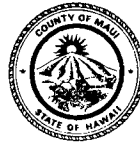


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WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

June 6, 2017

Alan Downer, Ph.D., Administrator  
State Historic Preservation Division  
Department of Land and Natural Resources  
601 Kamokila Boulevard, Suite 555  
Kapolei, Hawaii 96707

Dear Dr. Downer:

**SUBJECT: MORATORIUM ON EXPORTING SAND AND THE MAUI INLAND SAND RESOURCE QUANTIFICATION STUDY (IEM-33)**

At its meeting on June 5, 2017, the Maui County Council’s Infrastructure and Environmental Management Committee discussed the mining of sand in culturally and historically significant areas and their potential impacts to known Hawaiian burial sites.

The Committee received testimony from individuals that mentioned concerns about a sand mining operation within an area known as Maui Lani, Kahului, Maui, Hawaii identified as Tax Map Key Number (2) 3-8-007:153.

One of the testifiers noted that deceased warriors from early Hawaiian battles were left to decompose in the sand, therefore their bodies become part of the sand. Accordingly, any taking of the sand is perceived as taking of the bones of the bodies left in the sand. Therefore, by allowing individuals to excavate and mine sand, residents are concerned the resting place of Hawaiian ancestors are being desecrated.

Section 6E-3(3), Hawaii Revised Statutes (HRS), states the historic preservation program includes “Development of a statewide survey and inventory to identify and document historic properties; aviation artifacts, and burial sites, including those owned by the State and the counties.”

Dr. Alan Downer  
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Furthermore, Section 6E-10.5(a), HRS, Enforcement, states "If the board of land and natural resources determines that any person has violated or is violating this chapter, or any rule adopted pursuant to this chapter, the board shall serve written notice by certified mail or personal service upon the alleged violator or violators...."

The Committee will be reviewing this matter at its meeting of June 22, 2017, at 9 a.m. in the Council Chamber on the 8<sup>th</sup> Floor of the Kalana O Maui Building, 200 S. High Street, Wailuku. Therefore to assist in the Committee's deliberation of this matter may I respectfully request that you provide a representative from the State Historic Preservation Division (Division) to attend the meeting to address the following:

1. Provide a survey or inventory of historic, cultural, and archaeological preservation burial sites within the Central Maui region including maps identifying the areas.
2. As the Division is the regulatory arm of the DLNR for violations of 6E HRS, provide a list of any written notices of violation, corrective actions required, and the imposition of penalties the Division has taken on any properties within the County of Maui.

Thank you for your consideration of this request. May I also request that you submit a written response to this request by **June 19, 2017**.

To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Gary Saldana at 270-7137, or Stacey Vinoray at 270-8006).

Sincerely,



ELLE COCHRAN, Chair  
Infrastructure and Environmental  
Management Committee