

Testimony of Dana Naone Hall
before
Infrastructure and Environmental Management Committee
Maui County Council
July 3, 2017

Good afternoon Councilmembers. My name is Dana Naone Hall. I am testifying on IEM-33.

First, I would like to thank the Chair and members for addressing this important subject, and I want to also thank community members for bringing this matter forward.

I will begin by correcting some misconceptions. I have heard and seen printed on signs that 700 iwi kupuna have been exposed and that as many as 1,000 burials have been desecrated at Maui Lani. These numbers are attention-grabbing but not true. The burial law, HRS §6E-43, and the burial rules and regulations, along with HRS §6E-8 and HRS §6E-42 and their counterpart rules and regulations, are effective. As a reminder, slightly fewer than 1,000 burials were disinterred at Honokahua, so to suggest that we have a situation like Honokahua on our hands defies the facts. The vast dune lands of the central Maui Pu'uone are not one overall burial site like Honokahua.

The original project area for the Ritz Carlton Hotel at Honokahua was 13.6 acres in size with perhaps 3 to 5 acres of that parcel covered by sand dune features. Prior to the extensive digging at Honokahua it was thought by many that it was the burial place for those fallen in battle between the koa (warriors) of the Hawaii Island ali'i Alapa'i and the Maui forces aided by Pele-io-

holani, as interpreted from recountings in Kamakau's *Ruling Chiefs* and elsewhere.

Instead, the dunes at Honokahua revealed evidence of a stable pre-contact population with more women and children buried there than men. I should also mention that when the digging was halted at Honokahua it was estimated that another thousand burials remained undisturbed in the dunes.

We have not found a Honokahua-like concentration in the land owned or once-owned by Maui Lani. There is no dispute that the battle of Kakanilua occurred; the issue is where did it occur? Various sources place the entrapment of Kalaniopu'u's Alapa and Pi'ipi'i by Kahekili's sling stone-wielding forces in the dunes anywhere from Wailuku to Waikapu to Pu'unene. Current archaeological evidence does not indicate that the location of that battle has been found. Maybe these slain warriors have already been displaced by plantation or development activity in the more than 200 years since the battle occurred. Or perhaps they are asleep under the houses in the old Sand Hills development, although I doubt very much that Kahekili would have allowed enemy forces to approach so close to his compound in Iao Valley before drawing tight the net.

Let's briefly examine the two developments that adjoin the old Sandhills subdivision to the east. The first, and the subject of some controversy, is the Maui Lani Commercial Project Site or Safeway, as it is commonly called. After a 1997 AIS which identified one burial, monitoring was conducted in multiple phases from 1999 to 2005, with a halt in construction from 2005 to 2011 while

the project was redesigned to accommodate DOT requirements. The overall project was also reconfigured to sit lower on the site to mitigate the concerns of the old Sandhills residents about noise and visual impacts. Unfortunately, this accommodation resulted in more grading to the site which caused the exposure of additional burials.

Remember that approximately 1,000 burials were affected at Honokohua in a 13.6 acre site. On the 12.9 acre Safeway project site, the first rounds of monitoring resulted in finding 19 burial features, 14 of which were partially intact primary burials. Of these 14, ten were preserved in place. The final monitoring encountered 8 additional burial features, some of which were under the proposed Safeway: about half of these features were found in secondary contexts, having been previously disturbed. Another newly discovered burial site was preserved in place.

Immediately to the south of the HRT parcel is the 33-acre Sandhills Estates which was developed by Valentine Peroff. Twenty-two partial in situ burials were found. Sixteen of the 22 burials were preserved in place while six were relocated. The burials and reinterred remains are doubly protected by restrictive covenants recorded in the Bureau of Conveyances for each of the affected lots.

Finally, not all sand dune areas contain burials. One example is the Maui Lani Parkway. Almost no iwi kupuna were found along the entire monitored length of the roadway, except for within a 400-foot section of the

proposed alignment, which was adjusted due to a high number of burial finds. In this particular area the majority of burials were infants and children.

I know of many more instances where burials were found on one property in a dune area, but not on the adjoining properties. It is true that there are concentrations of burials in particular places in these dunes as I have indicated, but the central Maui sand is not full of iwi and is not saturated with the blood of our ancestors, as some have said. If they were I would be among the first to protest. Therefore, I do not believe this is a burial issue so much as it is a resource issue. I don't think it helps to demonize Maui Lani or its representatives.

By the way, has anyone asked Maui Lani to come to the table to attempt to resolve this issue?

Ola na iwi.