending in the *mauka* region like most *ahupuaʻa*. Pālāwai contains 5,897 ac. One native tenant claim was cited in the southern coastal region of Pālāwai. The land was acquired by W. M. Gibson and roads were developed to facilitate transport between Mānele Harbor and the uplands. For a period in the mid-nineteenth century, a Mormon settlement occupied some land in the upper elevations of Pālāwai. The location of the Helistop Pads near Mānele Bay Resort was formerly in a ranch paddock. It is currently used as a plant nursery.

2.6 Previous Archaeology in Pālāwai

There have been five archaeological inventory surveys in the coastal lands of Pālāwai Ahupuaʻa and the eastern half of Keālia Aupuni Ahupuaʻa (fig. 19).

Kaschko and Athens [33] conducted an archaeological inventory survey of 422 ac. in the coastal lands of Kamaʻo and Pālāwai, an area that today includes the Mānele Small Boat Harbor and the land behind it, and the Four Seasons Resort Hawaiʻi at Mānele Bay, including the Challenge at Mānele golf course (fig. 19, *a*). This survey identified 33 historic properties comprising 183 features *makai* and east of the proposed helistop pad location near the Mānele Bay Resort. Archaeological data recovery excavations at four sites at Leinohaunui Point revealed a traditional Hawaiian cultural deposit [31]. Traditional Hawaiian cultural deposits appear to be absent within the sand beach of Hulopoʻe Bay, but traditional Hawaiian and historic-era deposits were excavated at a site at the southeast end of the bay [32]. Data recovery excavations at a canoe shed complex near the northwest end of Hulopoʻe Bay yielded evidence for two phases of construction preceded by an occupation deposit that wasn't associated with structural remains [2]. The early phase of construction was dated to the late eighteenth or early nineteenth century and the later phase, which includes the structures visible on the surface today, was dated to the late nineteenth or early twentieth century.

Hammatt et al. [21] conducted an archaeological inventory survey of approximately 300 ac. in the coastal lands of Pālāwai Ahupuaʻa (fig. 19, *d*). This survey documented 17 sites comprising 93 archaeological features. Subsequent data recovery excavations at 12 sites at Kapihaʻā Bay did not yield historic-era artifacts and the excavators concluded that the sites are a well-preserved remnant of a traditional Hawaiian community that was abandoned by about AD 1820 [24].

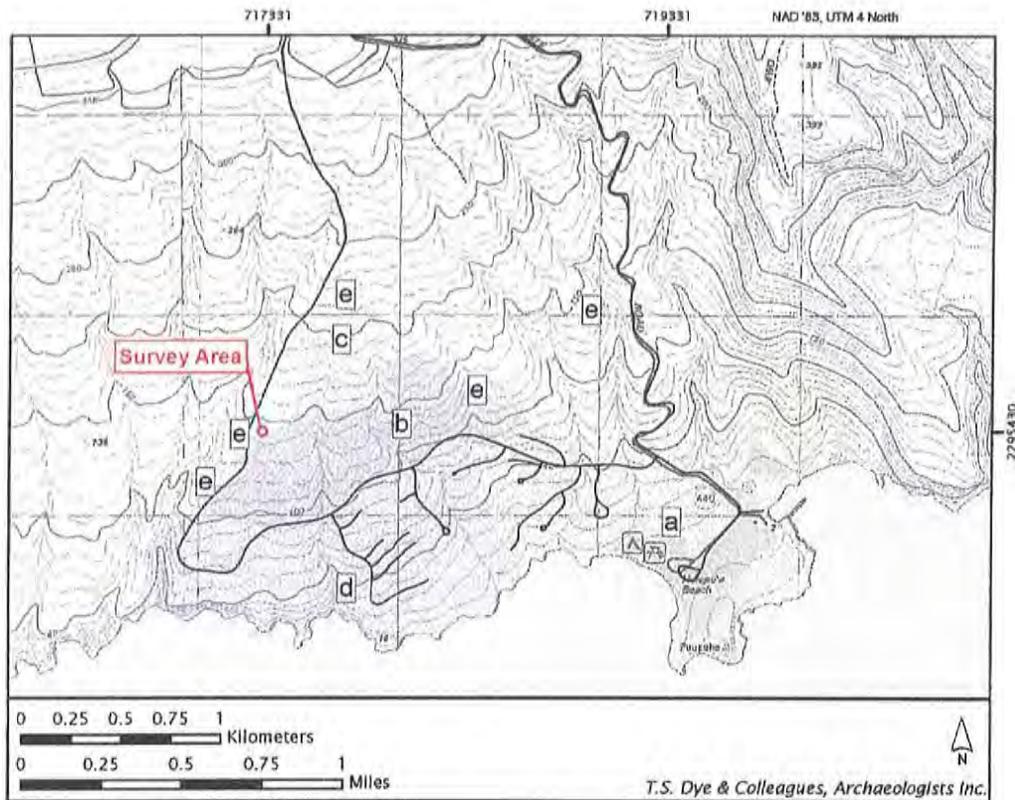


Figure 19: Previous archaeological inventory surveys in the coastal portion of the lands of Pālāwai and Keālia Aupuni: *a*, Kaschko and Athens [33]; *b*, Stride et al. [38]; *c*, Hill and Hammatt [28]; *d*, Hammatt et al. [21]; and, *e*, Dye and Maly [7].

Stride et al. [38] conducted an archaeological inventory survey of approximately 173 ac. (fig. 19, *b*). This survey documented two sites: an historic-era ranching wall and an enclosure with an adjoining partial enclosure interpreted as a temporary habitation. The ranch wall is clearly visible on Google Earth imagery. It runs in a nearly straight line for almost 1 km, starting near the rim of the Pālāwai Basin and ending *mauka* of Hulopo'e Drive. According to the site location map [38:4], the temporary habitation site is located on the *makai* side of a dirt road that runs from Kapiha'a Place near the entrance to the Four Seasons Resort Hawai'i at Mānele Bay to an unpaved portion of Kapiha'a Place *mauka* of a nursery and quarry.

Hill and Hammatt [28] conducted an archaeological inventory survey of approximately 50 ac. in the land of Pālāwai (fig. 19, *c*). No historic properties were identified by this survey.

Dye and Maly [7] completed an archaeological inventory survey of five locations comprising approximately 47.9 ac. in the lands of Paoma'i and Pālāwai (fig. 19, *e*). Three

historic properties were identified and described, including two cairns and a surface cultural deposit. All three sites are located adjacent to the gulch that drains into Huawai Bay.

These studies indicate a predominantly coastal focus of past settlement in the lands of Paoma'i and Pālāwai. The remains of traditional Hawaiian occupation have been found all along the coast. As expected, traditional Hawaiian sites are most densely distributed immediately inland of bays that would have provided suitable canoe landings. Subsequent historic-era structures and deposits appear to be concentrated at Hulopo'e Bay. They appear to have been built at a time when the coast farther east had been abandoned except for the activities of occasional fishing parties.

Back from the coast, site densities typically drop rapidly, except along *mauka-makai* trails, such as site 50-40-98-1524 in the land of Kama'o [33:99-103].

The settlement pattern revealed by archaeological investigations indicates the types of sites that might be expected at the proposed helistop pad near the Mānele Bay Resort. One is a traditional Hawaiian temporary habitation site or cultural deposit that would represent the inland margin of the coastal settlement pattern. Another is a cairn or similar structure designed to mark a location. A third type is a historic-era structure associated with ranching.

2.7 Previous Archaeology in Paoma'i

Seven previous archaeological investigations were identified in the area of the helistop pad near the Lodge at Kō'ele (fig. 20).

In 1988, inventory survey and data recovery were conducted on a 20 acre parcel for the Four Seasons Lodge at Kō'ele (fig. 20, *f*) [22]. Data recovery was performed on two historic ranch-era trash pits. The artifacts recovered contributed to the knowledge of ranch life on Lāna'i.

Hammatt and Borthwick [17] conducted archaeological reconnaissance of four project areas located south and east of the proposed helistop pad near the Lodge at Kō'ele (fig. 20, *a*). Six features were found in the location of the Kō'ele Golf Course: three modern irrigation features in Kaiholena Gulch; a scatter of historic-era debris at Charles Gay's homestead; a secondary deposit of artifacts described as "basalt flakes and pieces of volcanic glass" [17:32]; and a volcanic glass source with "no signs of human modifications" [17:33]. Secondarily deposited basalt flakes were found and noted during survey of three areas in abandoned pineapple fields south of the proposed helistop pad near the Lodge at Kō'ele, but were not assigned site numbers or further described. Subsequently, Hammatt and Borthwick [19] carried out test excavations at Gay's homestead and the secondary deposit of artifacts at the Kō'ele Golf Course, none of which yielded evidence of potentially significant historic properties.

Hammatt and Borthwick [18] report a section of eroded modern irrigation ditch within Kaiholena Gulch, east of the Kō'ele Golf Course (fig. 20, *b*).

Hammatt and Chiogioji [23] surveyed a 1 ac. parcel about 1 km north of the proposed helistop pad near the Lodge at Kō'ele (fig. 20, *c*). No historic properties were found.

In 1993, Cultural Surveys completed an archaeological inventory survey of a 13,000 ft. waste water pipeline connecting the Lāna'i sewage treatment plant with the Kō'ele Golf

proposed helistop pad near the Lodge at Kō'ele. These reports do not contain information that might be used to identify expected site types for the proposed location of the helistop pad near the Lodge at Kō'ele.

These studies indicate that it is unlikely that significant historic properties will be found in the abandoned pineapple field that is the proposed location of the helistop pad near the Lodge at Kō'ele. Find spots of secondarily deposited basalt and volcanic glass artifacts are common in the abandoned pineapple fields.

3 Methods

Principal investigator for this project was Thomas S. Dye, a fully qualified professional archaeologist. Dye directed the fieldwork and wrote this report. He was assisted in the field by Lāna'i residents Katrina Gillespie, Zeth Kipi, Gaylien Kaho'ohalahala Jr., Kekoa Carlos Benanua, Benjamin Ostrander, Kaulana Kaho'ohalahala, Kevin Dimaya, Jana Hubin, Nani Ehlinger, Jacqueline Sanchez, Jesse Del Rosario, Stacy Miyamoto, Melanie Molina, Leo Valdez, and Jenifer Uminga.



Figure 21: The archaeological field crew for the Helistop Pads survey. Photograph by Kaulana Kaho'ohalahala.

Fieldwork was carried out on April 9, 2015. The archaeologists completed a 100 percent coverage of the project area by walking coordinated transects with a spacing of approximately 5 m. Surface visibility ranged from good to poor, depending on the

thickness of grass cover. In areas with poor surface visibility, the archaeologists moved vegetation to inspect the ground surface between clumps of grass. In this way, the field crew was confident that surface architectural features and surface cultural deposits could be identified during the field survey.

3.1 Consultation

Lānaʻi resident and historian Kepā Maly compiled and wrote the historical information presented in section 2. In addition, the field crew members are also Lānaʻi residents.

3.2 Disposition of Collections

Five bags with traditional and modern artifacts collected from the surface in the vicinity of the helistop near the Lodge at Kōʻele were deposited at the storage facility of Pūlama Lānaʻi in Lānaʻi City. No material was removed from Lānaʻi Island.

4 Field Results

This section describes the results of archaeological field survey at the two proposed helistop pad locations.

4.1 Proposed Helistop Pad Near the Lodge at Kōʻele

Archaeological survey of the proposed helistop pad near the Lodge at Kōʻele extended beyond the limits of the proposed pad to take in about 5 ac. of the abandoned pineapple field (fig. 22). This larger area measures approximately 200 m parallel to the road and about 100 m between the road and an abandoned dirt road that once separated two pineapple fields. Near the road and eroding into the abandoned pineapple field are pieces of broken glass and metal trash, along with numerous pieces of crushed rock from the roadbed. Near the abandoned dirt road are several low, eroded banks that expose 20–30 cm (centimeters) of the soil profile. These banks expose agricultural soil with many pieces of black plastic and yield no evidence of traditional Hawaiian cultural deposits.

Careful inspection of the ground surface yielded five finds of secondarily deposited basalt artifacts, all outside the proposed location of the helistop pad.

4.1.1 Find Spot 1

Eight artifacts were collected from the surface at Find Spot 1 (see fig. 1, p. 4; table 9), including traditional Hawaiian basalt flakes and modern glass and rebar. One of the traditional Hawaiian basalt flakes was identified as an adze flake due to the presence of polish on three surfaces (fig. 23). This flake measures 44 × 42 × 8 mm and weighs 30 g. It has one large polished surface, either the front or back of the tool, and two small polished surfaces from opposite sides of the tool. The width of the original tool was 44 mm. Rock

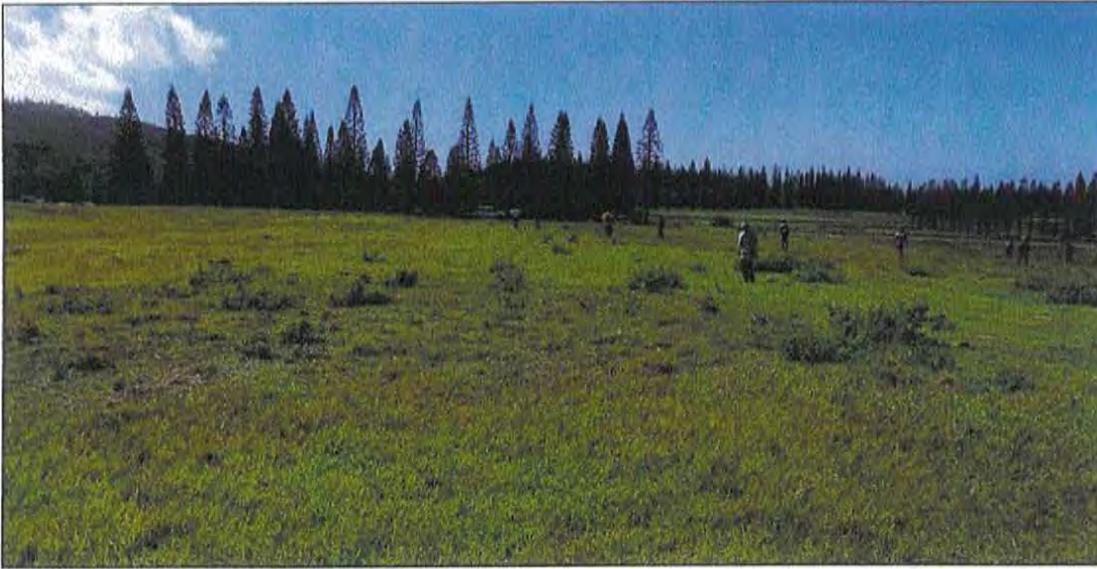


Figure 22: Proposed location of the helistop pad near the Lodge at Kō'ele, looking southeast.

color is the medium gray characteristic of Lāna'i adze rock. The flake has a recent break, possibly due to damage in the pineapple field.

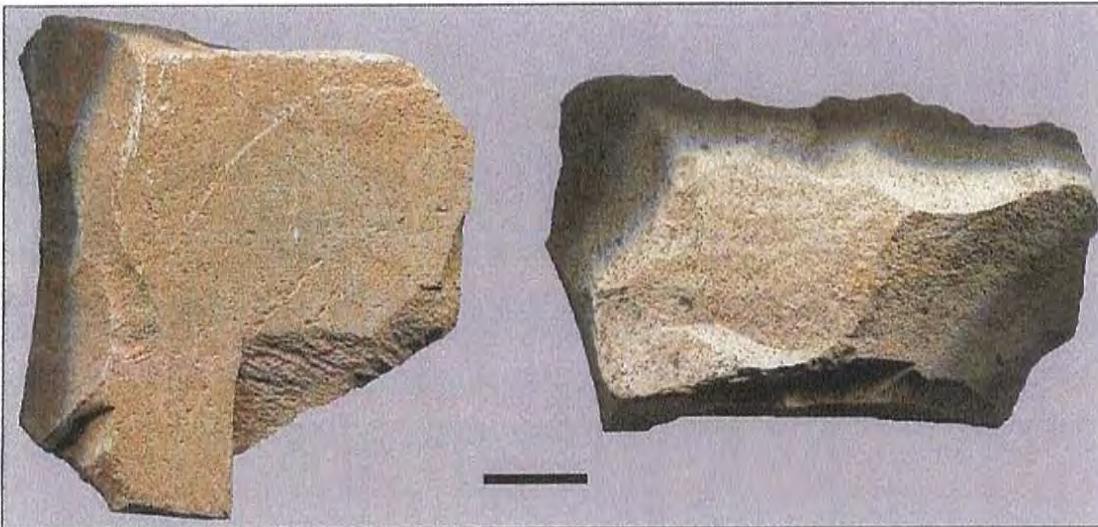


Figure 23: Two basalt artifacts: *left*, adze flake from Find Spot 1; *right*, basalt flake from Find Spot 3. The scale bar is 1 cm.

The largest of the three basalt flakes is $35 \times 35 \times 8$ mm and weighs 16 g. The smallest is $20 \times 30 \times 6$ mm and weighs 5.4 g. None of the flakes is fine quality, nor diagnostic of a particular flaking activity associated with tool making.

Table 9: Artifacts from Find Spot 1

Artifact	Description
Adze flake	Polish on three surfaces
Basalt flakes	Three flakes of fair quality <i>tool stone</i>
Glass	Two sherds of clear bottle(?) glass
Glass	One piece of aqua, thin glass, too small to identify origin
Rebar	3/8" bar, approx. 30 cm long

The largest piece of clear glass is 35 × 35 × 4 mm and weighs 7 g. It is from the base of a bottle. No lettering or other identifying marks were observed. The smaller piece of glass conjoins the larger one.

The thin piece of aqua glass is approximately 1 mm thick. This is a tiny piece whose origin on a bottle or some other glass object can't be determined with confidence.

4.1.2 Find Spot 2

Two artifacts were collected from the surface at Find Spot 2 (see fig. 1, p. 4; table 10). The basalt flake measures 56 × 41 × 16 mm and weighs 69 g. It has one certain and another possible negative flake scar on the *dorsal surface*. The glass sherd is 34 × 17 × 2 mm and weighs 3 g. It has no markings.

Table 10: Artifacts from Find Spot 2

Artifact	Description
Basalt flake	Thick, with negative flake scars on dorsal surface
Glass	Clear bottle, non-diagnostic

4.1.3 Find Spot 3

A single possible adze fragment was collected from the surface at Find Spot 3 (see fig. 1, p. 4; fig. 23). It measures 52 × 28 × 20 mm and weighs 58 g. There is one polished surface, slightly convex, on one of the large faces of the tool.

4.1.4 Find Spot 4

Two pieces of coral and one basalt flake were collected from the surface at Find Spot 4 (see fig. 1, p. 4). The coral pieces show no signs of having been worked. The basalt flake is 25 × 40 × 5 mm and weighs 12 g. It has a *hinge termination*.

4.1.5 Find Spot 5

One basalt flake was collected from the surface at Find Spot 5 (see fig. 1, p. 4). The flake measures 25 × 41 × 9 mm and weighs 10 g. It has a hinge termination.

4.2 Proposed Helistop Pad Near the Mānele Bay Resort

The proposed helistop pad near the Mānele Bay Resort is located on a graded pad that is used today as a nursery. The nursery consists of a shade cloth structure and holding areas for potted plants outside the structure (fig. 24). Grading for the nursery pad excavated several feet and the level surface was covered with crushed rock. No evidence of potentially significant historic properties was found at the location of the proposed helistop pad near the Mānele Bay Resort.



Figure 24: Proposed location of the helistop pad near the Mānele Bay Resort, looking west. The nursery building constructed of shade cloth is the proposed location of the helistop pad.

5 Summary and Conclusions

Archaeological survey with 100 percent coverage at two proposed helistop locations on Lānaʻi Island failed to find evidence of potentially significant historic properties. The proposed helistop pad near the Lodge at Kōʻele is located in an abandoned pineapple field. No artifacts were found on the surface of the proposed helistop pad location. Secondarily deposited basalt flakes were found at five find spots in the abandoned pineapple field

outside of the proposed helistop pad, including two flakes with polished surfaces indicative of originating on an adze. These find spots are not potentially significant historic properties because the secondarily deposited artifacts lack integrity of location.

The proposed helistop pad near the Mānele Bay Resort is located on a previously graded and prepared pad that is used today to support a nursery facility. Any potentially significant historic properties that might have been found at this location would have been destroyed when the pad was graded.

Based on the negative results of the archaeological field survey, there are no potentially significant historic properties at the proposed helistop pad locations. There will be no historic properties affected by construction of the Helistop Pads.

Glossary

- caldera** A caldera is a cauldron-like volcanic feature usually formed by the collapse of land following a volcanic eruption. They are sometimes confused with volcanic craters.
- clay** Fine earth particles less than 0.002 mm.
- Contact** A period in Hawaiian history marked by the arrival of Captain James Cook in 1778 and characterized by the social changes that eventually brought about the end of traditional Hawai'i.
- detritus** Material produced by the disintegration and weathering of rocks that has been moved from its site of origin, or a deposit of such material.
- dorsal surface** In studies of stone tool manufacture, the side of the *lithic flake* displaying the flake scars of previous removals, or the cortical or original rock surface.
- eucalyptus** The historically introduced gum tree, genus *Eucalyptus*, at least 30 species of which have been introduced to Hawai'i, primarily for reforestation.
- habit** A botanical term used to describe the general appearance, growth form, or architecture of a plant.
- ironwood** A historically introduced large tree, *Casuarina equisetifolia*.
- lithic flake** A portion of rock removed from an objective piece by percussion or pressure.
- project** The archaeological investigation, including laboratory analyses and report preparation. See also *undertaking*.
- sand** Detrital material ranging in size from 0.5 mm to 2 mm in diameter. See also *detritus*.
- significance** A quality of a historic property that possesses integrity of location, design, setting, materials, workmanship, feeling, and association. The qualities are set out in SHPD administrative rule §13-275-6, *Evaluations of Significance*.
- site** The fundamental unit of archaeological investigation, a location that exhibits material evidence of past human activity.
- tool stone** Lithic material suited to the production of stone tools.
- tree** A perennial woody plant with a single main stem, or trunk, typically taller than 5-6 m at maturity. See also habit.
- undertaking** Any action with the potential for an adverse effect on significant historic properties. See also project.

Hawaiian Terms

- 'ahakea** Native trees of the genus *Bokea*. The wood was used for *poi* boards and paddles. Its yellow color and wearability also made it desirable for the carved end covers and gunwales of outrigger canoes.
- ahu** Heap, pile; altar, shrine, cairn.
- ahupua'a** Traditional Hawaiian land division, usually extending from the uplands to the sea.
- 'aiea** All species of the endemic Hawaiian genus *Nothocestrum* of soft-wooded shrubs and trees.
- 'āina** Land, earth.
- aku** Hawaiian name for the finfish, skipjack tuna, *Katsuwonus pelamis*.
- akua** God, goddess, spirit, ghost, devil, image, corpse.
- ala** Path, trail, road.
- 'alae** A bird, *Fulica americana alae*, the mudhen or Hawaiian gallinule. See also *'alae kea*.
- 'alae kea** A bird, *Fulica americana alai*, the Hawaiian coot.
- ali'i** Chief, chiefess, officer, ruler, monarch, peer, head man, noble, aristocrat, king, queen, commander.
- aloha** Love, affection, compassion, mercy, sympathy, etc.
- 'ama'ama** Mullet (*Mugil cephalus*), a very choice fish.
- 'anae** Full-sized *'ama'ama* mullet fish. See also *'ama'ama*.
- 'apapane** A honeycreeper, *Himatione sanguinea* with crimson body and black wings and tail, found on all the main Hawaiian Islands. Its feathers occasionally were used for featherwork.
- 'aumakua** Family or personal gods, deified ancestors who might assume the shape of animals, rocks, clouds, or plants.
- 'awa** A shrub, *Piper methysticum*, the root of which is the source of a narcotic drink of the same name used in ceremonies, prepared formerly by chewing, later by pounding.
- hala** An indigenous tree, *Pandanus tectorius*, whose leaves were used for mat making, canoe sails, baskets, and thatching.
- hala pepe** A native shrub of the genus *Pleomele*.
- hale** House, building, station, hall.
- he'e** Octopus.
- heiau** Traditional Hawaiian place of worship.
- helu** To count, number, compute, take a census, figure enumerate, list, include, impute; to assess, as taxes; to chant a list of names, as of genealogy; including, counting, enumeration, census, list, rate, number, figure, total, inventory; statistics.
- honu** General name for turtle and tortoise, as *Chelonia mydas*.
- 'ili** A land section, next in importance to *ahupua'a*, and usually a subdivision of an *ahupua'a*.
- 'iliahi** Native trees and shrubs belonging to the genus *Santalum*, or sandalwood. Traditionally, it was powdered and mixed with coconut oil to make perfume for *kapa*.
- 'ilima** An indigenous shrub, *Sida fallax*. Traditionally, the flower was used in *lei* making, both the flower and the root were used medicinally, the stems of the large plants

were used as slats in house construction, and the stems of smaller plants were used in rough basketry.

imu Underground oven.

'inamona Relish made of the cooked kernel of *kukui* mashed with salt. See also *kukui*.

ipu The gourd, *Lagenaria siceraria*.

Kahiki Tahiti, foreign land.

kahua hale House foundation or site.

kahuna Priest, sorcerer, magician, wizard, minister, expert in any profession.

kala A generic name for fish in the Unicornfish genus *Naso*. It is generally caught in nets or with a spear. The flesh has a strong odor and is rarely eaten raw; it is often broiled or partially dried and broiled.

kalo The taro, *Colocasia esculenta*, was a staple food in traditional Hawai'i and all parts of the plant were used. The rootstock was baked or steamed, then eaten sliced or pounded to make *poi*, raw taro was also grated and mixed with coconut milk to make desserts, the leaves, leaf stems and flowers were also used in cooking. Medicinally the leaves and rootstock were used to treat many ailments. The plant was also used ritually, as bait for fish, glue, and to make dye.

kama'āina Native-born, one born in a place, host.

kanikau Dirge, lamentation, chant of mourning.

kapa Tapa cloth, as made from *wauke* or *māmaki* bark.

kapu Taboo, prohibition; special privilege or exemption from ordinary taboo; sacredness; prohibited, forbidden; sacred, holy, consecrated; no trespassing, keep out.

kāula Prophet, seer, magician.

kī A woody shrub, *Cordyline terminalis*, in the lily family. Traditionally the leaves were used for a variety of purposes, such as wearing apparel, thatching, food, fishing, and religious purposes. The root was eaten in times of famine and was the basis in historic times for *'ōkolehao*, a fermented drink.

kiawe The algaroba tree, *Prosopis* sp., a legume from tropical America, first planted in Hawai'i in 1828.

kō Sugarcane, *Saccharum officinarum*, was introduced to Hawai'i by Polynesian settlers, who cultivated it widely. The stalk was chewed between meals for its sweetness, brought on long journeys to ease hunger, and eaten in times of famine; juice from the stalk was fed to nursing babies, and used as a sweetening agent in medicinal herbal concoctions; the leaves were used as thatching for houses; the leaf midrib was used for plaiting braids that were made into hats; the stem of the flower was used to make darts for a child's game.

koa haole A historically introduced small tree, *Leucaena glauca*.

Kona Leeward sides of the Hawaiian Islands. Name of a leeward wind.

konohiki Head man of an *ahupua'a* land division under the chief; land or fishing rights under control of the *konohiki*. See also *ahupua'a*.

Ko'olau Windward sides of the Hawaiian Islands.

ko'oloa kea A native shrub (*Abutilon*) related to the hibiscus, with heart-shaped leaves one to three inches long, and pale pink flowers from which protrude many stamens borne on a central column.

- kūkini** Runner, swift messenger, as employed by old chiefs, with a premium on their speed.
- kukui** The candlenut tree, *Aleurites moluccana*, introduced to Hawai'i by Polynesian settlers. The outer husk of the fruit or nut was used to make a black dye for tapa and tattooing; sap from the fruit was used as medicine to treat thrush, and used as a purgative; the hard shell of the nut was used in *lei* making; the kernel of the nut was the source of an oil that was burned for illumination and also used as a wood varnish for surfboards and canoes; the kernel was also chewed and spit on rough seas to calm the ocean and baked kernels were mixed with salt and chili pepper to make a relish (*'inamona*); the trunk was used to make canoes and floats for fishing nets; a reddish dye was made from the bark and/or root; a gum exuded from wounded bark was used to treat tapa; the flower was mixed with sweet potato to treat thrush; the leaves were used in a poultice for swelling and infection.
- kula** 1. Plain, field, open country, pasture; land with no water rights. 2. School.
- kuleana** Right, title, property, portion, responsibility, jurisdiction, authority, interest, claim, ownership.
- kupuna** Grandparent, ancestor, relative, or close friend of the grandparent's generation, grandaunt, granduncle.
- lama** A small native tree, *Diospyros sandwicensis*, whose very hard wood was widely used as house construction material by traditional Hawaiians; also used to make implements.
- lehua** The flower of the 'ōhi'a tree, *Metrosideros polymorpha*; also the tree itself. See also 'ōhi'a lehua.
- lei** Garland, wreath.
- lele** Sacrificial altar or stand.
- Māhele** The mid-nineteenth century land division responsible for the introduction of fee simple land title in Hawai'i.
- mai'a** All kinds of bananas and plantains.
- maile** A native twining shrub, *Alyxia olivaeformis*, used in traditional Hawaiian religion to evoke Laka, the goddess of hula. *Maile* sticks gummed with lime were used as part of a rig to catch birds.
- makai** Seaward.
- māmaki** A small native tree, *Pipturus albidus*, also called *māmake*; the berry was used as a laxative, a dressing for wounds, and a tonic for general debility; the berry was fed to children to treat thrush; the bark was used to make tapa cloth.
- mānienie** A grass, a.k.a. Bermuda grass, *Cynodon dactylon*, that has been introduced and naturalized in Hawai'i.
- ma'o** A native shrub, *Gossypium tomentosum*, the leaf of which was traditionally used to make a green dye.
- mauka** Inland, upland, toward the mountain.
- mele** Song, anthem, or chant of any kind.
- mō'i** King, queen, sovereign, monarch, or a rank of chiefs who could succeed to the government but who were of lower rank than chiefs descended from the god Kāne.
- mo'o** 1. Narrow strip of land, smaller than an 'ili; 2. Lizard, reptile of any kind, dragon,

serpent; water spirit.

naio A native tree, *Myoporum sandwicense*, with hard, dark, yellow-green wood. The wood was used traditionally for the main timbers of houses.

'ōhi'a Various kinds of forest trees in the family Myrtaceae, either in the genus *Metrosideros* or *Syzygium*.

'ōhi'a lehua A native plant, *Metrosideros polymorpha*, that ranges in habit from prostrate shrubs to tall trees and is distributed from sea level to 2,200 m elevation on all the main Hawaiian Islands.

olopua The native tree, *Nestegis sandwicensis*, the hard wood from which was used for spears, adze handles, rasps, and digging sticks; it was also a preferred fire wood.

pala A native fern (*Marattia douglasii*), with a short trunk and large, long-stemmed, much divided, dark green fronds. In time of famine, the thick, starchy, hoof-shaped bases of the frond stems, which cover the short trunk, were eaten after being baked in an *imu* overnight. The mucilaginous water resulting from slicing and soaking the raw stems in water was used medicinally. Pieces of the fronds mixed with *maile lei* enhanced their fragrance. The fern was also used in *heiau* ceremonies.

paukū A land section smaller than a *mo'o*.

pili A native grass, *Heteropogon contortus*, whose leaves were used traditionally as house thatch.

pipi 1. Hawaiian pearl oyster, *Pinctada radiata*. In songs this is known as the *i'a hāmau leo o 'Ewa*, 'Ewa's silent sea creature—it was believed that talking would cause a breeze to ripple the water and frighten the *pipi*. 2. Cattle.

pōhuehue The native shrub *Ipomoea pes-caprae*, or beach morning glory. Traditionally, the stems were eaten in times of famine, the vines were also used to drive fish into nets, and also slapped against the water in hopes of provoking large waves.

poi The Hawaiian staff of life, made from cooked taro corms, or rarely breadfruit, pounded and thinned with water.

pueo Hawaiian short-eared owl, *Asio flammeus sandwichensis*, sometimes regarded as a deity.

pule Prayer, magic spell, incantation, blessing.

pu'uhonua Place of refuge, sanctuary, asylum, place of peace and safety.

'uala The sweet potato, *Ipomoea batatas*, introduced to Hawai'i by Polynesian settlers, was a staple food. The tuber was cooked whole and eaten or it was made into poi and mixed with coconut milk to make a dessert; it was used as bait for mackerel fishing; and to make a fermented drink called 'uala 'awa'awa. The vine made a *lei* which was worn by nursing mothers to ensure a good flow of milk; when dried, the vine was also used as padding underneath floor mats. All parts of the plant were used as food for pigs. Kamapua'a was the god of the sweet potato.

'ua'u The endangered seabird, *Pterodroma phaeopygia*, or dark-rumped petrel.

'uhaloa A small weed, *Waltheria indica*, one of the plant forms of the pig demigod, Kama-pua'a. Traditionally the root was used medicinally, having the same effect as aspirin.

uhu An adult fish in the family Scaridae. Commonly known as parrotfish.

'ulu 1. Discoidal, smooth stone as used in 'ulu *maika* game; 2. Breadfruit, *Artocarpus*

altilis.

'ulu maika Stone used in the *maika* game. See also *maika*.

wauke A small tree or shrub, *Broussonetia papyrifera*, whose bark was made into *kapa* cloth. The inner bark was used to make cordage, and the shoots were used to treat childhood diseases. The leaves, along with banana and taro leaves, were used ceremonially to wrap the bodies of *ali'i* after death.

weke Certain species of Mullidae, surmullets, or goatfish, which have large scales and are usually found in reefs. Red and light-colored *weke* were popular as offering to the gods.

Abbreviations

ac. A unit of land area equal to 4,840 square yards (0.405 hectare).

AD *Anno Domini*, the Christian era in the Gregorian calendar, starting from the year AD 1 as the calculated year in which Christ was born.

cm The centimeter, a derived unit of length in the International System of Units, equal to 10^{-2} m. See also m.

DLNR The Hawai'i Department of Land and Natural Resources, a government agency responsible for the management and conservation of the natural, cultural, and historic resources of Hawai'i held in public trust. SHPD is a division of DLNR.

g The gram, a derived unit of mass in the International System of Units, equal to 10^{-3} kg. See also kg (kilogram).

in. A unit of linear measure equal to one twelfth of a foot (2.54 cm).

kg The kilogram, a base unit of mass in the International System of Units, equal to the mass of the international prototype of the kilogram, which is approximately the mass of a cubic decimeter of water.

km The kilometer, a derived unit of length in the International System of Units, equal to 10^3 m. See also m.

LCA Awards issued by the Board of Commissioners to Quiet Land Titles between 1846 and 1855 to persons who filed claims to land between 1846 and 1848.

m The meter, a base unit of length in the International System of Units, equal to the length of the path traveled by light in vacuum during a time interval of $1/299,792,458$ of a second.

SHPD The State Historic Preservation Division of the Hawai'i Department of Land and Natural Resources, a government agency responsible for implementing the National Historic Preservation Act of 1966, as amended, and Chapter 6E of the Hawai'i Revised Statutes.

USGS A federal agency that provides reliable scientific information to describe and understand the Earth; minimize loss of life and property from natural disasters; manage water, biological, energy, and mineral resources; and enhance and protect the quality of life.

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**Two (2) Proposed Private Helistop
Pads on Lānaʻi
TMK (2)4-9-002:001 (por.)**

Lānaʻi Planning Commission

April 20, 2016



Project Team

Landowner/Applicant:

Pūlama Lānaʻi

Planning Consultant:

Munekiyo Hiraga

Proposed Action

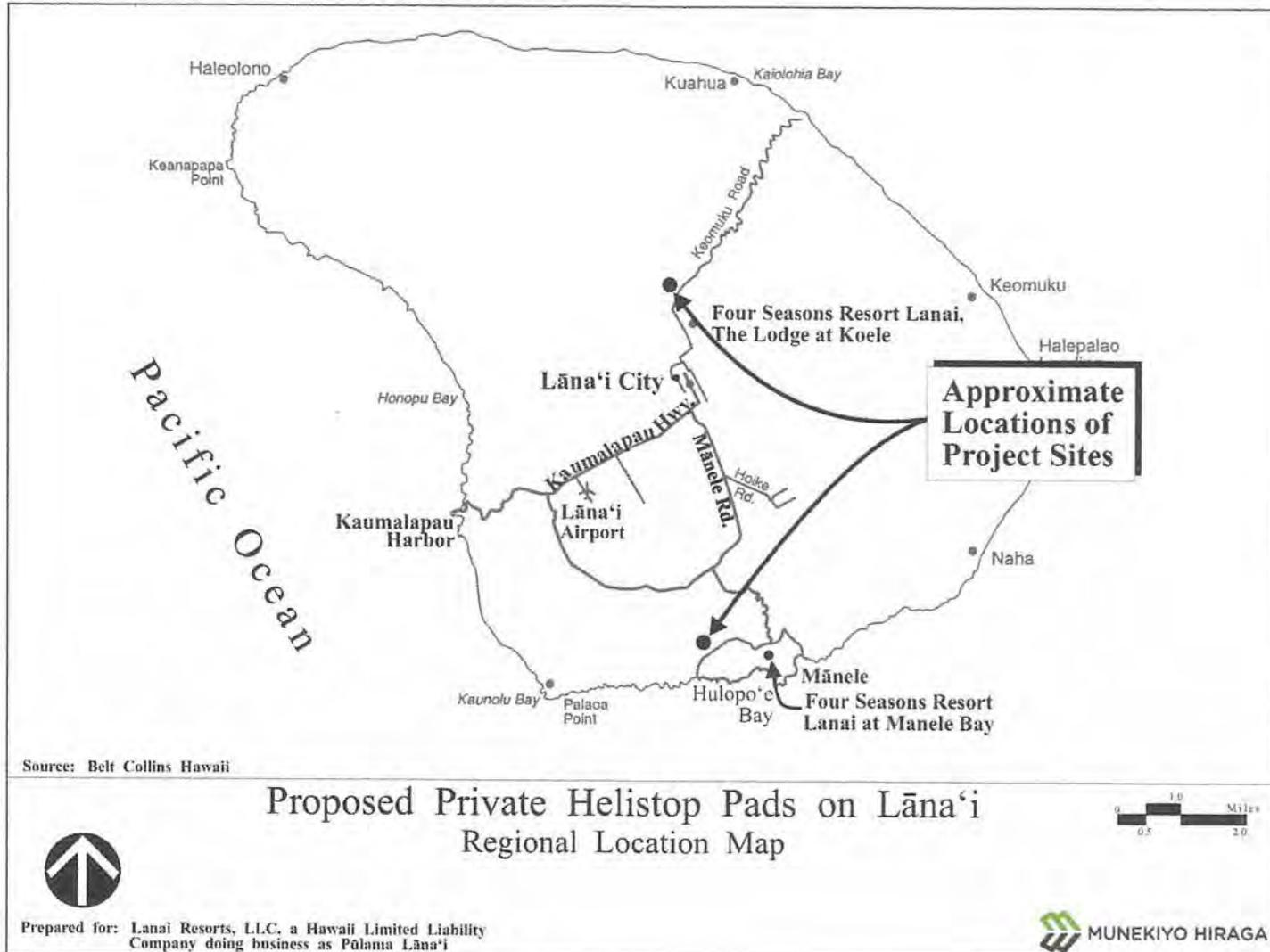
In order to construct two (2) private helistop pads at Mānele and Kō'ele, Applicant (Pūlama Lāna'i) is requesting the following from the Lāna'i Planning Commission:

1. Approval of a State Land Use Commission Special Use Permit (SUP)
2. Favorable recommendation of a Conditional Permit (CP) to the Maui County Council

Purpose

The proposed action provides a transportation option for guests of the Mānele Resort and Lodge at Kō‘ele.

Regional Location Map



Property Description

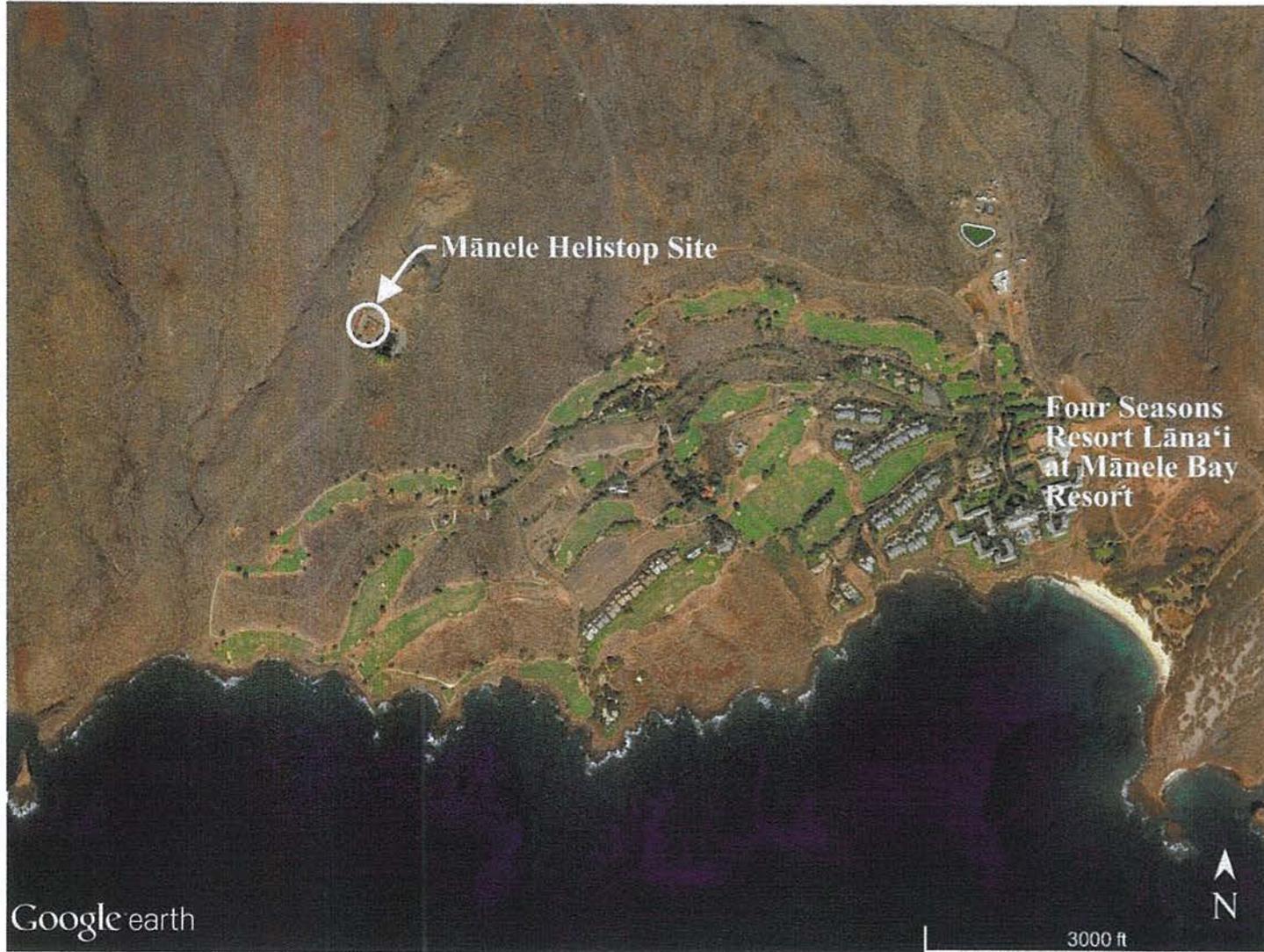
Sites are located on portions of TMK (2)4-9-002:001 owned by Pūlama Lānaʻi; total project area is approximately 2.5 acres.

	State Land Use Designation	Lanai Community Plan Designation	Maui County Zoning Designation	Site Acreage
Mānele	Agricultural	Agriculture	Agricultural	0.9 acre
Kōʻele	Rural	Agriculture	Agricultural	1.6 acres

Helistop Pad Improvements

- 60-foot diameter helistop pads with stone apron, 6-inch concrete foundation.
- Air field lights, ground directional arrows, windsock poles, and markings for pilot visual approach.
- Removal of several existing trees (Kō‘ele).
- Relocate Mānele nursery operations and remove several existing trees and surrounding wall.
- Site clearing, grubbing, excavation, and grading.

Aerial Photo (Mānele)

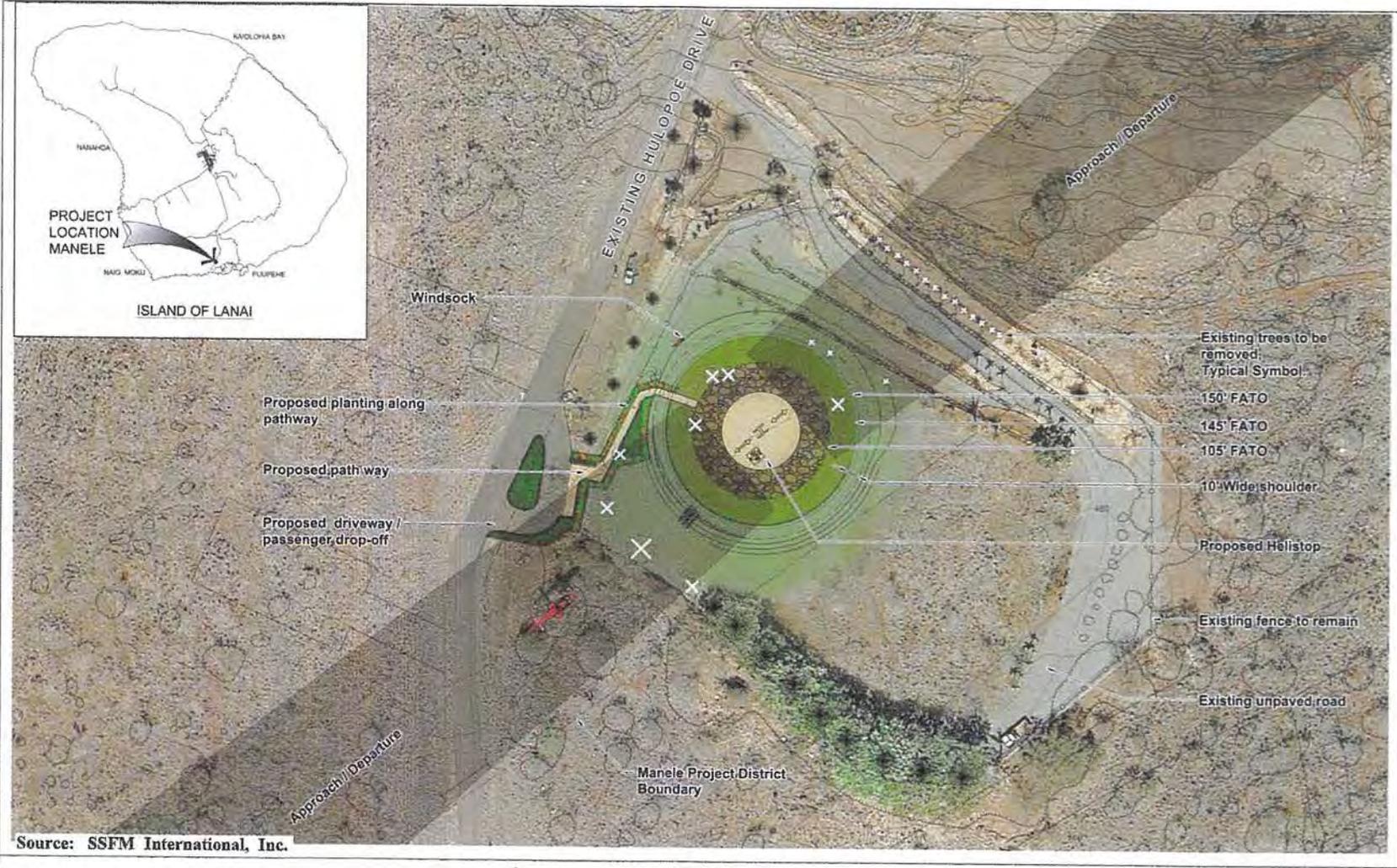


Aerial Current Site Photo (Mānele)



Source: Google Earth

Mānele Site Plan



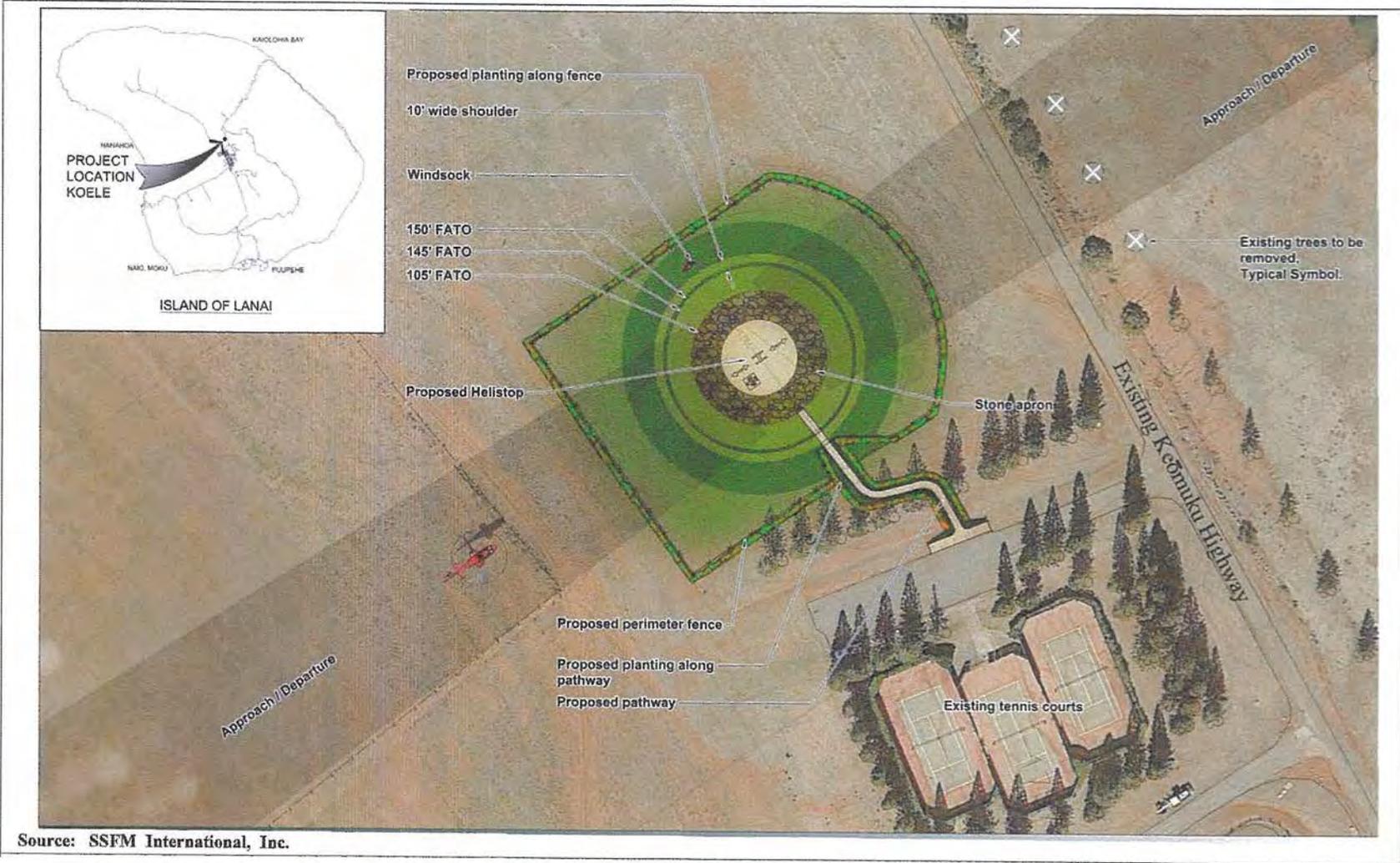
Aerial Photo (Kōʻele)



Aerial Current Site Photo (Kō'ele)



Kō'ele Site Plan



Project Considerations

- In July 2014, the State Department of Transportation, Airports Division issued a determination that no State permit is required for the project
- In March 2015, the U.S. Department of Transportation Federal Aviation Administration approved the Kō‘ele Helistop Site and Mānele Helistop Site
- Conditions of the FAA approval include:
 - The minimum flight restriction is 1,500 feet around Lāna‘i City and Mānele, and is 500 feet elsewhere on Lāna‘i
 - All operations conducted in Visual Flight Rule weather conditions
 - The landing area is limited to private use
 - All approach/departure operations are conducted from 040 degrees/220 degrees \pm 10 degrees
 - Prior to use, a representative of FAA evaluate helistop for compliance

Project Considerations

(Continued)

HAWAI‘I REVISED STATUTES (HRS), CHAPTER 343

The installation of new helicopter facilities is considered a “trigger” within Hawai‘i Revised Statutes (HRS), Chapter 343.

HRS Section 343-2 provides as follows:

“Helicopter facilities” means any area of land or water which is used, or intended for use for the landing or takeoff of helicopters; and any appurtenant areas which are used, or intended for use for helicopter related activities or rights-of-way.

Project Considerations

(Continued)

HRS Section 343-5 provides exceptions from the requirement for compliance with HRS, Chapter 343 Environmental Assessment (EA) for helicopter facilities as long as none of paragraphs 8(A), 8(B), or 8(C) are applicable:

(a) Except as otherwise provided, an environmental assessment shall be required for actions that:

(8) **Propose the construction of new** or the expansion or modification of existing helicopter facilities within the State, that by way of their activities, may affect:

- (A) Any land classified as a conservation district by the state land use commission under chapter 205;
- (B) A shoreline area as defined in section 205A-41; or
- (C) Any historic site as designated in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E; or until the statewide historic places inventory is completed, any historic site that is found by a field reconnaissance of the area affected by the helicopter facility and is under consideration for placement on the National Register or the Hawaii Register of Historic Places;

Potential Impacts

Surrounding Land Uses

- Mānele Helistop is located one (1) mile from the Mānele Resort, 0.5 mile from residential areas to the east, and bordered by vast vacant land to the north, south, and west.
- Kōʻele Helistop is located 0.5 mile northwest of Lānaʻi City, 0.25 mile from the Kōʻele Lodge to the southeast, and bordered by vacant, undeveloped lands to the north, east, and west.

Flora and Fauna Study

- There was no finding of threatened, endangered, or species of concern for plants or animals.
- Pūlama Lānaʻi will implement survey recommendations to avoid introduction of noxious weeds/invasive species and provide security/site lighting for the helistop operations that mitigates danger to seabirds.

Potential Impacts

(Continued)

Archaeology and Cultural Resources

- The survey found no potentially significant historic resources at the two (2) helistop sites.

Drainage

- There will be no change to existing drainage patterns in the project area and surface runoff is anticipated to not be significant.
- Temporary Best Management Practices (BMPs) during construction and permanent BMPs will be implemented (e.g. vegetated swales to increase percolation of runoff water into soil).

Potential Impacts

(Continued)

Open Space and Scenic Resources

- The project sites do not encompass existing traditional access or walking trails and are not part of a scenic corridor.

Noise and Air Quality

- Flights will normally occur during daytime hours with an occasional night landing. Intermittent combined Kō'ele and Mānele helistop pads usage are limited to not exceed 12 roundtrip flights per month.
- The flight path for the two (2) helistop operations is away from residential areas.
- Helicopters are built for sound reduction and powered by gas turbine engines producing few pollutants.

Potential Impacts

(Continued)

Water Use and Wastewater

- Helistop operations will not use water or generate wastewater.

Public Services and Facilities

- Helistop operations will not expand public, health, and safety services.

State Land Use Commission

Special Use Permit Criteria

1. The use shall not be contrary to the objectives sought to be accomplished by Chapters 205 and 205 A, Hawai'i Revised Statutes, and the Commission rules.
 - The Kō'ele Helistop site is undeveloped and has been vacant for over 50 years.
 - The Mānele Helistop site is on a portion of the existing containerized plant nursery.
 - The sites total less than three (3) acres.

State Land Use Commission

Special Use Permit Criteria

(Continued)

2. The desired use would not adversely affect surrounding property.
 - The flight path for the helistop operations is away from residential areas and will occur over vacant, undeveloped lands.
3. The use would not unreasonably burden public agencies to provide roads, streets, sewers, water, drainage, school improvements, and police and fire protection.
 - The project will not unreasonably burden public infrastructure, education, recreational, public health, and safety services.

State Land Use Commission

Special Use Permit Criteria

(Continued)

4. Unusual conditions, trends, and needs have arisen since the district boundaries and rules were established.
 - The luxury resort market is trending towards providing appropriate services and amenities to cater to guest requirements.
 - Lānaʻi is limited in transportation options and helistop facilities provides guests alternative private transportation.

State Land Use Commission

Special Use Permit Criteria

(Continued)

5. The land upon the proposed use is sought is unsuited for the use permitted within the district.
 - The Mānele Helistop is on Agricultural zoned land that is rated “E” for overall productivity and is less than favorable for agricultural production.
 - The Kō‘ele Helistop is on Agricultural zoned land that is rated “D” indicating low agricultural production.

County Conditional Permit Criteria

- The proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located.
- The sites are located away from the populated areas of Lānaʻi and surrounded primarily by vacant and undeveloped land.
- Intermittent combined Kōʻele and Mānele helistop pads usage will not exceed 12 roundtrips per month.
- The proposed use is compatible with the surrounding permitted uses (e.g. hotel, commercial, residential, open land recreational).

Summary of the Request

- The Lānaʻi Planning Commission's approval of a State Land Use Commission Special Use Permit for 5 years for the two (2) helistop pads (Mānele and Kōʻele).
- The Lānaʻi Planning Commission's favorable recommendation to the Maui County Council of a County Conditional Permit for 5 years for the two (2) helistop pads (Mānele and Kōʻele).

MAHALO

**LANA'I PLANNING COMMISSION
REGULAR MEETING
APRIL 20, 2016**

APPROVED 07-20-2016

A. CALL TO ORDER

The regular meeting of the Lana'i Planning Commission (Commission) was called to order by Chair Kelli Gima at approximately 5:00 p.m., Wednesday, April 20, 2016, in the Lana'i Senior Center, Lana'i City, Hawaii.

A quorum of the Commission was present (See Record of Attendance).

Ms. Kelli Gima: Good evening everyone. We're going to go ahead and get started, so for those of you who are outside please come on in. Please silence your cell phones if you haven't already. We're going to start the April 20th, 2016 Lanai Planning Commission. It is now 5:00 p.m. And we're going to -- we do have quorum tonight. We have a few members missing. We're going to start off by the introduction of our new member, Medigale Badillo. Welcome. Would you like to say something about yourself to the community and to the commission? You can go on the microphone.

B. INTRODUCTION OF NEW MEMBER - MEDIGALE BADILLO

Ms. Medigale Badillo: Hello. I am Medigale Badillo. I'm...a resident here in Lanai for about 15 years, and I'm just going to step up for the best for our community, and have a good night.

Ms. Gima: Thank you and welcome. Next on the agenda we're going to start public testimony, and I have one on the list. And we are going to start off with Ron McOمبر.

C. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

Mr. Ron McOمبر: . . . (inaudible) . . .

Ms. Gima: Okay, yeah, so what we're going to do is we're going to start general testimony if anybody needs to leave and can't stay for the evening. After the two permit application items, we'll open up testimony again after you've had time to hear the presentation, you might have some questions. So I'm going to read down the list, and if you are willing to give testimony right now, then please come up to the mic. Next is Albert Morita.

Mr. Albert Morita: Good afternoon Chairperson Gima and members of the commission. My name is Albert Morita. I'm nearly a life long resident of Lanai, in fact, having grown up in the

Koele area, in the much simpler times. I'm here on behalf of myself and my wife, Julia Morita, who has spent more than half of her life time on Lanai, and we both love it here.

We are here today to express our concern with the helistop pads proposed for Koele -- Koele, Lanai. We believe they are an inappropriate use of the lands and will be a detriment to and not in harmony with an area long cherished for its beautiful and serene nature. After all our late Dennis Kamakahi wrote: "Koele . . . (inaudible) . . . -- Memorializing the peaceful calm of that area." In addition, the proposed area sits at the junction of two major access roads to the north, west, and east areas of Lanai. The safety of those who use these roads and adjacent lands will be seriously compromised by the pads being so close, within 300 feet, of Keamoku Road, and the proposed flight . . . (inaudible) . . . to the northeast going directly over Keamoku Road. We question the selection of the Koele site when a perfectly good airport is just a 10 minute drive away from the Lodge at Koele, and provides a safe and accessible landing site. If the applicant really needs a closer site than the Lanai Airport, then they should consider the area marked on their exhibit regional location map which indicates an area near the sporting clay range about a mile or more to the north. And I kind, and I kind of wondering why the notice of hearing indicates this particular area, and I wasn't going to testify because that's the area I thought it was. But doing more research I find out it's right at the tennis courts at Koele. So at best it's a...clerical error, which I find hard to believe in these days of GPS, Google Earth and everything else. And at worse, an intentional effort to deceit? At any rate, please do not approve the request to construct and operate the proposed Koele helistop. Thank you.

Ms. Gima: Thank you. Uncle Albert, I have a quick question. Just to clarify, so you got a notice of hearing, but it didn't specifically say it was in the Koele area?

Mr. Morita: I relied on the map. And if there is a power point presentation later, it's on the exhibit. The exhibit is regional location map, and on that map it shows an area very near the sporting clay's entry gate, which is nearly a mile away. And if you depended on this map to see if it affected you or concerned you, you probably wouldn't have come tonight, and I nearly didn't come.

Ms. Gima: Alright. Thank you for your clarification and your testimony. Next up we have Margaret Peary.

Ms. Margaret Peary: Hello. Okay. My name is Margaret Peary. I haven't lived here for a long time. I would echo everything that Albert just said. I reflects my feelings exactly. I, I find this absurd because we are in such close proximity to the airport. This is not an inaccessible area. It's not as though they're shuttling down to Club Lanai or something where the roads can be washed out and it's very rough going to get to a place like that. Where I lived formerly in Mililani, it wasn't too far from a fire station, and every now and then a helicopter comes right over, and you think, oh dear God, I think they're going to land our roof because they just skims over and then they land in an empty field near the fire station. It isn't fun. It isn't nice. It certainly isn't something I would want to be anywhere near. They say the flight paths won't go near any residential areas, but if I were a guest, even, at Koele and you've got this loud thing now landing and it could land at night sometimes, I just think it's absurd that people who come

to this island can't just come in to the airport and make their way by car like everyone else and go to either Koele and Manele. I'm not -- you know whatever the Manele people are going to say about that, but as far as Koele, I'm absolutely against it, and I ask the board to vote no.

Ms. Gima: Thank you very much. Next up we have Randy Fernandez.

Mr. Randy Fernandez: Good evening Madame Chair Gima. I do feel for you Albert and the rest of the community about the Koele. I'm here for Manele. I do hope that you guys back us up down at Manele. As far as Koele, after hearing this testimony I feel like maybe we should look at Koele and see, you know, what we can do to make it happen. Maybe not so close. Maybe...another location. But definitely we would love to have a helipad somewhere in that vicinity. Thank you.

Ms. Gima: Thank you very much. Next we have Wendy Kaopuiki. You're going to do it after? Okay. Stanley Ruidas? After. Robin Kaye? After. Melvin Catiel?

Mr. Melvin Catiel: My name Melvin Catiel, born and raised here, and Koele was part of my playground before when we were young. We used to play there, Albert them and the Kwon family when they were living up there. I'm against the Koele helipad because you get people in the hospital who gotta be medivac, they gotta go down to the airport. Why you gotta build one up there just for tourists who get plenty money. No make sense. Let them go down the airport like any other people we gotta medivac. Plus on top of that, there's a graveyard up there. Now people holding services, you don't want a helicopter flying over, buzzing around. If it was me, my family there, I go look for the pilot, I give 'em dirty lickin'. So I don't know, if you guys probably wiping the tourist's ass too already, for you guys who want to build this. So I'm against it.

Ms. Gima: Thank you very much. Next we have Ken Escolito. Okay. Chad Campbell? Debbie dela Cruz?

Ms. Debbie dela Cruz: Thank you for the opportunity to provide testimony. My name is Debbie dela Cruz, and I'm a Lanai resident. I think we all share the hope that our resorts will succeed. We don't want to return to a few years ago when many good people were leaving the island as they lost their jobs. So as I read up on helistops I had that in mind. Do we need helistops for the resorts to succeed? Pacific Business News said that the helistops here would be some of the first on top any of Hawaii's hotels. So there are other high end resorts without helistops. Then I tried to think like the target rich visitor to Lanai and that was hard to stretch. From T.V. and movies, they appear to want the unique, they want comfort, and they want convenience. We've waited for hours at the Honolulu when there are flight delays and seen how impatient some of those well dressed people get. You know they'll never plan -- you know they'll never plan another trip to Lanai. My first thought when I see this, see that is stay home next time. My second thought is we need them. Lanai is a one horse town, and that horse is high end tourism. I may lose friends forever, but I finally decided not to oppose the helistops. Those rich people want exclusivity. If we accept the helistops, we need to look at minimizing the effects on the community, and consider what makes people move to Lanai, and what makes residents

stay. Helicopters buzzing overhead aren't part of that. Based on what I've read about the helistop controversies elsewhere, I ask that if you consider the following.

One, set time limits for the flights, such 7:00 a.m. to 7:00 p.m. The permit requested Pulama notified the 110 members of the Manele and Koele Associations about this request, and they only received two responses asking that there not be flights between 11:00 p.m. and 5:00 a.m. There's no mention of notifying Iwiole people. Please take into consideration that many of those homeowners are part-time residents who don't work on Lanai, unlike many residents who are working and need their sleep. The association homeowners probably have double wall homes, possibly insulated, and probably have air-conditioning so they don't need to keep their windows open. Most Lanai homes aren't doubled walled, and people typically leave their windows open so noise is a factor especially at night.

Number two, set sound limits in decibels. We don't want a huge Sikorsky landings off load a large group. The permit request states that the helicopters are, quote, "anticipated to carry a maximum of six passengers including the pilot," end quote. But this isn't a commitment for that passenger load. The noise from the helicopters is more important than the size.

Number three, minimize flights when possible by dropping baggage at the airport.

Number four, do not allow helicopters to fly over the city or within a certain distance from the city for noise and safety reasons.

Number five, allow uses at Manele helistop in cases of major emergencies so the community could get some benefit. This could be limited to government and medivac use. Some smart Lanai people have pointed out that our current community plan discourages the establishment of commercial heliport facilities outside of Lanai Airport, and prohibits aircraft flight patterns over Lanai City, and late night aircraft operations to mitigate noise. If the community makes a concession and allows helistops, please make sure that the community is protected as much as possible.

Lastly, at the Koloiki lookout several weeks ago, there was a couple looking over at Manele and Maui, and after a long while the wife turned and commented to her husband that it was so quiet. A guest watching the sunset from the veranda of the Lodge probably has the same thought, so let's not kill the golden goose by destroying what people come here for. Thank you.

Ms. Gima: Thank you very much. Next, we have Kathy Brindo.

Ms. Kathy Brindo: I'm Kathy Brindo. I've lived on Lanai, and raised my kids here. It's been 36 years. And what Debbie said one of the first things I thought -- I think to myself why, why do people want to come here? There's so much more on other islands. And recently, it kind of startled me because it's something I've just taken for granted is what Debbie said; people have said to me, oh, it's quiet here. We have --. When we think about we have the quiet, we have the lack of traffic. And the other thing, not so many people around. And they live with this everyday; the traffic, the people, the noise. And I think we're kind of starting to kill off what we

have, one of our better things with this.

I live in Iwiolo, and I figure from the --. Well, I'm right in front of Iwiolo, and I figure from the tennis courts, it would take about a minute for a helicopter to get to my house. We've had them landing, you know, in that area or at Koele, and it's loud. I mean, we always go outside to see what's happening because it's loud. And you know, the wind comes from that direction, so it's double loud. It's, it's right at you. You can't get away from it.

And then I had some questions too. How often are these going to happen? Are they going to have tours that go around the island? Are they going to be leaving hourly? You know, is it --. First I thought, oh, just once or twice a day, but it could be hourly. It could be more than that depending on what's happened.

Actually, I think that's about it, so thank you. Thank you for listening.

Ms. Gima: Thank you very much.

Ms. Zigmond: Kathy, can I ask you a question please? Do you live in Iwiolo?

Ms. Brindo: Yes, I live right in front.

Ms. Zigmond: Did you get a notice about this hearing?

Ms. Brindo: Kind of. Well, e-mail from friends.

Ms. Zigmond: But, I mean, you did not get one from the applicant as the homeowners at Manele and Koele did?

Ms. Brindo: No.

Ms. Zigmond: Okay, thanks.

Ms. Gima: Next, we have Myles Saruwatari.

Mr. Myles Saruwatari: Hello. I'm Myles Saruwatari. I grew up on Lanai. I moved away for 40-something years. I just moved back in 2013. Now my view may not be as well rounded as everybody else here because I haven't lived here for a long time. But I'm going to tell you when I came back to Hawaii, Lanai specifically, it was a shock. Shock. When I went to Lahaina for the first time in 40 years, I was shocked at Lahaina. It's Waikiki. Now, I'm not saying that's going to happen with the helipad here, but what is -- what I noticed about what the ads and everything for tourism to Hawaii, of Hawaii, Lanai, it's about the rustic Lanai; the country atmosphere, the peace and quiet. If you start having helicopters and that kind of stuff coming in on a regular basis doing tours, it destroys what you're advertising for Lanai tourism. Yeah, it creates, may create more business, more money, but where do you draw the line? We have a way of life...that is very important. Thank you.

Ms. Gima: Thank you Myles. Next up Betty Agtarap. You're not testifying? Okay. Warren Osako.

Mr. Warren Osako: I'll wait till after.

Ms. Gima: Okay. Haruo Kawamura? No? Okay. Max Renigado?

Mr. Max Renigado: How's it everybody, my name is Max. I'm not a Lanai boy. I moved here for work. I've been here for 14 years. My biggest concern about this heliport is the usage. That area is an active hunting area whether they be by paid hunt, by archery, by shotgun or on the weekends during hunting seasons. We've had a few incidents to where during hunting season a chopper came by and ruined many peoples' opportunities to successfully fulfill their opportunity here for whatever lottery that they signed up. The hunting part for the community that's a big financial...profit for us. Nothing that is self reliant on Pulama. This is community based guys that work hard for support the hunters. They reap the benefits from it. If this happens is...I would like for them not fly during hunting season. Shut them down because you give them free pass for go around town, what's going to stop them from doing a shoreline pass through all the areas that DLNR rents so that we can have our state hunt? How many guys going get pissed off saying, bra, I had one chance and this chopper came by, the herd gone. Okay, they stop coming, DNLR lose money, we lose money, the community lose money. I'm pretty sure some how, somewhere Pulama going feel the pain that the community going feel because bra, guys coming here, they spend a lot of money. Thousand dollars one person, between renting your car, your plane ticket, getting your food, getting animals back safely. And if you get one trophy, you're taxed, and that's a lot of money involved. And then we all doing this so that the goose egg can be happy. Think about the little people trying for be content with life here. It's like no sacrifice everything so that the goose egg can be happy.

Ms. Gima: Thank you Max. Lastly we have Kathy Carroll. Okay. Patricia Noble. You're not testifying. Okay. Bruce Harvey.

Mr. Bruce Harvey: Hello everybody I'm Bruce. I don't have any oppositions to the heliport down at Manele, but if somebody is trying to tell me in order to save time, bring them from the airport to Koele, I think by the time they get off the plane with their luggage and everything else, you'd get there faster than in a car, by helicopter. And I also firmly believe this is an end run of smoke and mirrors of picking people up, all of sudden, oh, we're going to Koele via Garden of the Gods, . . . (inaudible) . . .Kawela and Maunalei gulch. Somebody standing there at Koloiki Ridge, woah, where you guys going? Oh, we're going to Koele, so you know, I just have problems with the original intent of this. If somebody has a really good reason why they need a heliport up at Koele, I'd love to hear it. I mean, you might convince that we need one there. But so far it's, oh, we need exclusiveness. People are not going to come Lanai because they can't take a five minute helicopter ride from the airport to Koele. No, that's not going to happen. Once again, I think it's kind of "shibai" thing that they just want to throw a tour in. I really believe that, so...that's my opinion. Okay, thank you.

Ms. Gima: Thank you Bruce. Is there anyone else at this time that wants to testify that hasn't

been able to sign up? Auntie Winnie. Please come up and the Nick Palumbo next.

Ms. Winifred Basques: My name is Winifred Basques. I live on this island 53 years. I've been hunting on this island 45 years. I'm a hunter. Okay, I telling you this because it's sustainability. Okay, we live off the land. And if this helipad pass, look out man, we get one big problem. Big problems. If this gonna pass, my observation is, no, aole piikia, pono. Stick to the regular place. If they want to come in, go to the airport. That is what it's all about. Did they have any permission to come from the FAA? Or did they have any permit come out from the EIS or the SMA permit? I don't think so, and yet he brings everybody over here to look this island and they gonna destroy our island, our lifestyle. Thank you very much.

Ms. Gima: Thank you. Nick?

Mr. Nick Palumbo: Hi. So coming here, I hear a lot of things and I feel –

Ms. Gima: Can you state your name please?

Mr. Palumbo: My name is Nick Palumbo. I'm a resident here. Like Uncle Melvin, I grew up playing around Koele when I was like 10 years at George Ohashi's house before any resorts, hotels here. And then like Max said, you know, you hear things and then your brain starts going. I didn't write anything down. Last year, while my friend was here on a State hunt, we went hunting at Mahana. We watched a deer from a mile away. As the deer made their way up and got in range, a helicopter flew. We couldn't hear the helicopter coming. It flew over the same herd we waited for, watching the helicopter buzz scared them all off and then chase 'em. My friend, from Maui, looked at me and he said, bra, I like shoot the helicopter right now, yeah. So the other night while hearing about this, I was in the shower and I started thinking, you know, it's going to be, it's going to be a heavy thing, yeah? And I started thinking about what he said, you know, about this meeting. Then I started thinking about where it's proposed to be; it's within a mile of my house. And I start thinking about my kids.

Last year my daughter was playing at the edge of Iwiolo fence feeding the horses with her mother, and she got shot in the head by a 22 air rifle in the head. Okay. The police had several different things. They couldn't find who had shot her. They still haven't found who had shot her. And I thought, the same person who had shoot a nine year old girl in the head would shoot a helicopter, you know. So...you know, safety is a real issue, yeah. And for me when I was – 2010, my son was at the hotel at Manele, and he nearly drowned in the pool. He got medivac by helicopter to Oahu and it saved his life, yeah. So both ways, but just so long you guys listen to the community and, you know, the things that happen. So that's it. And I oppose, just to clarify that. I oppose it all together, but those are things that happened. Thank you.

Ms. Gima: Thanks Nick. Anyone else? Diane. Please state your name for the record.

Ms. Diane Preza: My name is Diane Preza. I was born and raised here on Lanai, and I have concerns about the Koele helipad. I live at Hawaiian Homelands along the Iwiolo ditch and the helicopters that pass there now, they don't fly over us, but they fly close enough that it's really --

it's kind of scary, it's really noisy, and like Kathy Brindo, we'd go outside because we think something is wrong and dogs going crazy. But, I just want you to consider that because like Uncle Albert said the airport is really close and I would prefer not to have the helipad at Koele. Thank you.

Ms. Zigmond: Madame Chair, can I ask her a question? Diane, you live at Hawaiian Homelands? Did you receive any notification about the –

Ms. Preza: I received the e-mail from Pulama.

Ms. Zigmond: But nothing that was a via mail like the homeowners did, or any specific address to you as a resident of Hawaiian Homelands?

Ms. Preza: . . . (inaudible) . . .

Ms. Gima: Thank you. Last call for public testimony at this time. Joelle?

Ms. Joelle Aoki: Good evening commissioners, my name is Joelle Aoki. I'm a native of Lanai. And I have mixed feelings about the helipad at Koele. I do know for a fact that helicopters that have flown to Lanai in the past has been very dangerous for me and my family. On one occasion we were rounding up our cattle and we were getting close to the shoot area, and the helicopter thought, oh, round up, and they decided to hover over us with me on the horse. I fell off, almost got trampled, and I was very upset, and so I found out from our senators the only way you could hold someone responsible is to be able to get the serial number off of the helicopter. But it's not like you're sitting there with your binoculars all day long, and, you know, when you're shook up like that it's almost impossible. You can get the markings and identifying marks of the, of the aircraft, but the serial number is very difficult to acquire. And this has happened more than once.

And although we may not have the large ranch today, we still have cattle on island and still till today when I go out there and I try to push them on foot, it's very dangerous because the helicopters pass above and they want to see what's going on because they can see me out in the open and the cattles turn around, and we're talking about 800 pound animals coming running at me and I'm on my feet.

And so for me it's been very dangerous and...so I think, you know, if there are conditions, it's very important about how the conditions are placed, and the times of day and the flight patterns. Often times, I do agree with Bruce Harvey because often times they, they...they go off of their flight pattern is what I understand. I personally know a couple of helicopter pilots who have told me when you have the helipad on Lanai, they're not going to fly the same pattern. They're going to -- they're going veer off of that sometimes. If they want to --. They're not required to stay on that flight pattern. And so...I just would like to ask you to think very carefully about the conditions on the helipads particularly at Koele. I have not received anything. I live pretty close to Koele, in Wailua housing, but did know about it through public notice. I, I do agree that it's very close to the airport, and I have personally caught a helicopter to Koele in the opening, the

grand opening of Koele, and it was actually faster to get up in the van because the luggage beat us so that's just from experience. Thank you.

Ms. Gima: Thank you Joelle. Okay, at this time, we're going to close public testimony and move on to our next agenda item which is election of officers for 2016-2017 commission year. This is new officers as chair and vice-chair. So we'll start off if anybody has any nominations.

D. ELECTION OF OFFICERS FOR 2016-2017 COMMISSION YEAR - CHAIR and VICE-CHAIR

Ms. Zigmond: Madame Chair?

Ms. Gima: Yes?

Ms. Zigmond: I think you have done such an outstanding job this past year even though we didn't have the full amount of meetings that we should have, so maybe you didn't get your feet completely wet, but I nominate you to be our fearless leader once again.

Mr. Bradford Oshiro: Kelli, I'll second that.

Ms. Gima: Okay. Bev motioned for myself, Kelli Gima, to be chair; Brad second. Let's take a vote. All --. I'm sorry. Is there any other nominations for anyone else to be chair? Alright, so we'll go ahead and take a vote. All in favor -- all in favor of those for me to be chair for the next commission year raise your hand. One, two, three, four, five, six. Unanimous. Okay. Thank you.

It was moved by Commissioner Beverly Zigmond, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: Commissioner Kelli Gima as Chairperson for the 2016-2017 commission year.

(Assenting: M. Badillo, M. Baltero, S. Ferguson, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: S. Marlowe)

(Absent: J. Barfield)

Ms. Gima: And then we'll go ahead for nominations for the vice-chair.

Ms. Zigmond: Madame Chair, I nominate Stacie to be vice-chair again, if she accepts.

Mr. Oshiro: And I second that.

Ms. Gima: Okay. Bev made a motion for Stacie to be vice-chair, Brad seconds it. Any other nominations for vice-chair? None. All in favor of those voting for Stacie to be vice-chair raise your hand. Unanimous. That passes. Alright.

It was moved by Commissioner Beverly Zigmond, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: Commissioner Stacie Koanui Nefalar as Vice-Chairperson for the 2016-2017 commission year.

(Assenting: M. Badillo, M. Baltero, S. Ferguson, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: S. Marlowe)

(Absent: J. Barfield)

E. RESOLUTION THANKING OUTGOING COMMISSIONER JOELLE AOKI

Ms. Gima: And next on our agenda item is a resolution thanking our outgoing commissioner Joelle Aoki.

Mr. Clayton Yoshida: Thank you Madame Chair, members of the Commission. I guess we'd like to pause for a few moments to, since we didn't have a March meeting, to thank the outgoing member, Joelle Aoki, for 4 ½ years of service as a member of the Lanai Planning Commission. We have a resolution of the Lanai Planning Commission, which reads:

WHEREAS, Joelle Aoki has served the County of Maui since August 2011 as a member of the Lana'i Planning Commission; and

WHEREAS, Ms. Aoki has served with distinction and has performed her duties in the highest professional manner with the Lana'i Planning Commission; and

WHEREAS, Ms. Aoki's term of office expired on March 31, 2016; now therefore
BE IT RESOLVED that the Lana'i Planning Commission hereby commends Ms. Aoki for her dedication and untiring public service to the people of Lana'i; and

FURTHERMORE, BE IT RESOLVED that the Lana'i Planning Commission expresses their sincere appreciation for Ms. Aoki's services and extends their best wishes in her future endeavors; and

FURTHERMORE, BE IT RESOLVED that copies of this Resolution be transmitted to the Honorable Alan Arakawa, Mayor of the County of Maui; and the Honorable Mike White, Council Chair of the Maui County Council.

So if you all could sign this Resolution for Joelle. We also have a letter, a congratulatory letter from Mayor as well as a certificate of appreciation from the Mayor thanking Joelle for her commitment to Lanai community, and her countless contributions to the Lanai Planning Commission. Thank you Joelle.

F. APPROVAL OF THE MINUTES OF THE FEBRUARY 17, 2016 MEETING

Ms. Gima: Okay, we will move on to Item F on the agenda, which is the approval of the minutes of the February 17, 2016 meeting. Commissioners, is there any discussions? Anything that needs to be pointed out to Leilani at all? Okay. Nothing? Do I hear a motion to approve the February 17th minutes?

Ms. Zigmond: I so move.

Ms. Stacie Koanui Nefalar: . . . (inaudible) . . .

Ms. Gima: Okay, it's been moved by Bev, and second by Stacie to approve the February 17th, 2016 minutes. Again, any discussion? All in favor of approving the minutes raise your hand. Okay, unanimous, that passes.

It was moved by Commissioner Beverly Zigmond, seconded by Commissioner Stacie Koanui Nefalar, then unanimously

VOTED: to approve the February 17, 2016 meeting minutes as submitted.

(Assenting: M. Badillo, M. Baltero, S. Ferguson, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: S. Marlowe)

(Absent: J. Barfield)

G. PUBLIC HEARING (Action to be taken after public hearing.)

- 1. MR. KURT MATSUMOTO, Chief Operating Officer of LANAI RESORTS, LLC (dba PULAMA LANAI) requesting a Community Plan Amendment from Business/ Commercial to Single Family Residential and a Change in Zoning from B-CT Country Town Business District to R-1 Residential District for the Lanai Avenue Residential Homes project, the reconstruction of three (3) single family homes and three (3) detached carports at 605, 615, and 623 Lanai Avenue, TMK: 4-9-006: 050, Lanai City, Island of Lanai. (CPA 2015/0005) (CIZ 2015/0006) (K. Wollenhaupt)**

Ms. Gima: Okay, on to Item G, which is our public hearing.

Ms. Zigmond: Madame Chair?

Ms. Gima: Yes?

Ms. Zigmond: Excuse me please. I was wondering if, since we have new members...and also as a refresher for the rest of us who might not fully understand or be aware of the conflict of interest especially when the applicant is the employer. If we could have some discussion about that. I remember sitting on this commission in previous times when an employee recused himself whenever the application was from the company or about the hotel, and I think that it's very important. I think...it's a threat to the integrity of this commission if we don't have that discussion and have a thorough understanding.

Ms. Richelle Thomson: Thank you for the question. So what the commissioner was referring to is the Board of Ethics. Sorry, the Charter's Code of Ethics. And that states that if you have a direct financial interest in an application that you should refrain from voting. There's a Board of Ethics opinion from 2004 that says that you're not automatically...you're not automatically disqualified or should refrain from voting, but you need to disclose your conflict of interest. In this case we're talking about an employer/employee relationship potentially by some of the members. If you're employed by the applicant, directly, you should disclose that on the record. It's your choice ultimately whether you would either vote, refrain from voting, request a deferral of the item so that you can seek a Board of Ethics opinion. And if you follow that Board of Ethics opinion, then you're in the clear as far as the commissioner. So if you have questions I can answer them.

Ms. Koanui Nefalar: What's the --. So if an employee -- what's the consequence of, of the employee if there is a conflict?

Ms. Thomson: Basically the potential consequence would be what someone who believes that the decision was made and improperly influenced by that conflict of interest. Someone could challenge that decision. A Board of Ethics complaint could also be brought against the commissioner, and the Board of Ethics could recommend, you know, removal or...or other.

Ms. Gima: Bev, did that answer your question?

Ms. Zigmond: I appreciate Corp Counsel talking about that. I understand that, or hopefully we will have a little more discussion on that when we get to the ethics part of our orientation workshop. I appreciate that...for what you gave us. I didn't actually have a question. I just needed to put it out there, and my understanding is it's also the perception of a conflict because that can be just as detrimental as an actual conflict.

Ms. Thomson: Thank you. I can answer that question. It's -- it's not a perception of a conflict. It's an actual conflict of interest that is...what you're trying to avoid.

Ms. Gima: Do any of the other commissioners have any questions for Corp Counsel or need any clarification on this?

Mr. Stephen Ferguson: Madame Chair, just for the record I would like to say that in recent

weeks I started working for Lanai Builders, so I might be participating in some of the discussion, but I would probably recuse myself from anything that comes up dealing with Pulama.

Ms. Gima: Any other questions from any of the other commissioners?

Ms. Koanui Nefalar: So how would it be determined that there is a direct conflict? 'Cause if the employee feels that there is none, I mean, who decides there is one and who decides it isn't?

Ms. Thomson: Thank you for the question. It's the Board of Ethics would be the agency that would determine that question. So this is -- this advisory opinion from 2004 dealt with employees of Castle & Cooke who were serving on the commission. And, so the Board of Ethics at that time wasn't dealing with a specific issue, so there wasn't an application that they were looking at. Does this employee have a direct financial interest such that person should not vote on a decision for that application. So what the board said was that employees are not -- employee commissioners are not automatically prohibited from voting on matters brought by then Castle & Cooke. They must disclose the financial interest in any matter which may be affected by the action by this commission. The commissioner may ask the board to review the matter to determine if it's one that would be affected by the employment relationship and therefore require that the commissioner abstains from voting. And then it kind of goes on to say the commissioner must decide whether to proceed on the vote -- whether to proceed on the vote on the matter, abstain from voting, or request a deferral on vote until the commissioner has requested an advisory opinion of the Board. So Robert's Rules of Order also govern parliamentary procedures, and Robert's Rules of Order say you can't force someone to abstain from voting. You can raise, you know, the concept is this a conflict of interest, and, you know, you can discuss amongst yourself. The commissioner, though, themselves must decide do they want to seek a board opinion, do they feel that they don't have a direct conflict of interest so that they can participate and vote, or if they need -- if they're uncertain and they want a board opinion then they can request a deferral. And then that would be up to this body to decide whether to defer.

Ms. Koanui Nefalar: Okay, so what you're saying is so...for example, I work for the State of Hawaii Department of Education at the school. So if the school was here in front of us to say they're applying for a permit for something. And because I work for them, and if their permit gets denied -- or, well, let's say if my financial interest would be if the permit doesn't go through does that...hinder my employment?

Ms. Thomson: . . .(inaudible) . . . typical answer here. It depends. I think that what, what the Board of Ethics and that you, the commissioner, would look at is, you work for the DOE, for the school system. If it were a -- say it were for a program, it's funding for a program that you work directly on and if that didn't pass you would lose your job, that to me would be a clear conflict of interest and you should refrain from voting. If you would not lose your job, but it would generally affect your work life, that might be a gray area, and then you'd want a Board of Ethics opinion prior to voting. Or if you felt, you know, that's a conflict, then you could abstain from voting. If it's just, you know, we're going to put new playground equipment at the school, it has nothing to do with your job. It's not --. You wouldn't be affected by that decision one way or

another, then in my opinion that would not be a conflict of interest. But, again, the Board of Ethics is really the decision making authority on whether or not you have a conflict.

Ms. Koanui Nefalar: Then you would also have to go with feeling because working for your employer you can feel the pressure of having to vote one way or the other because it affects some other people that you work with, you know, your friends, your family. You have an obligation, or a feeling of obligation to vote in favor.

Ms. Thomson: I can understand that. I think one of things that -- and this is in general that the commissioners need to really put on their commission hat when they're here. So they -- yes, of course, you're still, you know, a wife, a mother, and a member of the public, but you're a commissioners in this role, first and foremost, and your job is to look at an application, apply the law related to that application, and then make a fair decision based on the law. And it would be the same I would say that your feelings shouldn't come in to is it a good project, is it a bad project, do I like it, do I not like. That's not so much what your role is. Your role is to apply the law to the application.

Ms. Zigmond: I have one more question. So if I'm on the clock while I'm at this meeting making decisions, is that a conflict?

Ms. Thomson: I assume that you mean on the clock for a -- yeah, working for an applicant whose application is up before the commission. I don't know. I think that if the commissioner felt that was a conflict of interest, then they should seek a Board of Ethics opinion. But that's getting a little bit too far into the . . . (inaudible) . . . for me to feel comfortable giving advice on it.

Ms. Gima: Thank you for some of that clarification. I think this will be beneficial to continue to have this conversation when we cover ethics, but also for all of us commissioners as ongoing with the meeting to bring this up if you ever feel that you need to state your conflict or as to recuse yourself. Yeah, I think it should be an ongoing discussion when needed.

So we're going to move along unless there's any other questions now is the time. Okay. We're going on to our public hearing, Item No. 1 . . . (*Chair Kelli Gima read the above project description into the record.*) . . . And who will be --? Okay, I'll turn it over to you.

Mr. Kurt Wollenhaupt: Good afternoon members of the Lanai Planning Commission. It's a pleasure to be here this evening. My name's Kurt, and I work with Clayton Yoshida in the Current Planning Division of the Maui County Department of Planning. So for the new commissioner, what my role is is to do an overview of the project, tell you kind of why we're even here tonight. The applicant's representative, Karlynn Fukuda, she will be presenting a power point presentation that will talk about the specific subject, and then we'll have questions at the behest of the chairwoman and the members of the commission.

So what's the history, especially for the new commissioner, we did give you a disc that would have the Environmental Assessment that was done for this project. Just to refresh the

commissioners, the Environmental Assessment is an information document that was deemed complete by this body. That completion date was done on January 20, 2016. Therefore the information document is an integral part of looking at today's public hearing item for a Community Plan Amendment and a Change in Zoning. The Environmental Assessment was published by the Office of Environmental Quality Control, and there was no public challenges during the legal challenge period. Therefore, it is deemed complete to be used for today's review.

That being the case, the matter before you does arise from applications that were filed back on August 4th, 2015, and it's for a project known as the Lanai Avenue Homes. The applications were filed by their applicant's representative, Munekiyo Hiraga, on behalf of Pulama Lanai, referred to today as the applicant. And it's to reclassify approximately half an acre parcel from the Community Plan District Business Commercial to Single Family. So that's the first thing we're going to be looking tonight is a Community Plan Amendment. The second is to reclassify the same subject parcel from the County of Maui's Zoning District from Business Country Town to R1-Residential. So we have two things that would be reviewed in the power point presentation in order to make the ability to actually re-build these three houses which would require both the Community Plan Amendment and the Change in Zoning.

That being the case, what is the proposed development? It involves the reconstruction of three single family residences along with three detached carports in Lanai City, located at 605, 615, and 623 Lanai Avenue. These were former homes that were demolished in August 2014, which brings a historical review. Demolition permits were recommended for approval by the Maui County Cultural Resources Commission on December 5th, 2013, and were issued by the County of Maui, Department of Public Works on May 23rd, 2014. The homes were demolished in August of 2014, and a detailed Historic American Building Survey -- that's you've mystically known as HABS -- documentation is in the Environmental Assessment which tells of the history of each of the three homes and it does meet the requirements of Historic Preservation Division of the Department of Land and Natural Resources and the Natural Parks Services of the US Department of the Interior.

That being the case, for the benefit of the new commissioner, the reason that we had to do an Environmental Assessment was because there was a Community Plan Amendment. You'll be getting training here with Chapter 343 with regards to Environmental Assessment requires there's a number of triggers. One of the triggers is if you're going to have a Community Plan Amendment, that triggers the requirement for an Environmental Assessment to look at the potential effects of this Change in Zoning and Community Plan Amendment.

With that, I think that Karlynn Fukuda will do the power point presentation if that's okay with the chairwoman, and that will be detailed description of the project. Thank you.

Ms. Gima: Hold on second, one of the commissioners have, has a question.

Mr. Oshiro: I was just wondering, for this application, is this costing Pulama any monetary value to apply for this application? To have it transferred from residential -- commercial to residential?

Mr. Wollenhaupt: Well, I -- I wouldn't speak on -- I wouldn't speak for Pulama. I would just speak from a Planning perspective. This would actually be considered probably a down zoning. When you would have a commercial property in most, most situations, that would be more valuable. So if I had a --

Mr. Oshiro: I just want to know is it costing any money --

Mr. Wollenhaupt: Right.

Mr. Oshiro: -- to get it from commercial to residential?

Mr. Wollenhaupt: Well, they do have an application fee, yes, they have to pay. So there's a Community Plan Amendment fee and a Change in Zoning fee and a public hearing fee. I would anticipate those fees would -- Clayton might know exactly -- but \$2,000, \$3,000 for those types of fees. Thank you.

Ms. Karlynn Fukuda: I'm going to need to jump back and forth to the lap top, so I'm hopefully not standing in anyone's way because I can't get the --.

Mr. Wollenhaupt: I'll do it.

Ms. Fukuda: Okay, thank you Kurt. So good evening chair and members of the Lanai Planning Commission. My name is Karlynn Fukuda of Munekiyo Hiraga. We are here tonight to present the Community Plan Amendment and Change in Zoning for the proposed Lanai Avenue Residential Homes Project. Next slide please.

Joining me tonight is Lynn McCrory of Pulama Lanai, the project applicant. We also have here the list of project sub-consultants. Next slide please.

We are requesting the Planning Commission's recommendation of approval regarding the Community Plan Amendment and Change in Zoning for the project to the Maui County Council. Next slide please.

As Kurt mentioned, the project entails the construction of three replacement homes on Lanai Avenue. The property is identified as tax map key: 2-4-9-006-050, and is approximately a half acre in size. And we see here, it's on the corner of Lanai Avenue and Sixth Street, and then Koele Street here, but this is the property that we're talking about tonight.

The table shown here indicates the existing and proposed land use entitlements for parcel 50. In order to build the proposed three replacement homes and carports, a Community Plan Amendment from Business Commercial to Single Family Residential, as well as a Change of Zoning from Business Country Town to R1-Residential, is needed as Kurt mentioned. Next slide please.

As previously noted, the project involves the reconstruction of three replacement homes, and

three individual detached carports. The former homes and garage -- there was originally a three car garage at the site -- those were constructed as part of the original Lanai City development back in the 1920's. And as Kurt had mentioned the homes were and the carport was demolished in August of 2014. The new homes would be rental homes using the existing -- the original exterior design with some interior design modifications for today's living. Next slide please. Thank you.

It was noted in the Final EA and in the discussions that we've -- or the presentations that we've had with the Planning Commissioner earlier that a structural engineering report was prepared back in 2001, and noted that the three homes and the garage were in a dilapidated state with serious termite damage, and basically were structurally unsafe and posed a health and public safety concern. And, again, as we've previously mentioned, those homes would be reconstructed and available for rental housing units once they're completed. Next slide please.

Here are some photos of the site as it exists today. This is looking from Lanai Avenue back into the property, and then this would be the corner of Sixth Street looking, again, from Lanai Avenue. Next slide please.

Here is the proposed site plan. So, again, for orientation, Lanai Avenue is here, Sixth Street here, Koele is here, and then you would have the three individual homes with each with the one car garage. Next slide please.

Sorry, this is a little washed out in the slide here, but this is the proposed floor plan for the new homes. It'd be the same floor plan for each house. Next slide.

And then what you see here, again unfortunately this is washed out, but this is what the front elevation would be. You've got a lanai on the Lanai Avenue side of the house, and then this would be the side elevation.

As Kurt mentioned the Community Plan Amendment was the trigger for the Environmental Assessment. The anticipated Findings of No Significant Impacts (FONSI) were published with the Office of Environmental Quality Control (OEQC) Environmental Notice in October of 2015. The commission, the Planning Commission, reviewed and commented on the Draft EA at its October 21st meeting, and reviewed the Final EA and approved the Findings of No Significant Impacts or FONSI at its January 20, 2016 meeting. The FONSI notice was published in the OEQC Environmental Notice in February of this year. Next slide please.

We note that there has been a number of community meetings on this proposed project. Pulama Lanai held meetings in September of 2013, and then again in July of 2015. As Kurt mentioned earlier the Maui County Cultural Resources Commission reviewed the project, one, in October 2013, here on Lanai; and then again in December of 2013 with regards to the demolition of the old homes. And as I previously mentioned the Lanai Planning Commission has reviewed the EA document on two occasions which is also provided for public input. And there's been generally public support for this project. Next slide please.

In terms of the Community Plan Amendment criteria, we note the project compliance with the following areas as demonstrated in the Final EA. With regards to archaeology and cultural resources, the State Historic Preservation Division (SHPD) has determined that the proposed project will not affect historic properties. Traffic impacts -- the traffic assessment that was done determined that the project would have a minimal impact because the site was previously used for residential use as well. With regards to infrastructure, the site has access to existing water and sewer services, and there are existing drainage improvements in the area. With regards to flora and fauna, there were no threatened or endangered species found at the site. It's surrounded by existing development. And again it was formerly used for residential use. With regards to beach and mountain access, the site does not impact any traditional beach or mountain access trails. And as I mentioned previously there have been a number of community outreach meetings to talk about the proposed project. Next slide please.

Similarly with regards to the Change in Zoning criteria for the proposed project have been met with, (a), the proposed request meets the intent of the General Plan and objectives and policies of the community plan of the County. The proposed request is consistent with the applicable community plans land use map of the County. In this case, we're doing the Community Plan Amendment hand in hand with the Change in Zoning. The proposed request meets the intent and purpose of the district being requested. We are requesting residential use so that we can build residential homes on the site. The application, if granted would not adversely affect or interfere public services such as schools, park, water systems and the like. And if granted, the project would not adversely impact social, cultural, economic or environmental factors, or the character and quality of the surrounding area.

So in summary, we are requesting the Planning Commission's favorable recommendation on the Community Plan Amendment, first, and secondly on the Change in Zoning requests in order to allow for the construction of the three Lanai Avenue homes and related improvements. Next slide.

This concludes the presentation, and we're available to answer questions. Thank you.

Ms. Zigmond: Madame Chair? I have a question please. I'm not sure that you will be able to answer this but -- and I'll preface this by saying I don't think anybody can deny the need for housing here -- these are to be rental units, and I'm curious if, like, let's say myself who does not work for either the company or the Four Seasons would be able to -- if I would be eligible to rent one of those houses if I could afford it.

Ms. Fukuda: I'll turn that over to Lynn McCrory from Pulama Lanai.

Ms. Lynn McCrory: Thank you. Lynn McCrory, Pulama Lanai. There's been no decisions made on how these will be rented or anything else along these lines at this point. So, and no price either.

Ms. Zigmond: I'm not worried about the price. I'm just worried . . . (inaudible) . . .

Ms. McCrory: No, it would assume it's open to everyone. I can't imagine that we would just say just this. I know we've heard testimony from a number of people saying could the original families or members of the original families rent those houses, too. We've heard that. So, just no decisions have even being made on that.

Ms. Zigmond: Thank you. But that would be going contrary to what the company's current housing policy is. Yes.

Ms. McCrory: I don't know what the current policy is. I'm sorry. This is with testimony we received in the past. So we keep track of all the various components and say when we get to that point. We gotta get through County Council after this.

Mr. Oshiro: My question is, you know, when you say general meetings you have with the community. What kind of meetings you talking about? If you're talking about Pulama's community meetings which I get e-mail over, I neva see what the meeting's about. It just says Pulama has a community meeting and there's no -- nothing on there saying what the meeting's about. And I wonder because if the -- there's a flyer attached to it, if that flyer is posted around the city, there's nothing in there that says this meeting is for this reason, or this is what is going be brought up. So how can you say -- you know, what I'm trying to say is how can -- if that's what you're going on, that community meeting, that flyer that goes out, like they just had one, it didn't state what the meeting was about or what they were going to discuss. So I don't know where you're getting your community or your general information that the community feels this way because when I look at it, I've -- you know, unless it deals with me, I not going to the meeting because I don't have the time. So, you know, I don't know. So can you explain to me where you're getting your information from?

Ms. Fukuda: So, my understanding is that Pulama Lanai does general meetings with the community every month to talk about a variety of matters that they have going on. These community meetings are not required.

Mr. Oshiro: I understand that part, okay. What I'm saying is the flyer, the e-mail that I get every month says community meetings, but it doesn't state what is being mentioned on the community meeting.

Ms. Fukuda: So I'll defer to Lynn McCrory on that one.

Ms. McCrory: Lynn McCrory, Pulama Lanai. We actually just noticed that when you look at the flyer for the meeting on an iPhone it's blank as to the purpose. If you look at it on a computer and you see it posted around town, it says specifically the community meeting is about the Manele Hotel updates, it's about Sporting Clays, it's about the three Lanai Avenue Homes. We have no idea why that is, but I saw it myself with this last Manele one. So if you're looking at only on an iPhone, then, yeah, it's going to show blank. But the post, the notices are also posted around town...so they are put up.

Mr. Oshiro: Okay, before my Mac, my Dell blew up and I went to iPhone, I mean, to my Apple,

it didn't matter. It didn't state anything. It -- well, it didn't state anything for me. And it's like, why you sending me this, this notice when there's nothing there for me to look at?

(Commissioner Marlene Baltero excused from the meeting at approximately 6:10 p.m.)

Ms. McCrory: Lynn McCrory. I will check on the Apple. I had not heard that before. And we've been doing community meetings since October of 2013, so I have not had anyone come and say that. I noticed it on the iPhone, so that one for sure. But we'll add an Apple computer to find out why it doesn't show. But there are notices posted around town. That is also part of what we do.

Ms. Gima: And then without any objections of the commissioners, I'm going to open up to public testimony again to see if there's anybody that would like to testimony. If so, please raise your hand. Kathy? And please state your name for the record.

Ms. Carroll: Kathy Carroll with Mike Carroll Gallery, and we've lived here 15 years. We're in full support of this re-zoning, and the rebuilding of the three homes. We think it's important to honor the architecture that was previously here, and it is important to have more rental homes on the island. Thank you.

Ms. Gima: Thank you. Warren?

Mr. Osako: Warren Osako, was born and raised on Lanai, and have been back here nearly 30 years now. I'm in favor of the re-zoning and change of designation to residential. However, I do, as a former member of the Cultural Resources Commission, I do have to say that for the people of Lanai, the meetings are always weekday business hours so for a lot of people you're not able to attend any of the meetings even though it's held sometimes on Lanai, very, in my tenure at the commission, there was one meeting held on Lanai. And the rules actually say there should be at least one meeting a year here. But I am in favor of the change.

However, I also have a concern about there's three homes of that era and design between Ninth and Eighth Street on Lanai Avenue. Two of them are still owned by Pulama. I think one is still occupied, the other one is not, and I'm hoping that they do not do demolition by neglect because one is still occupied. If it's liveable it can be saved. The other one was recently vacated. You know, it should be able to be saved and that's my comments. Thank you.

Ms. Gima: Thank you. Anyone else wishing to give testimony at this time?

Ms. Caron Green: Caron Green. I've been a resident of Lanai for over nine years now, and I can remember passing down Lanai Avenue for all those years and saying what a shame that those building were looking so awful. They were a total eye sore. And I commend Pulama Lanai for going through the effort to do all the work, to get the plans so that they can replicate them as close as possible to make them useable today. And of course, as people have mentioned, we always need rental property. Whether or not it's going to rented to people from

Pulama Lanai or people from Four Seasons or the community at large, it will help alleviate some of the pressure in the community on housing, so I'm very much in favor.

Ms. Gima: Anyone else? John?

Mr. John de la Cruz: Hello. I'm John de la Cruz, I live on Lanai. And Brad, I did attend the meeting about the houses, and I have no objections on the houses being built. The only thing, concern I have is...I believe those three houses were in a housing pool. But I'm not sure whether they were in for the general employees or for supervisors. But I would recommend that the houses be made available in the same category as they were before, that they go back in the housing pool. And I do comment, though, that the...the plans I saw, the houses are really nice and I believe they're going to be well built, they'll have parking in the back. If they try and park in front there's going to be problems, and I've seen cars park there while, while the houses were vacant. But, again, I have no objections on the houses being built. The only concern is...Pulama should look back in their records, and it should be in your facilities department, and there used to be a housing committee that addressed all the housing concerns on a monthly basis, and I don't know if they still have that. But I think with the housing shortage, those three houses should be put back into the same pool that they were before they were uninhabitable. Anyway, those are my comments. Thank you.

Ms. Gima: Thank you. Last call for testimony. Nick, and then Dave.

Mr. Palumbo: Hi. I just wanted to say I've been on the list for a house for three years, and I was about 180, and then I got down to 44, and eight months ago I got -- I was six on the list. So still no house, yeah. Six on list, eight months ago. I've seen a lot of people come and go, so just, if we could, like, we talked about fairness. You know, I don't oppose more housing or whatnot, but we're talking about helipads and the helicopter pilots gotta live some where, yeah? So it would be good if there was some fairness to the housing because the sad thing would be, yeah, we all, we want more housing, we want more housing, but it's monopolized and the people who they need have housing while there's people here who need housing that might not be a manager or someone. You know, but people have been waiting for a long time, and there's a list and...yeah.

Ms. Gima: Thank you. Dave?

Mr. David Green: Dave Green, Lanai resident, Manele resident. I agree with what everybody else has said. I think the process that this has gone through has been fantastic. The one thing I would add is that I have an Apple computer at home. I get the community meetings. They always have a topic at the bottom. I have an iPhone, I always get the...maybe it's the version of iPhone I have, but I also get the topic of the meeting. I did attend the community meeting that John mentioned, and it was very informative, and I strongly support it; we need rental housing.

Ms. Gima: Thank you. Kathy? Kathy and then Joelle.

Ms. Brindo: I support it also, but I just want to make one caution. When they, when they rebuild these houses or put houses down not to put them on water easements. I had a house and they put a house on water easement next door, and so the water came down to my yard, so just a caution.

Ms. Gima: Thank you. Joelle?

Ms. Aoki: Joelle Aoki, Lanai resident. To jump on what John de la Cruz was saying, I believe the houses were previously occupied by essential personnel. It was Mona Viela and John E. Harris, and they both worked for Maui Electric. So those were the former residents, in my time. There may have been someone else them prior to them, but at the time it was essential personnel. And I think Pulama Lanai has done a great job with the, the layout. I would like to again call to the attention of the previous resident there. I believe Michelle Fujie brought up for her -- she asked for sensitivity to the fact that many of her pets are buried in that yard and, and to please keep in mind about where you're going to be placing the foot print.

Ms. Gima: Thank you. I'm going to be closing public testimony right now. Commissioners, any questions for the applicant? Any further discussion? Kurt, will you, since there's no discussion, would you be able to give your recommendations please?

Mr. Wollenhaupt: Kurt again from the Maui Planning Department. Again, for the benefit our newest commissioner the alternatives for our Community Plan Amendment and Change in Zoning would be a deferral of the item, recommendation of approval to the County Council, or a recommendation of denial to the County Council. This body is advisory. The County Council of the County of Maui will be the one that will render the final decision. That being the case, Madame Chairman, are we to be taking a vote on each separately or do you want me to take both at the same time? Okay, the recommendation for the Community Plan Amendment would be to recommend approval of the Community Plan Amendment, changing the community plan designation for the subject property from Business Commercial to Single Family. And the recommendation for the Change in Zoning from the Planning Department, recommending approval of the Change in Zoning, changing it from Business Country Town to R-1 Residential. And in consideration of the foregoing the Planning Department recommends that the Lanai Planning Commission adopts the Planning Department's report and recommendation prepared for the April 20th, 2016 meeting as its Findings of Facts, Conclusions of Law, and Decision and Order, and to authorize the Planning Director to transmit said recommendation on the Change in Zoning and the Community Plan Amendment to the Maui County Council on behalf of the Lanai Planning Commission.

Ms. Gima: Thank you. Fergie, for the record, you are recusing yourself for this vote?

Mr. Ferguson: . . . (nods) . . .

Ms. Gima: Okay.

Ms. Badillo: . . . (inaudible) . . .

Ms. Gima: You're recusing yourself as well? Then can you go ahead and say that on the microphone please so it's on the record?

Ms. Badillo: I'm Medigale Badillo, and just to be fair for the community because this is my first meeting, and I have to look for more information about this, and so, I'm sorry.

Ms. Thomson: Just for clarification, are you suggesting that you're recusing yourself because you have a conflict of interest? We might be able to talk that through a little bit.

Ms. Badillo: I just want to plan for myself, but I don't have more knowledge on this. But I truly go for more residential which is gonna be for the fairness for the community. But I do –

Ms. Thomson: I guess one of the consideration would be if you have had time to look through the staff report and the recommendation. So if you've had the chance to look through that, and if you have questions, you should ask them. One of the thing is that since Mr. Ferguson has to recuse himself because he works for Lanai Builders, we need a vote of five. But if you have not had the time to make a decision or to feel comfortable with the materials then you could request that this matter be deferred so you have a chance to review the materials.

Ms. Badillo: Yeah, I'm going to request for a –

Ms. Gima: So Medigale, just to make it clear, you're requesting to have this item referred -- I'm sorry, deferred until, like, the next meeting until you can catch on the reading and, and feel that you can make an informed decision? Is that what you're saying?

Ms. Badillo: Okay, just give me a moment, and I'll –

Ms. Gima: Okay, at this time, let's take a quick break, a 10 minute break, and you can -- if you can have any questions that you need to jot down that you may want to ask the applicant. So we'll resume at 6:35 p.m.

(The Lanai Planning Commission recessed at approximately 6:25 p.m. and reconvened at approximately 6:34 p.m.)

Ms. Gima: Please have a seat. We're going to resume our meeting. It's now 6:34 p.m. We left off with one of the commissioners having a little bit of an issue, thinking about if she should be voting or not. Is there anything that you want to share or say or ask of the applicant to provide you more information?

Ms. Badillo: I already spoke to Richelle, yes, and I have a clarification so...yeah, I'm okay.

Ms. Gima: Okay meaning that you're willing to vote?

Ms. Badillo: Yeah, I'm willing vote.

Ms. Gima: Okay. Commissioners, any other discussion questions that you may have for the applicant or the Planning Department? You all heard the recommendations. Anybody wanting to make any motions?

Mr. Oshiro: I make a motion to adopt whatever Kurt said. I don't know what he said. To adopt the project.

Ms. Gima: To adopt the . . . (inaudible) . . . We need a little bit more clarification.

Mr. Oshiro: To rezone from commercial to residential.

Ms. Gima: Or you could say, to adopt the staff report recommendation. Say that on the record.

Mr. Oshiro: Sounds good...let's adopt the staff report.

Ms. Gima: Okay, so there's been a motion by Brad to adopt the staff report recommendations. Do I hear a second? Stacie seconds. Any further discussion commissioners? Okay, all in favor of the motion to adopt the staff report recommendation, raise your hand. One, two, three, four, five; and for the record Mr. Ferguson has recused himself, but with five votes, it has passed.

It was moved by Commissioner Bradford Oshiro, seconded by Commissioner Stacie Koanui Nefalar, then

VOTED: to adopt the Planning Department's staff report recommendation as presented.

(Assenting: M. Badillo, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: M. Baltero, S. Marlowe)

(Absent: J. Barfield)

(Recused: S. Ferguson)

- 2. MR. KURT MATSUMOTO, Chief Operating Officer of LANAI RESORTS, LLC (dba PULAMA LANAI) requesting a State Land Use Commission Special Use Permit and a Conditional Permit for the Two Proposed Private Helistop Pads on Lanai Project, the construction of two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Koele and the existing containerized plant nursery at Manele at TMK: 4-9-002: 001(por.), Island of Lanai. (SUP2 2015/0014) (CP 2015/0010) (K. Wollenhaupt)**

Ms. Gima: Okay, we're moving on to Item No. 2 . . . (Chair Kelli Gima read the above project description into the record.) . . . And I'll turn it over to you Kurt.

Mr. Wollenhaupt: Good evening again Madame Chairman, Chairwoman, and the members of the Lanai Planning Commission. The next item before you is indeed the request by the applicant, Pulama Lanai, to obtain a Conditional Permit and a State Land Use Commission Special Permit to allow the development of two private helistop pads on 2.5 acres of the 69,270 acre parcel in Lanai. The applicant is indeed proposing to construct two private helistop pads on Lanai. The presentation that will be given by the applicant's representative, Karlynn Fukuda, will hopefully address some of the critical detailed elements of exactly what this proposal is. I think there has been some talk about tours and flyovers. It is indeed a private helistop. The applicant will be getting into the specific details of that. I'm here to address why are we even here tonight for this application, especially for our newest commissioner.

The reason for a Conditional Permit, the project sites are not located -- they are located on property; both project sites which is indicated as Agricultural by Maui County zoning. That County zoning does not set forth as a permitted, which would be outright allowed, or a Special Use which could be done with just this body's discretion. A helistop within the County's ag zoning district, that being the case, we have to go to what we call a Conditional Permit. A Conditional Permit is to allow something that wouldn't otherwise be allowed, and therefore this body is advisory depending on whatever decision they make, to the County Council. So that's the Conditional Permit process because both of these sites are in Ag County zoning. Helistop, heliport facilities are not an outright or a special use.

The second item -- the second permit tonight is the State Land Use Special Permit. And as all the members would know, all land in Hawaii is split into four state districts: Conservation, Urban, Rural and Ag. The project site for the Koele helistop pad, that's located in the rural state district, and the Manele helistop is located within the agricultural district. That being the case, the helistop pads are again not an outright permitted use in either the State Rural or the State Ag. And since they're not an outright permitted use, therefore we have to have this body determine whether or not that can be obtain through a State Special Permit. Because the project area is less than 15 acres, the Lanai Planning Commission acts as the deciding authority on the State Special Permit. Were this to be greater than 15 acres, this body would make an advise -- an advisory decision to the State Land Use Commission.

So, I know it's a bit technical, but I hope it helps the newest commissioner. So we have two permits looking at Conditional Permit, you're advisory; and a State Special Permit in which you'll make a decision. The decision that you would make on the State Special Permit tonight, whatever it will be, will be contingent upon whether or not it moves to the County Council and what decision that they make. So you will make decision of the State Special Permit. That will be essentially held until the Conditional Permit can be reviewed.

That being the case, I think that the power point presentation is going to hopefully address specific questions with regards to what a private helistop is, that it's not a commercial operation. With regards to the number proposed by the applicant which would be 12 operations per month. With regards to the maximum number of passengers; the helicopter which they've indicated is six. Therefore, I think that with the approval of Madame Chairwoman we'll have the power point

presentation?

Ms. Fukuda: Good evening Chair and members of the Lanai Planning Commission. My name is Karlynn Fukuda of Munekiyo Hiraga, and we're here tonight to present the proposed two private helistop pads project. Next slide please.

Again, joining me tonight is Lynn McCrory of Pulama Lanai, the land owner and project applicant. Next slide please.

The project proposes the installation of two new private helistop pads; one located in Manele, and the other in Koele. In order to proceed with the project, two permit approvals are needed as Kurt had mentioned; a State Special Use Permit and a County Conditional Permit. The Planning Commission as Kurt mentioned is the approving body for the State Special Use Permit because the project area is less than 15 acres in size, and a helistop use is a special use in agricultural and rural districts. And then the Maui County Council is the approving body for the Conditional Permit, and the commission is the reviewing body on that permit. The Conditional Permit is required because a helistop use is not a permitted or special use for agricultural zoned lands. Next slide please.

The purpose of the proposed project is to provide an alternative transportation option for guests of the Manele Resort and the Lodge of Koele once it reopens including for Mr. Ellison and his guests. As Kurt mentioned the applicant is proposing a limit of up to 12 round trips per month in total for both helistop sites. Next slide please.

Here's a map with a general location of the Manele and Koele helistop sites. Again, I apologize the outline of Lanai island is a little washed out, but generally here's a location of where the Koele site, and I have aerial photos that will get more specific to where the site actually is. Four Seasons Lodge at Koele is located here, and then the proposed Manele helistop is located approximately here, and again the Four Seasons Resort Lanai at Manele Bay is located here. Next slide please.

The two helistop sites are located on portions of the same tax map key parcel which is parcel 2-4-9-002-001. In total the project area is approximately 2.5 acres in size, and the table here shows a summary of the existing land use designations for each site. So for Manele, the State Land Use designation is Agricultural, Agricultural, and Agricultural across the three layers of entitlement. And the site acreage is approximately 0.9 acres. For Koele, the State Land Use designation is Rural, but the Community Plan designation and County zoning is Agricultural, and it's approximately 1.6 acres in size. Next slide please.

The proposed improvements at each helistop site includes the following. A 60 foot diameter helistop pad with stone apron and six-inch concrete foundation; air field lights, ground directional arrows, windsock poles and markings for pilot visual approach. There will be the removal of several existing trees at the Koele site. And the Manele site will involve relocation of the existing nursery operation and removal of some trees and a surrounding wall. There will also be site clearing, grading, grubbing and excavation at the site. Next slide please.

So here's an aerial photo of the Manele site. Again...here's the Four Seasons Resort at Manele Bay, and this is the proposed Manele helistop site. You can kind of make out the existing containerized plant nursery at that site. Next slide please.

Here's an aerial photo zoomed in to the actual site that's being proposed for Manele. Again, you can see the containerized plant nursery that's existing. And you can also see the Hulopoe Drive, the access road that would be used to access the helistop site.

This is a rendering of what the Manele site would look like after the improvements are completed. The ingress and egress flight path is indicated here, and was approved by the Federal Aviation Administration or FAA. If we can go to the next slide please.

So similarly now for Koele looking at that, again, we have zoomed out view of the aerial photo of Koele. And so we have Lanai City here, and we have the Four Seasons Resort, the Lodge at Koele, and then the proposed Koele helistop site. Next slide please.

Again, this is an aerial photo of the site as it exists today, the Koele site. We see here the existing tennis courts and the Koele stables. Next slide please.

And here is again a rendering of what the Koele helistop site would look like once completed. The access would be off the existing Keamoku Highway, accessing the same paved area and parking lot that is used for the existing tennis courts. Again the flight path was located on that slide and has been approved by the Federal Aviation Administration.

We note that the State Department of Transportation in July 2014 submitted a letter issuing a determination that there were no State permits required for the proposed private helistop pads. And in March of 2015 the U.S. Department of Transportation FAA approved this Koele helistop site and Manele helistop site. The conditions, there are conditions on that approval by the FAA, and, well, we note that the minimum flight restriction is 1,500 feet around Lanai City and Manele, and elsewhere in Lanai it's 500 feet; that all operations be conducted in visual flight rural weather conditions; that the landing area is limited to private use.

Just generally to explain how the operation would work, a guest would arrange for transport to the Manele helistop, for example, and would need to contact Pulama Lanai to let -- the pilot would need to contact Pulama Lanai to let them know that there's a flight coming in. And Pulama Lanai would have to set into motion the preparations to greet the guests at the site. There would be some set up that would need to be done as well as letting the Four Seasons know to have their shuttle meet the guests. But it's for private use only. It's not as if a commercial tour operator could, you know, land at the site just because the site actually exists.

All approach/departure operations are conducted from a 040 degrees to 220 degrees plus or minus 10 degrees. Again, this is FAA conditions that they have. And that prior to use, a representative of the FAA needs to come out and evaluate each helistop for compliance. Next slide please.

We do note that Hawaii Revised Statutes Chapter 343 for the installation of new helicopter facilities...it's considered a trigger, and HRS Section 343-2 provides the definition of helicopter facilities as the following. It means:

“Any area of land or water which is used, or intended for use for the landing or takeoff of helicopters; and any appurtenant areas which are used, or intended for use for helicopter related activities or right-of-way.”

Next slide please. However we noted that Chapter 343-5 provides for exceptions from the requirements for compliance with Chapter 343. And I'll just read here...provided that, or propose the construction of new or the expansion or modification of existing helicopter facilities within the State, that by the way of their activities may affect, (a), any lands classified as conservation district by State Land Use Commission; any shoreline areas as defined in Section 205A-41; or any historic sites designated in the National Register or Hawaii Register as provided for in the Historic Preservation Act of 1966. And I won't go into the rest of the information, but I think everyone understands that if there was a site that was designated by the National Register of Historic Places or on the State Register of Historic Places, you know, if there was construction of that facility or to impact that, then a Chapter 343 EA would be required. Next slide please.

The next slide provides an analysis of the proposed project and its potential impacts to various considerations. First with regards to surrounding land uses, the Manele helistop is located approximately one mile from the Manele Resort, and about ½ mile from residential areas to the east, and bordered by vast vacant lands to the north, south and west.

The Koele helistop is located about ½ mile northwest of Lanai City, about quarter mile from the Lodge at Koele to the southeast, and bordered also by vacant, undeveloped lands to the north, east and west.

There was a flora and fauna study done for both sites, and the study found that there were no finding of threatened, endangered species or species concerns for either plants or animals at either sites.

Pulama Lanai will implement the survey recommendations to avoid the introduction of any noxious weeds or invasive species and provides for security and safety lighting for the helistop operations which also mitigates danger to seabirds. Next slide please.

Again, on the archaeology and cultural resources, there was an archaeological inventory survey performed for both sites. And the survey found no potentially significant historic resources at either the Manele or Koele site. With regards to drainage, there was a drainage study done, and there will be no change to the existing drainage patterns in the project area, and surface runoff is not anticipated to be significant. Additionally, temporary Best Management Practices (BMP) will implemented during construction, as well as permanent Best Management Practices will be implemented for the project. Next slide please.

With regards to open space and scenic resources, the project site themselves do not encompass existing traditional access or walking trails, and are not part of the scenic corridor. With regards to noise and air quality, again, the flights will normally occur during day light hours and, again, we're looking at up to 12 round trip flights for both Koele and Manele sites in total per month. So the flight path for the two helistop operations is away from the residential areas, and helicopters are built for sound reduction and powered by gas turbines producing few pollutants.

With regards to water use and wastewater, the helistop operations at either sites are not anticipated to use water or generate wastewater. It will be a pick up and drop off site. You know, no fueling, no maintenance that will occur at either of these sites. It's basically stopping to drop off somebody or stopping to pick up somebody and then they're off to either Honolulu or Maui or wherever they will be going. Public services and facilities, the helistop operations is not expected to expand any requirements for public, health, or safety services. Next slide please.

We'll now look at the criteria for the State Land Use Commission Special Use Permit and an analysis of the proposed project. So criteria no. 1, the use shall not be contrary to the objectives sought to be accomplished by Chapters 205 and 205A of the Hawaii Revised Statutes. And this is the Land Use Commission rules. We note that the Koele helistop site is undeveloped and has been vacant for over 50 years. And the Manele helistop site is on a portion of the existing containerized plant nursery. In total, the sites as I mentioned earlier, are less than three acres in size.

Criteria no. 2, the desired use would not adversely affect the surrounding property. The flight path for the helistop operations is away from residential areas, and will occur over vacant, undeveloped lands.

Criteria no. 3, the use would not unreasonably burden public agencies to provide roads, sewers, streets, water, drainage, school improvements, and police and fire protection. Again, with the limited operations, again, drop and pick up, it's not anticipated to unreasonably burden any public infrastructure or services. Next slide please.

Condition no. 4, unusual conditions, trends, and needs have arisen since the district boundaries and rules were established. I, I note that the State Land Use Commission District Boundaries were established in the early 1960's. And, you know, at that time the focus or the economic driver for Lanai was agricultural. Whereas in today...today's conditions, tourism is the main economic driver for the, for the island. So we note that the luxury resort market is trending towards providing appropriate services and amenities to cater to guests requirements. And Lanai is limited in transportation options and helistop facilities provide guests another alternative for private transportation. Next slide please.

Finally, criteria no. 5, the land upon the proposed use is sought is unsuited for the use permitted within the district. The Manele helistop is on agricultural zoned lands that is rated E by the State for overall productivity which is the lowest level of productivity, and is less than favorable

for agricultural production. The Koele helistop is also on agricultural zoned lands that's rated D, also indicating low agricultural production. Next slide please.

I'd now like to focus on the County Conditional Permit information and permit criteria. The proposed use would not significantly -- would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area which it is located. The sites are located away from the populated areas of Lanai, and surrounded primarily by vacant and undeveloped lands. Again, the applicant is proposing a limit on the usage where it would be no more than 12 round trips per month, combined for both Koele and Manele. And the proposed use is compatible with the surrounding permitted uses; hotel, commercial, residential, and open land recreation.

So in summary, there are two actions before the Planning Commission tonight for the proposed private helistops in Manele and Koele. We are respectfully requesting the Planning Commission's approval of the State Special Use Permit for a period of five years for the two helistops. We are also requesting a favorable recommendation to the County Council for approval of the Conditional Permit for a period of five years for the two helistops as well.

Thank you for your time. This concludes my presentation.

Ms. Gima: Thank you. Commissioners, before we start this discussing and asking any questions, I'm going to open up public testimony again to allow our community to provide input so that's something that we could consider while we're making our decision. Are there any objections from the Commissioners? None? Okay. So I'm going to go back to the list for those of you who chose to testify again, and then we'll open it up to anybody else who didn't have a chance to put their name on. So up first Ron McOmber.

Mr. McOmber: Good evening Commissions and public. You know, this is just another example of this community not having an input of what's going on. I was reading the Conditional Permit saying that the County put out and the County saying that they're approving this. How in the heck can they approve something on our island. It has nothing to do with them on Maui or anywhere else. This is a slap in the face. This is the same thing that's happening with our community plan. Our community plan went forward and the County decided to change it. They decided to take words out of the community plan, and change it completely. We had to fight them, and we're still fighting them, we're still sitting at the table, trying to figure out what's going on with our community plan which we spent nine months on. Why didn't this come out while we were doing the community plan? You can't tell me this just grew out of the dust. They should have told us then; we could've handled it.

Now what the concern is here...recently we had a meeting with the community on the community plan and the Council was here. Somebody in Pulama decided to send a letter out recommending to the community, and we still don't know who these letters were sent to, but I assume -- maybe that's making an ass out of you and me both -- but I assume that went to employees. And the essence of it was there was four demonstrations of what you could say to move the plan forward as it is right now. That means it's negating anything that we wanted.

All the things we've been fighting for...for nine months.

Ms. Gima: Uncle Ron, can I stop you for a second? Are you testifying on this?

Mr. McOmber: Let me finish. This is going to this.

Ms. Gima: Okay, can you get to that point?

Mr. McOmber: Well, I mean, if I can come in here and find Lynn McCrory over the table, talking to people, then let me speak my peace.

Ms. Gima: No, no, I'm totally fine with you testifying on the topic we're talking about.

Mr. McOmber: We are. That's right.

Ms. Gima: Okay.

Mr. McOmber: What I'm saying, what this is leading up to...this kind of stuff is not acceptable for Lanai. You can do two heliports down at Manele. I'm begging you, do not allow the heliports up here in the city. This is not acceptable for this community. We -- one or 12 flights a week, a month, or day or whatever is not acceptable for Lanai. This is a sacred place at Koele. We don't need this. We're asking do you want to give them heliport down at Manele, fine, let them down there put up with the noise and the disregard. Do not let this happen. The same thing happened to our community plan. I want you folks to think about this. Do not, do not approve this. You've heard very influential people that lived here their whole lives, born and raised on Lanai, saying this is not acceptable. Take what they say as fact. Thank you very much.

Ms. Gima: Thank you. Next we have Wendy Kaupoiki. No? Okay. Stanley Ruidas.

Mr. Stanley Ruidas: Stan Ruidas, Lanai resident. I support Manele's helistop only if emergency aircraft has priority. And as far as Koele, no. Imagine a mosquito flying around. What you with one mosquito? You like hit 'em, you like slap 'em, everything. Now imagine 10,000 mosquitoes. That's what the helicopter going sound like. And not only that, they going veer off the flight, the flight plan because you know they going like fly over the city, check 'em out, and nobody going fine them. So if they fine 'em, or if the FAA fines them, what's \$100,000? They no care. It's like if you're driving in Lanai, how many of you drive over 20 miles an hour? You see, same thing. Okay. And also if they fly over the city, who's to say a helicopter doesn't crash, you've only got one engine. Helicopter crashes, a house burns, 20 houses burn. Our fire department cannot even handle one. They gotta call in reinforcements from Maui. So anyway, I don't support Koele helistop. Thank you.

Ms. Gima: Thank you. Next we have Robin Kaye.

Mr. Robin Kaye: Thank you Chair. Robin Kaye, Lanai resident. We understand that Four

Seasons desire to make the guest experience on our island special, but I think we need to remember that the Four Seasons guest experience on Lanai is based on the beauty, on the peace, on the serenity, and the quiet of our community. Having a helicopter land and take off less than one-half of a mile from a major residential development, in particular Iwiolo, would significantly impact those very special qualities in our community. The application says, quote, the sites are located away from populated area, end quote. But the flight path is uncomfortably close to where we all live. It would be very different if the Lanai Airport was not located less than 10 minutes away from the Lodge at Koele. So I encourage the Lanai Planning Commission to deny the Special Land Use Permit for the Koele helistop, and recommend to County Council that the Conditional Use Permit for the Koele helistop be denied. If however the Planning Commission should decide to recommend approval, I have previously distributed to the Planning Commissioners a letter to the Planning Commission from 73 Lanai residents asking that you impose as a condition on the Koele helistop that it only be allowed to operate between the hours of 7:00 a.m. and 5:00 p.m. Thank you.

Ms. Gima: Thank you. Next we have Ken Escolito.

Mr. Ken Escolito: Thank you Madame Chairperson and members of the Commission. I'm Ken Escolito. I've basically been a life long resident of Lanai; born and raised here. I'd like to go on record as being opposed to the heliports. We have an airport that's five, 10 minutes out of town. We have a new fire facility there. We have firemen there. Heliports don't have anything like that. It's basically safety. It's close to the road. It's close to Iwiolo. Who knows where the flight patterns are going to be. You can't trust these guys. It's like Max said earlier, I'm a hunter. I've been out hunting many times. I've had helicopters come and chase game away from me. It's hard to get a tail number when you're shaking so mad. Looking through binoculars, it's almost impossible. And as far as being in harmony, one of the conditions, it's kind of a joke. We all know what a helicopter sounds like. There's no harmony in that. I'd just like to say that the only reason this is being proposed is basically for rich people who can't wait. I'm sorry. It's nothing to do with our community. We have no benefit. Please vote no. Thank you very much.

Ms. Gima: Thank you. Next we have Warren Osako.

Mr. Warren Osako: Warren Osako again. Basically the presentation showed the flight path, but it didn't extend all the way towards the city. And if you know about angles and degrees, the farther away it gets, the wider it is from the point. So I'm sure it will impact the people on that side of town, and it is irritating to have the sound. And I am not in favor of the helistop at Koele. But if you do approve it, I would recommend the hourly restrictions. Thank you.

Ms. Gima: Thank you. Next, Kathy Carrol.

Ms. Kathy Carrol: Yes, Kathy Carroll and Mike Carroll. Just building on what Debbie de la Cruz was saying earlier today. I do believe that tourism is the engine of the island and we, we -- anything that will bring visitors here who are going to spend money at the resort, spend money in town, support the servers, the housekeepers, everyone here who depends on tourism. I think

in our opinion anything that brings more visitors in, as long as it's in compliance with FAA restrictions, the limitation on the flight paths, no veering off the flight paths. From what I read, the sound -- they said that you would hear the helicopter sound for 45 seconds, and this is 12 times a month. And we don't even know if it's going to be 12 times a month in town, I mean, well, at Koele. They could all be going to Manele. So to me -- it seems to me that this was a well thought out plan that can only really benefit the community as a whole. So we are in support of the helistops.

Ms. Gima: Thank you. That was the end of the people who signed up. Is there anyone else wishing to give testimony? Caron?

Ms. Green: Caron Green. Is it on? Okay. I'd like to build a little bit on what you said Kathy. I'm sitting here listening, and, you know, I love Lanai for what it is, for its quiet and everything, but, I think we need to put it in perspective. And that's what I think what you were saying, Kathy, is we're talking about -- and I need clarification on one thing -- you say 12 round trips. Are you talking about coming, dropping somebody and immediately leaving? Not somebody coming in once, and then leaving. The helicopter is just a round-trip, correct? Not the passenger. Okay.

So I think most of them are going to down at Manele. Just, you've got more rooms at Manele. You have a higher price point for the rooms down at Manele, so I think in general, your clients are going to be going to Manele. I live at Manele. It doesn't bother me one iota. I'm totally supportive of supporting the hotels to be successful. And I just don't want always to be in Larry's face saying, you know, I live on Lanai now so this is my island. I want to be cooperative with Larry to help him be successful. He's given us lots of things that he didn't have to give us, and so I think we need to work with him to make him successful. And if what she said is it's 45 seconds in and 45 seconds out, a few times a month, it's not going to significantly disturb everybody's peace and the beauty of Lanai. It's a huge island. There's so many other places besides where these helicopters are going to be going. And so I'm in support of both of them. And I don't know if I had another little question here. I do think that some of the conditions that people want to put on are very fair, that, you know, the hours of days that they can do it and also specifying when it says we're half a mile from Lanai City. Yeah, we're talking the perimeter of Lanai City? Are we talking the center of Lanai City? So I think we do need to be well away from any housing.

Ms. Gima: Thank you. Melvin?

Mr. Catie: You know aunty, you come here on Lanai, that's what Lanai is, yeah? You gotta worry that, aunty. You, I talking to you. You come down because Lanai is. We no like see this helicopter flying around making noise. We like Lanai as Lanai. That's why one day I going put one sign in my yard, tourists no forget to go home. You can just come visit, but no forget go home. You guys come here, you buy up the land, you guys drive up the property. The people no can buy the land, the locals...you know what I mean? This kinda piss me off. Why you gotta make one helistop up there? This guy get money. Tell 'em, buy your own chauffeur or something for come up with the car, taxi or whatever. You no need all this shit coming around.

Ah, shut your mouth.

Ms. Gima: Okay. Please when you come up to testify please address the Commissioners directly. Ma'am, you had your hand raised? Come on up and state your name for the record.

Ms. Barbara McIntyre: Barbara McIntyre. I've been a Lanai resident for 16 years, up at Koele, and I'm going to read a letter that as President of the Koele Homeowners Association. I'm sorry. I'm also president of our Koele Homeowners Association and I'm going to read you a letter which I wrote to Chairperson Gima in support of the helipads.

Dear Ms. Gima. This is written testimony in support of the proposal for private helistop pads on Lanai, which is on the agenda for tonight's meeting. The members of the board of directors of the Koele Homeowners Association are in unanimous support of this proposal, and we represent the support of the majority of our homeowners at Koele. We are in favor of this amenity for the Four Seasons guests, which in turn will have a positive effect on the community -- on the economy of the entire Lanai community by bringing more hotel guests to the islands. We can find no objections to the proposed helistop locations, the flight pads or the hours of operations. We are reassured that the FAA will give their approval after their final site inspection, and that the operation will be conducted under their rules. In closing, we strongly recommend that the Lanai Planning Commission as well as the Maui County Council approve this proposal.

Ms. Gima: Thank you. Alberta?

Ms. Alberta de Jetley: Thank you Commissioners. My name is Alberta de Jetley. During all of the testimony that's been presented and the power point presentation, it didn't mention that during the community meetings we had previously with Pulama Lanai, these helicopters will be coming in and going out right away. They cannot wait around in the heliport, on the helipad. They can't keep their engines running. Their sole purpose is to come in, drop off the guests and leave. If they have to wait more than 15 minutes, they will have to be relocated to the Lanai Airport. They can't sit on the ground at the helipad waiting for the guests to arrive. Their sole purpose is to come in and drop off, or come in and pick up, and leave right away. So I am in favor of this project. Thank you.

Ms. Gima: John?

Mr. dela Cruz: My name --. Is it on? You sure? Okay. My name is John de la Cruz. I live on Lanai. And I'm really glad Alberta and the other lady came up after Melvin because it's really hard to follow Melvin. But, you know, go ahead and build your heliport at Manele. I'm fine with that. You know, the guest experience is fine. And you know what no body mentioned is that the Lanai Airport sometimes get fogged in, so let them land 'em in Manele. That's fine. But two words that have been thrown around tonight are anticipated and estimated. You know, it doesn't pin down anything. You let them land at Koele, it could be they'll fly any time they want, day or night. If you do let 'em land at Koele, don't let them land at night. And I really prefer if they don't land -- I mean, did I say Koele? I would really prefer if that they don't land at all at

Koele because...even though they're coming in from a certain distance, at a certain height, and a certain angle, if anything goes wrong, helicopters have a real long glide path. If anything goes wrong, they can crash any place within five miles of where they are stationary when the incident happens. And for one, my house is within five miles of Koele. So, I really would prefer that the -- they don't fly into Koele. But if you do, not at night. And one reason for this that even though there are FAA rules governing helicopters, and governing drones, and governing lasers, you still going to have the ones who don't follow rules.

And I hope Lanai people don't do this, but on Oahu they've been pointing lasers at pilots. And on another island -- and I hope Lanai people don't do this -- there has -- I think there was one drone strike on an aircraft flying out, flying out of Hawaii, and, and maybe fortunately these planes are so big, on most parts of a fuselage on a large plane they can absorb a drone crash. These little helicopters cannot. Even if you hit the, the rotor, and especially the tail rotor, you hit the tail rotor and that thing can crash any place. But again, Manele is fine...give them the experience. If they cannot land at the Lanai Airport, let them land at Manele. But I would prefer not to have them land at Koele. Thank you very much.

Ms. Gima: Thank you. Any other testifiers at this time? Dave? Go right ahead. He jumped right up.

Mr. Pat Reilly: I can only stand so long. Pat Reilly. As you know I've sat in your position. I'm wondering if a deal can be cut here. My first question would be how long do you have to make this decision? How many days? When is that? Secondly, I'm kind of show me. Why don't you have a field trip. Why don't you have a helicopter come in. Why don't you have instruments that measure the sound. Just, just do that. You know, we can sit here all night and talk about graphs, charts. I don't know if the applicant is willing. Split the application in half. My reaction basically is you have strong support for the Manele one. I don't hear hardly any of --. But you, in my own heart -- same deal with Koele -- there is more to Koele than noise. It's a special place. I mean, I don't care. Somebody --. I thought --. What does Koele mean? Doesn't it mean mist or something like that? Mist? Well, it gets real misty up there. That means it couldn't land there.

So what I'm saying to you guys is maybe you can cut a deal here. Cut the application in half. Get the one done. Let it go on, you know and -- to me, I'd have a field trip. And I'd say, you fly in a helicopter because I want to be there, up at Koele or somewhere. I don't care if I'm at the landing pad. I want to hear the noise away from it. My suggestion.

Ms. Gima: Thank you. Dave?

Mr. Green: Dave Green, Lanai resident. I'm also president of the Manele Homeowners Association. We have discussed this with a number of our homeowners. We, interestingly, have a number of them on island for the last several weeks. We had some questions, but the residents, I think, are comfortable with the conditions that have been placed on this. I guess I'm an optimist. I figure out that if a helicopter goes up in the air, it's not going to crash. I mean, you can't make decisions based on dooms day presentation, or dooms day eventualities. You

have to be aware of that, but the chances of that are very slim.

Anyway, the Manele Homeowners Association Board as well as the -- all of the residents that we've talked to are in support. Again, we understand there is a corridor that the flights that will come in and leave by. They do not come near our homes. I live on the very western part of the -- of the Manele Project District. I leave my windows open at night. I don't use air-conditioning, and I don't think the sound is going to be a problem.

I also agree that probably the vast majority of the flights are going to be down at Manele. The price point of the hotels are going to be different, and --. But I would also support the fact that there should be some time limitations especially at Koele.

And I think, I think Pat made a good suggestion. You don't have perhaps some key data that would be good to have as it relates to Koele. Lynn won't be happy for saying that, but I think Manele we have no issues whatsoever. The driver of the hotel. The hotel is the driver of the economic life on the island. All the businesses, everybody -- everybody benefits if the hotel does well down at Manele. And if there are people that are willing to pay for a helicopter ride because they don't want to wait, more power to them, and the money will be here on Lanai, and it will benefit all of us. We understand that it would be a unique competitive advantage at least at this point in time. And if helps brings people in, it's all, more the better. Thank you very much. I appreciate the chance to testify.

Ms. Gima: Thank you. Any last testifiers? Myles? And then Aunty Winnie.

Mr. Saruwatari: Myles Saruwatari. Thank you for hearing me out. I was watching the presentation and I have some issues with some of the language used. One thing that was mentioned was adverse effects on surrounding community. What -- now, what does that mean? I look at it differently from whoever wrote that. They will look at it different than somebody who lives at Iwiolo. That is, you know, there is going to be discrepancy. Just because you live on Maui, yeah, it's not going to impact you adversely because you live in Maui. But somebody at Iwiolo, it's going to affect them adversely because they have to hear the noise. But I have no objections to the Manele site, but up here, no, because no matter what you're going to hear that helicopter. The school is right over here. The kids can hear it. And you know kids, oh, helicopter, woo-woo. That's going to happen. You know, I mean, it's not anything that's terrible, but it does take -- you know distracts kids, and kids are easily distracted. So, I'm all for Manele if you want to do it down there, but not up here because number two, you guys know what the weather is like up there. You don't want helicopters attempting to land when it's rainy, foggy, windy, and you know how it gets up there. I mean, ask the golfers. Anybody golf, you guys know what the golf course is like when it starts getting bad, and it can just happen just like that. So thank you for hearing me out.

Ms. Gima: Thank you. Winnie? Any you'll be our last testifier at this time. This commission, commissioners need to start asking questions and discussing.

Ms. Basques: Thank you again. Winnie Basques. You folks did a good job. You did all your

folks research, okay, on the paper, that power point. I can see that you folks doing all your hana hana – that's job in Hawaiian. Okay. But I do not like seeing Lanai has to be changed for the purpose of the people who come from the mainland, wherever they coming from, to say oh we going to Lanai. Well remember now when they get off the helicopter the makana winds blowing. You know how they going look like when they come out with their high class clothes. The wahine in their nice kind gowns, all lepo. Lepo in Hawaiian means dirt. You going see how they going get off. The hair all . . . (inaudible) . . . and whatever. The thing is that, we live this style. We live our style. We come here, we take care of our aina. But we don't want no other people come in and telling us what to do. Okay. Now the thing is it's going to be on your folks conscience when you going deliberate this issue, okay. The two helipads...like they say, when the fog comes down, you cannot see the table tanks, it's 500 feet. If you cannot see you ain't gonna land because I used to work airport before as security for the airlines. Now the thing is that when they do this kind stuff...how you going make us feel? Now they going think, oh, let's go to Lanai, there is that shopping center, get all these kinds stuff. Hello? There's no shopping center. You like you shopping, go back to where you came from. Thank you.

Ms. Gima: Thank you. Sorry uncle, we gotta, we gotta close it because we gotta get on to our discussion or else we'll be here all night. Commissioners, I know many of you have many questions. Bev?

Ms. Zigmond: Madame Chair? I would like to...remind all the commissioners who were here back in November or December that at that time we were placed in front of us...we were placed in front of us a letter from a Manele resident who adamantly opposes. So I'm not sure if, Dave, you missed that one or not, but it was Ms. Bonita Churney. And it was just put on our table and so it was never into the record, and I'm not going to read the entire thing. But I do -- and I'm speaking, I'm speaking -- but I do want to say that she is adamantly opposed, and I have this record here, this letter if you all want to see it at some other time. Again, it was given to us, but there was no mention of what it is.

The next thing I would like to say is that the 1998 Lanai Community Plan is still in effect. And Medigale you may not know this or maybe you do, but the community plan is what guides us in everything that we do. And page 53 of the Lanai Community Plan which is still in effect says:

"Prohibit aircraft flight patterns over Lanai City as a means of noise mitigation."

It also says:

"Identify and implement other aircraft noise mitigation measures such as the prohibition of late night aircraft operations."

So already it's saying that we shouldn't be doing this. I would have to say that I believe there's a really different perspective out there on what is a significant, detrimental impact as well as what are unusual conditions. I don't think the fact that --. I'm not even going to go there.

One of the things that I want to point out is in the binder on page 10. There was concern from

the Manele residents and then it said, okay, we can do -- just don't do between 11:00 p.m. and 5:00 a.m. And I quote this next part, as Pulama Lanai believes that these late night flights will basically non existent, the applicant would prefer to institute this if multiple night flights commence once operational and respond accordingly to the owners. Well I think that's kind of absurd to do something after the fact. It was like one time some community member said to the commissioners well just approve that and then you can put conditions on it later. So, I think that's the same mind set there, and I think it's pretty absurd.

Now I have a question. The DOT said that...if this was not operational by September 13th, that some other things would have to happen. They would have to reapply or do something. In other words, this, this...this go ahead from them is only through September 13th. So my question to the applicant is when do you anticipate commencing operations?

Ms. Gima: Before you begin, Lynn, I'm going to ask everyone in the audience and outside to please keep your guys conversations down to a minimal please. The commissioners have been very patient with listening to all of you tonight, and hearing all of your testimonies, so please do the same as we are, you know, trying to have this discussion. Thank you.

Ms. McCrory: Lynn McCrory, Pulama Lanai. DOT's letter was stating that we do not -- they do not require us to get any State permits in order for the helistops to operate. There's no State permits needed. That was the intent of their letter. I'm not sure what the 13th was.

Ms. Zigmond: I'll find that for you. And in the mean time, I need to ask another question. So we've heard that both Manele and Koele homeowners were noticed with registered letters. I've heard that some people up on the hill also received a letter. So my question is why were the residents at Iwiole, the Quads, Hawaiian Homelands, or even myself who lives pretty darn close, why weren't we given that same notice?

Ms. McCrory: The notice -- Lynn McCrory, Pulama Lanai -- the notices go out to everyone within 500 feet of that property. My guess is it goes to -- not my guess -- it goes to the owner of the property.

Ms. Zigmond: Okay, so we have a precedent here, Lynn. When you came before us for the recycling center, and you all sent the letter of notice to the owner of Hale Kapuna, and the owner of the Courts. We objected and we deferred our decision until the people who were residents there who would be affected were noticed. And I'm asking that the same thing happen here.

Ms. McCrory: You're right. We did say that, and we did say we did it, we'd do that. We did not, so I agree. I just got this. It's not State DOT, it's the FAA. So we just have to go back in and say yes we are intending to do that and they will issue another one. So it should not be an issue.

Ms. Zigmond: So my question is when do you plan to be operational?

Ms. McCrory: We have yet to have approval from this Commission, and then we have to go to County Council. And my best estimate at County Council would be a year. There's at least four meetings that will have to go through. And depending on whether they make a decision or not. So for me, I use Council approval as one year of time. Then it's construction and then that's another year. So we are at least probably two plus years away.

Ms. Zigmond: Thank you for that answer. And once again I firmly believe that the residents of Iwiole, the Courts, and Hawaiian Homelands needs to be noticed.

Ms. Gima: Olopua. Beverly, Olopua too.

Ms. Zigmond: Olopua. Absolutely. And then 231 Caldwell Avenue as a matter of fact.

Ms. Gima: Lynn, I would suggest you take a seat up close because there's going to be a lot of questions coming your way. There is an extra mic if you wouldn't want to -- it would be easier.

Ms. Koanui Nefalar: My question is who will be monitoring the 12 flights per month?

Ms. McCrory: Lynn McCrory, Pulama Lanai. We will. And we'll be monitoring in such a way that an example of windsock or any of the navigational aids will not be left onsite. So when we're informed that a flight is coming in, we will then inform Four Seasons as to the time the flight is estimated to be there. We will then send someone out to actually put the navigational aids in place. And then after that, that counts as one. So we'll be monitoring both putting everything out, taking everything back and the count.

Ms. Koanui Nefalar: That goes to my –

Ms. Gima: I was going to kind of piggy back on that with a few questions. So is it FAA who's regulating that you cannot exceed 12 flights? Is there a regulation in place for that?

Ms. McCrory: No, it's ours.

Ms. Gima: So that could be changed without having to notify?

Ms. McCrory: No, no, no.

Ms. Gima: No?

Ms. McCrory: If, if we're saying that we will only do 12 round trip flights per month for both sites, we can't change that without coming back to you.

Ms. Gima: Okay.

Ms. McCrory: This is a five year permit. We're looking to see does it make a difference? Does -- do people even use it? If we find that they aren't, we're not going to renew it or we'll -- we

won't even look at making it permanent because we would have to do permanent by going through Land Use Commission. We're not sure.

Ms. Gima: So this is basically what I'm hearing like a trial run for five years.

Ms. McCrory: Yes, this the five years. And, I mean, I would say to you probably if we don't have anyone coming in two years even, we're done. Because obviously this is not something that is working and makes any sense.

Ms. Koanui Nefalar: Next question was how will -- like, what's the process of a guest wanting to helicopter in? Do they contact when they make reservations for the hotel? Do they contact Pulama? Who -- what's the whole process, the whole process?

Ms. McCrory: Let's, let's ...Larry Ellison and friends, he just makes his contacts and tells us what he needs. For the Four Seasons, the request would have to come from Four Seasons to us because they would have to be a guests at one of the Four Seasons. And they would then say to us we have guests coming in to Kahului, and they want to be picked up by the helicopter and should arrive there. They will probably make the helicopter arrangements for them. If not, the guests could make the arrangements. But, again, these are private so they aren't a matter where any helicopter company that just decides they want to come in can land on it. They cannot. It is private. It is 12 flights round trip. And by round trip, I mean, you come in, you drop the guests off, you leave. One. So if let's say the guests who's staying at Manele Hotel or Koele Hotel decides that they want to leave because the way they would have get to their flight would end up them sitting, let's say, at Maui or Honolulu for a few hours. Where they could say, I want the helicopter to take me in so I'm there an hour and half in advance or something like that. Then at that point, Four Seasons would notify us, and we would go forward with setting it up so that could occur.

Ms. Koanui Nefalar: So...if, if a guest is coming in, because of TSA and all the Federal security, how would their luggage come in on a commercial flight to the airport instead of on the helicopter?

Ms. McCrory: They would come in...their luggage would come with them on the helicopter.

Ms. Koanui Nefalar: Oh, I thought I heard earlier their luggage was not -- it was going to come through from the airport.

Ms. McCrory: No. No, that was one of the suggestions of someone. I think Debbie did that one where if you wanted to reduce time at, let's say, Koele helistop, you could drop the luggage at the airport. That was it. But it would come in with them.

Ms. Koanui Nefalar: Another question, maybe for Planning Department. Is this the way it's set up, it's together, Manele and Koele, is it, is it -- are they able to separate it? And if so, what's the process?

Mr. Yoshida: I guess they could have specific conditions for...the helistop in Manele or Koele. Say if they wanted to restrict the hours or...

Ms. Koanui Nefalar: What I mean like if...if the way it's set up now, if we were, for instance, to approve one --. Are we able to approve one and deny another? It's right now, for location, it's, the way it's set up now, it's together.

Mr. Wollenhaupt: A couple of things. No. 1 you have your State Land Use Commission Special Use Permit so this would be the body that's making the decisions on that. That actually keeps conditions put on in house, if you will. The Conditional Permit, then, of course, moves to the County Council. So what we've seen say weddings in agriculture on Maui is that the Commission often times put conditions on it. They want to be handling without having to go to Council on the State Land Use Commission Special Permit.

Now to your question, we might need to have our eminent Corporation Counsel speak to this. It would be deemed were you could say you only wish now to approve or make a recommendation of approval on the Manele site. That would be a lesser impact than the proposal for two sites. So I don't believe that there would be a problem if you were to define what you exactly you were approving if that definition was less intense than what was noticed. But Corporation Counsel would have to weigh in on that.

Ms. Thomson: I agree. Yes, I think that if you were -- if the Commission was inclined to approve one location and deny another, or potentially even defer taking action on that second, on Koele, if you needed more information or, you know, things like that, I think that you could do that. That's a little more awkward, but I think that you can make the decision that you wanted, so yeah.

Ms. Koanui Nefalar: And, I don't know if it's just a -- what my last comment is -- you know when you heard a lot about bringing in tourism, helicopters is only going to be, like, what, six, five people at the most. That's not a major impact. And another one is Ellison had Island Air, and he sold it. Well, he sold majority shares. He could have kept that. Now he -- right when the hotel opens on February 1st ; March 30th they closed and leave Lanai, that's kind of ridiculous. You know, if -- I can see if the planes, you know, might not be as luxurious as maybe as these people are accustomed to. He could've change that. He spent so much money on the hotel. He could've got better planes, you know. He could've privatized it. He could have done whatever he wanted with it. Now we have one airline that services the whole island including residents. That was not a good business decision, in my eyes. I mean, I'm not a business person, but, you know, just looking at it, with hunting season coming in, graduation coming, there's like a huge impact when that airline left. So, that was my comment.

Ms. McCrory: Did you want an answer?

Ms. Koanui Nefalar: If you want and if there is any answer, but --

Ms. McCrory: Okay. Answer, yeah. Let me give you some of the pieces. Island Air, I think,

was losing \$28 million every year. That's a lot of money going out into something that really wasn't successful by any stretch of an imagination. He looked at that and just said, you know, all I'm going to do is keep losing money. What -- and that's why he sold the piece that he sold because it wasn't making money no matter what they tried to do as an airline, it didn't work. So he sold it to local people, who so far seemed to be making a go of it. Now what the difference is, I don't know because obviously we don't have any connection with that entity.

I can tell you that one of our concerns for having Ohana was being sure there were enough flights. And so we've decided and have gone ahead and are subsidizing one additional flight that will be coming into Lanai in May. I believe it starts on the 16th. And that's to be sure there are enough flights. I don't know if you've been on any, but I've been on and there's barely any seats open. I mean other than the 6:00 a.m. flight which is not a lot of fun to begin with, but that, that's the reason. It was a consistent loss from the point that he had it. It never, ever, ever made money. So if you've got \$28 million every year for three years...you know, obviously that's not the business he should be in.

Ms. Koanui Nefalar: Yeah, I think what -- I mean I not going tell Mr. Ellison what to do, but, you know, maybe a change of management company, change in personnel. I know the workers over here only made \$8.00 an hour. So you know how --

Ms. Gima: Stacie, can I just say something really quickly?

Ms. Koanui Nefalar: Yeah.

Ms. Gima: I mean, I see what you're saying about Island Air, but I mean, I don't know how relevant it is in the sense that --

Ms. Koanui Nefalar: It's about travel and about --

Ms. Gima: Okay. I mean, it sounds like Island Air serves the community. These flights aren't even nowhere servicing --

Ms. Koanui Nefalar: Well, it was one year with no hotel, so yeah. My concern was we lost control of an extra transportation force, you know, with if you're bringing in your tourists. That was my concern.

Ms. Gima: Lynn, I had a few questions. I, I'm completely confused with some of this wording: occasional, basically, anticipated. You know there's no definite, you know, definition here. You we're going to have occasional night flights. What's occasional? You know? Where the flight frequency is anticipated to vary between Koele and Manele. And then...in the, in the application that we have no where -- and correct me if I'm wrong Commissioners -- I saw no where in here that the 12 flights are going to be combined, Koele and Manele. However, in the presentation that was very different, so there are some confusion with how things are being, one, presented and worded.

Ms. McCrory: Okay. We came up with that phrasing for the 12 flights, round trip, combined to make sure it was as clear as we could get it, and we went through that multiple times. So what you saw, what you heard, that's, that's the verbiage. Now I'm trying to remember what else you asked me and I started with the last one.

Ms. Gima: Occasional night flights.

Ms. McCrory: Occasional. One of the reason that -- one of things that I did was to go back through all of the airlines coming in Honolulu and Kahului, any say when do they arrive. What time? You know, is it possible that it could be later. There are two flights that come into Honolulu, nothing into Kahului. And one comes in from L.A. and one comes in from San Francisco, and it arrives at 10 o'clock or 10 minutes after 10. That's it. So the word occasional comes from that. Do I anticipate night flights? Honestly, no I don't. It doesn't really make a whole lot of sense that we're going to get people coming in on those late flights that then want to take a helicopter over. Because most people come in that late they just get a hotel room. And if they're going to travel, they travel the next day.

Ms. Gima: So I have a question for Corp Counsel and the Planning Department, and I think Bev stated in the beginning that, you know, our 1998 Community Plan is still in effect which prohibits night flights completely. So, if that applicant is wanting to do any type of night flights do they have to do a Community Plan Amendment?

Ms. Thomson: . . . (inaudible) . . . but neither one of these types of permits, a Conditional Permit or Special Use Permit, require consistency with the Community Plan. As far as night flights and time limits, you can set those in the permit. So if the Commission wants to approve this, approve the Special Permit with conditions, those considerations could be conditions such as no fly over the city and, you know, a distance from the perimeter, etcetera.

Ms. Gima: I understand that we can put conditions. I just wanted some clarification if, just like the three Lanai Avenue Homes, they had to do a Community Plan Amendment. And so you're, if I'm -- I want to make sure I'm clarifying this on the record that I'm hearing correctly -- you're saying that these permits don't have to jive at all with the Community Plan.

Ms. Thomson: The Community Plan is something that you would consider when you're looking at a Special Permit. One of, one of the criteria for a Special Permit is that the desired use would not adversely affect the surrounding property, would not unreasonably burden public agencies. So you're looking through this, as far as having strict consistency with a Community Plan, if these permits don't require that. Clayton, did you have anything to add to it?

Ms. Gima: And, and -- sorry Clayton, hold on a second -- strict consistency, what does that mean, strict consistency?

Ms. Thomson: For example when you have a Special Use -- when you have a -- sorry, Special Management Area Permit, there are certain types of permits that require you to be -- they require the project to be consistent with the Community Plan. The reason that the three Lanai

houses had to be, had to have Community Plan Amendment is that a Change in Zoning requires that. So it's the difference in the ways the laws are applied.

Ms. Zigmond: But I still think that the Community Plan guides us with everything that we do or why do the heck do we have it?

Ms. Gima: Commissioners -- I mean . . . (inaudible) . . . I'm still trying to process this, so if any of you have any other questions.

Ms. Zigmond: One other quick question for the applicant. So in the binder I think it was there was a photocopied page of a catalog with lights on. Have you gotten any further on which lighting you're going to use?

Ms. Gima: Bev, is that the seabird lighting?

Ms. McCrory: Everything would have to be in conformance, so that there isn't an issue with seabird lighting. And that would be, you know, you would be putting -- if you had a night flight, you would take your lights out to the site with you...and they just can't shine upwards. So all we could do is shine on to the pathway, on to the diameter circle is what we would be doing.

Also, just, just one more point in response to what Bev said. These flights won't be flying over the city. FAA regulations requires a 1,500 foot altitude minimum over the city, and then 500 where it's not. And by city, they mean Lanai City and they mean Manele. They're shown on FAA maps. They're very clearly indicated this cannot be flying over the city.

Mr. Oshiro: I get your landing and take off, they going from west to east. That's the way it's shown...on Koele, excuse me, up at Koele, west to east and that's with the trade winds, right?

Ms. McCrory: Yes.

Mr. Oshiro: Like most people that live on Lanai know that we often get fogged in. That's no brainer there because just last week we had fog that rolled in. Are they gonna try to land? Inclimate weather too, are they gonna try to land during that time?

Ms. McCrory: No. And that's one of the reason for someone who will be the person, point person, on Pulama Lanai for that. They have to make the call whether or not the flight should come in. I mean, someone has to make that call, and it has to be someone here doing that.

Mr. Oshiro: Just a thought. I don't know if -- you weren't here when they did the filming. They did a movie over here, they did a filming, and they were here for about a week or so. And they used that stable, above the stable, they used that as their landing pad, and I guess they were, . . . (inaudible) . . . out of Koele. And during that time they flew back and forth, you know. And during the evening, they flew back and forth, and that was really, really irritating. I mean, not to have any noise. Right now you listen all you hear is the car driving. But then to have a helicopter flying back and forth, I mean, even if they come two or three times in a month, it's

something that we, as residents, don't hear because the flight patterns is away from the city, it's down at the airport. So, you know --. And then two, if the winds turn Kona, right, north south, are they still gonna land east, land east west, take off land east west or they not coming in at all? Because they gonna have to go over the city then right? No?

Ms. McCrory: They aren't allowed over the city. I mean, they're not allowed.

Mr. Oshiro: They not flying during, during Kona wind?

Ms. McCrory: That may be exactly what the situation is.

Mr. Oshiro: Same thing happened down at Manele?

Ms. McCrory: It could happen at Manele also, yes.

Mr. Oshiro: Because Kona winds comes north south. So you, you either come in with the, with the way the winds blowing, right? Just questions or just comments at you, yeah.

Ms. McCrory: It would have to...it would have to be safe. More than anything you have to have a safety factor that there isn't going to be a helicopter crashing on you. So yes, you have to consider all of those.

Ms. Gima: And then a piggy back really quickly if you don't mind off of the landing and take off. What is the turn around time from when a helicopter lands to then taking off?

Ms. McCrory: It is as fast as discharging passengers. And if there's any to go back on that particular flight to an airport, loading them. That's it. They are not to be sitting on that stop.

Ms. Gima: Because I think Alberta testified and I mean, I don't know if that's true or not about it being a 15 minute limit. I didn't see that in the application. Or she mentioned about that the engine can't stay on when –

Ms. McCrory: It cannot stay on. It cannot.

Ms. Gima: Okay.

Ms. McCrory: So the intent is to drop them off, or if they're just leaving, pick them up. That simple.

Mr. Oshiro: Again, during take off and landing, especially on take off because you probably going up to the east. Are you going to be -- I'm only talking about Koele -- are you going -- are they gonna block the road, Keamoku Highway?

Ms. McCrory: They did not feel that needed to be blocked with the traffic studies that we recently had done for Sporting Clays. They did not feel. The construction road must be

blocked. That's part of FAA. They didn't feel that the Keamoku Road needed to be. It can be something we do.

Mr. Oshiro: Okay. And then the guests coming in from Manele using that nursery area. They all going be going out the same way they came down the Manele Highway right? That's how you bringing in the guests back to the hotel, right?

Ms. McCrory: No, the guests would be coming down Hulopoe which is basically the construction road. Because they're going to finish going down and then into Manele.

Mr. Oshiro: But is the construction road -- remember I brought this up a long time ago, about the construction road being hazardous.

Ms. McCrory: Yes.

Mr. Oshiro: So you guys doing something to repair that?

Ms. McCrory: It has been -- it has been completely paved.

Mr. Oshiro: I'd like to see that road, you know, before, pretty much before I even vote on this because like --

Ms. Gima: . . . (inaudible) . . .

Mr. Oshiro: No. Remember, Conrad died, yeah, okay. But what I'm saying is when we were allowed to go up and down -- I used to walk up and down that road -- there was no run off. Now there is? Okay. I just want to say I'd like to see it because nobody is allowed to go down that road. I would like, you know, I would like, before I even vote, I would like to see if that road was really repaired because like I said if happens again, Pulama would be in for a big suit yeah?

Ms. McCrory: I can tell you that it was repaired. It was completely paved except for one area which was in front of where the concrete crushing area is and then that was re-paved. The truck runaway ramp, just to give you a cost, it cost \$980,000 was built. So that was put in. It was designed. It was laid out. It's there. That was a requirement from the room renovation permit, so, yes, it's in place, it's functional.

Ms. Gima: It is. I seen it when I had to reroute from when there was a fire. I had to go up on the private road. Yeah.

Mr. Oshiro: Thank you Lynn.

Ms. Gima: Clayton?

Mr. Yoshida: I guess with respect to Commissioner Gima's earlier question regarding the Community Plan and the prior application. It was required because for the Change of Zoning,

under criteria no. 2, the proposed request is consistent with the applicable Community Plan Land Use map of the County. So currently it's Business Commercial, the Community Plan for the three houses property. So in order to have single family residential development –

Ms. Gima: We understand that.

Mr. Yoshida: Now for the -- at the current applications are for a Land Use Special Permit and a Conditional Permit. There's not that criteria regarding a Community Plan like there is for the Change in Zoning.

Ms. Gima: Go ahead Lynn.

Ms. McCrory: I think we've heard that there's great concern in regards to Koele, and I think there's a number of pieces that we should look at and maybe even relocate if we decide to go ahead. But I would ask that you go forward with approving Manele and defer Koele, and we will then take back all the comments. I know I've written a number down, Karlynn has a written a number down, and let us take a look, and then we'll either withdraw the application for Koele or we will present alternatives including site visits.

Ms. Zigmond: Madame Chair, if you are going to be asking us for discussion on this, I'm adamantly opposed to either one. Having said that...with certain conditions I would consider voting for Manele, but absolutely, positively no way for Koele. Not even if all the Iwiolo and Hawaiian Homelands and me and everybody else in the area gets noticed which they should have been. I'm adamantly opposed to that, period.

Ms. Gima: I haven't heard from this side of the commissioners. Please ask while Lynn's still here. Ask the questions.

Mr. Ferguson: Okay, my, my question on for the Koele site was you have one section that showing the flight plan, the flight route, yeah, the approach, but it's not expanded enough to see the city. And then the map that you do show the city is one old map that's not even showing Hawaiian Homes houses. So it's not even, it's not even in the picture. You no see -- right now it looks like just vacant land, but there's actually houses there.

Ms. McCrory: I can tell you that Hawaiian Homelands was one of the agencies that was sent the entire application. They responded and asked us to send an additional map, which we did, which then showed the flight path not even close to theirs. And then they submitted a -- I think that was the only thing. Once we submitted that, we did not hear back from them.

Mr. Ferguson: Okay. And just to, like how what Brad was saying when they did the filming a couple years back, you know, the...they told the community that the helicopters won't be buzzing the city, but I live at Hawaiian Homes at very bottom, at the very corner by the gulch so I am the turning point. So they, they buzz the field, and right when they reach the gulch they hung a right and when straight up to the stables. And right where they hung the right, it woke me up. I walk out on my deck and I see this helicopter. They're far enough away. You know,

they kept their buffer, but the noise was still enough to wake me up. And that's what I was, you know, trying to figure out. The noise is loud. The wind comes down. Even after it passed me, as it was landing, I could still hear it down at the bottom of the city.

Ms. McCrory: That's another reason to defer at Koele. We need to either take a look and see where else we're going to do it, if we're going to do it. I just don't think at this point it makes any sense to try to do...try to even move forward on that.

Ms. Gima: Okay. I'm -- I want to take this piece by piece because that's where it's going. I think we need to look at Manele, we need to come up with conditions. So I'm right now going to make the motion to deny the -- both this --is it the State Land Use Commission Special Use Permit for Koele. And then make a recommendation for the Conditional Permit to County Council for them to deny the permit for Koele.

Ms. Zigmond: Second.

Ms. Gima: So I made the motion, Bev second, is there any discussion, any questions by the commissioners before we vote?

Mr. Ferguson: I want to ask Counsel I should just continue recuse myself.

Ms. Thomson: Thank you, yeah, if Lanai Builders would be the company that would be constructing then you should recuse yourself.

Mr. Ferguson: I'm a carpenter, so I don't know how much I going be working on the helipad, but, you know, but they might pull the permit, but, you know, as a general, but I don't know if I'll get carpentry work out of one helipad.

Ms. Thomson: Right that is a good question. In that case what you would need to decide is whether you feel that you do not have a direct financial interest in this particular application so that you can vote. You could decide that you do and then recuse yourself, or you can request deferral and then get a Board of Ethics opinion. So those are your choices, but from what you're describing, it doesn't sound as direct as a building project where you'd be actually employed on the project.

Ms. Gima: Are you choosing to recuse yourself?

Mr. Ferguson: I think I can, I can vote on this.

Ms. Gima: Okay. Okay. Any other discussion before we vote? Okay, all in favor of the motion -- and again this is specifically for denying for Koele -- raise your hand. One, two, three, four, five, six; that's unanimous.

It was moved by Commissioner Kelli Gima, seconded by Commissioner Beverly Zigmond, then unanimously

VOTED: to deny the State Land Use Commission Special Permit, and to recommend to County Council denial of the Conditional Permit for the proposed private helistop pad at Koele.

(Assenting: M. Badillo, S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmund)

(Excused: M. Baltero, S. Marlowe)

(Absent: J. Barfield)

Ms. Gima: So now -- and again, thank you to the community members that have come out, and those who have written letters and got names on the petition. I mean, I think this --. We heard you in regards to the issues with Koele. Now we need to look at Manele. I think I've heard quite a bit from the community and also from reading some certain letters that it was more of the issue with Koele, not as much with Manele, but I've also heard and read that, you know, wanting to have some conditions in place.

Ms. Zigmund: Madame Chair? Some things I think about are -- just in case I win a lottery and I get to buy a terrace at Manele -- I wouldn't want the lights or the sound between, you know, 7:00 p.m. and 7:00 a.m. And I would like emergency vehicles to have first and always precedent there so that if an emergency happens for anybody -- guests, visitors, locals, anybody -- that that would be available.

Ms. Gima: Yeah, I think that -- I mean, Lynn you heard that quite a few times tonight. I think people realize if there's an emergency down at Manele, the time to get the ambulance down there, get back up to the city and then possibly to the airport to medivac, pretty critical amount of time. Was this discussed at any time?

Ms. McCrory: Yes, we took -- Lynn McCrory -- we took the opportunity to talk to Ted, who's the medic here for that, and his answer was we really don't want your helicopter taking anyone anywhere. The helicopter should be medically equipped and with personnel that can save your life and not do damage to you. They know that they can land anywhere on Lanai. So, yeah, there's a helispot that would be at Manele, and they can obviously land there, but they can also land on the golf course if that's closer. Or they can land in the parking lot if that's closer. If they were -- someone was up into a remote area, but they found an area their helicopter could land, they can land there. So --

Ms. Gima: It wouldn't need specific permission from you guys to land on the helispot?

Ms. McCrory: They have our permission.

Ms. Gima: Okay.

Ms. McCrory: Any where on the island, to land, for a medical emergency.

Ms. Gima: Commissioners, any other questions for the applicant? Now, again, we're just again,

looking specifically at Manele. Any discussion specifically about any conditions? So Bev, did that answer your question? It doesn't sound like there needs to be a condition because Pulama has given the right of entry to, for any where. Is there any other conditions? You recommended no flights between 7:00 p.m. and 7:00 a.m.

Ms. Zigmond: And I'm thinking again of our local population who might be camping on the beach or something like that to still try to protect what we know and love about Lanai.

Mr. Oshiro: The one that, you know, I brought, I mentioned this was Kona winds, yeah. I don't know. You guys pretty much gotta find out if you can because, you know, you going be flying over the residential to...to land on south winds, or coming in from, taking off because you going over residential. Unless you guys not -- you don't care which way the wind blows.

Ms. McCrory: It has to be safe for the helicopter to land, so, you know, if it's not, they shouldn't be landing. Or they land it over at Lanai Airport where they can come in at any direction.

Ms. Thomson: One thing to consider is just to clarify that the request is for 12 round trips per month. So I'm just making sure that that's what you're considering.

Ms. Gima: And the slide that was presented tonight it shows that you guys already have specific conditions from the FAA...as long as you have that, their approval, correct?

Ms. McCrory: Yes.

Ms. Gima: The minimum flight restriction of the 1,500 feet...in this case, it would be around Manele, and 500 elsewhere; all operations conducted in Visual Flight Rules weather conditions; the landing area is limited to private use; all approach/departure operations are conducted from 040 degrees/220 degrees whatever else those numbers mean; and then prior to use, a representative of FAA evaluate. So you have -- I just wanted to make clear to the commissioners that those conditions are already in place with the FAA. So if there's any separate conditions that we would like impose I think now is the time to have that discussion. Kurt, it looks like you were going to say something.

Mr. Wollenhaupt: Just so that the commissioners know condition no. 7 of the Conditional Permit does state that the applicant shall comply with the FAA requirements for the helistops. There's going to have to be some word smithing here. Probably Corporation Counsel may weigh in, but it would be something such as the Maui County Planning Department would say recommend approval at the Manele location as described in the staff report prepared for the Lanai Planning Commission as of this date subject to the following conditions. So we'll just have to ensure that this, anything that goes on up what you're approving states Manele.

Ms. Gima: I just thought of something. Because we voted and denied Koele, the Special Land Use Permit and made our recommendation for the Conditional Permit, Council can come around and totally ignore our recommendation is and grant that permit. But just so I'm clear they need two of those permits?

Mr. Wollenhaupt: (*nods*)

Ms. Gima: Okay.

Ms. Zigmond: Okay, we're getting very hungry and very tired. I move that we...recommend...approval of the Conditional Permit to County Council and I recommend that we...approve the -- sorry I just lost it too -- the other one. Here, wait, wait.

Ms. Gima: Special Land Use.

Ms. Zigmond: The Special Land Use -- thank you -- Permit for Manele, only. Both of them for Manele only. With the condition that there's no flying between 7:00 p.m. and 7:00 a.m.

Mr. Oshiro: I second that.

Ms. Thomson: Just for clarification. Do you want to also include all of the conditions recommended by the Planning Department?

Ms. Zigmond: Yes.

Ms. Thomson: Okay.

Ms. Gima: Lynn? Yeah, let's have a discussion about this before we vote. Lynn?

Ms. McCrory: I don't think you had any issues coming from the Manele residents. The one letter you have, the person is not a Manele resident. So, she doesn't live there or she hasn't lived there. I know, we were surprised too when we looked and said where in the world . . . (inaudible) . . . And I was hoping David Green was still here because he would corroborate that, corroborate that for me. I would ask that you make it later than 7:00 p.m. I'm going to ask for 10:00 or 11:00, and say 11:00 to 7:00 a.m. and we would be fine with that.

Ms. Zigmond: I'm thinking again about our local residents. I, I can't go 11, 10 o'clock at night. I just can't do that.

Ms. Gima: Lynn, can you give us the reason for want -- the need for the 10 p.m.? Is it because there would be -- like if someone is flying in to Oahu and arrives there at 7:00 and wants to get immediately over?

Ms. McCrory: Yes. It's more of that because there are flights coming in. I used the 11 for the per chance that there's someone on the 10:00 p.m. flight when they come in has that opportunity. It's more to service the guests. Again, I don't believe that most people are going to come over at night. I really do not. I think that's going to be pretty unusual, but they will come over during the day. So I say 11 p.m. just to cover the chance of a guest. If what we find, and I'm more than willing to do this, that we have complaints coming from the Park Council, we would be more than willing to take a look at that and say, we need to make a change. And then

we would make the change. Not differently than saying there can only be -- like we're saying now there can only be 12 flights.

Ms. Gima: I definitely hear the concern about when you're camping. I think a 10 o'clock -- for me, I think 10 o'clock is doable as usually that's -- what is the term for that -- that's usually like noise time where you can't have fireworks or loud noises, so I, I do think that 10 is doable. I appreciate you bringing up the Hulopoe Beach Park Council. I am a member of the Hulopoe Beach Park Council. It would be nice that when this moves forward that it is brought before the Hulopoe Beach Park Council just as a -- to advise and if there can be something set up where people camping or with the rangers of how to make complaints if it becomes --. Because now, the 12 flights aren't going to be between Koele and Manele. It would just be with, at Manele, and sure that could be spread up completely and it may not cause any issues. But I think if there is some form of, of complaint procedure I think that would be helpful.

Ms. McCrory: I can tell you it's called the hotline. That has worked remarkably well as we've done all of the construction. We're not going to change that number, and that person gets to carry that phone no matter what. And I would be fine with 10 p.m. also.

Ms. Gima: And maybe that would be a good thing for -- I'm switching my hat here, not fully, but -- every month when we meet with the Hulopoe Beach Park Council we get a park ranger's report. They give us numbers of people coming into the beach, and that maybe something that would be appropriate to add to their report, how many flights went in and out that month, were there any complaints.

Ms. McCrory: And we can do that. That's not an issue.

Ms. Gima: So I just shared my thoughts. Commissioners? Bev, did you propose it again? Did you propose with the 7:00 p.m. to 7:00 a.m.?

Ms. Zigmond: . . . (inaudible) . . .

Ms. Gima: Okay. Okay, I can do that before we have to vote on this motion. I mean, I would move to amend it to 7:00 a.m. to 10:00 p.m. as a condition, and that Pulama Lanai will put in place with the park rangers a complain procedure and that it is getting reported monthly to the Hulopoe Beach Park Council. So that's my amendment.

Ms. Thomson: Someone needs to second that motion, if you wish. Yes, it's an amendment and then whether or not that passes or fails, you go back to the main motion, back to Beverly's motion.

Ms. Gima: Anybody second my amended motion?

Mr. Ferguson: . . . (inaudible) . . .

Ms. Gima: Okay, Fergie seconds. Okay, so all in favor of the amended motion, and the

amendment again is the...the condition for times, it's going to be till 10 p.m. instead of 7 p.m., raise your hand. One, two, three. Well, it fails. And all opposed? Sorry. All opposed raise your hand. Okay.

It was moved by Commissioner Kelli Gima, seconded by Commissioner Stephen Ferguson, then

VOTED: to amend the condition in the main motion to allow flying between the hours of 7:00 a.m. and 10:00 p.m. – MOTION FAILED.

(Assenting: M. Badillo, S. Ferguson, K. Gima)
(Dissenting: S. Koanui Nefalar, B. Oshiro, B. Zigmund)
(Excused: M. Baltero, S. Marlowe)
(Absent: J. Barfield)

Ms. Gima: So we still have the motion on the floor, Beverly's motion, to approve for Manele, and recommend approval to County Council with the condition that no flights be operating through 7:00 p.m. to 7:00 a.m. She made the motion, Brad second. Any discussion before we vote? Because I'm kind of like, I don't know if this is going to pass.

Ms. Koanui Nefalar: The reason I didn't vote with the 10 was, you know, I feel that fireworks is, you know, twice a year thing. 10 p.m. It's expected. Not expected, but, you know, we kind of anticipate that that may happen. The 7:00 p.m. I think I'm looking at safety for the passengers coming in. Lynn saying that there may not be or the chances of it coming in is very rare, so I mean and I think 7:00 p.m. is a reasonable time. During the summer it's still lit. You know, you can still see it coming in so I feel that 7:00 p.m. is safer.

Mr. Oshiro: What was the...Pulama's proposal?

Ms. Gima: Well first of all in their...I think in their application there was no set limits and that's why, that's why we were putting in that condition. Lynn asked for 11:00 p.m.

Ms. McCrory: And then accepted 10:00 p.m.

Ms. Gima: They don't even have time limits right now, and I think that we've made it very clear that we wanted to put that condition in place. So right now the issue is finding a time. It sounds like a --. I don't think anybody's opposing to the 7:00 a.m. component. It's the, the night time component.

Mr. Yoshida: I guess for clarification sake, I just wanted to make sure, in the motion, does that, for the Manele helistop, does that include the conditions as recommended by the Department?

Ms. Gima: . . . (inaudible) . . .

Mr. Yoshida: Okay.

Mr. Oshiro: But the only reason -- well actually the 10 o'clock, if you put it at 10 and flights comes in at 10 on Oahu, and there's none coming from Maui, they still won't make, so why even propose a 10 o'clock? You know what I mean?

Ms. Gima: I think we're just throwing out a number.

Mr. Oshiro: Yeah.

Ms. Gima: And I was going based off of the kind of the noise time that we even follow in the city.

Mr. Oshiro: Right. But the thing is like she said the flight that comes in on Oahu comes in at 10. She --. That's what Lynn said, okay. So what I'm saying, they still not going make it here, you know, at the 10 o'clock curfew that they got, that, that you impose the 10 o'clock curfew. They not going be here on time, so why even bother to give them the 10 o'clock? Just stop at the 7.

Mr. Ferguson: Well, I feel if we give them the 10 o'clock they give them one option where Ohana not flying after, what, 7:00 p.m. If they, if they get to Oahu 7:30, 8 o'clock --

Mr. Oshiro: The problem is --

Mr. Ferguson: -- they still get one opportunity to get to the island, till 10, you know, which --

Mr. Oshiro: I understand what you saying. But the people that going take the helicopter not going fly on Ohana, you know. If they going come in, they going rent one private jet and come in, you know, that's what I'm trying to say.

Mr. Ferguson: Yeah.

Mr. Oshiro: It's not that --. It's just --. The 10 o'clock, they not, the people that coming in at 10, not going make that flight, not going make it to Lanai 10 o'clock.

Ms. Gima: But we're not only looking specifically at the flights that come in at 10 o'clock on Oahu. It could be if they flew a private jet into Maui, a private jet in Oahu, I mean, I don't know if that's necessarily the reason. Well, yeah, but, I mean Uncle Brad is talking about how this 10:00 p.m. thing is just based on the flight coming into Oahu at 10. Right? Well, that's what Lynn was saying. Okay, go ahead.

Mr. Wollenhaupt: Hi. It's Kurt again from the Planning Department. I understand where the debate is going. But since I do go back to California pretty often to see friends, just checking on United Airlines and I know that if you're going to use the 7 o'clock cut off, there is a flight that I've taken to Honolulu, and it gets in at 7:10 p.m. So there is a range of flights that kind of comes in at the four o'clock hour. Then there's a range that come like in the seven o'clock hour. And there are indeed those flights that come in at nine or ten o'clock. It would be problematic

as stated that if you're coming in at 10 o'clock to Honolulu or Kahului, you just won't be working at 10 or 11. But there might be for the members consideration a number of flights that do get in at that 6:30, 7:00 hour, so perhaps -- the 8 o'clock, if you move to 8 o'clock, there might be, that might accommodate. Just giving you some information.

Ms. McCrory: This is Lynn McCrory. Also to let you know, they are coming in on Ohana. That's one of the reasons for putting one more additional flight into the day is that we pick people up on the 3:15 flight. There was one vacant seat. And every flight I've been on, they're coming in, and the hotel is running at 60% occupancy. So it's not coming in on private planes. They're coming in on Ohana. So this is trying to make sure that when they hit Honolulu, they have an opportunity to get here.

Ms. Gima: I don't think we should go back and forth on the time any more. I would suggest with Bev's motion as stands that I would make a motion to amend to just add that Pulama still provide reports to the Hulopoe Beach Park Council and receive complaints through the park rangers, and not changing the time from the 7:00 a.m. to 7:00 p.m., but adding that on to your motion Bev. So I make a motion to add that on to the original motion that Bev has made.

Ms. Koanui Nefalar: . . . (inaudible) . . .

Ms. Gima: Okay, so it's been moved by me, seconded by Stacie. All in favor of this amended motion raise your hand. One, two, three, four, five, six, so that's unanimous.

It was moved by Commissioner Kelli Gima, seconded by Commissioner Stacie Koanui Nefalar, then unanimously

VOTED: to amend the original motion to add the conditions that Pulama Lanai provide reports to the Hulopoe Beach Park Council and receive complaints through the park rangers.

(Assenting: M. Badillo, S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: M. Baltero, S. Marlowe)

(Absent: J. Barfield)

Ms. Gima: So now we have...a slightly amended motion, and I guess I'll just read it out loud again. This is for the approval of the Special Land Use Permit for Manele only with the conditions of no night flights between 7:00 p.m. and 7:00 a.m., and that Pulama Lanai is responsible to provide park ranger, in the park ranger report to the Hulopoe Beach Park Council as well as the number of complaints made, if any. And then again, and then also recommending approval to the County Council for the Conditional Permit. So that's what it is as stands right now. And again that was originally made motioned by Bev. So we're going to take a vote on this as it stands. All in favor of this motion raise their hand. One, two, three, four, five. Any opposed? Okay. So the motion has been amended, so the motion as stands

right now is to approve the Special Land Use Permit for Manele and to recommend approval for the Conditional Permit to County Council with the conditions that no night flights operate between 7:00 p.m. to 7:00 a.m., and that Pulama Lanai is obligated to provide in their monthly park ranger report to the Hulopoe Beach Park Council how many flights have come in and out and if there were any complaints made by the beachgoers to the company whether it's through the hotline or to the park rangers. So that is the motion. And, and -- I'm sorry, you're right -- and the staff report/recommendations for conditions.

Ms. McCrory: Report issues to the helicopters, not just any issues, in the written report.

Ms. Gima: Yeah, yeah, report issues with the helicopters, yes.

Ms. McCrory: Thank you.

Ms. Gima: So again, let's take a vote. All in favor -- and I'm not repeating this again. I can't remember it. All in favor of this motion raise their hand. It's unanimous.

It was moved by Commissioner Beverly Zigmond, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: to approve the State Land Use Commission Special Permit, and recommend approval of the Conditional Permit to County Council as recommended/submitted in the Department's staff and recommendation reports, and with the added conditions as discussed by the Commission, for the proposed private helistop at Manele.

(Assenting: M. Badillo, S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: M. Baltero, S. Marlowe)

(Absent: J. Barfield)

Ms. Gima: Okay, we're done.

Ms. McCrory: Thank you.

Ms. Gima: Thank you for the information and providing clarification to us, Lynn.

- 3. MR. WILLIAM SPENCE, Planning Director, transmitting Council Resolution No. 15-139 referring to the Lanai, Maui, and Molokai Planning Commissions a proposed bill relating to transient vacation rentals in planned developments. (J. Alueta)**

Ms. Zigmond: Madame Chair? Can I make a suggestion?

Ms. Gima: Go right ahead.

Ms. Zigmond: Since we've been here for three and a half hours. There's no way we're going to get through all this. There's one thing that has a May 13th deadline on it, if maybe we could do that.

Ms. Gima: Which one is that Bev?

Ms. Zigmond: That would be Resolution No. 16-01 entitled referring to our commissions about composting.

Ms. Gima: Okay.

Mr. Alueta: . . . (inaudible) . . .

Ms. Gima: So Item No. 3, Resolution 15-139, we're already passed due so we need to discuss that, and then also No. 4, Resolution 16-01 that's coming up. Is there any objections to deferring Item No. 5 which is the Resolution regulating agriculture tourism activities in the agricultural district to our May meeting? Or the workshop. I see Clayton raising his hand.

Mr. Yoshida: I guess...because of the public hearing notice, if we do not have the public hearing, then we have to re-notice, and we have re-notice at least 30-days prior to the meeting which is the next meeting, May 18th, is less than 30-days. So probably we would schedule that for June, unless you know they have a public hearing, close the public hearing, and then defer.

Ms. Gima: So you're suggesting that for Item No. 5 because of the time constraints with public notice that we would defer that one to the June meeting?

Mr. Yoshida: Well, I guess it's up to the commission. I mean we -- if you want to --. People could've testify at 5 o'clock on that item, but if you want to open the public hearing, close the public hearing and defer to the next meeting, then we can bring Joe back and we can discuss it in depth.

Ms. Gima: Does that go for the orientation workshop too? No, this is just for that? Okay. But we have to discuss Item 3 and 4 because of the time constraints, correct Joe? Okay. So let's move along. I guess, you know, I'm going to make a motion that we defer Item No. 5, which is the Council Resolution No. 16 –

Ms. Thomson: Just for clarification. What Clayton is suggesting so that we don't have the problem of having to re-notice the public hearing is that you open public testimony on all three items, take public testimony, and then you can defer after that.

Ms. Gima: Alright, if there's no objections from the commissioners, I'm going to open up public

testimony. Is there anyone in the audience that would like to testify on either items, No. 3, 4, 5, which were the three various Council Resolutions? John? Okay. I don't see anyone jumping up. Alright, without any objections, I'm going to close public testimony and now make a motion to defer Item No. 5, Council Resolution 16-09 until our June 2016 meeting, or May. I'm sorry, the May, as well as deferring all the other items that are left. That's my motion.

Ms. Zigmond: Second.

Ms. Gima: All in favor raise your hands. One, two, three, four, five, six. Unanimous. Okay, so Joe, come up and we'll do the two Council Resolutions.

Mr. Joseph Alueta: No night differential for you Clayton. Good evening. My name is Joe Alueta, I'm your Administrative Planning Officer. I also work within the Zoning Administration and Enforcement Division. There are two methodologies in which you can amend Title 19. One is by myself, or the Department, or the Administration drafting an amendment to Title 19, and we bring it before you. Title 19 is the Zoning Code. That's what we administer and that's primarily all the permits that you review here today. The other methodology in which you can zone or amend Title 19, the Zoning Code, and that is by Council Resolution. By Charter, by requirement, the County Council must submit all resolutions to the three planning commissions to review it and comments. And you need to get their comments back by a certain time period. It doesn't mean that they will automatically will take up the action on the item. It just means that they can take it up so it prevents you from deferring or delaying sending your comments up. Most of the Council will wait if they know that there is comments coming from the three planning commissions.

So the first item that we have today is Resolution 15-139 referring to the Lanai, Maui, and Molokai Planning Commissions. This is regards to transient vacation rentals in Planned Developments. The Reader Digest version of this, this does not impact Lanai at all, okay. This is, if you recall, a couple of years ago, I came before you, there was a similar bill that amended, that we did the original amendment to Planned Developments and it was called the Puamana Bill because when you narrow down the scope of all the different Planned Developments that would be allowed based on the narrow criterias that is established in 19.32 that they've carefully crafted, only Puamana was impacted. During that meeting, at Council, they attempted to amend, add similar language that you see today to include Alaeloa which is another older planned development. They could not get a consensus from either the homeowners or whatever, but that didn't pass. Apparently now Council is willing, is sending now another amendment that would include Alaeloa. Do we like specific resolutions that help or benefit or hurt anyone individual or property? No, it's bad; bad policy and bad drafting. I like in Title 19 through Pandora's Box. Every time you amend it, you don't know what you're going to get, and you can have other consequences. Based on our research this amendment again only will have the ability or will grant Alaeloa the ability to do short-term rentals. They currently advertise it as short-term of rentals. We've had notices of warnings against them also for their short-term rentals. But again, from that aspect, it doesn't impact Lanai at all. It impacts one planned development on Maui.

Ms. Gima: Why is it in front of us? This is just protocol.

Mr. Alueta: It is because it is an amendment to Title 19.

Ms. Gima: Okay.

Mr. Alueta: Other, other points about this project or particular with regards to this, any time you convert housing to short-term rentals or transient vacation rentals, it impacts the housing market. We've -- regardless of people, their position on it, that's an economic fact. We're noticing that, specifically on Maui, you guys talk about your shortage of housing. It's occurring everywhere. This project does not necessarily impact affordable housing if you want. This is very -- this is a gated community, 13 acres, very low density, a planned development project, and the price range and rental rates are -- would not qualify within the affordable housing criteria of either 50% to 80%, 80% to 100%. I'm not even sure it would qualify in the 200 percentile bracket. But again we're just pointing that it does have an impact on housing in some fashion because there are --. If somebody can't rent a house or can't buy a house at a higher level, they're going to go down to the next level, and they're going to pushing that market. We recognize that. But, again, as indicated in my staff report, we don't think it has any direct impact on affordable rentals per se.

And that's pretty much, that's the Readers Digest version. Do you have any questions for me?

Ms. Thomson: Yes. For clarification. If these properties wanted to do short-term rentals, now, how would they go about it? I want to prevent -- they're not prevented from doing it if they just follow the current procedure, right?

Mr. Alueta: Some of them would be, would qualify...if they were single family. Because they are duplex structures it would be difficult for them to seek a short-term rental permit or a bed and breakfast because the restrictions in both of those title restrict it to a single-family dwelling. So that's where it comes down because some of these are duplexes. That's why the language is added. It contains some duplexes.

The other methodology in which this project or property as a whole could get short-term, transient vacation rental is to seek a Community Plan Amendment to Hotel, and the H-word is not normally a popular word on Maui or any island; and then seek a Change in Zoning to an appropriate hotel district.

Ms. Zigmond: Joe? I know you're not going to like this question, but what did Molokai do?

Mr. Alueta: They just --. Actually they voted no comment after they --. They had no comment. Yes?

Ms. Koanui Nefalar: I noticed Riki voted no. Like did he -- what was his --? I see some of these and he's the only one that said no.

Mr. Alueta: It's...I can never tell what it means.

Ms. Koanui Nefalar: It's on this paper.

Mr. Alueta: Also, they...the vote is also to --. Some of the vote doesn't necessarily mean that you're in favor of the actual bill because the vote is for a resolution to transfer to the commissions to discuss the items. So even though a council member may be fore or against the specific language of an ordinance or a proposed bill, it's the resolution that's to just transfer, transmit it to the commissions.

Ms. Gima: What are we having to do? Just provide comments?

Mr. Alueta: Correct. Your options are –

Ms. Gima: Please read us our options.

Mr. Alueta: On page 2 of the memo report, your options are recommend approval of the proposed bill to the Maui County Council; recommend approval of the proposed bill with amendments to the Maui County Council; recommend denial of the proposed bill to the Maui County Council; vote to defer action on the proposed bill in order to gather specific additional information. And Molokai just voted that they had no comment.

Ms. Koanui Nefalar: So the change is to -- the wording they're, they're putting in is except Alaeloa?

Mr. Alueta: No. If you look at the actual on exhibit...

Ms. Gima: Can we just vote to give no comments?

Mr. Alueta: Yeah. It's actually an amendment to 19.32 which is the Planned Development standards for the project. Planned Developments are a development method, and it's very rarely used. Basically it allows for a little greater density for projects if they dedicate like 20% as open space within their complex. So you can have --. And it allows for also some type of mixed zoning. In this case this is an apartment zoning, and they have a 13 acre parcel, and they were basically allowed to do some duplexes, and maybe a couple of additional units out of it, but they dedicated over 20% of their area as being open space. Not in zoning, but just maintained in open space. Puamana's the same way...and as well as all planned developments that follows this cap. Planned Developments are approved by each commission.

Right. There are no Planned Developments on Lanai anyway, so again -- and there's none that would meet this criteria.

Ms. Zigmond: Madame Chair, I make a motion that we have no comment.

Mr. Oshiro: . . . (inaudible) . . .

Ms. Gima: It's been moved by Bev, and second by Brad that we provide no comments on this resolution. All in favor raise your hand. It's unanimous; six votes. Okay, next one.

It was moved by Commissioner Beverly Zigmond, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: to provide no comments to County Council.

(Assenting: M. Badillo, S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: M. Baltero, S. Marlowe)

(Absent: J. Barfield)

4. MR. WILLIAM SPENCE transmitting Council Resolution No. 16-1 referring to the Lana'i, Maui, and Molokai Planning Commissions a Proposed Bill amending Title 19, Maui County Code relating to composting in the County Agriculture District. (J. Alueta)

Mr. Alueta: Thank you. Okay, the next item is...Resolution 16 -- I'm sorry -- 16-01 with regards to allowing for composting within the agricultural district. If you go to page 3...just to help you along with, with how this works; the cheat sheet. Okay, under the current standards, right, composting is allowed. It's a normal activity within a farming operation, okay. So if you wanted to compost and use onsite, and use onsite material, we consider it an allowed practice within both the County and State Agricultural District. If you compost onsite material and sell to others, right. You have thousands of acres of brush and other compostable materials that's sitting there and you mowed it all up and you composted it and you wanted to sell it to another farmer at another location, you could. That would be considered a normal agricultural practice and we consider it -- that's an allowed use within both the State and County Agriculture.

If you wanted to compost offsite material, right. So you're importing green waste from the local tree trimmers for your farm, and you have like a five acre farm or whatever, but you need a lot of compost for vegetable gardens, and you compost that material and use it on your vegetable gardens, that's also allowed. That's -- it's just like you're importing any other raw material for your production of your farm.

Ms. Zigmond: Does that site mean off island?

Mr. Alueta: Off property so off of the parcel lot.

Ms. Zigmond: But it would have to be on island, on the same island.

Mr. Alueta: No.

Ms. Zigmond: No?

Mr. Alueta: If it was off island it would be another parcel that it was coming from, right, yeah. And then the other way is like if you wanted to do -- but if you wanted to compost offsite material or off island material, and then sell it to somebody else, right, on another parcel, that would be not be allowed and you would need to get, for us, a special, a permit.

What's going on with the proposal which is...is that they, they're, County Council is proposing a definition for composting in their bill, and they're making it an allowed use. Meaning that it's not considered to be...it's not an accessory use of a farm, but it's just a permitted use in the agricultural district. So what this means is you can have an agricultural lot and bring material off site, compost it, and use it onsite or sell, okay. But, there may or may not be a farm. So -- and like I said so it would be the commercial operation on the property is not a farm, but is a composting operation. That's how the definition, that's how they have it written right now. The Department has concerns on that, and we kind of enumerated those concerns that we share with the Office of Economic Development.

One is we talked about noise. If you have a two acre ag lot and you bring a chipper shredder or, or drum...drum grinder -- thank you -- and you're doing stumps, right, it's going to make a lot of noise. Especially if you live next to an urban area or if you are in a quasi urban, two acre ag lot subdivision, it's going to make a lot noise. Especially if it's going eight to 10 hours a day.

Contaminants...the issue with like any material, you're grinding it up into like a humus like material, it can get dried out, it can get wind blown if you don't have appropriate containment.

Fire, you have -- these -- part of the composting process is heat. If you pile up the material it generates a lot of heat. If you don't -- if you pile it too high, you can get fires. You see that -- when you hear about landfill dumps, that's pretty much what's going on is that you've created a compost pile and its got packed down and it generates enough heat that it self combusts. And so we've had fires not only at landfill, you have fires at the composting facilities on Maui which is at the local dump, at the local landfill.

Invasive species movement. You're going to allow people to bring compost in from off, off property. There may or may not be the transportation of some invasive species. We had a case where in Haiku they discovered some fire ants. The guy got all of the compost, and he took it Hana landfill. Hana landfill said we can't take that, you've got to take it to Central Maui. So you basically have a little fire ants hitching a ride on a truck that went all along Hana Highway. That could spread and be disastrous had it gotten loose and other colonies established out there, so that's part of the concern.

The County supports composting. We think...and a lot of the testifiers previously had, on Maui and, I mean, on Molokai, it's the life blood of any farm, whether it's a traditional farm or an organic farm composting. Compost material is desperately needed. However from the Department's standpoint we don't feel that this bill is adoptable in its current form. We think, currently, we restrict -- we consider composting to be a permitted use as part of a farming operation or as a farm, a commercial farm operation. It's the only where you bringing off site material where we would consider you to get a Special Use Permit, okay. Even though they've

made it, and as I explained -- I know you all read my memo report -- and so that if you...look at it, even though the County makes it a permitted use in their County Agricultural District, the Planning Department does not believe it's an allowed use in the State District. So we would require a Special Permit under 205-6. So if this bill is attempting to get around the Special Permit process of the State, we don't -- it doesn't do that. Just because you make it a permitted use in the County Ag, it doesn't mean that you've somehow made it an allowed use in the State Ag. And we've pointed out that even at the State Leg they attempted several bills, or there was a bill to define composting and establish limits. So already people are thinking about composting and they're saying, hey, we need to create some standards for it.

So, that's pretty -- I mean, that summarized most of our concerns. We do recommend even though we're not in support of this particular bill, we do recommend that there should be an amendment to 19.04 which is the definition sections of the Maui County Code to define both composting, which has a more generic term, generic...definition, and more broader, as well as commercial composting. So, that would help us in our enforcement as far as that goes. Do you have any questions before I read our recommendations?

Ms. Zigmond: So you're recommending denial of this?

Mr. Alueta: We -- yes, and we also recommend -- we think that the current restrictions and the use of the special permit is the appropriate manner in which to regulate composting facilities and take them on a case by case basis. And we do -- and we also are recommending that you incorporate the two definitions that we wrote in there...our recommendations.

Mr. Oshiro: Okay on Lanai, so wherever they bring that green waste from, it's all of Lanai so it doesn't --. You know where you say it comes from some place else...if it comes from Lanai, it's Lanai compost, right?

Mr. Alueta: If it's on the same parcel, coming from the same parcel.

Mr. Oshiro: But then most of the parcels are owned by Pulama, yeah, over here, so --

Mr. Alueta: Right. I think that's -- I mean, I think that if they wanted to say here's our farm, and our farm is consisting all of these parcel, and we probably wouldn't -- we wouldn't -- we would say that's probably permitted use. It's when they want to bring in like, like I say, it's more, again, it's more --. Lanai's kind of unique, so this bill really impacts on Maui and Molokai where people would want to bring in off site materials and do it as a commercial operation and it may not be on the correct, what we feel, may not get the correct analysis and conditions to limit.

Ms. Gima: I think what I just saw is that there's bio solid, sewage sludge, that could be allowed in a compost?

Mr. Alueta: That is, that is correct.

Ms. Gima: Wow.

Mr. Alueta: And that currently is what goes -- at Eco Compost is the only facility on Maui that takes bio solids.

Ms. Gima: Stacie?

Ms. Koanui Nefalar: I don't have a comment, but I, I was in favor of Joe's recommendation, what he said was the Planning Department wanted.

Ms. Gima: Are you making a motion?

Ms. Koanui Nefalar: If there's no other comments, then --

Ms. Gima: No other comments?

Ms. Koanui Nefalar: If there's no other comments, then yeah.

Ms. Gima: You're making a motion to what? Deny?

Ms. Koanui Nefalar: No.

Ms. Gima: What is --? I'm sorry, what's the Planning Department's recommendation?

Mr. Alueta: The Department is not in support of the bill, but we do recommend that the composting and -- composting and commercial composting be defined. Molokai...if you're interested, recommended denial, and that they take into accounts the definitions that the Department presented. And also they wanted to have defined organics. Definition of organics. Maui Planning Commission also recommended against the proposal, and voted to -- and that it go back to Committee for further work and that they include the amendments of the Department discussed.

Ms. Gima: So Stacie, you have a motion?

Ms. Koanui Nefalar: I motion to deny and for the definitions for composting and organic be...what's my words?

Ms. Gima: Commercial composting?

Ms. Koanui Nefalar: Yes, be more, I guess, defined, as recommended by Planning Department.

Ms. Gima: Okay, so the motion is to deny...sorry, I'm tired -- this Resolution and taking, and to taking -- the Council take into consideration the Planning Departments definitions of composting and commercial composting. So that's the motion do I hear a second? And organic, I'm sorry. Brad seconds. Any further discussion before we vote? No? All in favor raise your hand. That's six, that's unanimous, it passes. Thank you Joe.

It was moved by Commissioner Stacie Koanui Nefalar, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: to recommend, to County Council, denial of the proposed bill, and that Council considers the Planning Department's definitions of composting, commercial composting and organic.

(Assenting: M. Badillo, S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: M. Baltero, S. Marlowe)

(Absent: J. Barfield)

- _____ 5. **MR. WILLIAM SPENCE, Planning Director transmitting Council Resolution No. 16-9 referring to the Lanai, Maui, and Molokai Planning Commissions a Proposed Bill to Regulate Agricultural Tourism Activities in the Agricultural District. (J. Alueta)**

Mr. Alueta: Thank you. You sure you don't want to try for one more?

Ms. Gima: It, it's been a long day.

H. ORIENTATION WORKSHOP NO. 1 (Conducted by the Department of the Corporation Counsel representative)

1. **The Sunshine Law (Chapter 92, Hawaii Revised Statutes)**
2. **Ethics**
3. **Contested Cases**
4. **Property Rights**
5. **Rational Nexus and Rough Proportionality**

I. DIRECTOR'S REPORT

1. **Open Lana'i Applications Report as distributed by the Planning Department with the April 20, 2016 agenda**
2. **Agenda Items for the May 18, 2016 Lana'i Planning Commission meeting**

It was moved by Commissioner Kelli Gima, seconded by Commissioner Beverly Zigmond, then unanimously

VOTED: to defer Agenda Items G5, H, and I to the next scheduled meeting.

(Assenting: M. Badillo, S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: M. Baltero, S. Marlowe)

(Absent: J. Barfield)

J. NEXT REGULAR MEETING DATE: MAY 18, 2016

K. ADJOURNMENT

Ms. Gima: So we are deferring -- where did my agenda go? So we deferred the rest of everything to our May meeting, which is the next meeting will be on May 18th. It is now exactly 9:00 p.m. With no objections, I'm going to adjourn this meeting.

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 9:00 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Medigale Badillo
Marlene Baltero (from 5:00 p.m. to 6:10 p.m.)
Stephen Ferguson
Kelli Gima, Chair
Stacie Lee Koanui Nefalar, Vice-Chair
Bradford Oshiro
Beverly Zigmond

EXCUSED:

Stuart Marlowe

ABSENT:

Jarrold Barfield

OTHERS:

Clayton Yoshida, Planning Program Administrator, Current Planning Division
Joseph Alueta, Administrative Planning Office, ZAED Division
Kurt Wollenhaupt, Staff Planner, Current Planning Division
Richelle Thomson, Deputy Corporation Counsel

15/6480



COUNTY OF MAUI
DEPARTMENT OF PLANNING
2200 MAIN STREET, SUITE 619
WAILUKU, MAUI, HAWAII 96793
TELEPHONE: (808) 270-8205 FAX: (808) 270-7634

APPLICATION TYPE: CONDITIONAL PERMIT

CP 2015/0010

DATE: December 10, 2015

PROJECT NAME: Two Proposed Private Helistop Pads on Lāna'i VALUATION: \$ 600,000.00

PROPOSED DEVELOPMENT: Construct two (2) helistop landing pads and associated improvements on sites located on vacant agricultural land in the vicinity of Kō'ele and the existing containerized plant nursery at Mānele, Lāna'i.

TAX MAP KEY NO.: (2)4-9-002: 001(por.) CPR/HPR NO.: --- LOT SIZE: 1.6 acres (Kō'ele) 0.9 acre (Mānele)

PROPERTY ADDRESS: See Exhibit "A"

Lanai Resorts LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i PHONE: (B) (808) 237-2001 (H) ---

ADDRESS: 733 Bishop Street, Suite 2000

CITY: Honolulu STATE: Hawai'i ZIP CODE: 96813

OWNER SIGNATURE: Refer to Section 4, Letter of Authorization

APPLICANT: Lanai Resorts LLC, a Hawaii Limited Liability Company doing business as Pūlama Lāna'i

ADDRESS: 733 Bishop Street, Suite 2000

CITY: Honolulu STATE: Hawai'i ZIP CODE: 96813

PHONE (B): (808) 237-2001 (H): --- FAX: ---

APPLICANT SIGNATURE: Refer to Section 4, Letter of Authorization

AGENT NAME: Cheryl K. Okuma
Munekiyo Hiraga

ADDRESS: 305 High Street, Suite 104

CITY: Wailuku STATE: Hawai'i ZIP CODE: 96793

PHONE (B): (808) 244-2015 (H): --- FAX: (808) 244-8729

EXISTING USE OF PROPERTY: Vacant agricultural land (Kō'ele), containerized plant nursery operation (Mānele)

CURRENT STATE LAND USE DISTRICT BOUNDARY DESIGNATION: Agricultural and Rural

COMMUNITY PLAN DESIGNATION: Agriculture ZONING DESIGNATION: Agricultural

OTHER SPECIAL DESIGNATIONS: Not Applicable

EXHIBIT "A"

The applicant, Lanai Resorts LLC, a Hawai'i Limited Liability Company doing business as Pūlama Lāna'i ("Pūlama Lāna'i" or "Applicant"), is proposing to construct two (2) private helistop pads on Lāna'i. The two (2) helistop pads will be located on a total of approximately 2.5 acres located on a larger 69,270-acre parcel identified as Tax Map Key (2) 4-9-002:001 (Parcel 1). One (1) helistop pad (on approximately 1.6 acres) will be located on vacant agricultural land and is adjacent to an existing tennis complex of the Lodge at Koele landscaped with trees, shrubs, and a parking area in the Kō'ele area. The second helistop pad (on approximately 0.9 acre) will be located on lands currently utilized for a containerized ornamental plant nursery in the vicinity of the Four Seasons Resort Lanai at Manele Bay with an access gravel road and gravel parking area in the Mānele area. See **Figure 1**, **Figure 2**, and **Figure 3** in Section 7.