

Councilmember Elle Cochran, Chair  
Councilmember Don S. Guzman, Vice-Chair  
Infrastructure and Environmental Management Committee

No‘ukahau‘oli Revilla  
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Monday, June 5, 2017

Support for moratorium on mining, extraction, stockpiling, and/or excavation of inland sand in Maui County.

Aloha pumehana e nā councilmembers.

My name is No‘ukahau‘oli Revilla. I am a Kanaka Maoli educator born and raised on the island of Maui, specifically in the moku of Nā Wai ‘Ehā in the ahupua‘a of Wai‘ehu. I am testifying in support of the moratorium on mining, extraction, stockpiling, and/or excavation of inland sand in Maui County. I further support the revocation of Maui Lani Partners’ existing permit for its Phase 9 site, which inaccurately describes current work as grading rather than the resource extraction that is actually taking place.

In traditional Hawaiian culture as well as history, the Pu‘uone Sand Dune Formation from Kahului Harbor to Waikapū was sacred. The [2002 Wailuku-Kahului Community Plan](#) even identifies Pu‘uone as a wahi pana (18). Nevertheless, under the cover of its grading permit, Maui Lani Partners continues to desecrate iwi kūpuna, damage our environment, and trade Maui sand for O‘ahu profit. The grading permit includes neither start date nor completion date (see attached). Furthermore, according to this permit, Maui Lani Partners reports no knowledge of any burials on site. Yet a basic survey of 19th century historical writings on Maui will tell the Battle of Kakanilua in 1776, where hundreds of Native Hawaiian soldiers sacrificed their lives in these dunes.

Councilmembers - where does sand end and kanaka begin?

Continued sand mining on known burial ground is unacceptable; this is desecration, this is hewa. Hewa is digging up ancestral bones with bulldozers, sorting through those bones with industrial sifters, and funneling those bones into canisters. This hewa is neither minimized nor made pono by the phrase “inadvertent discovery.”

Councilmembers, in your consideration of this moratorium, I beg you ask yourselves - how would you feel if this was your family’s burial ground? How would you feel if these were the remains of your ancestors? How would the claws of bulldozers uprooting your history, culture, and kūpuna make you feel?

Please help protect our iwi kūpuna. Please help protect our ‘āina.

Mahalo for this opportunity to testify in support of the moratorium on mining, extraction, stockpiling, and/or excavation of inland sand in Maui County.

**WAILUKU-KAHULUI  
COMMUNITY PLAN  
(2002)**

**MAUI COUNTY COUNCIL**

EXHIBIT "1"

6. Support programs for the protection and preservation of historic and archaeological resources and foster an awareness of the diversity and importance of the region's ethnic, cultural, historic, and archaeological resources.
7. Encourage community stewardship of historic buildings and cultural resources and educate private property owners about financial benefits of historic preservation in Maui County.
8. Preserve and restore historic roads, paths, and water systems as cultural resources, and support public access.
9. Recognize and respect family ancestral ties to certain sites including burial sites, and establish cultural and educational programs to perpetuate Hawaiian and other ethnic heritages.

### **Implementing Actions**

1. The Cultural Resources Commission shall update, and the Council shall adopt, the County Cultural Resources Management Plan to further identify specific and significant cultural resources in the region and provide strategies for preservation and enhancement.
2. Require development projects to identify all cultural resources located within or adjacent to the project area and consult with individuals knowledgeable about such cultural resources prior to application as part of the County development review process. Further, require that all proposed activity include recommendations to mitigate potential adverse impacts on cultural resources including site avoidance, adequate buffer areas, and interpretation. Particular attention should be directed toward dune areas, known and probable pre-contact habitation areas, and other sites and areas listed in No. 5 below, with review by the Cultural Resources Commission, where appropriate.
3. Implement a historic and cultural overlay ordinance to provide protection for areas with significant archaeological, historical, and cultural resources.
4. Establish recognition of culturally sensitive areas such as Naniloa Bridge, Waiale Bridge, and burial and habitation sites along Lower Main Street and Kahului Beach Road.
5. Significant Wailuku-Kahului region sites and areas include the following:

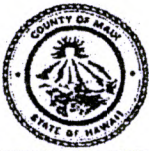
#### **Wahi Pana (Significant Traditional Places)**

- a. Na Wai Eha (Waihe'e, Waiehu, Wailuku, Waikapu).
- b. Waihe'e Dunes Archaeological Complex.
- c. Waihe'e Church.

- d. Waihe'e Sugar Mill site.
- e. Haleki'i-Pihanakalani heiau.
- f. Waihe'e Dune complex.
- g. Taro lo'i in 'Iao Valley.
- h. Traditional surfing sites.
- i. Kanaha Pond.
- j. Habitation and burial sites along Lower Main Street corridor.
- k. Waiale Bridge.
- l. Wailuku Civic Center Historic District.
- m. Kama Ditch, Spreckels Ditch, and Waihe'e Ditch.
- n. Ka'ahumanu Church.
- o. Hale Ho'ike'ike (Bailey House Museum).
- p. Alexander House (next to Ka'ahumanu Church).
- q. Waikapu Stone Church Site.
- r. Wailuku School.
- s. Pu'unene School.
- t. Pu'u One Sand Dune Formation from Kahului Harbor to Waikapu.
- u. Coastal sand dunes from Kahului Airport to Baldwin Park.
- v. Kahului Railroad System sites (i.e., Roundhouse, Makaweli Rock Crusher Mill Foundation, etc.).
- w. Chee Kung Tong Society Hall site.
- x. Maui Jinsha Mission.
- y. Naval Air Station Kahului Airport (NASKA).
- z. Pu'unene Mill/Village.
- aa. Kahului Railroad Building and Old Kahului Store.
- bb. Buildings designed by C. W. Dickey-Wailuku Library, the Territorial Building in Wailuku, and the Baldwin Bank (Bank of Hawaii in Kahului).
- cc. Wailuku Union Church.
- dd. Church of the Good Shepherd.
- ee. 'Iao Theatre.
- ff. Plantation Manager's Residence in Wailuku.
- gg. St. Anthony's School.
- hh. Market Street from Main Street through Happy Valley.
- ii. Vineyard Street from Market Street to end.
- jj. 'Iao Stream.

The above list is not comprehensive. It represents some of the well-known sites currently listed in the State inventory of Historic Places and on file with the State and National Registers of Historic Places. Many more sites have not yet been surveyed for historic, archaeological, and cultural significance.

The Department of Planning has (or will obtain from the State Historic Preservation Division) maps indicating the general location of these sites. Planning Department staff will obtain, maintain, and update all pertinent maps, which will be consulted prior to development proposals affecting the above-mentioned areas.



COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPMENT SERVICES ADMINISTRATION  
250 SOUTH HIGH STREET  
WAILUKU, HAWAII 96793  
Ph: (808) 270-7242 Fax: (808) 270-7972 Inspector: (808) 270-7366

## GRADING AND GRUBBING PERMIT APPLICATION

<b>PROJECT/PROPERTY INFORMATION</b>	
PROJECT NAME	Maui Lani - Phase 9 Site Grading
TAX MAP KEY	(2) 3-8-07:153 (Por.)
ADDRESS	Maui Lani Parkway
OWNER / PERMITTEE INFORMATION	<b>DECLARATION:</b> The undersigned accepts the permit subject to conditions described in the General Provisions, construction plans, County Code Section 20.08, and any other document associated with the permit.
OWNER NAME	Maui Lani Partners
ADDRESS	1100 Alakea Street, Suite 2200, Honolulu, HI 96813
PHONE	808 244 - 8730
EMAIL	dsuzuki@maui.lani.com
SIGNATURE	<i>[Signature]</i>
PRINT NAME	Daren Suzuki
If Permitter is different from owner:	
PERMITTEE NAME	
ADDRESS	
PHONE	
EMAIL	
SIGNATURE	
PRINT NAME	
<b>PERMIT INFORMATION</b>	
<input checked="" type="checkbox"/> GRADING PERMIT	Fill: 0 (cubic yards)
	Excavate: 213,920 212,280 15 (cubic yards)
	Graded Area: 8.9 8.8 ( <input checked="" type="checkbox"/> acres <input type="checkbox"/> sq. ft.)
	Maximum height/depth of excavation or fill: 45 (feet)
<input type="checkbox"/> GRUBBING PERMIT	Grubbed Area: ( <input type="checkbox"/> acres <input type="checkbox"/> sq. ft.)
<b>IDENTIFY CRITICAL AREAS LOCATED ON OR AFFECTING THE PROPERTY</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is any portion of the property located in the Special Management Area?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Are there Special Flood Hazard Areas or drainageways on the property?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the property located along the shoreline?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Are there wetlands located on the property?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Are there known burials, cemeteries, or other historic sites on the property?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Will grading affect an existing slope with a height greater than 15 feet and with a grade steeper than 35% (10H:3.5V)?	
Estimated Dates:	Start: Completion:
<b>PERMIT APPROVAL (For county use only)</b>	
APPLICATION NUMBER: 920140090	
Fee \$ 4242.00	Bond \$ 463,920 Mkt. St. Indemnity, Inc.
SPECIAL CONDITIONS MSI 1013	
APPROVED BY:	PERMIT NUMBER: 920140191
<i>Cathryn Hasfurther</i> 12/5/14	DATE OF ISSUANCE: 12/8/14
For: Department of Public Works	
<b>GENERAL PROVISIONS</b> are considered a part of this permit and are included herein by reference. Hard copy is available at Development Services Administration or can be viewed/downloaded online at County website: <a href="http://www.co.maui.hi.us">www.co.maui.hi.us</a>	

(Rev. 1/12)

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