

**\*\*This policy requires further discussion, language based on CPAC recommendations.**

All other policies have been discussed and approved by CPAC.

**Black text is language CPAC added.** Grey text is language CPAC deleted.

## Policies

or exemptions

**2.5.1 | Require development projects seeking county permits to provide continued access to kuleana lands, and preserve and protect access to areas both mauka and makai for any lands where native Hawaiian rights were customarily and traditionally exercised for subsistence (including fishing, hunting and gathering), cultural or religious purposes. Applicable laws include Section 7-1, Hawai'i Revised Statutes; Article XII, Section 7, of the Hawaii State Constitution; and the Hawaii Supreme Court's PASH opinion, 79 Haw. 425 (1995). \*\***

Original Language for comparison: 2.5.1 | Ensure new development projects provide continued access to kuleana lands protected under Section 7-1, Hawai'i Revised Statutes, as well as continued access for cultural practices including fishing, hunting and gathering to areas both mauka and makai.

**2.5.2 | New d Development projects shall engage in consultation with Native Hawaiian Organizations, those who have genealogical ties, (and those with generational ties), cultural practitioners and knowledgeable individuals connected or associated with the project area and provide evidence of this engagement to the appropriate reviewing agency.**

**2.5.3 | Identify, preserve, protect, and restore significant wahi kūpuna and significant historic properties in South Maui.**

**2.5.4 | Protect dark skies, public view corridors and scenic vistas, including traditionally significant views and views to and from the shoreline.**

**2.5.5 | Promote awareness and elevate the importance of wahi kūpuna and historic sites in South Maui by installing signs and markers that include information about the sites and a code of conduct to prevent damage or desecration or overuse of the area.**

**2.5.6 | Ensure existing government trails are preserved during the discretionary review and entitlement process, including changes in zoning, community plan amendments, state land use district boundary amendments, the review of environmental assessments and impact statements, development in the Special Management Area and Shoreline Area, and the review of subdivisions, by consulting with the Department of Land and Natural Resources Na Ala Hele program, and other government agencies as appropriate.**

**2.5.7 | Healthy mature trees, particularly native trees, must shall be preserved and incorporated into the landscape plans of subdivisions, roads, and any other construction or development. If they must be removed, first consult with Native Hawaiian Organizations prior to possible removal for safety then agreements should shall be made to provide offer wood or other useful elements to Hawaiian cultural practitioners, or non-profit organizations or artisans from the particular area first for sustainable cultural use.**

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**2.5.8** | Use traditional ecological knowledge, in coordination with cultural practitioners and in consultation with those who have generational knowledge (‘ike kūpuna) in the design of new development and redevelopment projects, and environmental restoration efforts.

**2.5.9** | Encourage ~~voluntourism that increases awareness of wahi kūpuna and South Maui’s history.~~ **trained volunteers to help increase cultural awareness, cultural appreciation and cultural respect of wahi kupuna and South Maui’s history at the discretion of area cultural practitioners and ‘ike kupuna.**

**2.5.10** | When wahi kūpuna or other historic properties are located within ~~or adjacent to a~~ project area, require restoration or preservation of the site(s) and require mitigation of potential adverse impacts on cultural resources during construction , ~~as directed by~~ **in consultation with State Historic Preservation Division, Maui County Archeologist, Cultural practitioners, and Native Hawaiian Organization** ~~or other applicable laws and regulations~~ , including site avoidance, adequate buffer areas and interpretation. Particular attention should be directed toward the southern areas and shoreline of the planning region.

**2.5.11** | **When wahi kūpuna or other historic properties are located adjacent to a project area, within the same parcel require mitigation of potential adverse impacts on cultural resources during construction, in consultation with State Historic Preservation Division, Maui County Archeologist, Cultural practitioners, and Native Hawaiian Organization including site avoidance, and adequate buffer areas. Particular attention should be directed toward the southern areas and shoreline of the planning region.**

**2.5.12** | ~~Protect and enhance wahi kūpuna during the implementation of transportation projects through early consultation and engagement with those who have genealogical or generational ties to the project area, resource management agencies, and the community.~~