



## PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES PRESERVATION FUND COMMISSION

JODI HIGUCHI SAYEGUSA, CLERK OF COMMISSION

JONATHAN LUCAS, CHAIR  
ROBIN PRATT, VICE CHAIR  
TARYN DIZON, MEMBER  
WILLIAM KINNEY, MEMBER  
MARK ONO, MEMBER  
MAI SHINTANI, MEMBER

RECEIVED

Pursuant to Hawai'i Revised Statutes Section 92-3.7, which codified Act 220, SLH 2021, the meetings of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission will be conducted as follows:

24 MAY 10 AM 11:14

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

- **The meeting location that will be open to the public with audiovisual connection is:**
  - Līhu'e Civic Center, Moikeha Building
  - Meeting Room 2A-2B
  - 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i
- The public may also attend the meeting through Zoom using link provided on the agenda.
- In addition, the public may also attend the meeting by phone using the "join by phone" telephone number provided on the agenda.
- **Written testimony** may be submitted on any agenda item and submitted to [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov) or mailed to the Kauai County Planning Department 4444 Rice Street., Ste A473, Lihue, Hawaii 96766. Written testimony received by the Planning Department at least 24 hours prior to the meeting will be distributed to all Commissioners prior to the meeting. Any testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.
- **Oral testimony** will be taken **in-person at the public meeting location, via Zoom link**, or using the **"join by phone" number** listed on the agenda.
  - All testifier audio and video will be disabled until it is your turn to testify.
  - Per the Commission's and Chairs practice, there is three-minute time limit per testifier, per agenda item.
  - If there are temporary technical glitches during your turn to testify, we may have to move on to the next person due to time constraints; we appreciate your understanding.
- If the remote telephone connection is lost and cannot be restored within 30 minutes during the meetings, the Commission will continue all matters and reconvene at the next scheduled Commission Meeting.
- **IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF BOARDS & COMMISSIONS AT (808) 241-4917 OR [ADAVIS@KAUAI.GOV](mailto:ADAVIS@KAUAI.GOV) AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.**

**PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND  
COMMISSION**

**\*SPECIAL\* MEETING NOTICE AND AGENDA**

**Thursday, May 16, 2024  
10:30 a.m. or shortly thereafter**

RECEIVED

**To Join by Phone:**

US: +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 201 715 10 11:14  
8592 or +1 312 626 6799  
Webinar ID: 872 1098 5639  
Participant ID: #

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

**ZOOM MEETING LINK:**

**<https://kauai.zoom.us/j/87210985639>**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. MINUTES of the meeting(s) of the Commission**

1. March 14, 2024

**E. RECEIPT OF ITEMS FOR THE RECORD**

**F. GENERAL BUSINESS**

1. Update on Kukui'ula Bay Access through the former Hoban or Leight property located in Kōloa District, Kona Moku, further identified as Tax Map Key (4) 2-6-003:017 (Kaikapu LLC).
2. Update on Kaupea Beach Access located in Hanalei District, Halalea Moku, further identified as Tax Map Key (4) 5-2-004:071 (Kala Industries LLC).
3. Discussion and recommendations to fill the vacant at-large position of the Commission.

**G. COMMUNICATIONS**

**H. UNFINISHED BUSINESS (For Action)**

1. Final report and recommendation on the proposal to acquire a 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 065 (Kaua'i Petroleum Co. LTD) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).

2. Final report and recommendation on the proposal to acquire a 0.2867 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 071 (Kaua'i Petroleum Co. LTD) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).

**I. NEW BUSINESS (For Action)**

**J. EXECUTIVE SESSION**

EXECUTIVE SESSION: Pursuant to Hawai'i Revised Statutes 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with County's legal counsel on questions, issues, status, and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to the following matters:

1. Update on Kukui'ula Bay Access through the former Hoban or Leight property located in Kōloa District, Kona Moku, further identified as Tax Map Key (4) 2-6-003:017 (Kaikapu LLC).
2. Update on Kaupea Beach Access located in Hanalei District, Halalea Moku, further identified as Tax Map Key (4) 5-2-004:071 (Kala Industries LLC).
3. Discussion and recommendations to fill the vacant at-large position on the Commission.
4. Final report and recommendation on the proposal to acquire a 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 065 (Kaua'i Petroleum Co. LTD) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).
5. Final report and recommendation on the proposal to acquire a 0.2867 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 071 (Kaua'i Petroleum Co. LTD) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).

**K. ANNOUNCEMENTS**

1. Topics for Future Meetings.
2. The following regularly scheduled Open Space Commission meeting will be held at 1:00 p.m., or shortly thereafter, on July 11, 2024. The Open Space Commission anticipates this meeting to be held in-person at the Līhu'e Civic Center, Moikeha Building 2A/2B, 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

**L. ADJOURNMENT**

COUNTY OF KAUA'I  
Minutes of Meeting  
OPEN SESSION

**DRAFT To Be Approved**

Board/Commission:		<b>Public Access, Open Space and Natural Resources Preservation Fund Commission</b>	Meeting Date	<b>March 14, 2024</b>
Location	Moikeha Meeting Room 2A/2B		Start of Meeting: 1:00 p.m.	End of Meeting: 1:53 p.m.
Present	Chair Jonathan Lucas. Vice Chair Robin Pratt. Commissioners: Taryn Dizon, Nancy Kanna, and Mark Ono. Deputy County Attorney Kimberly Torigoe. Planning Department Staff: Deputy Planning Director Jodi A. Higuchi Sayegusa, Planner Shelea Koga and Staff Services Assistant Kristen Romuar-Cabico. Office of Boards and Commissions: Administrator Ellen Ching and Commission Support Clerk Lisa Oyama.			
Excused	Commissioners William Kinney and Mai Shintani.			
Absent				
SUBJECT	DISCUSSION			ACTION
<b>A. Call to Order</b>	Chair Lucas called the meeting to order at 1:00 p.m.			
<b>B. Roll Call</b>	Deputy Planning Director Jodi A. Higuchi Sayegusa verified attendance by roll call: Commissioner Dizon replied present. Commissioner Kanna replied present. Commissioner Ono replied present. Commissioner Kinney was excused. Commissioner Shintani was excused. Vice Chair Pratt replied present. Chair Lucas replied present.			Quorum was established with five Commissioners present.
<b>C. Approval of Agenda</b>				Ms. Kanna moved to approve the agenda, as circulated. Vice Chair Pratt seconded the motion. Motion carried 5:0.
<b>D. Minutes of the Meeting(s) of the Commission</b>	1. January 11, 2024  Vice Chair Pratt noted that the meeting minutes listed a meeting date of January 11, 2004, instead of January 11, 2024.			Ms. Kanna moved to accept the minutes of January 11, 2024, as circulated, correcting the typographical error of the

**D.1.**  
MAY 16 2024

SUBJECT	DISCUSSION	ACTION
		meeting date from January 11, 2004 to January 11, 2024. Vice Chair Pratt seconded. The motion. Motion carried 5:0.
<b>E. Receipt of Items for the Record</b>	Ms. Higuchi Sayegusa noted that the Commission was provided one additional item related to the Kīlauea Mauka Access and that item will be reviewed during the Biennial Report.	
<b>F. General Business</b>	<p><b><u>F.1. Review and discussion on the final draft of the Biennial Report.</u></b></p> <p>a) <u>Final draft Biennial Report dated March 2024.</u></p> <p>Ms. Higuchi Sayegusa stated that the Commissioners all received the report dated March 2024. She further stated that the final draft is more or less the report that will be submitted to the Kaua‘i County Council. Planner Shalea Koga noted that there was one change to the report. This was related to the Kīlauea Mauka Access and that project was accidentally omitted when the report was drafted. Ms. Koga further noted that the report was already posted, so Commissioners are receiving this additional insert for review and it will be added to the final draft prior to the report being submitted to the Kaua‘i County Council.</p> <p>Ms. Higuchi Sayegusa clarified that the Kīlauea Mauka Access project would be inserted into Appendix H. Appendix H are the abstracts of every single proposal that was considered over the years since 2017.</p> <p>Ms. Higuchi Sayegusa noted that the Planning Department may rearrange the Executive Summary. Ms. Higuchi Sayegusa acknowledged that the cover of the report was designed by Ms. Koga. She also stated that the report highlights the successes of the Commission including the Halulu Fishpond, which was a successful acquisition by the Commission, as well as the Kaumumene Coastal Access. The Planning Department will also be printing out color copies for the Commissioners that are bound and transmitting the same to the Kaua‘i County Council.</p> <p>Ms. Higuchi Sayegusa noted that on the first page of the Executive Summary, it was suggested</p>	

SUBJECT	DISCUSSION	ACTION
	<p>that the Department move “Other Updates” to after “Brief Updates on the Commission Process” as that is more miscellaneous updates of things impacting the Commission such as staffing an the new Open Space Planner. She noted that the information she just mentioned may go right after the Open Space process.</p> <p>Ms. Higuchi Sayegusa also requested that the Commission grant the Department the ability to do any last-minute grammatical or spacing edits between now and final transmittal to the Council.</p> <p>Ms. Kanna expressed her approval of allowing the Department to make those necessary edits.</p> <p>Mr. Ono asked when the Report would become public. Ms. Higuchi Sayegusa responded that it becomes public at the point when it is transmitted to the Council. She further stated that the Report is actually public at this point as a part of the Commission’s meeting packet and that the public would be able to view the packet material as a part of a scheduled meeting.</p> <p>Mr. Ono asked a general question about the Commission and who created the Charter Amendment to create the Open Space Commission. Ms. Higuchi Sayegusa responded that the Commission was created around 2003, but that she could not recall offhand who were the proposers. Mr. Ono stated that he wanted to recognize whoever started the efforts to create the Open Space Commission as it has led to fruitful projects such as the acquisition of the Halulu Fishpond. Mr. Ono hoped that the original Open Space Commissioners would have been a part of the ceremonies for the Halulu Fishpond blessing, but in lieu of that just wanted to be sure they received their due recognition.</p> <p>Vice Chair Pratt asked whether Mr. Ono had wanted to recognize past Commissioners in the Report. Mr. Ono stated that he did not think that was necessary, but perhaps recognition on the website might be a better place for that recognition. Ms. Higuchi Sayegusa acknowledged that recommendation.</p> <p>Ms. Kanna stated that acquisitions have been built over the years. Vice Chair Pratt stated that acquisition also take years to become a reality and that she supported acknowledging past</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Commissioners for the work that they did while on the Open Space Commission. Ms. Higuchi Sayegusa stated that the Department can work on the acknowledgement of past Commissioners either on the website or in the vision and strategy section.</p> <p>Ms. Dizon stated that when the Commission talked about the vision, it was noted that public access throughout the years has been lost because certain developers developed under the subdivision process threshold allowing them to not contribute anything towards public access. Ms. Dizon wanted to include a statement to reflect what is being done to present the future loss of public access, which she estimated to be between 10-20 miles of coastal access over the years. Ms. Dizon asked that the vision be modified to reflect how the Open Space Commission is being proactive not to lose further coastal access, instead of being reactive to the situation. She further referenced the Kīlauea Mauka Access issue and the Commission’s efforts to gain back access rights that was segregated for the County during that development, which included 15-20 miles of public access that the public used to have. Ms. Dizon stated that reference needs to be made to ensure that the County has the ability to gain that type of public access even during the subdivision process. Ms. Dizon also noted that with large landowners such as Grove Farm, Gay &amp; Robinson, etc. access is already limited, and if access is continued to be restricted, the public will be choked out.</p> <p>Ms. Higuchi Sayegusa stated that perhaps another section on pages 18-20 could be added to highlight a priority for the Commission pursue public accesses. Ms. Dizon stated that she was unsure how to word this vision to occur when those types of properties are purchased. Ms. Dizon added that perhaps an ordinance could be passed to add public access requirements to be triggered once a certain number of acres are purchased. Ms. Higuchi Sayegusa stated that the Department has a trigger to add a set aside amount of public access when an action is proposed. That is why this action is triggered during the subdivision process or when a Special Management Area permit is required. There is also recent legislation in the form of a County Ordinance that pushed for the set aside of access if a large landowner wants to CPR their property. Ms. Higuchi Sayegusa explained to the Commission the triggers and nexus regarding setting aside public access as it relates to the impact to the public’s interest.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Dizon expressed her frustration living on such a small island and the various limitations that are placed on what can or cannot be done regarding this matter. She further stated that she sees additional opportunities for outside investors to restrict access if nothing is done. Ms. Higuchi Sayegusa responded that the Open Space Commission was created specifically for the reason of enhancing whatever powers the Planning Department or Department of Public Works has to require public access and to build upon those powers to further public access efforts.</p> <p>Ms. Higuchi Sayegusa stated that the Open Space Commission does have the power to decide upon priority projects for the County to go and condemn or negotiate with the landowner to get access conveyed, which is what is occurring in 'Aliomanu. At first, the path was to condemn the property with a structure on it, but now the Department is working with the landowner to negotiate an easement to access the limu and other natural resources. At the end of the day, the Open Space Commission can recommend to the Kaua'i County Council that they condemn an easement. The other piece is ensuring that the Planning Department is considering access where there is access and is Constitutionally defensible through the SMA permits and subdivision process.</p> <p>Ms. Dizon expressed her appreciation for the Planning Department's efforts.</p> <p>Ms. Higuchi Sayegusa also acknowledged that the Planning Department also has the responsibility to look back at historical documents to ensure that parcels such as the Kīlauea Mauka project are perpetuated as fully fulfilled conditions. Based on that example, the Department has initiated efforts to review older records to ensure that all conditions have been met.</p> <p>Ms. Dizon stated that she believes the large landowners that are currently on-island will not sell any pieces of their property as they want privacy. They have selected Kaua'i as their destination because of the privacy that they were able to purchase. Ms. Dizon expressed that she wishes more could be done to preserve public access with the little funding that the Commission has.</p> <p>Ms. Higuchi Sayeguas again acknowledged that the Department would follow-up on adding to</p>	



SUBJECT	DISCUSSION	ACTION
	<p>the vision to address Ms. Dizon’s concerns working with her on the specific language that is used. Ms. Dizon expressed her appreciate, but deferred the final language to the Commission’s Chair and Vice Chair, as necessary.</p> <p>Ms. Kanna also expressed her appreciation to the Department for drafting an easy-to-follow report that is well-organized, especially for the Council, as they have a lot of information that they have to look at. This sentiment was conveyed by Commissioners present.</p>	<p>Ms. Kanna moved to accept the Final Draft of the Biennial Report with the ability to add to the Additional Vision and Strategy section of the Report, along with the ability for the Department to make any typographical, grammatical, and formatting changes, as needed and to transmit said Report to the Kaua’i County Council. The motion was seconded by Ms. Dizon. Motion carried 5:0.</p>
	<p><b><u>F.2.</u></b> <u>Discussion and recommendations to fill the vacant at-large position on the Commission.</u></p> <p>Ms. Higuchi Sayegusa stated that the Department requested to put this item on the Commission’s agenda as there is currently a vacant At-Large position that is decided upon and recommended by the Commission. She suggested that the Commission put this vacancy on their radar so that they can start considering who might be appropriate to fill this position. Furthermore, Ms. Kanna was noted as participating in her last meeting having termed out exhausting her carryover time as well. Ms. Kanna could return to the Commission following a one-year waiting period.</p> <p>Administrator Ching stated that Ms. Kanna’s year would end on December 21, 2025. Ms. Kanna could return in January of 2026.</p> <p>Mr. Ono inquired if the Hanapēpē-‘Ele‘ele vacancy still existed. Administrator Ching</p>	

SUBJECT	DISCUSSION	ACTION
	<p>acknowledged that the vacancy does exist, but the purview for filling that vacancy lies with the Kaua'i County Council. Administrator Ching did note that she works closely with Council Staff and that if anyone has any recommendations, to please let her know so that she can pass along that information to the Council.</p> <p>Vice Chair Pratt asked if staff wanted names now of possible candidates for the Commission's vacancy. She acknowledged that she had not spoken to anyone about the role, but has some ideas of people who could serve. Vice Chair Pratt stated that she felt strongly that Stacy Sproat would be a great addition to the Commission, though she is a very busy lady.</p> <p>Mr. Ono stated that if Ms. Sproat could not commit, the Commission may want to inquire with her father as the ex-Fire Chief for the County of Kaua'i.</p> <p>Ms. Higuchi Sayegusa stated that the Department could add this agenda item on future agendas for further discussion to keep it on everyone's radar.</p> <p>Mr. Ono asked for the term length for this position, which was stated as being three years in length.</p> <p>Administrator Ching requested that the Commissioners speak with those who are of interest to fill the vacancy to gage their interest prior to bring their names to the Commission.</p>	<p>No action was taken on this agenda item.</p>
	<p><b><u>F.3. Discussion on Vision and Strategies for Community Outreach.</u></b></p> <p>Ms. Higuchi Sayegusa indicated that this agenda item was kept on the agenda for additional discussion regarding the Commission's vision.</p> <p>Ms. Koga updated the Commission that the Department did start an Instagram page called Open Space Kaua'i to share the news of the Commission. She noted that March 5, 2024 was when the page issued its first post about the Halulu Fishpond blessing. Ms. Koga asked that if Commissioners had any suggestions for posts or highlights, to please let her know. She also noted that recognition of past Commissioners or providing informational links could also be done</p>	

SUBJECT	DISCUSSION	ACTION
	<p>via this page.</p> <p>Chair Lucas expressed his delight with the new method of communication that has been opened up for the people of Kaua'i. Ms. Koga responded that this effort could be expanded to other platform as well, but that this was a good start to gain followers.</p> <p>Ms. Kanna asked if Instagram and Facebook were linked. Ms. Koga acknowledged that the sites could be linked, but that she started with Instagram only at this time.</p> <p>Mr. Ono asked how one would find the site on Instagram. Ms. Koga explained that one could search for the page and follow it to receive posts.</p> <p>Chair Lucas stated that following Open Space Kaua'i was his first official "follow."</p> <p>Ms. Koga also noted that she linked the survey on the Open Space Commission's website to the account as well so that there is easy access to provide recommendations or information on recommended public access parcels.</p> <p>Ms. Dizon asked if staff could do a video on how to fill out the Open Space Commission's survey and provide the requirements in the comments. Ms. Koga acknowledged that a video of that nature could be done.</p> <p>Ms. Higuchi Sayegusa made mention that approval was received by the County's Public Information Office and that the content was going to be appropriate and limited to the Commission's business. She further reminded the Commission that anything posted on the Instagram site becomes public record. Instagram was selected over Facebook as the platform of choice as comments cannot be removed if left by members of the public, regardless of whether it is appropriate or not.</p>	<p>No action was taken on this agenda item.</p>
	<p><b><u>F.4. Recodification and adoption of the Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission.</u></b></p>	

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Higuchi Sayegusa explained that the Rules were included in the agenda packet. There were no substantive amendments to the Rules. The Department is trying to codify the Rules and put all applicable chapters together. The original Rules adopted in 2005 were only available in .pdf format. Subsequently, in 2016, amendments were made to add chapter 5, the process and criteria for the acquisition, cost-benefit analysis, Biennial Report, Director’s Report, etc. However, when that was done, they were never codified together nor could the Department find that those Rules were ever transmitted to the Kaua’i County Council, which is a function and requirement of rulemaking. This process was to put chapters 1-4 and chapter 5 together. Ms. Koga went through the onerous process of transcribing the Rules from .pdf to a Word document. After the chapters are codified, the Department will format and include a signature sheet to reflect the Commission’s approval of the recodified version of the Commission’s Rules. These Rules will be signed off by the Mayor and transmitted to the Council.</p> <p>Ms. Higuchi Sayegusa also added that as mentioned in the Biennial process, there may be an opportunity to add to the Rules if necessary to reflect how to improve the process for accesses, but for the time being, the current Rules are just being cleaned up.</p> <p>Ms. Dizon thanked the Department for adding section 5 to the Rules to make the process official and clear.</p> <p>Ms. Koga clarified that should the Commission vote to recodify the Rules, the clean version will be switched out in the Biennial Report so that there is no confusion.</p>	<p>Vice Chair Pratt moved to recodify and adopt the Rules of Practice and Procedure of the County of Kaua’i Public Access, Open Space, and Natural Resources Preservation Fund Commission. The motion was seconded by Ms. Kanna. Motion carried.</p>

SUBJECT	DISCUSSION	ACTION
<b>G. Communications</b>	There were no Communications on the Commission's agenda.	
<b>H. Unfinished Business (For Action)</b>	<p><u>H.1. Update on the proposal to acquire a 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4) 1-8-008:065 (Kaua'i Petroleum Co. Ltd) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).</u></p> <p><u>H.2. Update on the proposal to acquire a 0.2867 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4) 1-8-008:071 (Kaua'i Petroleum Co. Ltd) (Preliminary Report 12/29/2017, Supplemental 1-5 2/8/2018 to 10/19/2019).</u></p> <p>Ms. Higuchi Sayegusa notified the Commission that the Department issued another letter urging the owner to consider allowing the purchase of the parcels instead of going down the condemnation route. Par Hawai'i requested a meeting with the Mayor and Ms. Higuchi Sayegusa accompanied the Mayor to that meeting. During this meeting the owner expressed interest towards selling the properties. The caveat is that they want to sell both properties as a package and not individually. Right now, the Department is assisting in the negotiation phase to get them to a price that is mutually agreeable. There is still ongoing discussion on this item. Once a letter of intent is signed by both parties, then the Department will be in a position to bring these items back to the Commission with a formal proposal including purchase price and other details.</p> <p>The Commission expressed excitement about the prospect of this purchase moving forward.</p> <p>Ms. Kanna inquired as to what the County had intended with both properties. Ms. Higuchi Sayegusa stated that the makai piece may be difficult to maintain as vacant land. As of right now, there are no set plans for these parcels. A phase 1 environmental site assessment will be completed knowing that there was a gas station formally on the site. An engineering study will need to be completed to see if there is any contamination at the site. This would need to be completed should there be movement for any development beyond a park site. There were discussions that perhaps this area could be used similar to the area by the Department of Water where Women in Need maintains the park as a part of their agreement associated with the housing development at Pua Loke. The current recommendation is to move forward with the due</p>	

SUBJECT	DISCUSSION	ACTION
	<p>diligence process to further the necessary site assessment so that the area can be looked at as something other than just vacant land. If any action were taken to transition the area to anything other than open space, the County would then need to reimburse the Public Access Fund as its use would be outside of the original acquisition authorized by the Commission. These are just preliminary discussions occurring.</p> <p>Mr. Ono asked if the Charter authorizes land transfers assuming that the Commission authorizes the purchase of both parcels, but only wants to keep one of the parcels for open space. Specifically, Mr. Ono wanted to know if perhaps the Commission could negotiate for additional open space elsewhere in a transfer for the second parcel at this location. Ms. Higuchi Sayegusa stated that the concept is not outside of the realm of possibilities, but that the idea would need to be looked at further. She noted that the Commission primarily recommends acquisitions. Mr. Ono stated that he just wanted to see if there were any other possibilities within the confines of the County Charter.</p> <p>Vice Chair Pratt asked if the Commission could acquire the one that they are interested in and the County purchase the other parcel so that they could do what they want with that parcel. Ms. Higuchi Sayegusa responded that the concept is possible, however, it would be a matter of timing. If the Housing Agency took the lead on the makai parcel, there are other processes that they would need to undergo. They would need to do the additional studies if they are purchasing the parcel for a housing facility or dwellings. The timing will not necessarily align and may drag negotiations or acquisition out longer. Right now, the offer from the owner is to take both parcels as a package.</p> <p>Ms. Dizon asked whether it is known information that the parcels are contaminated, or would the Commission need to authorize acquisition for those studies to determine whether the soils are contaminated to be completed. She stated that the studies would cost a lot and would lead to information that may affect decision-making in regard to the final purchase. Ms. Higuchi Sayegusa stated that those details are being negotiated currently and that those types of studies are included in the due diligence process. Ms. Higuchi Sayegusa stated that the due diligence process falls upon the County to ensure that the studies are done to protect the County's interest</p>	

SUBJECT	DISCUSSION	ACTION
	<p>instead of relying on the seller to do those environmental studies. Given that the County has to go through the procurement process, the Department is already starting that process in meeting with the County's Purchasing Division to move forward what could be a 4-5-month process just to procure the professional services to conduct the due diligence activities.</p> <p>Ms. Kanna noted that nothing is ever easy with these types of acquisitions and that the Centennial Anniversary is coming up. Ms. Kanna wondered if some kind of ceremony would be able to be held on the property given that full acquisition is not complete. Ms. Higuchi Sayegusa stated that in terms of the ceremony, she believes Par Hawai'i would be open to that if a letter of intent is secured. Ms. Kanna stated that she would be open to even having Par Hawai'i be a part of the ceremony for being willing to sell the parcels.</p> <p>Ms. Higuchi Sayegusa notified the Commission that she and the Department continue to meet monthly with the Stakeholder Community Group leading up to the Centennial Anniversary. A website or story map is being discussed as possibilities to give the community or anyone interested a way to access information on what happened there. There is also a book coming out, though that contains just a perspective of what happened. The Department would like to have a site to provide as much unbiased information as possible for the community that may contain information like telegrams from the State Archives as the event was unfolding.</p> <p>Ms. Higuchi Sayegusa recommended that the Commission defer these items and that the Department will bring it forward to the Commission possibly in the April-June timeframe, depending on how the negotiations move forward.</p>	<p>Ms. Kanna moved to defer action on the Hanapēpē parcels listed under Unfinished Business. The motion was seconded by Ms. Dizon. Motion carried 5:0.</p>
<p><b>I. New Business (For Action)</b></p>	<p>There was no New Business on the Commission's agenda.</p>	
<p><b>J. Executive Session</b></p>	<p>Ms. Higuchi Sayegusa notified the Commission that there would be no need for an Executive Session.</p>	

SUBJECT	DISCUSSION	ACTION
<b>K. Announcements</b>	<b><u>K.1.</u> Topics for Future Meetings.</b>  1. Update on Kauapea. 2. Update on the Leight public access is Po'ipū. 3. Kīlauea Mauka Access.  <b><u>K.2.</u> There will be no Open Space Commission Meeting in April.</b>	
<b>L. Adjournment</b>	Prior to adjourning, the Commission and Planning Department offered their appreciation to Ms. Kanna for her years of service and leadership on the Commission with a commemorative plaque.	Vice Chair Pratt moved to adjourn the open session meeting. Ms. Dizon seconded the motion. Motion carried 5:0.  Chair Lucas adjourned the meeting at 1:53 p.m.

Submitted by: \_\_\_\_\_  
 Lisa Oyama, Commission Support Clerk

Reviewed and Approved by: \_\_\_\_\_  
 Jonathan Lucas, Chair

- ( ) Approved as circulated.
- ( ) Approved with amendments. See minutes of \_\_\_\_\_ meeting.



# DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR  
REIKO MATSUYAMA, MANAGING DIRECTOR

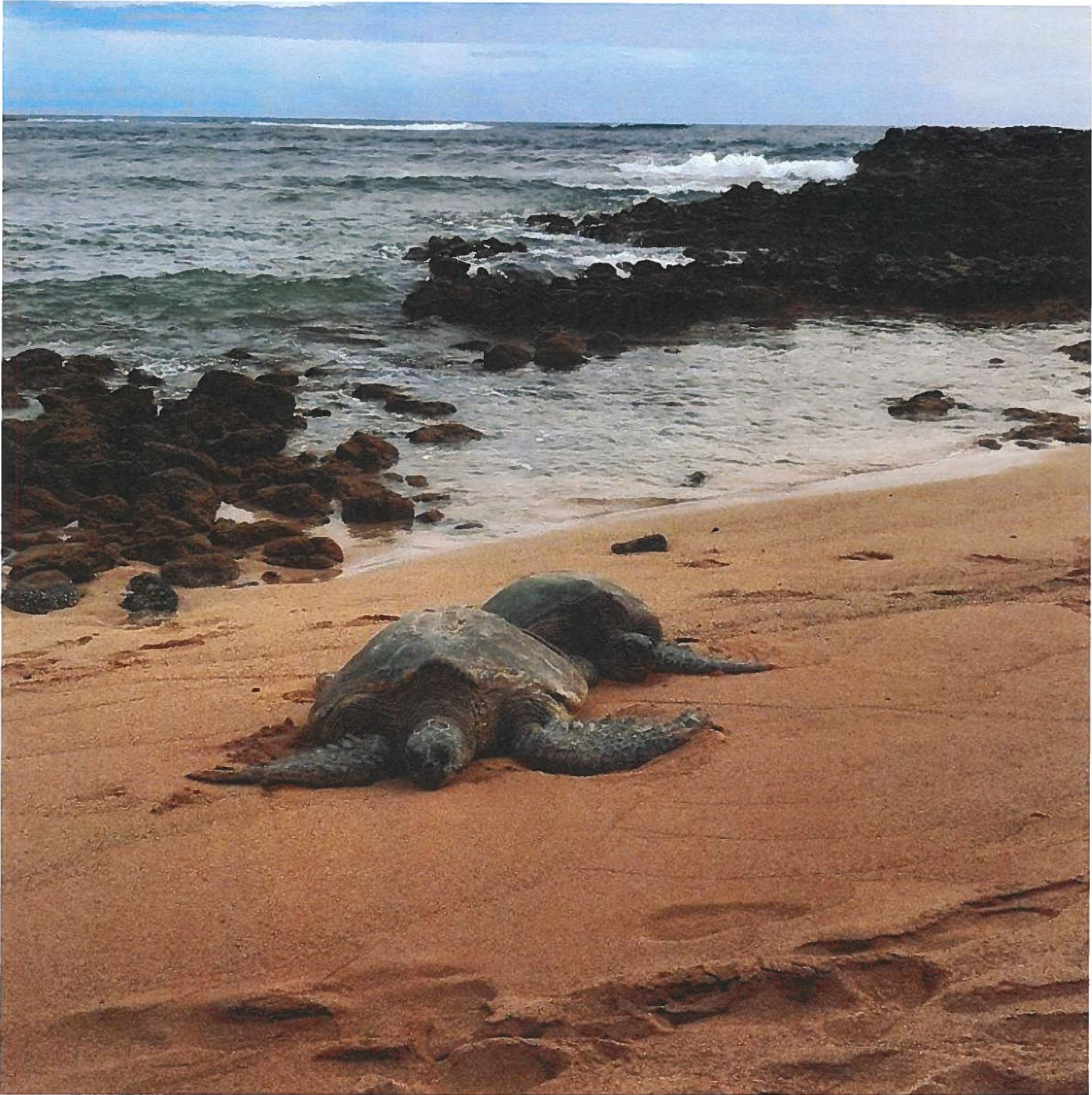
May 10, 2024

Additional documentation transmitted from the County Attorney's for the May 16, 2024 Open Space Commission meeting regarding the following:

- F.1. Update on Kukui'ula Bay Access through the former Hoban or Leight property located in Kōloa District, Kona Moku, further identified as Tax Map Key (4) 2-6-003:017 (Kaikapu LLC)

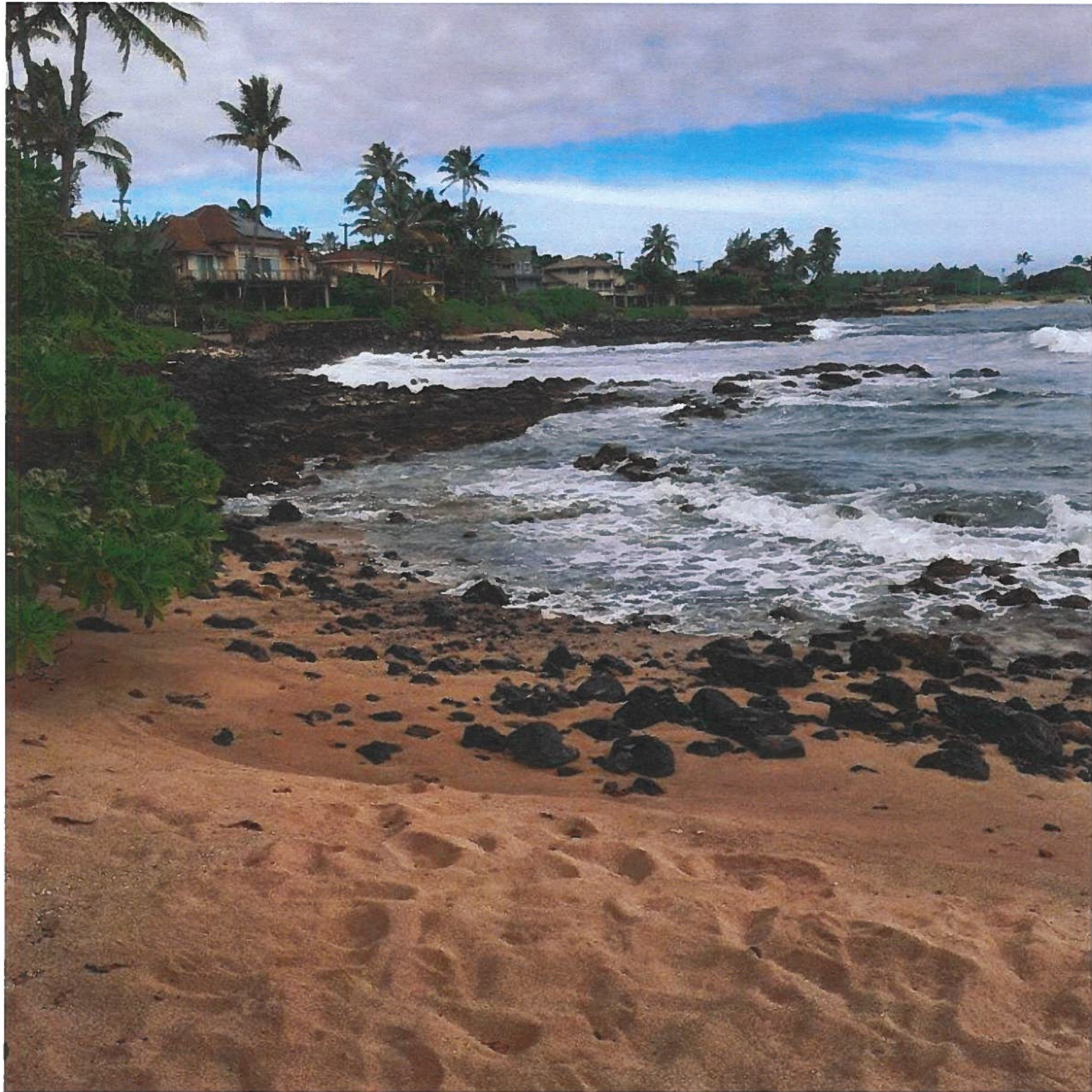
**F.1.**

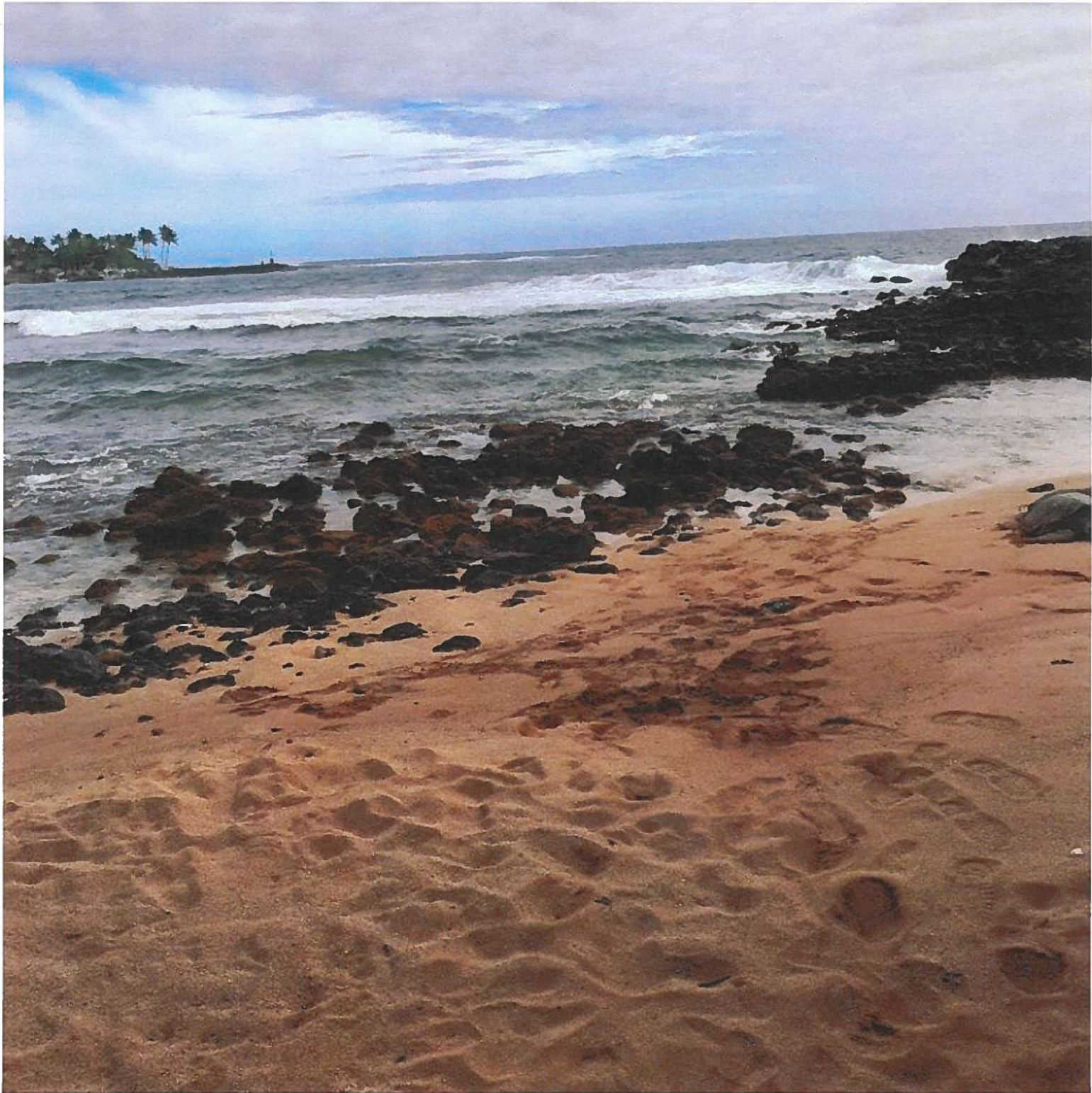
**MAY 16 2024**

















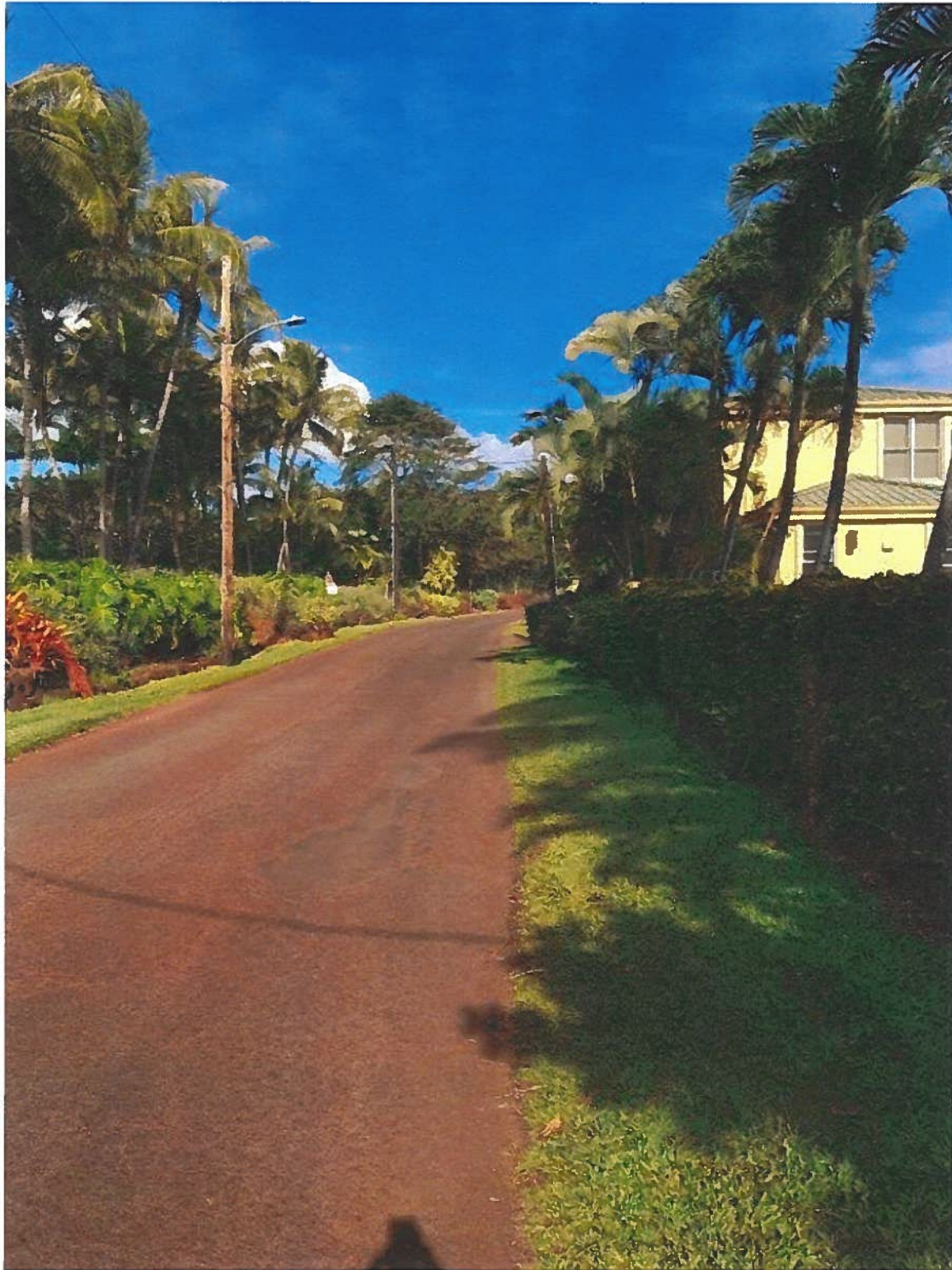
















**Public Access, Open Space, and Natural Resources Preservation  
Fund Commission (“Open Space Commission”)**

**Final Evaluation and Recommendation/Dossier Recommendation**

**I. SUMMARY**

Consideration of a proposal to acquire a 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 065.

**Open Space Commission action may include any of the following actions:**

1. Approve the final evaluation and recommendation/dossier recommendation; or
2. Decline the final evaluation and recommendation/dossier recommendation; or
3. Defer the final evaluation and recommendation/dossier recommendation.

**II. BACKGROUND OF PROPERTY**

PROJECT INFORMATION	
<b>Parcel Location:</b>	Hanapēpē, Kaua'i, Hawai'i
<b>Tax Map Key(s):</b>	(4) 1-8-008: 065
<b>Area:</b>	0.2764 acres
LAND USE DESIGNATIONS & VALUES	
<b>Zoning:</b>	T4VC-F
<b>State Land Use District:</b>	Urban
<b>General Plan Designation:</b>	Residential
<b>County Real Property Assessed Value:</b>	\$602,000 (2023 appraisal is also available for discussion)
<b>Owner(s):</b>	Kaua'i Petroleum Co LTD
<b>Owner Response:</b>	
<b>Date Public Recommendation Received:</b>	December 18, 2017

**III. PROJECT DESCRIPTION AND BACKGROUND**

The subject lot of record is a 0.2764 acre parcel located in Hanapēpē, Hanapēpē Ahupuaa, Kona Moku, Kaua'i, Hawai'i. The subject parcel is located within the T4 Village Center – West Kaua'i (T4VCF) transect of the West Kaua'i Form Based Code Zoning District, which is akin to the County commercial zone.



Geographically, the lot is bounded to the south by Kaumuali'i Highway, to the west by Moi Road, and to the north and east by residential properties that are currently used for residential purposes.

The initial proposal concerning this lot was presented to the Commission on December 29, 2017, when it received preliminary approval to conduct further research. Over the ensuing years, the Commission reviewed multiple supplemental reports providing updates on these parcels. After several constructive discussions with the property owners concerning the sales price, communications and negotiations unfortunately stalled when the County ceased to receive further correspondence from the owners.

Recently, the County of Kaua'i has successfully reestablished contact with Par Hawai'i and reopened discussions regarding the acquisition of these parcels.

#### **IV. ADDITIONAL INFORMATION**

Please refer to Exhibit A for preliminary and supplemental Director Reports regarding the subject property.

#### **V. PRELIMINARY EVALUATION**

The following should be considered regarding the possible amended acquisition:

**Under Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, as amended on April 14, 2016, (Open Space Rules) §1-5-4, the possible acquisition of the Hanapēpē Massacre Parcels *will* comply with all criteria for acquisition:**

- 1. The proposal fulfills at least one of the Commission's purposes. Actually, the acquisition fulfills all of the following purposes:**
  - Public outdoor recreation and education, including access to beaches and mountains
  - Preservation of historic or culturally important land areas and sites
  - Protection of significant habitats or ecosystems, including buffer zones
  - Preserving forests, beaches, coastal areas and agricultural lands
  - Conserving land in order to reduce erosion, floods, landslides, and runoff
  - Improving disabled and public access to, and enjoyment of, public land and open space
  - Acquiring disabled and public access to public land, and open space
  - Conserving land for open space and scenic values

Acquiring the Hanapēpē parcels directly supports and fulfills multiple objectives of the Open Space Commission, aligning with its core mission and purposes. The Hanapēpē parcels mark the site where a pivotal historical event in Hawai'i's labor history occurred. The proposal to acquire the parcels will ensure that the site and a piece of history is maintained and not lost to potential development or neglect. The preservation of the Hanapēpē parcels allows for the possibility of educational spaces where the public can learn about the significant events of the Hanapēpē Massacre of 1924.

**2. The cost for the acquisition *would* be commensurate to the public interest served.**

The acquisition of the Hanapepe parcels is commensurate to the public interest served primarily because preserving these parcels helps maintain a vital part of local and national history. The historical significance of these parcels as the site of the Hanapepe Massacre of 1924 is profound. This event was a critical moment in the labor movement in Hawaii, marking a significant struggle between Filipino plantation workers and local authorities.

By preserving this site, the community acknowledges and honors the memories of those who lost their lives in this tragic event, ensuring that the lessons and stories from this period continue to educate and resonate with current and future generations. This serves the public interest by fostering a deeper understanding of the social and economic challenges that shaped Hawaii, contributing to broader historical awareness and civic engagement. Furthermore, it safeguards a physical space where people can reflect on the impacts of historical events, reinforcing the values of justice and solidarity in the community.

**3. The process for acquiring the Hanapēpē Massacre parcels will be commensurate to the public interest served. Factors may include, but are not limited to:**

- a. The type of property interest that is proposed for acquisition (for example, an easement versus fee simple ownership)**
- b. Whether or not the acquisition will be an adversarial process.**

The landowner is willing to work with and sell both parcels; thus, no additional litigation is needed for the acquisition.

**4. The required maintenance will be reasonable and commensurate to the public interest served.**

If acquired, the proposal for the parcels would include a memorial with a possible parking area on the parcels. The parcels are flat and are currently mowed and maintained by the landowner. The site remains undeveloped and is used to park one abandoned car and occasionally has a food truck operating on parcel 065. Thus, maintenance requirements for the parcels would be minimal and likely will include lawn mowing, weed whacking, and occasionally dealing with uses (like abandoned cars) that do not comport with the park and memorial site uses.

A representative of the County of Kaua'i Parks and Recreation Department has been participating with discussions regarding the possible acquisition of the Hanapēpē parcels and has indicated their willingness to facilitate an Adopt-A-Park Program with possible stewardship groups. In the meantime, the Parks Department has committed to conducting minimal maintenance at the parcels including weed whacking and lawn mowing. Thus, the site will require maintenance by the County; however, the required maintenance will be minimal and be commensurate to the public interest served.

**5. Pursuant to Section 1-5-5 of the Open Space Rules, any proposed acquisition that contains extremely dangerous attributes in the land or that poses a risk of serious injury or death shall not be recommended.**

Prohibitive factors for acquisition of the Hanapēpē parcel do not exist.

## **VI. PRELIMINARY CONCLUSION**

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

1. Acquisition of the Hanapēpē parcels will fulfill at least one of the Commission's purposes for public access, open space, and natural resources preservation.
2. The cost for the acquisition is commensurate to the public interest served.
3. The process for acquiring the Hanapēpē parcels will be commensurate to the public interest served.
4. The parcels would require maintenance by the County; however, required maintenance will be minimal and be commensurate to the public interest served.

In addition, the Parks Department has expressed a commitment to facilitate an Adopt-A-Park program for stewards to assist with maintenance of the parcels and the memorial.

5. In addition, pursuant to Section 1-5-5 of the Open Space Rules, there are no extremely dangerous attributes in the land that poses a risk of serious injury or death.

## VII. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation it is hereby recommended that the Commission **approve** the proposal to acquire a 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 065.

This report may not represent the Planning Department's final recommendation in view of the forthcoming public hearings before the Open Space Commission where the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

1. Government agency comments, if any;
2. Testimony from the general public and interested others; and
3. The landowner's response to an inquiry for acquisition.

By Shelea Koga Digitally signed by Shelea Koga  
Date: 2024.05.01  
09:59:26 -10'00'  
SHELEA KOGA  
Planner

Approved & Recommended to Commission:

By Jodi Higuchi Digitally signed by Jodi Higuchi  
Date: 2024.05.01  
09:43:03 -10'00'  
JODI A. HIGUCHI SAYAGUSA  
Deputy Director of Planning

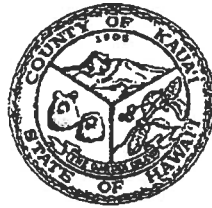
## **EXHIBIT A**

**Preliminary Report and Supplemental Reports previously transmitted to the Open Space Commission regarding Tax Map Key (4) 1-8-008:065 & (4) 1-8-008:071.**

# **EXHIBIT I**

**Preliminary Report Dated January 5, 2018**

**Michael A. Dahilig**  
Director of Planning



**Ka'aina S. Hull**  
Deputy Director of Planning

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PRELIMINARY REPORT**

**I. PROJECT DATA**

<b>PROJECT INFORMATION</b>			
<b>Parcel Location:</b>	Hanapepe		
<b>Tax Map Key(s):</b>	(4) 1-8-008:065	<b>Area:</b>	0.2764
<b>LAND USE DESIGNATIONS &amp; VALUES</b>			
<b>Zoning:</b>	R-6		
<b>State Land Use District:</b>	Urban		
<b>General Plan Designation:</b>	Residential		
<b>Assessed Value:</b>	\$264,500		
<b>Market Value:</b>	\$264,500		
<b>Appraised Value:</b>	To Be Determined		
<b>Owner(s):</b>	Kaua'i Petroleum Co. LTD		
<b>Owner Response:</b>			
<b>Date Public Recommendation Received:</b>	December 18, 2017		

**II. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

### III. AGENCY COMMENTS

Forthcoming

### IV. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community the subject lot of record is known to be the staging area of what is known as the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

### V. PRELIMINARY CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

### VI. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property receive **PRELIMINARY APPROVAL** for acquisition and/or the establishment of a conservation easement.



TMK: (4) 1-8-008:065

December 29, 2017

Page 3 of 3

If granted preliminary approval, the Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in March 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

Approved & Recommended to Commission:

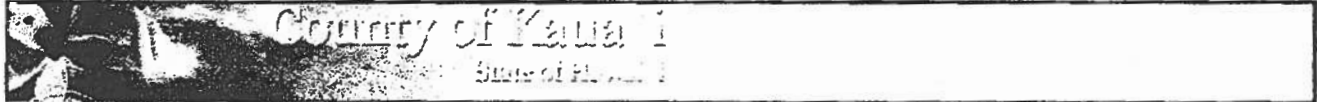
By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 1/5/18

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EXHIBIT A

Real Property Assessment



<a href="#">Recent Sales in Neighborhood</a>		<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>		<b>Owner and Parcel Information</b>			
<b>Owner Name/ Type</b>	KAUAI PETROLEUM CO LTD / Fee Owner	<b>Today's Date</b>	December 29, 2017		
<b>Mailing Address</b>	3011 AUKELE ST STE C LIHUE, HI 96766	<b>Parcel Number</b>	180080650000		
<b>Location Address</b>	DEMO GAS STATION	<b>Project Name</b>			
<b>Tax Classification</b>	COMMERCIAL	<b>Parcel Map</b>	<a href="#">Show Parcel Map</a>		
<b>Neighborhood Code</b>	1811-3	<b>Land Area (acres)</b>	0.2764		
<b>Legal Information</b>		<b>Land Area (approximate sq ft)</b>	12,040		

		<b>Assessment Information</b>	<a href="#">Show Historical Assessments</a>		
<b>Year</b>	<b>Tax Classification</b>	<b>Total Market Value</b>	<b>Total Assessed Value</b>	<b>Total Exemption</b>	<b>Total Net Taxable Value</b>
2018	COMMERCIAL	\$ 264,500	\$ 264,500	\$ 0	\$ 264,500

**Improvement Information**  
No Improvement Information available for this parcel.

<b>Other Building and Yard Improvements</b>			
<b>Description</b>	<b>Quantity</b>	<b>Year Built</b>	<b>Area</b>
No information associated with this parcel.			

<b>Permit Information</b>			
<b>Date</b>	<b>Permit Number</b>	<b>Reason</b>	<b>Permit Amount</b>
No permit information associated with this parcel.			

**Sales Information**  
No sales information associated with this parcel.

<b>Current Tax Bill Information</b>		<b>2017 Tax Payments</b>		<b>Show Historical Taxes</b>					
<b>Tax Period</b>	<b>Description</b>	<b>Original Due Date</b>	<b>Taxes Assessment</b>	<b>Tax Credits</b>	<b>Net Tax</b>	<b>Penalty</b>	<b>Interest</b>	<b>Other</b>	<b>Amount Due</b>
2017-2	Real Property Tax	02/20/2018	\$ 1,071.22	\$ 0.00	\$ 1,071.22	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,071.22
Tax Bill with Interest computed through 12/31/2017			\$ 1,071.22	\$ 0.00	\$ 1,071.22	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,071.22

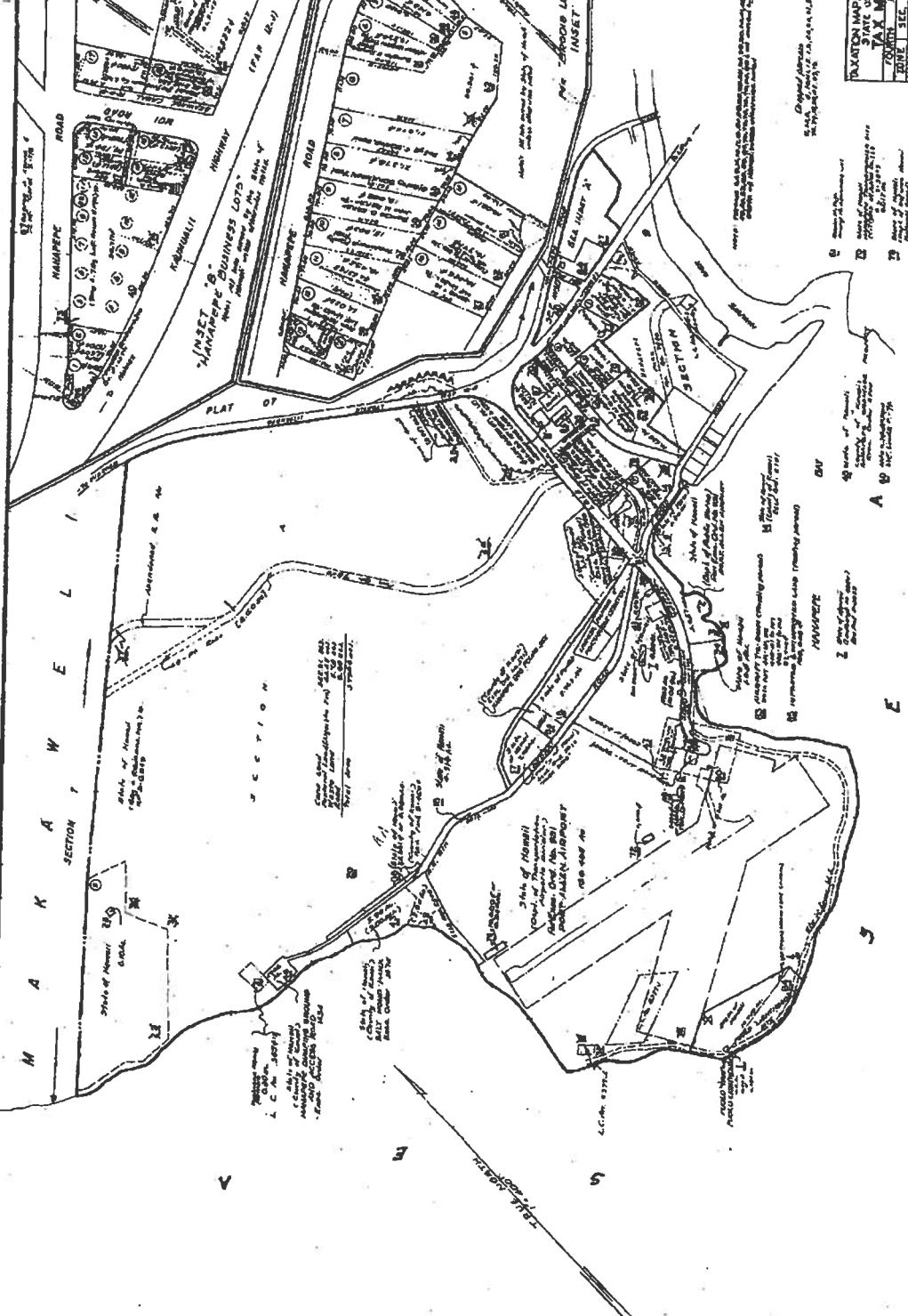
<a href="#">Recent Sales in Neighborhood</a>		<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>					

The Kauai County Tax Assessor's Office 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. Website Updated: December 29, 2017  
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EXHIBIT B

Tax Map Key (TMK) Map



INDEXED

1808	1809	1810	1811	1812	1813	1814	1815	1816	1817	1818	1819	1820	1821	1822	1823	1824	1825	1826	1827	1828	1829	1830	1831	1832	1833	1834	1835	1836	1837	1838	1839	1840	1841	1842	1843	1844	1845	1846	1847	1848	1849	1850	1851	1852	1853	1854	1855	1856	1857	1858	1859	1860	1861	1862	1863	1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	1890	1891	1892	1893	1894	1895	1896	1897	1898	1899	1900
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HAWAIIAN ISLANDS	
STATE OF HAWAII	
TAX MAP	
ZONE	SECTION
1808	1808
CONTAINING PARCELS	
SCALE: 1" = 400'	

SUBJECT TO CHANGE

## EXHIBIT II

Supplemental #3 to Preliminary Report dated  
November 5, 2018, which contains Supplemental  
Reports #2 and #1

**Michael A. Dahilig**  
Director of Planning



**Ka'āina S. Hull**  
Deputy Director of Planning

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #3 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua`a, Kona Moku, Kaua`i Island, Hawai`i. It is located within the County of Kaua`i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaunualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on October 11, 2018, the Commission requested an update on communications with regards to negotiations with the Land Owner following its transmittal of the appraisal on 8/13/18.
  - a. Received communication back from Land Owner, they are in receipt of the appraisal and will be conducting an appraisal of their own. Upon completion of their appraisal, they will be contacting us to continue negotiations.

By: \_\_\_\_\_

Nani Sadora  
Planner

Date: \_\_\_\_\_

11/5/18

TMK: (4) 1-8-008:065  
November 2, 2018  
Page 2 of 2

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning

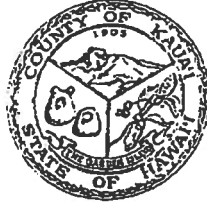
Date: 11/5/18



## EXHIBIT A

Supplemental #2 to Preliminary Report

Michael A. Dahilig  
Director of Planning



Ka'āina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

SUPPLEMENTAL #2 to PRELIMINARY REPORT

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on April 12, 2018, the Commission received an Appraisal Report and is communicating negotiations with the Land Owner for acquisition. This Appraisal Report could be grounds for preliminary offer should Council want to take action for this acquisition.
2. The Department is continuing its research with the Hanapēpē Community Association and the Filipino Community for input regarding the commemorative memorial and a possible stewardship agreement to maintain the property. Additional research would be necessary to engage in outreach and in locating such entities willing to undertake and support such a project. (See attached Exhibit A Supplemental #1 to Preliminary Report).

**III. AGENCY COMMENTS**

Forthcoming

**IV. EVALUATION**

In reviewing the proposed project site for acquisition, the following should be considered:

1. The Department is in receipt of an Appraisal of the subject lot of record and have several scheduled meetings along with transmitting the appraisal amounts to the Land Owner.
2. Upon concluding negotiations, the Department shall report to the Commission for action.
3. Should the Commission maintain their recommendation for acquisition, the Department could send communications by way of a dossier to County Council to include the appraisal report which could be grounds for Council consideration for acquisition.

#### V. CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- The Department shall communicate with the Land Owner and Commission for an agreed market value, should the Commission maintain their recommendation for acquisition the Department will send communications by way of a dossier to County Council for consideration for acquisition.

#### VI. RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property maintain **TENTATIVE APPROVAL** for acquisition and/or the establishment of a conservation easement.


The Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in July 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

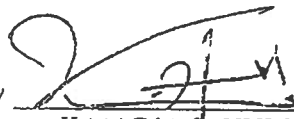
The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not limited to:



- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

By   
Nani Sadova  
Planner  
Date: 8/1/18

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning  
Date: 8/9/18

## EXHIBIT A

Supplemental #1 to Preliminary Report

Michael A. Dahilig  
Director of Planning



Ka'aina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION

SUPPLEMENTAL #1 to PRELIMINARY REPORT

I. PROJECT DATA

PROJECT INFORMATION	
Parcel Location:	Hanapepe
Tax Map Key(s):	(4) 1-8-008:065
Area:	0.2764
LAND USE DESIGNATIONS & VALUES	
Zoning:	R-6
State Land Use District:	Urban
General Plan Designation:	Residential
Assessed Value:	\$264,500
Market Value:	\$264,500
Appraised Value:	To Be Determined
Owner(s):	Kaua'i Petroleum Co. LTD
Owner Response:	
Date Public Recommendation Received:	December 18, 2017

II. PROJECT DESCRIPTION AND USE

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in

residential use.

### III. ADDITIONAL FINDINGS

1. At its Public Access, Open Space and Natural Resources Preservation Commission meeting held on January 11, 2018, the Commission received and tentatively approved the property for acquisition based on its significance. The Commission also requested that the Department reach out to the Hanapēpē Community Association and the Filipino Community.
2. At its Public Access, Open Space and Natural Resources Preservation Commission meeting held on January 11, 2018, the Commission received and tentatively approved the property for acquisition. The Commission also requested that the Department reach out to the landowner to see if there is an expressed interest in selling. The Commission would like to acquire both subject properties; however should there be interest from the landowner in selling only one of the two subject properties, the Commission's interest would be in parcel 71.
  - a. The Department reached out to several members of the community to make contact with the land owner and was not successful. On February 12, 2018 the Department sent a letter by certified mail to the Land Owner.
    - The Department received communication from the Land Owner on O'ahu Kaua'i Petroleum Co., LTD which is now Par Hawai'i and is in discussions for possible sale.
    - On March 28, 2018, the Department met with representatives for the land owner, and there is a willingness for sale of both properties. It has been communicated to the Department to move forward with an appraisal for further discussions.
      1. The Department is in the procurement process of securing a Real Property Appraiser to complete an appraisal for both subject properties.
3. It is known within the local community that the site of parcel 71 is the exact staging area of the Hanapēpē Massacre of 1924. On September 9, 1924, at the height of the Filipino sugar plantation strike in Kaua'i, sixteen (16) Filipino plantation workers of Visayan ancestry and four (4) policemen died during this violent confrontation along Hanapēpē Road. (See attached Exhibit A)
  - a. The 'Ohana of plantation workers that took part in the strikes of 1924 through 1940 are families that still reside here on Kaua'i and within the State of Hawai'i.



4. There is strong expressed interest and support from the community for acquisition.
  - a. Community is in support that the memorial plaque that is currently located at the Hanapēpē Town Park to be relocated to subject property, parcel 71 which is the more appropriate location for families to honor their loved ones and for the community to consider a possibly a memorial park.
  - b. The Department will be meeting with the Filipino Chambers of Commerce and other community non-profit organizations for interest in either a stewardship agreement or to take on the development of a plan in relocating the current memorial plaque from the Hanapēpē Town Park and possibly a memorial park with the community's involvement.
5. The Hanapēpē Massacre played a significant role in organizing the different ethnicities of plantation workers and ultimately helped to create the labor union and what is known today as the ILWU (International Longshore and Warehouse Union).

#### IV. AGENCY COMMENTS

Forthcoming

#### V. EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community, the subject lot of record is known to be the staging area of the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the ~~County of~~ Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

## VI. CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

## VII. RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property maintain **TENTATIVE APPROVAL** for acquisition and/or the establishment of a conservation easement.

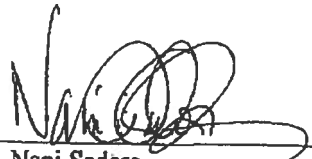
The Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in July 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

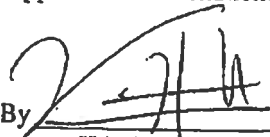
- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

TMK: (4) 1-8-008:065  
February 8, 2018  
Page 5 of 5

By   
Nani Sadora  
Planner

Date: 4/6/18

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 4/10/18

EXHIBIT A

Property Research

Blood In The Fields: The  
Hanapēpē Massacre And  
The 1924 Filipino Strike



*Pablo Manlapit, labor leader and self-made lawyer, couldn't be stopped by arrests, intimidation and exile. (Courtesy of Filipinas Magazine)*

**O**n Sept. 9, 1924, striking Filipino workers from the Makaweli

plantation in Hanapēpē, on the Hawaiian island of Kaua'i, armed themselves with guns, knives, rocks and clubs and plunged headlong into a bloody confrontation with the police. What came to be alternately known as the Battle of Hanapēpē and the Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the state of Hawai'i. And Filipinos figured centrally in almost all of them.

Between 1920 and 1940, Filipinos, making the greatest sacrifices, led the struggle of Hawai'i's working class for the democratic right to belong to a union and for an end to racial discrimination and the feudal practices of plantation bosses.

When Filipinos first arrived in Hawai'i at the turn of the century, they found a colonial backwater dominated by a small elite of *haole* (white) businessmen whose corporations were known as the Big Five—Castle & Cooke, Theo H. Davies, Alexander and Baldwin, C. Brewer and Amfac. The Big Five controlled the islands' economy and politics, following the overthrow of the Hawaiian Kingdom and annexation by the United States in 1898. At the bottom of society were the masses of immigrants and Hawaiian laborers who produced the wealth of the islands.

The plantation system was sharply divided not only along class lines, but also along race and nationality. The Hawai'i Sugar Planters Association (HSPA) skillfully practiced divide-and-rule by deliberately recruiting workers of different nationalities and races, and abetting cultural and linguistic differences by housing workers in segregated camps: *Pake* (Chinese), Japanese, *Podagee* (Portuguese), Spanish and Filipino. Work assignments and wages were often determined by race.

By the 1920s, the Chinese, Japanese and Koreans—who had suffered bitter defeats in earlier strikes—were leaving plantations for better jobs and pay in Honolulu and other big towns, or migrating to the U.S. mainland. To make up for the loss of workers, the HSPA encouraged the immigration of more than 100,000 Filipinos to Hawai'i between 1910 and 1932.

Once the Filipinos arrived, they were distributed among 40 HSPA-affiliated plantations on the islands of Kaua'i, O'ahu, Maui, Moloka'i, Lana'i and the Big Island of Hawai'i, drastically changing the ethnic composition of the plantations. In 1915, Filipinos constituted only 19 percent of the work force, the Japanese, 54 percent. By 1932, only 19 percent of the plantation workers were Japanese and nearly 70 percent were Filipino.

Most Filipino workers were from the Ilocos provinces and the Visayan islands. Between 1916 and 1928, HSPA labor recruiters brought 66,436 Filipinos to the islands. Of this number, 37,114 (about 60 percent) came from the four Ilocano provinces of Ilocos Sur, Ilocos Norte, Abra and La Union; 17,799 (or about 27 percent) originated from Cebu, Bohol, Leyte and Negros. About 8,525 reported that they came from Pangasinan and Tarlac. The rest came from 35 other provinces.

**“The Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the State of Hawai'i.”**

HSPA labor recruiters in the Philippines consciously selected uneducated workers of peasant origins. As late as 1930, seven out of ten Filipino plantation workers could neither read nor write. Recruits suspected of having even slight schooling were systematically screened out by the HSPA as potential troublemakers



Most of the early Filipino immigrants were young men who came without parents, wives or children. From 1920 to 1930, the HSPA brought in 65,618 Filipino laborers, while allowing 5,286 women and 3,091 children to accompany the men. The Filipino male to female ratio was almost 14 to 1.

The social handicaps of the early Filipino immigrants made them ideal candidates for the most arduous and monotonous tasks, such as hoeing, planting and weeding during cane planting and cutting, hauling, loading and fluming during harvest. Their lives revolved around the 10-12 hour work day and the factory mill whistle.

It didn't take long before the first wave of Filipino immigrants, like the other nationalities before them, began to rebel against the social and economic conditions they found in paradise.

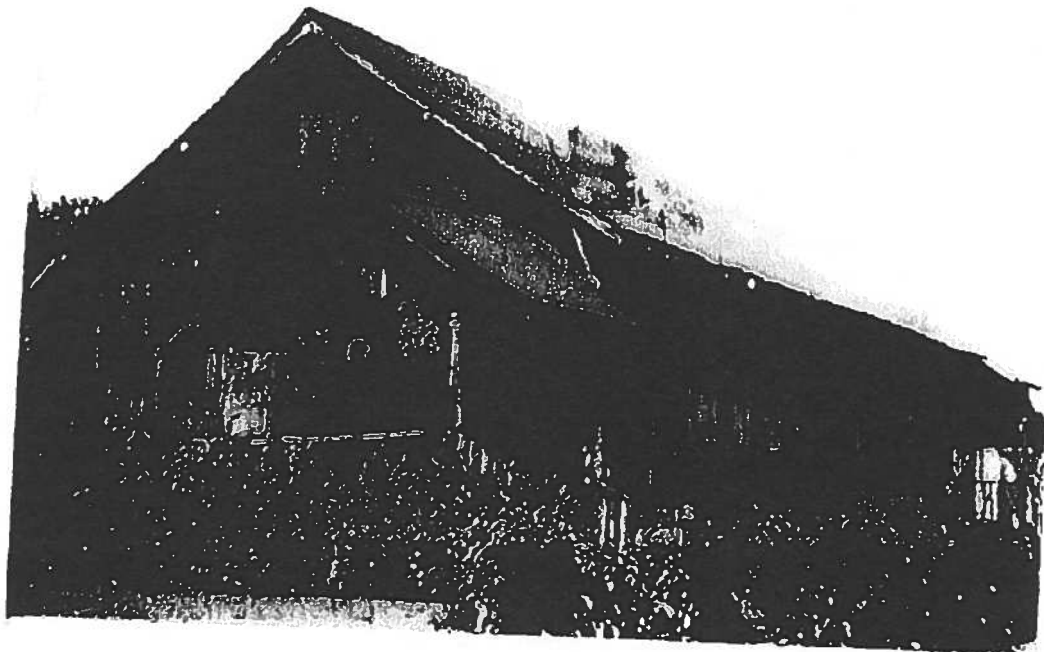
## Blood-Unionism

HSPA's divide-and-rule policy resulted in "blood unionism" among the various ethnic groups. Each group—the Chinese, Japanese, Portuguese, Hawaiians and Filipinos—fought the plantation bosses separately and without coordination. All strikes prior to the establishment of the International Longshore and Warehouse Union (ILWU) in the 1940s ended in tragic and costly defeat for the workers. The exception was the strike of Filipinos on Maui in 1937 led by Vibora Luviminda, the last of the racially-based unions in Hawai'i.

Between 1920 and 1940, Filipinos organized 12 strikes against the sugar barons. The most dramatic and bloodiest of these occurred in 1920, 1924 and 1937. The most important historical figure in Hawai'i's Filipino community before World War II was Pablo Manlapit, the founder of the early Filipino labor movement.

Unlike most Filipino workers, who were Ilocanos or Visayan, Pablo Manlapit was a Tagalog. Born in Lipa, Batangas, Manlapit was five years old when Jose Rizal, the Philippine national hero, was executed by the Spanish in 1896 and eight years old when the Philippine-American War began in February 1898. Manlapit came to Hawai'i as a 19-year-old in 1910. He had completed grade school in the Philippines but was somehow able to convince labor recruiters that he was a suitable worker. He was assigned to a plantation on the island of Hawai'i but was soon dismissed. He moved to the town of Hilo, where he started two newspapers and ran a pool hall. Later, he moved to Honolulu and worked as a salesman and stevedore. Manlapit became an interpreter and janitor in a legal office, where he studied law. In 1918, he qualified as a District Court Practitioner, becoming the first Filipino lawyer in Hawai'i.

A labor historian wrote that Manlapit was "an eloquent agitator, but an incapable administrator." For all his faults, Manlapit had charisma, and elderly Filipinos still speak of him with awe and respect.



A plantation-era house

Mestizo-looking and tall for a Filipino—he was six feet tall—Manlapit tirelessly represented Filipino workers in their grievances against their employers, becoming enormously popular among Filipinos throughout the territory. He also drew the attention and hatred of the HSPA.

In 1919, Manlapit traveled from island to island recruiting members into the Filipino Labor Union (FLU). In 1920, Manlapit and Japanese labor leaders formed the Higher Wage Movement. Following the HSPA's rejection of their demands for better wages, improved working conditions and equal pay for the same work regardless of race and sex, Manlapit and the Japanese labor leaders asked their respective unions to strike. It was the first time unions representing different nationalities united in a joint strike with a common demand.

Filipinos and Japanese workers left the fields and kept the mills idle in Waipahu, Waialua, 'Ewa, Kahuku and Waimānalo. At the height of the strike, the HSPA's hired goons evicted more than 12,000 workers from their plantation housing.

But the strike was broken when Manlapit suddenly pulled the Filipinos out of it due to an apparent dispute with the Japanese leaders. The HSPA took advantage of the split by spreading rumors and intrigues to demoralize the strikers.

The first interracial strike in the history of Hawai'i lasted three months, with the HSPA spending several million dollars to crush it. The defeat dealt a severe blow to the Japanese union, and it would be another 20 years before it would again play a central role in Hawai'i's labor movement.

## The Higher Wage Movement

After the defeat of the 1920 strike, Manlapit started a new labor organization with the help of George Wright, later to become the English editor of the *Hawaii Hochi*, the Japanese community newspaper. The HSPA had Manlapit thrown in jail twice and made it difficult for him to practice law. Undaunted, Manlapit continued visiting various plantations to forge the Filipino Higher Wage Movement.

The Movement petitioned the HSPA in 1923 for a \$2-a-day, 40-hour work week and an end to abuses. The HSPA ignored these demands. Manlapit appealed to the colonial Philippine government to send a labor commissioner to investigate the working conditions in Hawaii and to mediate between the planters and the Filipino workers. Governor General Leonard Wood appointed former Ilocos Norte governor Cayetano Ligot as special investigator.

Escorted by HSPA officials, Ligot paid token visits to several plantations. In an authoritative statement on the situation of Filipino laborers in Hawai'i, Ligot blamed the Filipinos themselves for their troubles. They were too unstable, said Ligot, and had fallen prey to parasitic gamblers and con men who snuck into the plantations to disrupt their otherwise pleasant situation. Management, he said, was doing its best to provide wholesome working conditions and decent wages. He urged his compatriots to give their services wholeheartedly to the plantations to bring honor to the Filipino people. Ligot concluded his report by attacking the activities of Filipino labor leaders, especially Manlapit.

Ligot was only one of many labor commissioners sent by the colonial government in Manila who would work hand in glove with the HSPA against the interest of Filipino workers. While Ligot was discouraging Filipino workers from fighting to get more than their \$20 a month wage, his report included a request to increase his monthly salary to \$250. Ligot's subservience earned him notoriety among Filipinos in Hawai'i. Filipino

old-timers still speak jokingly of “mistake Ligot” when something goes wrong over matters which they have little or no control.

## The 1924 Hanapēpē Massacre

In April 1924, one month after Ligot’s report was made public, Manlapit called on all Filipino workers to walk out and strike. Twelve thousand Filipinos from 23 of the 45 plantations went on a long, violent and tragic strike that would last eight months.

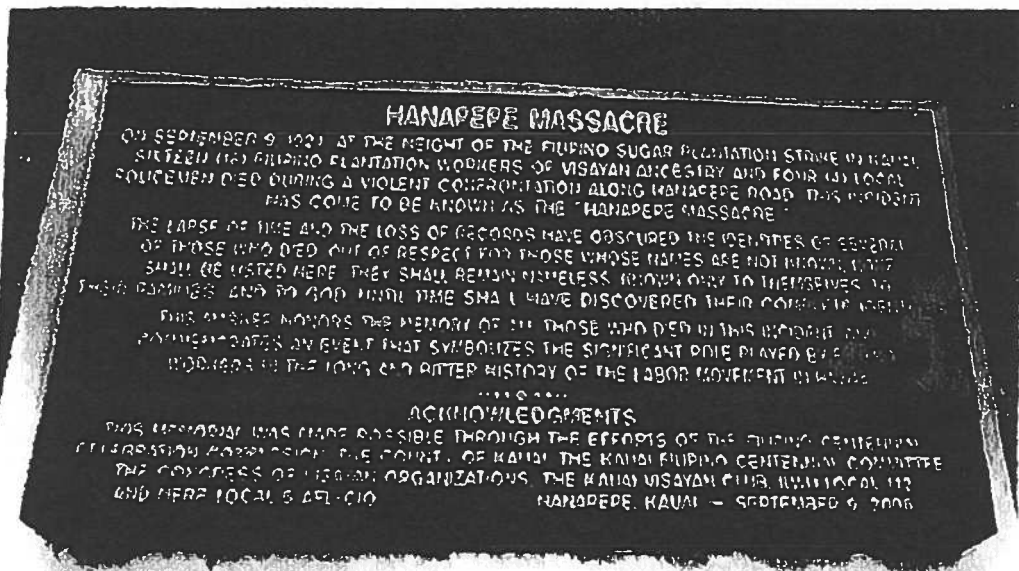
The strike was doomed from the start. The HSPA again employed its time-tested weapon of divide-and-rule. This time they pitted Filipinos against Filipinos—Ilocanos against Visayans. Ilocano laborers were recruited from the Philippines as strikebreakers. The tragic scene of striking Filipino workers and their families being evicted from their plantation-owned houses and replaced with newly arrived workers from the Philippines was repeated throughout the islands.

Thousands of strikers pitched tents near beaches and sugarcane fields. HSPA agents set up an elaborate spy network to infiltrate strike meetings, sow dissension and break up rallies. The plantation bosses adeptly used bribes as well as actual physical beatings.

What became the bloodiest incident in the history of labor in Hawai‘i occurred in Hanapēpē on the island of Kaua‘i on Sept. 9, 1924. Strikers at the Makaweli plantation armed themselves with guns, cane knives, rocks and clubs and captured two Ilocano strikebreakers. Kaua‘i Sheriff William Rice led a posse to this camp on the banks of a small river just above the town of Hanapēpē to demand the release of the captured scabs.

The strikers resisted, and a battle ensued lasting several days. When the smoke cleared, 16 Filipinos and four policemen were dead and scores wounded. At Sheriff Rice’s request, Gov. Farrington sent two machine-gun

squads and rifle companies of the National Guard to Kaua'i. The National Guard restored order, arresting more than 100 strikers. Seventy-six Filipinos were brought to trial, and 60 were given four-year sentences.



The marker commemorating the sacrifice of Filipino workers in the history of Hawaii's Labor Movement (Photo by Mona Lisa Yuchengco)

Manlapit and Cecil Basan, another prominent Filipino labor leader, were sentenced to ten years, even though the two men weren't even present in Kaua'i during the massacre. Years later, one elderly Filipino woman, then a nurse at the immigration station in Honolulu, stated that several witnesses, who had been promised \$10,000 each and a ticket back to the Philippines, testified falsely against Manlapit and Basan.

The Hawai'i Hochi wrote that Manlapit had been railroaded into prison, a victim of made-up evidence, perjured testimony, racial prejudice and class hatred. Manlapit was exiled from Hawai'i and left for California where he stayed until 1932. With Filipino leaders jailed or exiled and their

organization shattered, the strike of 1924 continued ineffectively, albeit heroically, for another three months.

## The 1937 Maui Strike

Labor activity on the plantations declined until the height of the Great Depression in 1933, when Manlapit returned from his exile. Together with Antonio Fagel and Epifanio Taok, Manlapit formed a new Filipino Labor Union. To avoid a repeat of 1924, the HSPA made a preemptive move by jailing Taok and banishing Manlapit permanently to the Philippines in 1935.

Fagel took the union underground and renamed it Vibora Luviminda. Vibora was the *nom de guerre* of the Filipino patriot Artemio Ricarte, who fought in the Philippine revolution against Spain and refused to sign an oath of loyalty to the United States. Luviminda stood for Luzon, Visayas and Mindanao—signifying the unity of the Filipinos. In 1936, Fagel brought Vibora Luviminda out into the open and launched a strike at Pu'unēnē plantation on Maui. Three thousand Filipinos joined the strike. With the Depression still at its height, the HSPA hired scabs from the massive ranks of the unemployed. The Philippine Commissioner in Washington sent a wire, as did President Manuel Quezon, to the striking Filipinos calling on them to return to work. After three months, the HSPA negotiated with the union to end the strike, a first in Hawai'i's history. The striking workers won a 15-percent wage increase.

In the midst of the negotiations, however, Fagel was arrested on trumped-up charges of kidnapping a Filipino strikebreaker. Fagel and seven other strike leaders were brought to trial, which dragged on for months. They were found guilty and sent to jail. The Vibora Luviminda, the last of Hawai'i's racial union, then fell into disarray, making the Pu'unēnē strike the last racial strike in Hawai'i.

The Vibora Luviminda strike of 1937 also marked the first time that haole labor leaders extended strike support to plantation workers. Jack Hall, the founder of the ILWU, who was sent to organize Hawaii's waterfront workers by the left-wing Congress of Industrial Organizations (CIO), played a central role in building support for the strike. So did William Bailey, the editor of *The Voice of Labor*, who was also an organizer of the American Communist Party in Hawaii.

## One Big Union

After 1937, the idea of an industry-wide, interracial union began to take hold among plantation and waterfront workers. The plantation-based Filipino community was drawn into the key social drama unfolding in Hawai'i—the struggle to build one big union. Taking the lessons from the bitter labor wars waged by Filipinos between 1920 and 1940, the ILWU started its drive to unite Hawai'i's ethnically diverse working class under the slogan, "An injury to one is an injury to all."

The years following World War II saw epic battles between Hawai'i's workers—led by the ILWU—and the Big Five: the three-month-long 1946 Sugar Strike, the 1947 Pineapple Strike; the bitter six-month-long 1949 Long-Shore Strike and the four-month-long 1958 Sugar Strike. The ILWU won each time.

As the largest ethnic group on the plantations, Filipinos played a crucial role in the outcome of these historic events. The question of victory or defeat hinged on their unity and determination to stand behind their left-wing unions, which often came under intense anti-communist attacks. With the ILWU firmly established as a political and economic force in Hawaii, those in power have had to listen with begrudging respect to the voice of the Filipino plantation workers. Hawai'i's sugar and pineapple workers would emerge as the highest-paid agricultural workers in the world. The lowest paid sugar and pineapple workers in the field earn more than nine



dollars an hour. They have comprehensive medical plans, paid holidays and vacation and receive sick and severance pay. They're entitled to workmen's compensation if they get injured on the job, and are covered by the state's collective bargaining law. Hawaii is the only state in which all workers in large-scale agricultural enterprises are organized in a labor union and have been for nearly 50 years.

But the captains of Hawaii's agribusiness never fully reconciled themselves with labor's gains. Firms such as Castle & Cooke, Dole and Del Monte have shifted practically all of their sugar and pineapple operations to countries such as the Philippines, Thailand and Costa Rica, where they can pay workers one-tenth of the wages earned by Hawaii's workers. After World War II, there were 36 sugar and nearly a dozen pineapple plantations employing more than 35,000 workers. Today, there are only four sugar and two pineapple plantations operating in Hawaii, employing fewer than 2,000 people. The decline helps mask the islands' history of epic labor struggles, a tumultuous past in which Filipinos played a heroic role.

*The editors would like to thank Oscar Peñaranda and Jeanette Gaudinco Lazari for pointing out our error: the Hanapepe Massacre happened in 1924 not 1942, as we originally posted. We have made the correction. We apologize for our mistake.*



**Jean Alegado**

*Dean Alegado was a professor in ethnic studies and director of the Center for Philippines Studies in the School for Hawaiian, Asian and Pacific Studies at the University of Hawaii in Honolulu. He currently lives in Subic, Philippines.*

*Reprinted from Filipinas Magazine, October 1997.*

**EXHIBIT III**

**Supplemental Report #4 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #4 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the last communications to the Commission, supplement report #3 dated November 2018, the Department continues to have a difficult time getting a response from the Land Owner. Previous contact has since retired and temporarily being handled by Scott Kimball. Email communications sent December 2018, February 2019, March 2019 and April 2019.
  - a. On April 24, 2019, the Department received an email response from Scott Kimball on behalf of the Land Owner. We were able to communicate via phone conversation and per Mr. Kimball the appraisal amount offer for purchase is not an acceptable offer at this time. Asking that the Commission consider increasing its offer or include a possible land swap of County owned property for equal or higher land value for possible consideration.
  - b. The Department reviewed the potential for the County of Kaua'i land swap and there are no options of this type of offer for the Commission to consider.
  - c. Communication sent to Land Owner to provide an offer for sale.
2. On June 7, 2019, the Department received email communications from Land Owner and an offer to sell the property for \$430,000.00.

TMK: (4) 1-8-008:065

May 9, 2019

Page 2 of 2

By \_\_\_\_\_

Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_

KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_

**EXHIBIT IV**

**Supplemental Report #5 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #5 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the Commissions last supplemental report dated June 2019, the Commission continues to support by unanimous vote to proceed with negotiations to acquire.
  - a. The Department continues to have a difficult time getting any response from the Land Owner.
  - b. Email and voice mail communications have been made to the Land Owner to set up a meeting on O'ahu for further negotiations and the Department has not received any response. Last voice mail and email communication were sent on October 9, 2019.
2. The Department has recently been made aware of an article first appearing in a Garden Island newspaper on September 9, 2019, "Hanapēpē War" and a more recent article on September 27, 2019 "The Hanapēpē Massacre Mystery" that is now being researched by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society to produce a new documentary.
  - a. In light of this new information, it is the Department's recommendation to defer this matter to allow the Department to reach out to the group conducting this research to get further input.

### III. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered.

1. There is an expressed interest and consideration on behalf of the landowner to sell.
2. Given the property's historical significance, the acquisition of the property does fulfill the following Commission purposes:
  - a. Preserving of cultural and historic sites;
  - b. Improving access to public land and open space;
  - c. Acquiring access to public land and open space;
  - d. Conserve land open space and scenic values.
3. Additional time is needed to allow completion of a new documentary and research by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society.

### IV. RECOMMENDATION

Based on the foregoing additional findings and preliminary evaluation it is hereby recommended that the subject property be **DEFERRED** for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.



By \_\_\_\_\_  
Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_  
KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_

**DEPARTMENT OF PLANNING**

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR  
MICHAEL A. DAHLIG, MANAGING DIRECTOR

**Public Access, Open Space, and Natural Resources Preservation  
Fund Commission ("Open Space Commission")**

The Preliminary Report and Supplemental Reports that were previously transmitted to the Open Space Commission regarding this property identified as Tax Map Key (4)1-8-008: 071 are attached as Exhibits. To date, the property owner has not yet responded to the Planning Department's letter that renewed its inquiry regarding the owner's willingness to sell the property to the County.

**I. RECOMMENDATION**

Based on the foregoing the recommends that consideration of acquiring the subject property be **DEFERRED**. If the Planning Department does not receive communication from the landowner in response to its inquiry within the next months, it will prepare an updated report that analyzes the proposal to acquire the property in an adversarial manner unless the Commission directs otherwise.

By

JODI A. HIGUCHI SAYAGUSA  
Deputy Director of Planning

Date:

5/31/22

I.2.

JUN 09 2022

# **EXHIBIT I**

**Preliminary Report Dated January 5, 2018**

Michael A. Dahilig  
Director of Planning



Ka'aina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

PRELIMINARY REPORT

I. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	Hanapepe		
Tax Map Key(s):	(4) 1-8-008:071	Area:	0.2867
LAND USE DESIGNATIONS & VALUES			
Zoning:	R-6		
State Land Use District:	Urban		
General Plan Designation:	Residential		
Assessed Value:	\$269,900		
Market Value:	\$269,900		
Appraised Value:	To Be Determined		
Owner(s):	Kaua'i Petroleum Co LTD		
Owner Response:			
Date Public Recommendation Received:	December 18, 2017		

II. PROJECT DESCRIPTION AND USE

The subject lot of record is a 0.3709 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

### III. AGENCY COMMENTS

Forthcoming

### IV. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community the subject lot of record is known to be the staging area of what is known as the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

### V. PRELIMINARY CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

### VI. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property receive **PRELIMINARY APPROVAL** for acquisition and/or the establishment of a conservation easement.

If granted preliminary approval, the Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in March 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

Approved & Recommended to Commission:

By



KA'AINA S. HULL  
Deputy Director of Planning

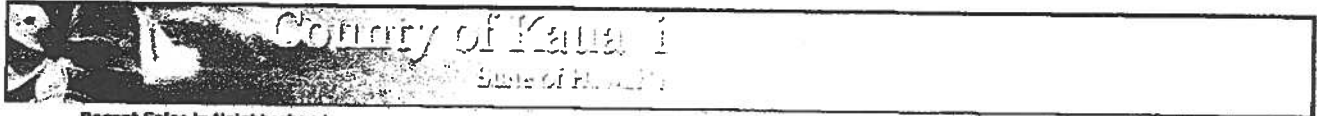
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EXHIBIT A

Real Property Assessment



[Recent Sales in Neighborhood](#)  
[Recent Sales in Area](#)

[Previous Parcel](#)

[Next Parcel](#)

[Return to Main Search Page](#)

[Kauai Home](#)

Owner and Parcel Information	
Owner Name/ Type	KAUAI PETROLEUM CO LTD / Fee Owner
Mailing Address	3011 AUKELE ST STE C LTHUE, HI 96766
Location Address	HANAPEPE RD
Tax Classification	COMMERCIAL
Neighborhood Code	1811-3
Legal Information	
Today's Date	December 29, 2017
Parcel Number	180080710000
Project Name	
Parcel Map	<a href="#">Show Parcel Map</a>
Land Area (acres)	0.2867
Land Area (approximate sq ft)	12,490

Assessment Information					<a href="#">Show Historical Assessments</a>
Year	Tax Classification	Total Market Value	Total Assessed Value	Total Exemption	Total Net Taxable Value
2018	COMMERCIAL	\$ 269,900	\$ 269,900	\$ 0	\$ 269,900

**Improvement Information**  
No improvement information available for this parcel.

**Other Building and Yard Improvements**

Description	Quantity	Year Built	Area
No information associated with this parcel.			

**Permit Information**

Date	Permit Number	Reason	Permit Amount
No permit information associated with this parcel.			

**Sales Information**

Sale Date	Price	Instrument #	Instrument Type	Instrument Description	Date Recorded	Document #	Cert #	Book/Page	Conveyance Tax	Document Type
No sales information associated with this parcel.										

Current Tax Bill Information			2017 Tax Payments		Show Historical Taxes				
Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2017-2	Real Property Tax	02/20/2018	\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09
Tax Bill with Interest computed through 12/31/2017			\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09

[Recent Sales in Neighborhood](#)  
[Recent Sales in Area](#)

[Previous Parcel](#)

[Next Parcel](#)

[Return to Main Search Page](#)

[Kauai Home](#)

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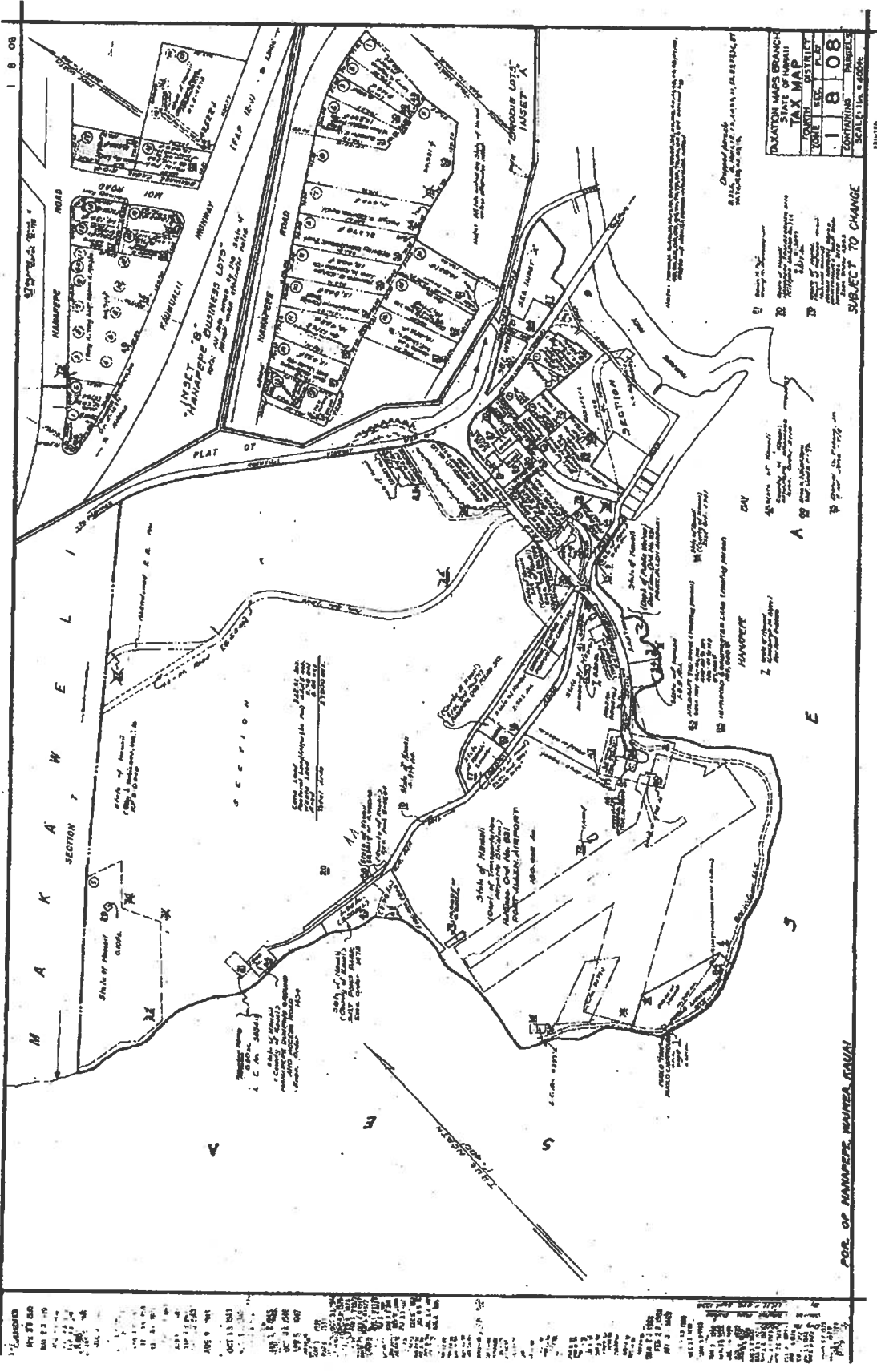
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EXHIBIT B

Tax Map Key (TMK) Map



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KAWAII MAPS BRANCH	
TAX MAP	
TOWNSHIP	SECTION
18	08
CONTAINING 1 SHEET	
SCALE: 1 in. = 4000 ft.	

SUBJECT TO CHANGE

POR. OF HANAPEPE, KAUAI, HAWAII

## EXHIBIT II

Supplemental #3 to Preliminary Report dated  
November 5, 2018, which contains Supplemental  
Reports #2 and #1

**Michael A. Dahilig**  
Director of Planning



**Ka'aina S. Hull**  
Deputy Director of Planning

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #3 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

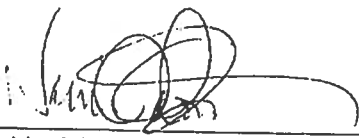
The subject lot of record is a 0.2867 acre parcel located in Hanapepe. Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on October 11, 2018, the Commission requested an update on communications with regards to negotiations with the Land Owner following its transmittal of the appraisal on 8/13/18.


a. Received communication back from Land Owner, they are in receipt of the appraisal and will be conducting an appraisal of their own. Upon completion of their appraisal, they will be contacting us to continue negotiations.

By   
Nani Sadora  
Planner

Date: 11/5/18

TMK: (4) 1-8-008:071  
November 2, 2018  
Page 2 of 2

Approved & Recommended to Commission:

By   
KA'AINA S. HULI,  
Deputy Director of Planning

Date: 11/5/18

# EXHIBIT A

Supplemental #2 to Preliminary Report

Michael A. Dahilig  
Director of Planning



Ka'āina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #2 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2867 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on April 12, 2018, the Commission received an Appraisal Report and is communicating negotiations with the Land Owner for acquisition. This Appraisal Report could be grounds for preliminary offer should Council want to take action for this acquisition.
2. The Department is continuing its research with the Hanapēpē Community Association and the Filipino Community for input regarding the commemorative memorial and a possible stewardship agreement to maintain the property. Additional research would be necessary to engage in outreach and in locating such entities willing to undertake and support such a project.

**III. AGENCY COMMENTS**

Forthcoming

**IV. EVALUATION**

In reviewing the proposed project site for acquisition, the following should be considered:

1. The Department is in receipt of an Appraisal of the subject lot of record and have several scheduled meetings along with transmitting the appraisal amounts to the Land Owner.
2. Upon concluding negotiations, the Department shall report to the Commission for action.
3. Should the Commission maintain their recommendation for acquisition, the Department could send communications by way of a dossier to County Council to include the appraisal report which could be grounds for Council consideration for acquisition.

#### V. CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- The Department shall communicate with the Land Owner and Commission for an agreed market value, should the Commission maintain their recommendation for acquisition the Department will send communications by way of a dossier to County Council for consideration for acquisition.

#### VI. RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property maintain **TENTATIVE APPROVAL** for acquisition and/or the establishment of a conservation easement.

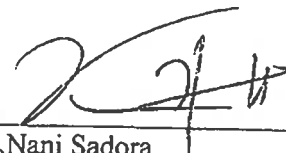
The Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in September 2019.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not limited to:

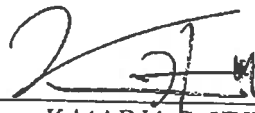


- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

By   
for Nani Sadora  
Planner

Date: 8/9/18

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 8/9/18

## EXHIBIT A

Supplemental #1 to Preliminary Report

Michael A. Dahilig  
Director of Planning



Ka'aina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

PRELIMINARY REPORT

I. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	Hanapepe		
Tax Map Key(s):	(4) 1-8-008:071	Area:	0.2867
LAND USE DESIGNATIONS & VALUES			
Zoning:	R-6		
State Land Use District:	Urban		
General Plan Designation:	Residential		
Assessed Value:	\$269,900		
Market Value:	\$269,900		
Appraised Value:	To Be Determined		
Owner(s):	Kaua'i Petroleum Co LTD		
Owner Response:			
Date Public Recommendation Received:	December 18, 2017		

II. PROJECT DESCRIPTION AND USE

The subject lot of record is a 0.3709 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

### III. AGENCY COMMENTS

Forthcoming

### IV. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community the subject lot of record is known to be the staging area of what is known as the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

### V. PRELIMINARY CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

### VI. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property receive **PRELIMINARY APPROVAL** for acquisition and/or the establishment of a conservation easement.

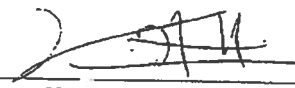
If granted preliminary approval, the Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in March 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 1/5/18

# EXHIBIT A

## Real Property Assessment



[Recent Sales in Neighborhood](#)     [Recent Sales in Area](#)     [Previous Parcel](#)     [Next Parcel](#)     [Return to Main Search Page](#)     [Kauai Home](#)

Owner and Parcel Information			
Owner Name/ Type	KAUAI PETROLEUM CO LTD / Fee Owner	Today's Date	December 29, 2017
Mailing Address	3011 AUKELE ST STE C LIHUE, HI 96766	Parcel Number	180080710000
Location Address	HANAPEPE RD	Project Name	
Tax Classification	COMMERCIAL	Parcel Map	<a href="#">Show Parcel Map</a>
Neighborhood Code	1811-3	Land Area (acres)	0.2867
Legal Information		Land Area (approximate sq ft)	12,490

Assessment Information <a href="#">Show Historical Assessments</a>					
Year	Tax Classification	Total Market Value	Total Assessed Value	Total Exemption	Total Net Taxable Value
2018	COMMERCIAL	\$ 269,900	\$ 269,900	\$ 0	\$ 269,900

**Improvement Information**  
No improvement information available for this parcel.

Other Building and Yard Improvements			
Description	Quantity	Year Built	Area
No information associated with this parcel.			

Permit Information			
Date	Permit Number	Reason	Permit Amount
No permit information associated with this parcel.			

**Sales Information**  
No sales information associated with this parcel.

Current Tax Bill Information			2017 Tax Payments		Show Historical Taxes				
Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2017-2	Real Property Tax	02/20/2018	\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09
Tax Bill with Interest computed through 12/31/2017			\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09

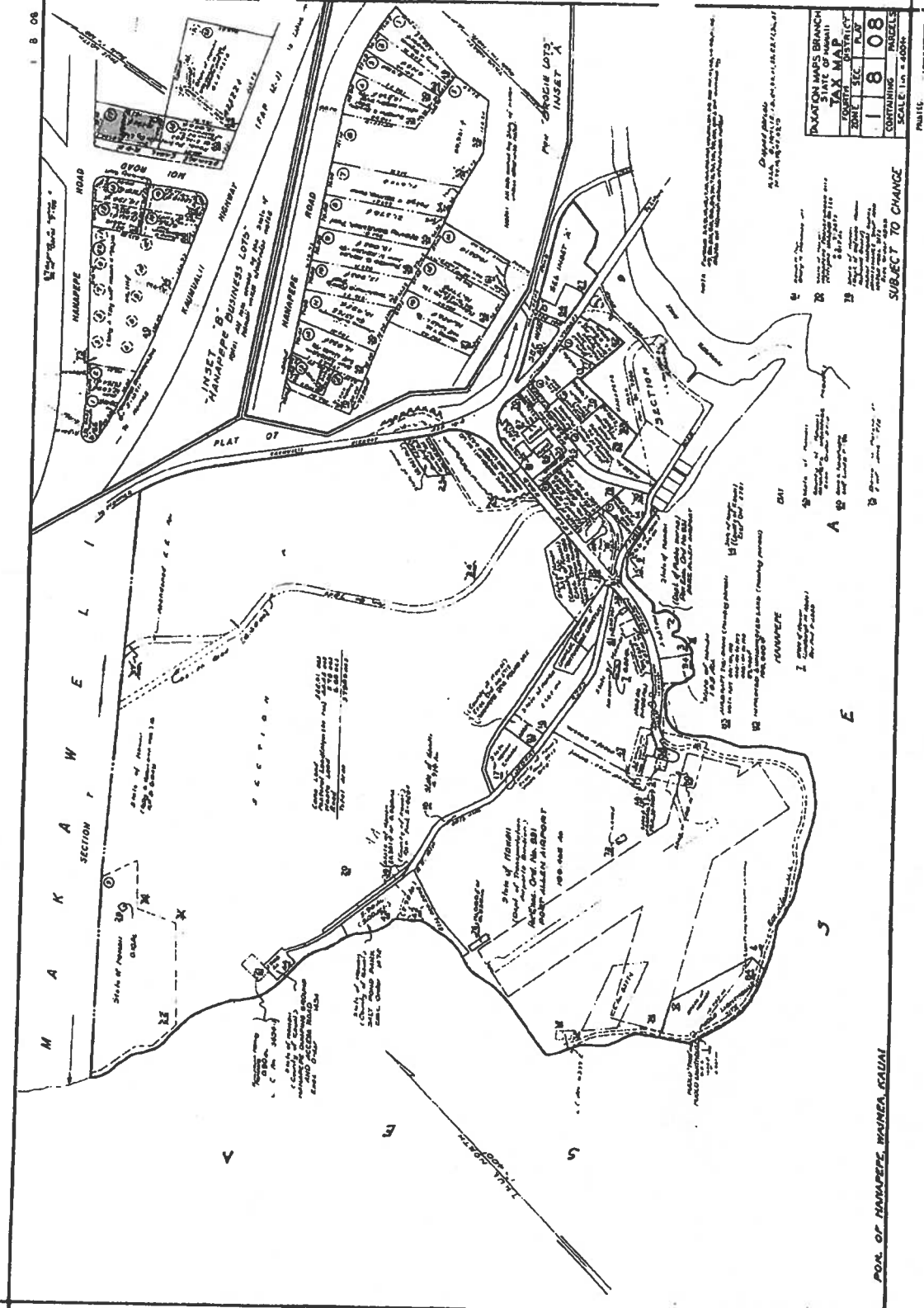
[Recent Sales in Neighborhood](#)     [Recent Sales in Area](#)     [Previous Parcel](#)     [Next Parcel](#)     [Return to Main Search Page](#)     [Kauai Home](#)

The Kauai County Tax Assessor's Office 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. Website Updated: December 29, 2017

## EXHIBIT B

Tax Map Key (TMK) Map





**SUBJECT TO CHANGE**

DUNSTON MAPS BRANCH	
STATE OF NEW ZEALAND	
TAX MAP	
COUNTY	DISTRICT
ZONE	PLAN
1808	1808
CONTAINING PARCELS	
SCALE 1 in = 400m	

MANAPEPE, WAIKANAE, KAIAI

EXHIBIT A

Property Research

Blood In The Fields: The  
Hanapēpē Massacre And  
The 1924 Filipino Strike



Pablo Manlapit, labor leader and self-made lawyer, couldn't be stopped by arrests, intimidation and exile. (Courtesy of Filipinas Magazine)

**O**n Sept. 9, 1924, striking Filipino workers from the Makaweli

plantation in Hanapēpē, on the Hawaiian island of Kaua'i, armed themselves with guns, knives, rocks and clubs and plunged headlong into a bloody confrontation with the police. What came to be alternately known as the Battle of Hanapēpē and the Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the state of Hawai'i. And Filipinos figured centrally in almost all of them.

Between 1920 and 1940, Filipinos, making the greatest sacrifices, led the struggle of Hawai'i's working class for the democratic right to belong to a union and for an end to racial discrimination and the feudal practices of plantation bosses.

When Filipinos first arrived in Hawai'i at the turn of the century, they found a colonial backwater dominated by a small elite of *haole* (white) businessmen whose corporations were known as the Big Five—Castle & Cooke, Theo H. Davies, Alexander and Baldwin, C. Brewer and Amfac. The Big Five controlled the islands' economy and politics, following the overthrow of the Hawaiian Kingdom and annexation by the United States in 1898. At the bottom of society were the masses of immigrants and Hawaiian laborers who produced the wealth of the islands.

The plantation system was sharply divided not only along class lines, but also along race and nationality. The Hawai'i Sugar Planters Association (HSPA) skillfully practiced divide-and-rule by deliberately recruiting workers of different nationalities and races, and abetting cultural and linguistic differences by housing workers in segregated camps: *Pake* (Chinese), Japanese, *Pudagee* (Portuguese), Spanish and Filipino. Work assignments and wages were often determined by race.

By the 1920s, the Chinese, Japanese and Koreans—who had suffered bitter defeats in earlier strikes—were leaving plantations for better jobs and pay in Honolulu and other big towns, or migrating to the U.S. mainland. To make up for the loss of workers, the HSPA encouraged the immigration of more than 100,000 Filipinos to Hawai'i between 1910 and 1932.

Once the Filipinos arrived, they were distributed among 40 HSPA-affiliated plantations on the islands of Kaua'i, O'ahu, Maui, Moloka'i, Lana'i and the Big Island of Hawai'i, drastically changing the ethnic composition of the plantations. In 1915, Filipinos constituted only 19 percent of the work force, the Japanese, 54 percent. By 1932, only 19 percent of the plantation workers were Japanese and nearly 70 percent were Filipino.

Most Filipino workers were from the Ilocos provinces and the Visayan islands. Between 1916 and 1928, HSPA labor recruiters brought 66,436 Filipinos to the islands. Of this number, 37,114 (about 60 percent) came from the four Ilocano provinces of Ilocos Sur, Ilocos Norte, Abra and La Union; 17,799 (or about 27 percent) originated from Cebu, Bohol, Leyte and Negros. About 8,525 reported that they came from Pangasinan and Tarlac. The rest came from 35 other provinces.

**“The Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the State of Hawai'i.”**

HSPA labor recruiters in the Philippines consciously selected uneducated workers of peasant origins. As late as 1930, seven out of ten Filipino plantation workers could neither read nor write. Recruits suspected of having even slight schooling were systematically screened out by the HSPA as potential troublemakers.

Most of the early Filipino immigrants were young men who came without parents, wives or children. From 1920 to 1930, the HSPA brought in 65,618 Filipino laborers, while allowing 5,286 women and 3,091 children to accompany the men. The Filipino male to female ratio was almost 14 to 1.

The social handicaps of the early Filipino immigrants made them ideal candidates for the most arduous and monotonous tasks, such as hoeing, planting and weeding during cane planting and cutting, hauling, loading and fluming during harvest. Their lives revolved around the 10-12 hour work day and the factory mill whistle.

It didn't take long before the first wave of Filipino immigrants, like the other nationalities before them, began to rebel against the social and economic conditions they found in paradise.

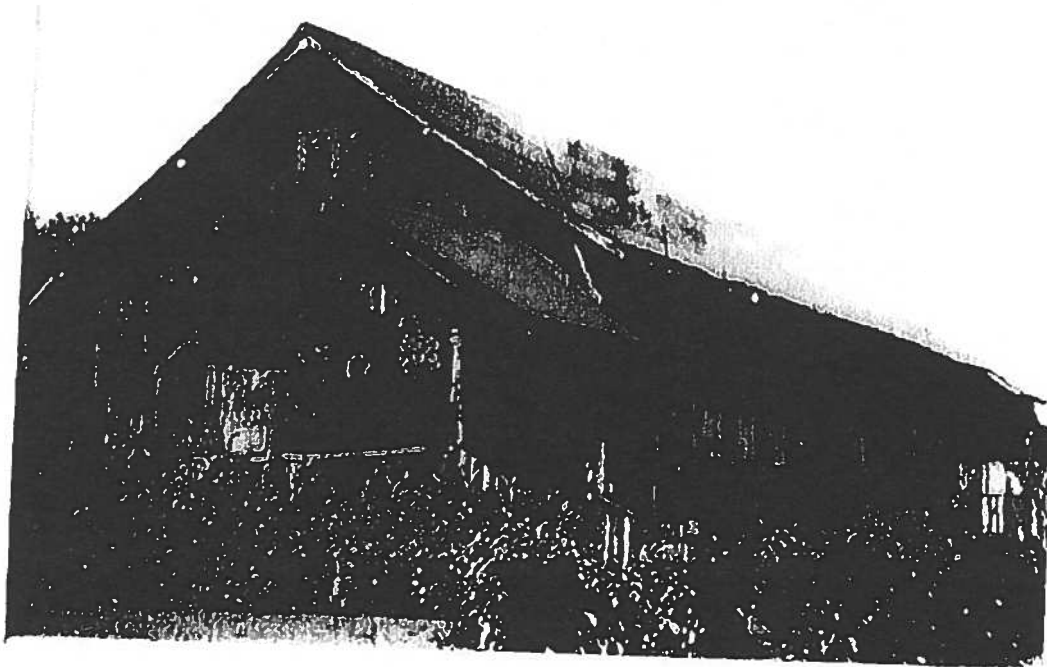
## Blood-Unionism

HSPA's divide-and-rule policy resulted in "blood unionism" among the various ethnic groups. Each group—the Chinese, Japanese, Portuguese, Hawaiians and Filipinos—fought the plantation bosses separately and without coordination. All strikes prior to the establishment of the International Longshore and Warehouse Union (ILWU) in the 1940s ended in tragic and costly defeat for the workers. The exception was the strike of Filipinos on Maui in 1937 led by Vibora Luviminda, the last of the racially-based unions in Hawai'i.

Between 1920 and 1940, Filipinos organized 12 strikes against the sugar barons. The most dramatic and bloodiest of these occurred in 1920, 1924 and 1937. The most important historical figure in Hawai'i's Filipino community before World War II was Pablo Manlapit, the founder of the early Filipino labor movement.

Unlike most Filipino workers, who were Ilocanos or Visayan, Pablo Manlapit was a Tagalog. Born in Lipa, Batangas, Manlapit was five years old when Jose Rizal, the Philippine national hero, was executed by the Spanish in 1896 and eight years old when the Philippine-American War began in February 1898. Manlapit came to Hawai'i as a 19-year-old in 1910. He had completed grade school in the Philippines but was somehow able to convince labor recruiters that he was a suitable worker. He was assigned to a plantation on the island of Hawai'i but was soon dismissed. He moved to the town of Hilo, where he started two newspapers and ran a pool hall. Later, he moved to Honolulu and worked as a salesman and stevedore. Manlapit became an interpreter and janitor in a legal office, where he studied law. In 1918, he qualified as a District Court Practitioner, becoming the first Filipino lawyer in Hawai'i.

A labor historian wrote that Manlapit was "an eloquent agitator, but an incapable administrator." For all his faults, Manlapit had charisma, and elderly Filipinos still speak of him with awe and respect.





A plantation-era house

Mestizo-looking and tall for a Filipino—he was six feet tall—Manlapit tirelessly represented Filipino workers in their grievances against their employers, becoming enormously popular among Filipinos throughout the territory. He also drew the attention and hatred of the HSPA.

In 1919, Manlapit traveled from island to island recruiting members into the Filipino Labor Union (FLU). In 1920, Manlapit and Japanese labor leaders formed the Higher Wage Movement. Following the HSPA's rejection of their demands for better wages, improved working conditions and equal pay for the same work regardless of race and sex, Manlapit and the Japanese labor leaders asked their respective unions to strike. It was the first time unions representing different nationalities united in a joint strike with a common demand.

Filipinos and Japanese workers left the fields and kept the mills idle in Waipahu, Waialua, 'Ewa, Kahuku and Waimānalo. At the height of the strike, the HSPA's hired goons evicted more than 12,000 workers from their plantation housing.

But the strike was broken when Manlapit suddenly pulled the Filipinos out of it due to an apparent dispute with the Japanese leaders. The HSPA took advantage of the split by spreading rumors and intrigues to demoralize the strikers.

The first interracial strike in the history of Hawai'i lasted three months, with the HSPA spending several million dollars to crush it. The defeat dealt a severe blow to the Japanese union, and it would be another 20 years before it would again play a central role in Hawai'i's labor movement.

## The Higher Wage Movement

After the defeat of the 1920 strike, Manlapit started a new labor organization with the help of George Wright, later to become the English editor of the *Hawaii Hochi*, the Japanese community newspaper. The HSPA had Manlapit thrown in jail twice and made it difficult for him to practice law. Undaunted, Manlapit continued visiting various plantations to forge the Filipino Higher Wage Movement.

The Movement petitioned the HSPA in 1923 for a \$2-a-day, 40-hour work week and an end to abuses. The HSPA ignored these demands. Manlapit appealed to the colonial Philippine government to send a labor commissioner to investigate the working conditions in Hawaii and to mediate between the planters and the Filipino workers. Governor General Leonard Wood appointed former Ilocos Norte governor Cayetano Ligot as special investigator.

Escorted by HSPA officials, Ligot paid token visits to several plantations. In an authoritative statement on the situation of Filipino laborers in Hawai'i, Ligot blamed the Filipinos themselves for their troubles. They were too unstable, said Ligot, and had fallen prey to parasitic gamblers and con men who snuck into the plantations to disrupt their otherwise pleasant situation. Management, he said, was doing its best to provide wholesome working conditions and decent wages. He urged his compatriots to give their services wholeheartedly to the plantations to bring honor to the Filipino people. Ligot concluded his report by attacking the activities of Filipino labor leaders, especially Manlapit.

Ligot was only one of many labor commissioners sent by the colonial government in Manila who would work hand in glove with the HSPA against the interest of Filipino workers. While Ligot was discouraging Filipino workers from fighting to get more than their \$20 a month wage, his report included a request to increase his monthly salary to \$250. Ligot's subservience earned him notoriety among Filipinos in Hawai'i. Filipino

old-timers still speak jokingly of “mistake Ligot” when something goes wrong over matters which they have little or no control.

## The 1924 Hanapēpē Massacre

In April 1924, one month after Ligot’s report was made public, Manlapit called on all Filipino workers to walk out and strike. Twelve thousand Filipinos from 23 of the 45 plantations went on a long, violent and tragic strike that would last eight months.

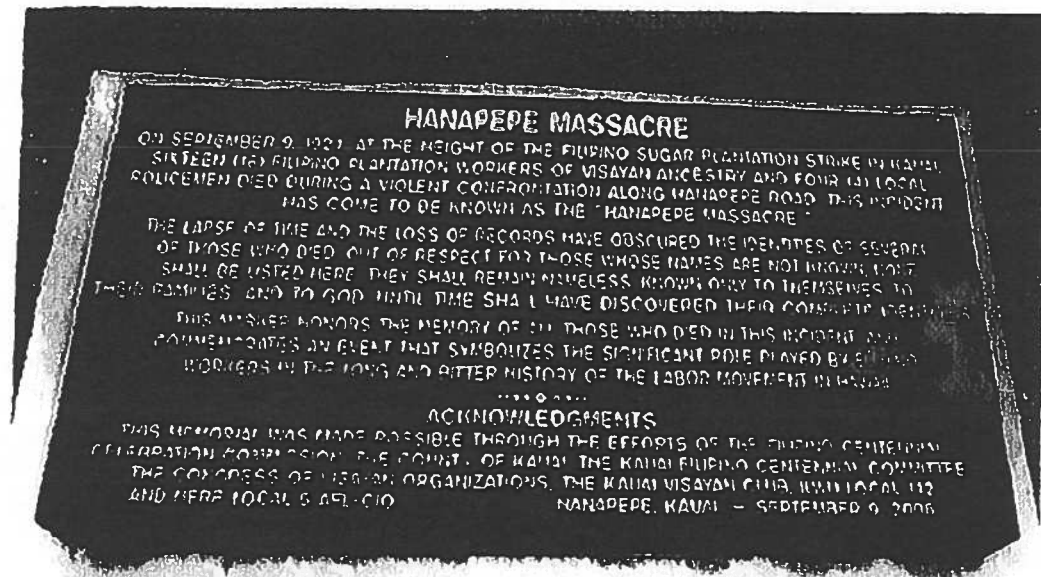
The strike was doomed from the start. The HSPA again employed its time-tested weapon of divide-and-rule. This time they pitted Filipinos against Filipinos—Ilocanos against Visayans. Ilocano laborers were recruited from the Philippines as strikebreakers. The tragic scene of striking Filipino workers and their families being evicted from their plantation-owned houses and replaced with newly arrived workers from the Philippines was repeated throughout the islands.

Thousands of strikers pitched tents near beaches and sugarcane fields. HSPA agents set up an elaborate spy network to infiltrate strike meetings, sow dissension and break up rallies. The plantation bosses adeptly used bribes as well as actual physical beatings.

What became the bloodiest incident in the history of labor in Hawai’i occurred in Hanapēpē on the island of Kaua’i on Sept. 9, 1924. Strikers at the Makaweli plantation armed themselves with guns, cane knives, rocks and clubs and captured two Ilocano strikebreakers. Kaua’i Sheriff William Rice led a posse to this camp on the banks of a small river just above the town of Hanapēpē to demand the release of the captured scabs.

The strikers resisted, and a battle ensued lasting several days. When the smoke cleared, 16 Filipinos and four policemen were dead and scores wounded. At Sheriff Rice’s request, Gov. Farrington sent two machine-gun

squads and rifle companies of the National Guard to Kaua'i. The National Guard restored order, arresting more than 100 strikers. Seventy-six Filipinos were brought to trial, and 60 were given four-year sentences.



The marker commemorating the sacrifice of Filipino workers in the history of Hawaii's Labor Movement (Photo by Mona Lisa Yuchengco)

Manlapit and Cecil Basan, another prominent Filipino labor leader, were sentenced to ten years, even though the two men weren't even present in Kaua'i during the massacre. Years later, one elderly Filipino woman, then a nurse at the immigration station in Honolulu, stated that several witnesses, who had been promised \$10,000 each and a ticket back to the Philippines, testified falsely against Manlapit and Basan.

The Hawai'i Hochi wrote that Manlapit had been railroaded into prison, a victim of made-up evidence, perjured testimony, racial prejudice and class hatred. Manlapit was exiled from Hawai'i and left for California where he stayed until 1932. With Filipino leaders jailed or exiled and their

organization shattered, the strike of 1924 continued ineffectively, albeit heroically, for another three months.

## The 1937 Maui Strike

Labor activity on the plantations declined until the height of the Great Depression in 1933, when Manlapit returned from his exile. Together with Antonio Fagel and Epifanio Taok, Manlapit formed a new Filipino Labor Union. To avoid a repeat of 1924, the HSPA made a preemptive move by jailing Taok and banishing Manlapit permanently to the Philippines in 1935.

Fagel took the union underground and renamed it Vibora Luviminda. Vibora was the *nom de guerre* of the Filipino patriot Artemio Ricarte, who fought in the Philippine revolution against Spain and refused to sign an oath of loyalty to the United States. Luviminda stood for Luzon, Visayas and Mindanao—signifying the unity of the Filipinos. In 1936, Fagel brought Vibora Luviminda out into the open and launched a strike at Pu'unēnē plantation on Maui. Three thousand Filipinos joined the strike. With the Depression still at its height, the HSPA hired scabs from the massive ranks of the unemployed. The Philippine Commissioner in Washington sent a wire, as did President Manuel Quezon, to the striking Filipinos calling on them to return to work. After three months, the HSPA negotiated with the union to end the strike, a first in Hawai'i's history. The striking workers won a 15-percent wage increase.

In the midst of the negotiations, however, Fagel was arrested on trumped-up charges of kidnapping a Filipino strikebreaker. Fagel and seven other strike leaders were brought to trial, which dragged on for months. They were found guilty and sent to jail. The Vibora Luviminda, the last of Hawai'i's racial union, then fell into disarray, making the Pu'unēnē strike the last racial strike in Hawai'i.

The Vibora Luviminda strike of 1937 also marked the first time that haole labor leaders extended strike support to plantation workers. Jack Hall, the founder of the ILWU, who was sent to organize Hawaii's waterfront workers by the left-wing Congress of Industrial Organizations (CIO), played a central role in building support for the strike. So did William Bailey, the editor of *The Voice of Labor*, who was also an organizer of the American Communist Party in Hawai'i.

## One Big Union

After 1937, the idea of an industry-wide, interracial union began to take hold among plantation and waterfront workers. The plantation-based Filipino community was drawn into the key social drama unfolding in Hawai'i—the struggle to build one big union. Taking the lessons from the bitter labor wars waged by Filipinos between 1920 and 1940, the ILWU started its drive to unite Hawai'i's ethnically diverse working class under the slogan, "An injury to one is an injury to all."

The years following World War II saw epic battles between Hawai'i's workers—led by the ILWU—and the Big Five: the three-month-long 1946 Sugar Strike, the 1947 Pineapple Strike; the bitter six-month-long 1949 Long-Shore Strike and the four-month-long 1958 Sugar Strike. The ILWU won each time.

As the largest ethnic group on the plantations, Filipinos played a crucial role in the outcome of these historic events. The question of victory or defeat hinged on their unity and determination to stand behind their left-wing unions, which often came under intense anti-communist attacks. With the ILWU firmly established as a political and economic force in Hawaii, those in power have had to listen with begrudging respect to the voice of the Filipino plantation workers. Hawai'i's sugar and pineapple workers would emerge as the highest-paid agricultural workers in the world. The lowest paid sugar and pineapple workers in the field earn more than nine

dollars an hour. They have comprehensive medical plans, paid holidays and vacation and receive sick and severance pay. They're entitled to workmen's compensation if they get injured on the job, and are covered by the state's collective bargaining law. Hawai'i is the only state in which all workers in large-scale agricultural enterprises are organized in a labor union and have been for nearly 50 years.

But the captains of Hawai'i's agribusiness never fully reconciled themselves with labor's gains. Firms such as Castle & Cooke, Dole and Del Monte have shifted practically all of their sugar and pineapple operations to countries such as the Philippines, Thailand and Costa Rica, where they can pay workers one-tenth of the wages earned by Hawai'i's workers. After World War II, there were 36 sugar and nearly a dozen pineapple plantations employing more than 35,000 workers. Today, there are only four sugar and two pineapple plantations operating in Hawai'i, employing fewer than 2,000 people. The decline helps mask the islands' history of epic labor struggles, a tumultuous past in which Filipinos played a heroic role.

*The editors would like to thank Oscar Peñaranda and Jeanette Gandionco Lazam for pointing out our error: the Hanapepe Massacre happened in 1924, not 1942, as we originally posted. We have made the correction. We apologize for our mistake*



**Dean Alegado**

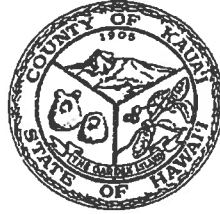
*Dean Alegado was a professor in ethnic studies and director of the Center for Philippines Studies in the School for Hawaiian, Asian and Pacific Studies at the University of Hawaii in Honolulu. He currently lives in Subic, Philippines.*

*Reprinted from Filipinas Magazine, October 1997.*



**EXHIBIT III**

**Supplemental Report #4 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #4 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2867 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the last communications to the Commission, supplement report #3 dated November 2018, the Department continues to have a difficult time getting a response from the Land Owner. The previous contact has since retired and is temporarily being handled by Scott Kimball. Email communications sent to Mr. Kimball December 2018, February 2019, March 2019 and April 2019.
  - a. On April 24, 2019, the Department received an email response Mr. Kimball on behalf of the Land Owner. The Department was able to communicate via phone conversation and per Mr. Kimball the Commission's appraisal amount offer for purchase is not an acceptable offer at this time. Mr. Kimball is proposing that the Commission increase its offer or include a possible land swap of County of Kaua'i owned property for equal or higher land value for possible consideration.
  - b. The Department reviewed the potential for the County of Kaua'i land swap and there are no options of this type of offer for the Commission to consider.
  - c. Communication sent to Land Owner to provide an offer for sale.
2. On June 7, 2019, the Department received email communications from Land Owner and an offer to sell in the amount of \$445,000.00.

By \_\_\_\_\_  
Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_  
KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_

**EXHIBIT IV**

**Supplemental Report #5 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #5 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2867 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the Commissions last supplemental report dated June 2019, the Commission continues to support by unanimous vote to proceed with negotiations to acquire.
  - a. The Department continues to have a difficult time getting any response from the Land Owner.
  - b. Email and voice mail communications have been made to the Land Owner to set up a meeting on O'ahu for further negotiations and the Department has not received any response. Last voice mail and email communication were sent on October 9, 2019.
2. The Department has recently been made aware of an article first appearing in a Garden Island newspaper on September 9, 2019, "Hanapēpē War" and a more recent article on September 27, 2019 "The Hanapēpē Massacre Mystery" that is now being researched by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society to produce a new documentary.
  - a. In light of this new information, it is the Department's recommendation to defer this matter to allow the Department to reach out to the group conducting this research to get further input.

### III. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered.

1. There is an expressed interest and consideration on behalf of the landowner to sell.
2. Given the property's historical significance, the acquisition of the property does fulfill the following Commission purposes:
  - a. Preserving of cultural and historic sites;
  - b. Improving access to public land and open space;
  - c. Acquiring access to public land and open space;
  - d. Conserve land open space and scenic values.
3. Additional time is needed to allow completion of a new documentary and research by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society.

### IV. RECOMMENDATION

Based on the foregoing additional findings and preliminary evaluation it is hereby recommended that the subject property be **DEFERRED** for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- b. The land owner's response to an inquiry for acquisition

By \_\_\_\_\_  
Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_  
KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_



**Public Access, Open Space, and Natural Resources Preservation  
Fund Commission (“Open Space Commission”)**

**Final Evaluation and Recommendation/Dossier Recommendation**

**I. SUMMARY**

Consideration of a proposal to acquire a 0.2764 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 065.

**Open Space Commission action may include any of the following actions:**

1. Approve the final evaluation and recommendation/dossier recommendation; or
2. Decline the final evaluation and recommendation/dossier recommendation; or
3. Defer the final evaluation and recommendation/dossier recommendation.

**II. BACKGROUND OF PROPERTY**

PROJECT INFORMATION	
<b>Parcel Location:</b>	Hanapēpē, Kaua'i, Hawai'i
<b>Tax Map Key(s):</b>	(4) 1-8-008: 065
<b>Area:</b>	0.2764 acres
LAND USE DESIGNATIONS & VALUES	
<b>Zoning:</b>	T4VC-F
<b>State Land Use District:</b>	Urban
<b>General Plan Designation:</b>	Residential
<b>County Real Property Assessed Value:</b>	\$602,000 (2023 appraisal is also available for discussion)
<b>Owner(s):</b>	Kaua'i Petroleum Co LTD
<b>Owner Response:</b>	
<b>Date Public Recommendation Received:</b>	December 18, 2017

**III. PROJECT DESCRIPTION AND BACKGROUND**

The subject lot of record is a 0.2764 acre parcel located in Hanapēpē, Hanapēpē Ahupuaa, Kona Moku, Kaua'i, Hawai'i. The subject parcel is located within the T4 Village Center – West Kaua'i (T4VCF) transect of the West Kaua'i Form Based Code Zoning District, which is akin to the County commercial zone.



Geographically, the lot is bounded to the south by Kaumuali'i Highway, to the west by Moi Road, and to the north and east by residential properties that are currently used for residential purposes.

The initial proposal concerning this lot was presented to the Commission on December 29, 2017, when it received preliminary approval to conduct further research. Over the ensuing years, the Commission reviewed multiple supplemental reports providing updates on these parcels. After several constructive discussions with the property owners concerning the sales price, communications and negotiations unfortunately stalled when the County ceased to receive further correspondence from the owners.

Recently, the County of Kaua'i has successfully reestablished contact with Par Hawai'i and reopened discussions regarding the acquisition of these parcels.

#### **IV. ADDITIONAL INFORMATION**

Please refer to Exhibit A for preliminary and supplemental Director Reports regarding the subject property.

#### **V. PRELIMINARY EVALUATION**

The following should be considered regarding the possible amended acquisition:

**Under Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, as amended on April 14, 2016, (Open Space Rules) §1-5-4, the possible acquisition of the Hanapēpē Massacre Parcels *will* comply with all criteria for acquisition:**

- 1. The proposal fulfills at least one of the Commission's purposes. Actually, the acquisition fulfills all of the following purposes:**
  - Public outdoor recreation and education, including access to beaches and mountains
  - Preservation of historic or culturally important land areas and sites
  - Protection of significant habitats or ecosystems, including buffer zones
  - Preserving forests, beaches, coastal areas and agricultural lands
  - Conserving land in order to reduce erosion, floods, landslides, and runoff
  - Improving disabled and public access to, and enjoyment of, public land and open space
  - Acquiring disabled and public access to public land, and open space

- Conserving land for open space and scenic values

Acquiring the Hanapēpē parcels directly supports and fulfills multiple objectives of the Open Space Commission, aligning with its core mission and purposes. The Hanapēpē parcels mark the site where a pivotal historical event in Hawai'i's labor history occurred. The proposal to acquire the parcels will ensure that the site and a piece of history is maintained and not lost to potential development or neglect. The preservation of the Hanapēpē parcels allows for the possibility of educational spaces where the public can learn about the significant events of the Hanapēpē Massacre of 1924.

**2. The cost for the acquisition *would* be commensurate to the public interest served.**

The acquisition of the Hanapepe parcels is commensurate to the public interest served primarily because preserving these parcels helps maintain a vital part of local and national history. The historical significance of these parcels as the site of the Hanapepe Massacre of 1924 is profound. This event was a critical moment in the labor movement in Hawaii, marking a significant struggle between Filipino plantation workers and local authorities.

By preserving this site, the community acknowledges and honors the memories of those who lost their lives in this tragic event, ensuring that the lessons and stories from this period continue to educate and resonate with current and future generations. This serves the public interest by fostering a deeper understanding of the social and economic challenges that shaped Hawaii, contributing to broader historical awareness and civic engagement. Furthermore, it safeguards a physical space where people can reflect on the impacts of historical events, reinforcing the values of justice and solidarity in the community.

**3. The process for acquiring the Hanapēpē Massacre parcels will be commensurate to the public interest served. Factors may include, but are not limited to:**

- a. The type of property interest that is proposed for acquisition (for example, an easement versus fee simple ownership)**
- b. Whether or not the acquisition will be an adversarial process.**

The landowner is willing to work with and sell both parcels; thus, no additional litigation is needed for the acquisition.

**4. The required maintenance will be reasonable and commensurate to the public interest served.**

If acquired, the proposal for the parcels would include a memorial with a possible parking area on the parcels. The parcels are flat and are currently mowed and maintained by the landowner. The site remains undeveloped and is used to park one abandoned car and occasionally has a food truck operating on parcel 065. Thus, maintenance requirements for the parcels would be minimal and likely will include lawn mowing, weed whacking, and occasionally dealing with uses (like abandoned cars) that do not comport with the park and memorial site uses.

A representative of the County of Kaua'i Parks and Recreation Department has been participating with discussions regarding the possible acquisition of the Hanapēpē parcels and has indicated their willingness to facilitate an Adopt-A-Park Program with possible stewardship groups. In the meantime, the Parks Department has committed to conducting minimal maintenance at the parcels including weed whacking and lawn mowing. Thus, the site will require maintenance by the County; however, the required maintenance will be minimal and be commensurate to the public interest served.

**5. Pursuant to Section 1-5-5 of the Open Space Rules, any proposed acquisition that contains extremely dangerous attributes in the land or that poses a risk of serious injury or death shall not be recommended.**

Prohibitive factors for acquisition of the Hanapēpē parcel do not exist.

## **VI. PRELIMINARY CONCLUSION**

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

1. Acquisition of the Hanapēpē parcels will fulfill at least one of the Commission's purposes for public access, open space, and natural resources preservation.
2. The cost for the acquisition is commensurate to the public interest served.
3. The process for acquiring the Hanapēpē parcels will be commensurate to the public interest served.

4. The parcels would require maintenance by the County; however, required maintenance will be minimal and be commensurate to the public interest served. In addition, the Parks Department has expressed a commitment to facilitate an Adopt-A-Park program for stewards to assist with maintenance of the parcels and the memorial.
5. In addition, pursuant to Section 1-5-5 of the Open Space Rules, there are no extremely dangerous attributes in the land that poses a risk of serious injury or death.

## VII. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation it is hereby recommended that the Commission **approve** the proposal to acquire a 0.2867 acre parcel located in Hanapēpē, Kona Moku, further identified as Tax Map Key (4)1-8-008: 071.

This report may not represent the Planning Department's final recommendation in view of the forthcoming public hearings before the Open Space Commission where the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

1. Government agency comments, if any;
2. Testimony from the general public and interested others; and
3. The landowner's response to an inquiry for acquisition.

By Shelea Koga Digitally signed by Shelea Koga  
Date: 2024.05.01  
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SHELEA KOGA  
Planner

Approved & Recommended to Commission:

By Jodi Higuchi Digitally signed by Jodi Higuchi  
Date: 2024.05.01  
09:42:48 -10'00'  
JODI A. HIGUCHI SAYAGUSA  
Deputy Director of Planning

## **EXHIBIT A**

**Preliminary Report and Supplemental Reports previously transmitted to the Open Space Commission regarding Tax Map Key (4) 1-8-008:065 & (4) 1-8-008:071.**

# **EXHIBIT I**

**Preliminary Report Dated January 5, 2018**

**Michael A. Dahilig**  
Director of Planning



**Ka'aina S. Hull**  
Deputy Director of Planning

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PRELIMINARY REPORT**

**I. PROJECT DATA**

<b>PROJECT INFORMATION</b>			
<b>Parcel Location:</b>	Hanapepe		
<b>Tax Map Key(s):</b>	(4) 1-8-008:065	<b>Area:</b>	0.2764
<b>LAND USE DESIGNATIONS &amp; VALUES</b>			
<b>Zoning:</b>	R-6		
<b>State Land Use District:</b>	Urban		
<b>General Plan Designation:</b>	Residential		
<b>Assessed Value:</b>	\$264,500		
<b>Market Value:</b>	\$264,500		
<b>Appraised Value:</b>	To Be Determined		
<b>Owner(s):</b>	Kaua'i Petroleum Co. LTD		
<b>Owner Response:</b>			
<b>Date Public Recommendation Received:</b>	December 18, 2017		

**II. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

### III. AGENCY COMMENTS

Forthcoming

### IV. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community the subject lot of record is known to be the staging area of what is known as the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

### V. PRELIMINARY CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

### VI. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property receive **PRELIMINARY APPROVAL** for acquisition and/or the establishment of a conservation easement.



TMK: (4) 1-8-008:065

December 29, 2017

Page 3 of 3

If granted preliminary approval, the Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in March 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

Approved & Recommended to Commission:

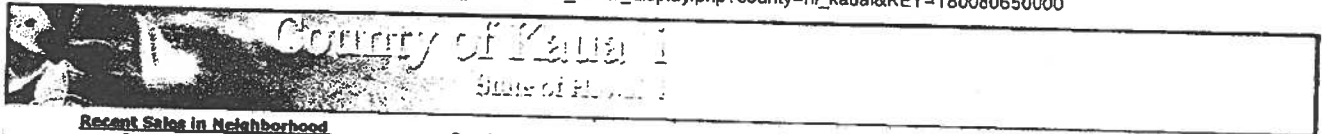
By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 1/5/18

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EXHIBIT A

Real Property Assessment



<a href="#">Recent Sales in Neighborhood</a>	<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>				

<b>Owner Name/ Type</b>	KAUAI PETROLEUM CO LTD / Fee Owner	<b>Today's Date</b>	December 29, 2017
<b>Mailing Address</b>	3011 AUKELE ST STE C LIHUE, HI 96766	<b>Parcel Number</b>	180080650000
<b>Location Address</b>	DEMO GAS STATION	<b>Project Name</b>	
<b>Tax Classification</b>	COMMERCIAL	<b>Parcel Map</b>	<a href="#">Show Parcel Map</a>
<b>Neighborhood Code</b>	1811-3	<b>Land Area (acres)</b>	0.2764
<b>Legal Information</b>		<b>Land Area (approximate sq ft)</b>	12,040

<b>Assessment Information</b>		<a href="#">Show Historical Assessments</a>			
<b>Year</b>	<b>Tax Classification</b>	<b>Total Market Value</b>	<b>Total Assessed Value</b>	<b>Total Exemption</b>	<b>Total Net Taxable Value</b>
2018	COMMERCIAL	\$ 264,500	\$ 264,500	\$ 0	\$ 264,500

**Improvement Information**  
No Improvement Information available for this parcel.

<b>Other Building and Yard Improvements</b>			
<b>Description</b>	<b>Quantity</b>	<b>Year Built</b>	<b>Area</b>
No information associated with this parcel.			

<b>Permit Information</b>			
<b>Date</b>	<b>Permit Number</b>	<b>Reason</b>	<b>Permit Amount</b>
No permit information associated with this parcel.			

**Sales Information**  
No sales information associated with this parcel.

<b>Sale Date</b>	<b>Price</b>	<b>Instrument #</b>	<b>Instrument Type</b>	<b>Instrument Description</b>	<b>Date Recorded</b>	<b>Document #</b>	<b>Cert #</b>	<b>Book/Page</b>	<b>Conveyance Tax</b>	<b>Document Type</b>
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<b>Current Tax Bill Information</b>		<b>2017 Tax Payments</b>		<b>Show Historical Taxes</b>					
<b>Tax Period</b>	<b>Description</b>	<b>Original Due Date</b>	<b>Taxes Assessment</b>	<b>Tax Credits</b>	<b>Net Tax</b>	<b>Penalty</b>	<b>Interest</b>	<b>Other</b>	<b>Amount Due</b>
2017-2	Real Property Tax	02/20/2018	\$ 1,071.22	\$ 0.00	\$ 1,071.22	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,071.22
Tax Bill with Interest computed through 12/31/2017			\$ 1,071.22	\$ 0.00	\$ 1,071.22	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,071.22

<a href="#">Recent Sales in Neighborhood</a>	<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>				

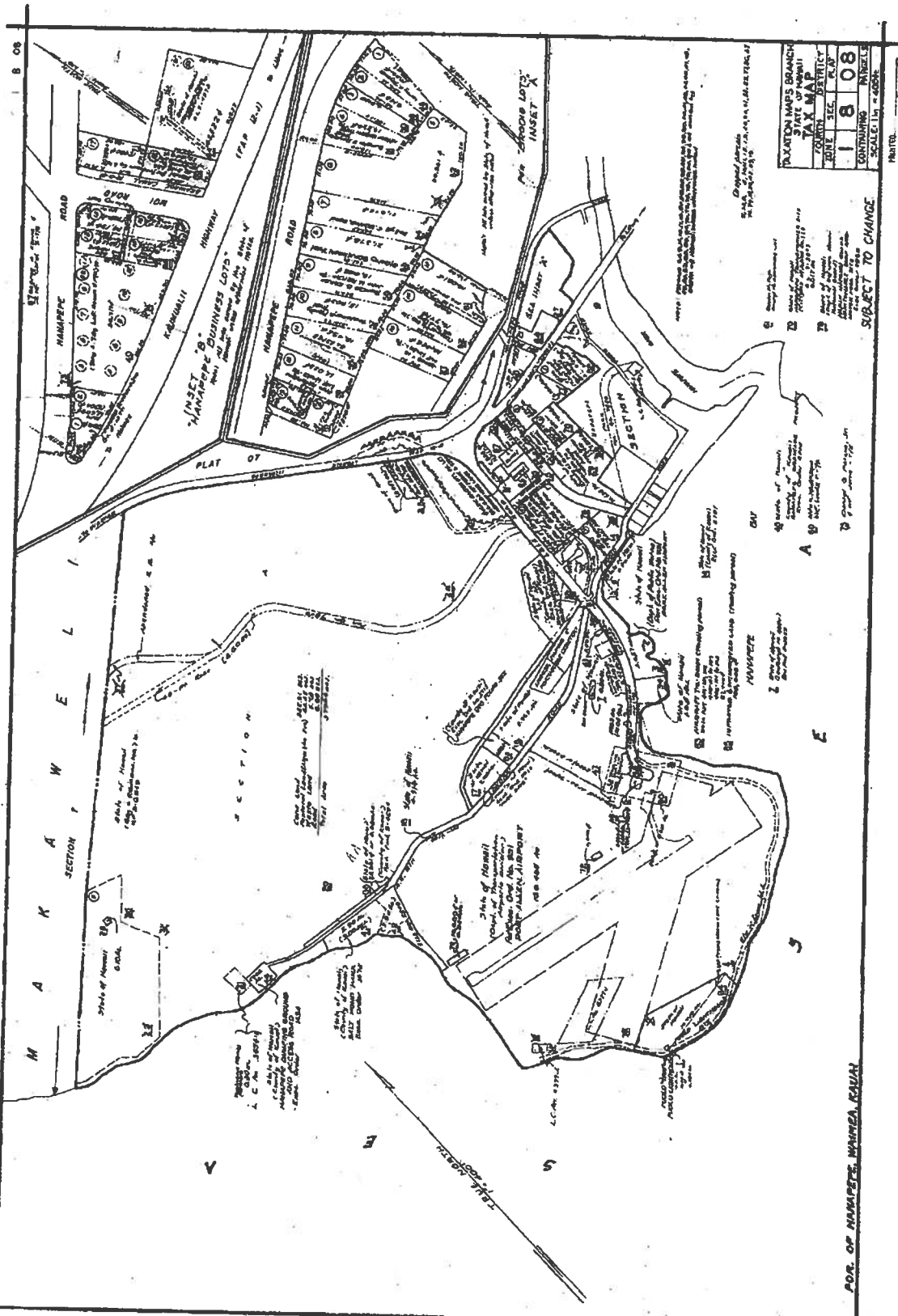
The Kauai County Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: December 29, 2017

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**EXHIBIT B**

**Tax Map Key (TMK) Map**



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TAXATION MAPS BRANCH	
STATE OF HAWAII	
TAX MAP	
DATE	1808
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SCALE	1" = 100'
CONTINUING SERIES	
SCALE: 1" = 100'	

SUBJECT TO CHANGE  
 PRINTED

P.O. OF HANAPEPE, HAWAII, HAWAII

## EXHIBIT II

Supplemental #3 to Preliminary Report dated  
November 5, 2018, which contains Supplemental  
Reports #2 and #1

**Michael A. Dahilig**  
Director of Planning



**Ka'āina S. Hull**  
Deputy Director of Planning

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #3 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on October 11, 2018, the Commission requested an update on communications with regards to negotiations with the Land Owner following its transmittal of the appraisal on 8/13/18.
  - a. Received communication back from Land Owner, they are in receipt of the appraisal and will be conducting an appraisal of their own. Upon completion of their appraisal, they will be contacting us to continue negotiations.

By

Nani Sadora  
Planner

Date:

11/5/18

TMK: (4) 1-8-008:065  
November 2, 2018  
Page 2 of 2

Approved & Recommended to Commission:

By:   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 11/5/18



## EXHIBIT A

Supplemental #2 to Preliminary Report

**Michael A. Dahilig**  
Director of Planning



**Ka'āina S. Hull**  
Deputy Director of Planning

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #2 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on April 12, 2018, the Commission received an Appraisal Report and is communicating negotiations with the Land Owner for acquisition. This Appraisal Report could be grounds for preliminary offer should Council want to take action for this acquisition.
2. The Department is continuing its research with the Hanapēpē Community Association and the Filipino Community for input regarding the commemorative memorial and a possible stewardship agreement to maintain the property. Additional research would be necessary to engage in outreach and in locating such entities willing to undertake and support such a project. (See attached Exhibit A Supplemental #1 to Preliminary Report).

**III. AGENCY COMMENTS**

Forthcoming

**IV. EVALUATION**

In reviewing the proposed project site for acquisition, the following should be considered:

1. The Department is in receipt of an Appraisal of the subject lot of record and have several scheduled meetings along with transmitting the appraisal amounts to the Land Owner.
2. Upon concluding negotiations, the Department shall report to the Commission for action.
3. Should the Commission maintain their recommendation for acquisition, the Department could send communications by way of a dossier to County Council to include the appraisal report which could be grounds for Council consideration for acquisition.

#### V. CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- The Department shall communicate with the Land Owner and Commission for an agreed market value, should the Commission maintain their recommendation for acquisition the Department will send communications by way of a dossier to County Council for consideration for acquisition.

#### VI. RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property maintain **TENTATIVE APPROVAL** for acquisition and/or the establishment of a conservation easement.

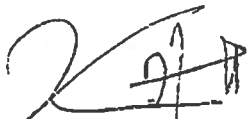
The Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in July 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

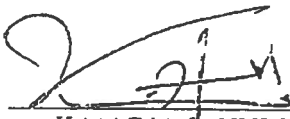
The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:



- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

By   
Nani Sadora  
Planner  
Date: 8/1/18

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning  
Date: 8/9/18

## EXHIBIT A

Supplemental #1 to Preliminary Report

Michael A. Dahilig  
Director of Planning



Ka'aina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION

SUPPLEMENTAL #1 to PRELIMINARY REPORT

I. PROJECT DATA

PROJECT INFORMATION	
Parcel Location:	Hanapepe
Tax Map Key(s):	(4) 1-8-008:065
Area:	0.2764
LAND USE DESIGNATIONS & VALUES	
Zoning:	R-6
State Land Use District:	Urban
General Plan Designation:	Residential
Assessed Value:	\$264,500
Market Value:	\$264,500
Appraised Value:	To Be Determined
Owner(s):	Kaua'i Petroleum Co. LTD
Owner Response:	
Date Public Recommendation Received:	December 18, 2017

II. PROJECT DESCRIPTION AND USE

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaunualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in

residential use.

### III. ADDITIONAL FINDINGS

1. At its Public Access, Open Space and Natural Resources Preservation Commission meeting held on January 11, 2018, the Commission received and tentatively approved the property for acquisition based on its significance. The Commission also requested that the Department reach out to the Hanapēpē Community Association and the Filipino Community.
2. At its Public Access, Open Space and Natural Resources Preservation Commission meeting held on January 11, 2018, the Commission received and tentatively approved the property for acquisition. The Commission also requested that the Department reach out to the landowner to see if there is an expressed interest in selling. The Commission would like to acquire both subject properties; however should there be interest from the landowner in selling only one of the two subject properties, the Commission's interest would be in parcel 71.
  - a. The Department reached out to several members of the community to make contact with the land owner and was not successful. On February 12, 2018 the Department sent a letter by certified mail to the Land Owner.
    - The Department received communication from the Land Owner on O'ahu Kaua'i Petroleum Co., LTD which is now Par Hawai'i and is in discussions for possible sale.
    - On March 28, 2018, the Department met with representatives for the land owner, and there is a willingness for sale of both properties. It has been communicated to the Department to move forward with an appraisal for further discussions.
      1. The Department is in the procurement process of securing a Real Property Appraiser to complete an appraisal for both subject properties.
3. It is known within the local community that the site of parcel 71 is the exact staging area of the Hanapēpē Massacre of 1924. On September 9, 1924, at the height of the Filipino sugar plantation strike in Kaua'i, sixteen (16) Filipino plantation workers of Visayan ancestry and four (4) policemen died during this violent confrontation along Hanapēpē Road. (See attached Exhibit A)
  - a. The 'Ohana of plantation workers that took part in the strikes of 1924 through 1940 are families that still reside here on Kaua'i and within the State of Hawai'i.



4. There is strong expressed interest and support from the community for acquisition.
  - a. Community is in support that the memorial plaque that is currently located at the Hanapēpē Town Park to be relocated to subject property, parcel 71 which is the more appropriate location for families to honor their loved ones and for the community to consider a possibly a memorial park.
  - b. The Department will be meeting with the Filipino Chambers of Commerce and other community non-profit organizations for interest in either a stewardship agreement or to take on the development of a plan in relocating the current memorial plaque from the Hanapēpē Town Park and possibly a memorial park with the community's involvement.
5. The Hanapēpē Massacre played a significant role in organizing the different ethnicities of plantation workers and ultimately helped to create the labor union and what is known today as the ILWU (International Longshore and Warehouse Union).

#### IV. AGENCY COMMENTS

Forthcoming

#### V. EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community, the subject lot of record is known to be the staging area of the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the ~~County of~~ Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

## VI. CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

## VII. RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property maintain **TENTATIVE APPROVAL** for acquisition and/or the establishment of a conservation easement.

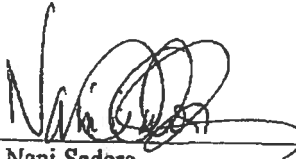
The Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in July 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

TMK: (4) 1-8-008:065  
February 8, 2018  
Page 5 of 5

By   
Nani Sadora  
Planner

Date: 4/6/18

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 4/10/18

## EXHIBIT A

### Property Research

Blood In The Fields: The  
Hanapēpē Massacre And  
The 1924 Filipino Strike



*Pablo Manlapit, labor leader and self-made lawyer, couldn't be stopped by arrests, intimidation and exile. (Courtesy of Filipinas Magazine)*

**O**n Sept. 9, 1924, striking Filipino workers from the Makaweli

plantation in Hanapēpē, on the Hawaiian island of Kaua'i, armed themselves with guns, knives, rocks and clubs and plunged headlong into a bloody confrontation with the police. What came to be alternately known as the Battle of Hanapēpē and the Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the state of Hawai'i. And Filipinos figured centrally in almost all of them.

Between 1920 and 1940, Filipinos, making the greatest sacrifices, led the struggle of Hawai'i's working class for the democratic right to belong to a union and for an end to racial discrimination and the feudal practices of plantation bosses.

When Filipinos first arrived in Hawai'i at the turn of the century, they found a colonial backwater dominated by a small elite of *haule* (white) businessmen whose corporations were known as the Big Five—Castle & Cooke, Theo H. Davies, Alexander and Baldwin, C. Brewer and Amfac. The Big Five controlled the islands' economy and politics, following the overthrow of the Hawaiian Kingdom and annexation by the United States in 1898. At the bottom of society were the masses of immigrants and Hawaiian laborers who produced the wealth of the islands.

The plantation system was sharply divided not only along class lines, but also along race and nationality. The Hawai'i Sugar Planters Association (HSPA) skillfully practiced divide-and-rule by deliberately recruiting workers of different nationalities and races, and abetting cultural and linguistic differences by housing workers in segregated camps: *Pake* (Chinese), Japanese, *Pudagee* (Portuguese), Spanish and Filipino. Work assignments and wages were often determined by race.

By the 1920s, the Chinese, Japanese and Koreans—who had suffered bitter defeats in earlier strikes—were leaving plantations for better jobs and pay in Honolulu and other big towns, or migrating to the U.S. mainland. To make up for the loss of workers, the HSPA encouraged the immigration of more than 100,000 Filipinos to Hawai'i between 1910 and 1932.

Once the Filipinos arrived, they were distributed among 40 HSPA-affiliated plantations on the islands of Kaua'i, O'ahu, Maui, Moloka'i, Lana'i and the Big Island of Hawai'i, drastically changing the ethnic composition of the plantations. In 1915, Filipinos constituted only 19 percent of the work force, the Japanese, 54 percent. By 1932, only 19 percent of the plantation workers were Japanese and nearly 70 percent were Filipino.

Most Filipino workers were from the Ilocos provinces and the Visayan islands. Between 1916 and 1928, HSPA labor recruiters brought 66,436 Filipinos to the islands. Of this number, 37,114 (about 60 percent) came from the four Ilocano provinces of Ilocos Sur, Ilocos Norte, Abra and La Union; 17,799 (or about 27 percent) originated from Cebu, Bohol, Leyte and Negros. About 8,525 reported that they came from Pangasinan and Tarlac. The rest came from 35 other provinces.

**“The Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the State of Hawai'i.”**

HSPA labor recruiters in the Philippines consciously selected uneducated workers of peasant origins. As late as 1930, seven out of ten Filipino plantation workers could neither read nor write. Recruits suspected of having even slight schooling were systematically screened out by the HSPA as potential troublemakers



Most of the early Filipino immigrants were young men who came without parents, wives or children. From 1920 to 1930, the HSPA brought in 65,618 Filipino laborers, while allowing 5,286 women and 3,091 children to accompany the men. The Filipino male to female ratio was almost 14 to 1.

The social handicaps of the early Filipino immigrants made them ideal candidates for the most arduous and monotonous tasks, such as hoeing, planting and weeding during cane planting and cutting, hauling, loading and fluming during harvest. Their lives revolved around the 10-12 hour work day and the factory mill whistle.

It didn't take long before the first wave of Filipino immigrants, like the other nationalities before them, began to rebel against the social and economic conditions they found in paradise.

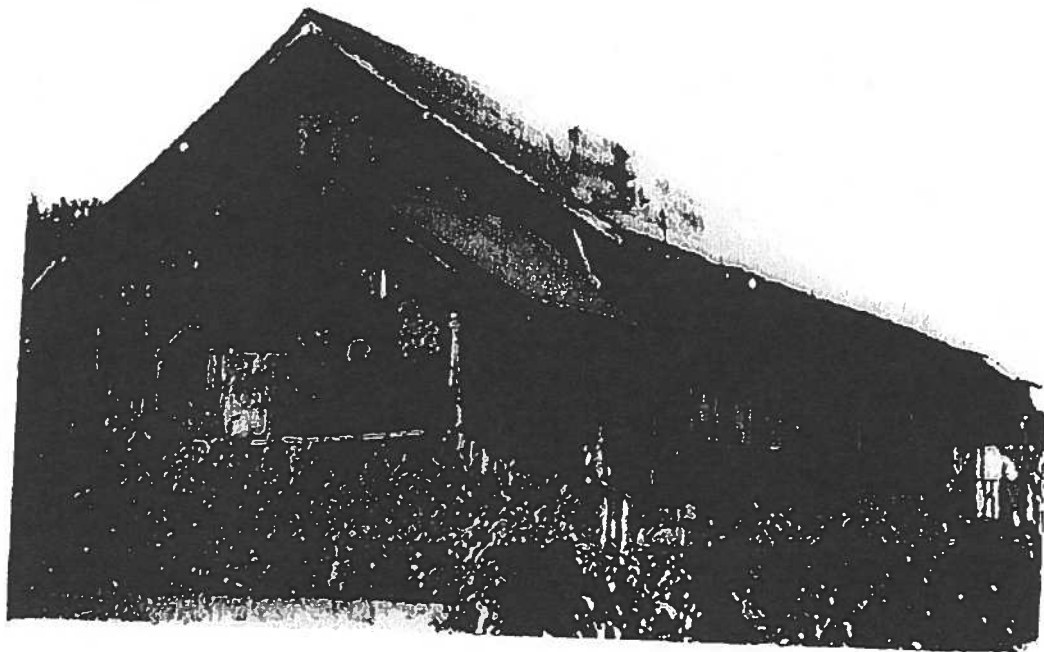
## Blood-Unionism

HSPA's divide-and-rule policy resulted in "blood unionism" among the various ethnic groups. Each group—the Chinese, Japanese, Portuguese, Hawaiians and Filipinos—fought the plantation bosses separately and without coordination. All strikes prior to the establishment of the International Longshore and Warehouse Union (ILWU) in the 1940s ended in tragic and costly defeat for the workers. The exception was the strike of Filipinos on Maui in 1937 led by Vibora Luviminda, the last of the racially-based unions in Hawai'i.

Between 1920 and 1940, Filipinos organized 12 strikes against the sugar barons. The most dramatic and bloodiest of these occurred in 1920, 1924 and 1937. The most important historical figure in Hawai'i's Filipino community before World War II was Pablo Manlapit, the founder of the early Filipino labor movement.

Unlike most Filipino workers, who were Ilocanos or Visayan, Pablo Manlapit was a Tagalog. Born in Lipa, Batangas, Manlapit was five years old when Jose Rizal, the Philippine national hero, was executed by the Spanish in 1896 and eight years old when the Philippine-American War began in February 1898. Manlapit came to Hawai'i as a 19-year-old in 1910. He had completed grade school in the Philippines but was somehow able to convince labor recruiters that he was a suitable worker. He was assigned to a plantation on the island of Hawai'i but was soon dismissed. He moved to the town of Hilo, where he started two newspapers and ran a pool hall. Later, he moved to Honolulu and worked as a salesman and stevedore. Manlapit became an interpreter and janitor in a legal office, where he studied law. In 1918, he qualified as a District Court Practitioner, becoming the first Filipino lawyer in Hawai'i.

A labor historian wrote that Manlapit was "an eloquent agitator, but an incapable administrator." For all his faults, Manlapit had charisma, and elderly Filipinos still speak of him with awe and respect.



A plantation-era house

Mestizo-looking and tall for a Filipino—he was six feet tall—Manlapit tirelessly represented Filipino workers in their grievances against their employers, becoming enormously popular among Filipinos throughout the territory. He also drew the attention and hatred of the HSPA.

In 1919, Manlapit traveled from island to island recruiting members into the Filipino Labor Union (FLU). In 1920, Manlapit and Japanese labor leaders formed the Higher Wage Movement. Following the HSPA's rejection of their demands for better wages, improved working conditions and equal pay for the same work regardless of race and sex, Manlapit and the Japanese labor leaders asked their respective unions to strike. It was the first time unions representing different nationalities united in a joint strike with a common demand.

Filipinos and Japanese workers left the fields and kept the mills idle in Waipahu, Waialua, Ewa, Kahuku and Waimānalo. At the height of the strike, the HSPA's hired goons evicted more than 12,000 workers from their plantation housing.

But the strike was broken when Manlapit suddenly pulled the Filipinos out of it due to an apparent dispute with the Japanese leaders. The HSPA took advantage of the split by spreading rumors and intrigues to demoralize the strikers.

The first interracial strike in the history of Hawai'i lasted three months, with the HSPA spending several million dollars to crush it. The defeat dealt a severe blow to the Japanese union, and it would be another 20 years before it would again play a central role in Hawai'i's labor movement.

## The Higher Wage Movement

After the defeat of the 1920 strike, Manlapit started a new labor organization with the help of George Wright, later to become the English editor of the *Hawaii Hochi*, the Japanese community newspaper. The HSPA had Manlapit thrown in jail twice and made it difficult for him to practice law. Undaunted, Manlapit continued visiting various plantations to forge the Filipino Higher Wage Movement.

The Movement petitioned the HSPA in 1923 for a \$2-a-day, 40-hour work week and an end to abuses. The HSPA ignored these demands. Manlapit appealed to the colonial Philippine government to send a labor commissioner to investigate the working conditions in Hawaii and to mediate between the planters and the Filipino workers. Governor General Leonard Wood appointed former Ilocos Norte governor Cayetano Ligot as special investigator.

Escorted by HSPA officials, Ligot paid token visits to several plantations. In an authoritative statement on the situation of Filipino laborers in Hawai'i, Ligot blamed the Filipinos themselves for their troubles. They were too unstable, said Ligot, and had fallen prey to parasitic gamblers and con men who snuck into the plantations to disrupt their otherwise pleasant situation. Management, he said, was doing its best to provide wholesome working conditions and decent wages. He urged his compatriots to give their services wholeheartedly to the plantations to bring honor to the Filipino people. Ligot concluded his report by attacking the activities of Filipino labor leaders, especially Manlapit.

Ligot was only one of many labor commissioners sent by the colonial government in Manila who would work hand in glove with the HSPA against the interest of Filipino workers. While Ligot was discouraging Filipino workers from fighting to get more than their \$20 a month wage, his report included a request to increase his monthly salary to \$250. Ligot's subservience earned him notoriety among Filipinos in Hawai'i. Filipino

old-timers still speak jokingly of “mistake Ligot” when something goes wrong over matters which they have little or no control.

## The 1924 Hanapēpē Massacre

In April 1924, one month after Ligot’s report was made public, Manlapit called on all Filipino workers to walk out and strike. Twelve thousand Filipinos from 23 of the 45 plantations went on a long, violent and tragic strike that would last eight months.

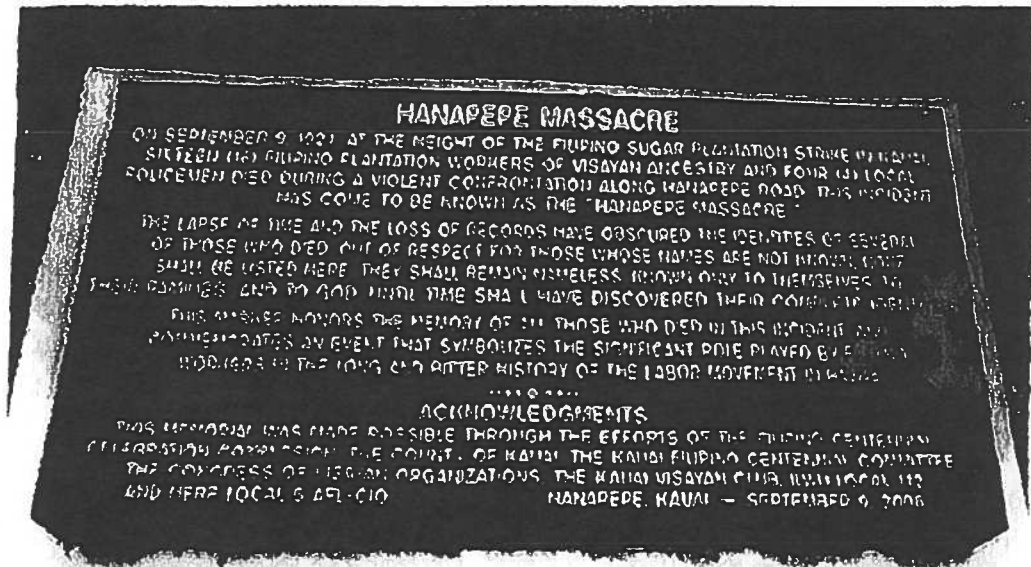
The strike was doomed from the start. The HSPA again employed its time-tested weapon of divide-and-rule. This time they pitted Filipinos against Filipinos—Ilocanos against Visayans. Ilocano laborers were recruited from the Philippines as strikebreakers. The tragic scene of striking Filipino workers and their families being evicted from their plantation-owned houses and replaced with newly arrived workers from the Philippines was repeated throughout the islands.

Thousands of strikers pitched tents near beaches and sugarcane fields. HSPA agents set up an elaborate spy network to infiltrate strike meetings, sow dissension and break up rallies. The plantation bosses adeptly used bribes as well as actual physical beatings.

What became the bloodiest incident in the history of labor in Hawai‘i occurred in Hanapēpē on the island of Kaua‘i on Sept. 9, 1924. Strikers at the Makaweli plantation armed themselves with guns, cane knives, rocks and clubs and captured two Ilocano strikebreakers. Kaua‘i Sheriff William Rice led a posse to this camp on the banks of a small river just above the town of Hanapēpē to demand the release of the captured scabs.

The strikers resisted, and a battle ensued lasting several days. When the smoke cleared, 16 Filipinos and four policemen were dead and scores wounded. At Sheriff Rice’s request, Gov. Farrington sent two machine-gun

squads and rifle companies of the National Guard to Kaua'i. The National Guard restored order, arresting more than 100 strikers. Seventy-six Filipinos were brought to trial, and 60 were given four-year sentences.



The marker commemorating the sacrifice of Filipino workers in the history of Hawaii's Labor Movement (Photo by Mona Lisa Yuchengco)

Manlapit and Cecil Basan, another prominent Filipino labor leader, were sentenced to ten years, even though the two men weren't even present in Kaua'i during the massacre. Years later, one elderly Filipino woman, then a nurse at the immigration station in Honolulu, stated that several witnesses, who had been promised \$10,000 each and a ticket back to the Philippines, testified falsely against Manlapit and Basan.

The Hawai'i Hochi wrote that Manlapit had been railroaded into prison, a victim of made-up evidence, perjured testimony, racial prejudice and class hatred. Manlapit was exiled from Hawai'i and left for California where he stayed until 1932. With Filipino leaders jailed or exiled and their

organization shattered, the strike of 1924 continued ineffectively, albeit heroically, for another three months.

## The 1937 Maui Strike

Labor activity on the plantations declined until the height of the Great Depression in 1933, when Manlapit returned from his exile. Together with Antonio Fagel and Epifanio Taok, Manlapit formed a new Filipino Labor Union. To avoid a repeat of 1924, the HSPA made a preemptive move by jailing Taok and banishing Manlapit permanently to the Philippines in 1935.

Fagel took the union underground and renamed it Vibora Luviminda. Vibora was the *nom de guerre* of the Filipino patriot Artemio Ricarte, who fought in the Philippine revolution against Spain and refused to sign an oath of loyalty to the United States. Luviminda stood for Luzon, Visayas and Mindanao—signifying the unity of the Filipinos. In 1936, Fagel brought Vibora Luviminda out into the open and launched a strike at Pu'unēnē plantation on Maui. Three thousand Filipinos joined the strike. With the Depression still at its height, the HSPA hired scabs from the massive ranks of the unemployed. The Philippine Commissioner in Washington sent a wire, as did President Manuel Quezon, to the striking Filipinos calling on them to return to work. After three months, the HSPA negotiated with the union to end the strike, a first in Hawai'i's history. The striking workers won a 15-percent wage increase.

In the midst of the negotiations, however, Fagel was arrested on trumped-up charges of kidnapping a Filipino strikebreaker. Fagel and seven other strike leaders were brought to trial, which dragged on for months. They were found guilty and sent to jail. The Vibora Luviminda, the last of Hawai'i's racial union, then fell into disarray, making the Pu'unēnē strike the last racial strike in Hawai'i.

The Vibora Luviminda strike of 1937 also marked the first time that haole labor leaders extended strike support to plantation workers. Jack Hall, the founder of the ILWU, who was sent to organize Hawaii's waterfront workers by the left-wing Congress of Industrial Organizations (CIO), played a central role in building support for the strike. So did William Bailey, the editor of *The Voice of Labor*, who was also an organizer of the American Communist Party in Hawai'i.

## One Big Union

After 1937, the idea of an industry-wide, interracial union began to take hold among plantation and waterfront workers. The plantation-based Filipino community was drawn into the key social drama unfolding in Hawai'i—the struggle to build one big union. Taking the lessons from the bitter labor wars waged by Filipinos between 1920 and 1940, the ILWU started its drive to unite Hawai'i's ethnically diverse working class under the slogan, "An injury to one is an injury to all."

The years following World War II saw epic battles between Hawai'i's workers—led by the ILWU—and the Big Five: the three-month-long 1946 Sugar Strike, the 1947 Pineapple Strike; the bitter six-month-long 1949 Long-Shore Strike and the four-month-long 1958 Sugar Strike. The ILWU won each time.

As the largest ethnic group on the plantations, Filipinos played a crucial role in the outcome of these historic events. The question of victory or defeat hinged on their unity and determination to stand behind their left-wing unions, which often came under intense anti-communist attacks. With the ILWU firmly established as a political and economic force in Hawaii, those in power have had to listen with begrudging respect to the voice of the Filipino plantation workers. Hawai'i's sugar and pineapple workers would emerge as the highest-paid agricultural workers in the world. The lowest paid sugar and pineapple workers in the field earn more than nine



dollars an hour. They have comprehensive medical plans, paid holidays and vacation and receive sick and severance pay. They're entitled to workmen's compensation if they get injured on the job, and are covered by the state's collective bargaining law. Hawaii is the only state in which all workers in large-scale agricultural enterprises are organized in a labor union and have been for nearly 50 years.

But the captains of Hawaii's agribusiness never fully reconciled themselves with labor's gains. Firms such as Castle & Cooke, Dole and Del Monte have shifted practically all of their sugar and pineapple operations to countries such as the Philippines, Thailand and Costa Rica, where they can pay workers one-tenth of the wages earned by Hawaii's workers. After World War II, there were 36 sugar and nearly a dozen pineapple plantations employing more than 35,000 workers. Today, there are only four sugar and two pineapple plantations operating in Hawaii, employing fewer than 2,000 people. The decline helps mask the islands' history of epic labor struggles, a tumultuous past in which Filipinos played a heroic role.

*The editors would like to thank Oscar Peñaranda and Jeanette Gaudionco Lazam for pointing out our error: the Hanapepe Massacre happened in 1924 not 1942, as we originally posted. We have made the correction. We apologize for our mistake.*



**Sean Alegado**

*Dean Alegado was a professor in ethnic studies and director of the Center for Philippines Studies in the School for Hawaiian, Asian and Pacific Studies at the University of Hawaii in Honolulu. He currently lives in Subic, Philippines.*

*Reprinted from Filipinas Magazine, October 1997.*

**EXHIBIT III**

**Supplemental Report #4 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #4 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the last communications to the Commission, supplement report #3 dated November 2018, the Department continues to have a difficult time getting a response from the Land Owner. Previous contact has since retired and temporarily being handled by Scott Kimball. Email communications sent December 2018, February 2019, March 2019 and April 2019.
  - a. On April 24, 2019, the Department received an email response from Scott Kimball on behalf of the Land Owner. We were able to communicate via phone conversation and per Mr. Kimball the appraisal amount offer for purchase is not an acceptable offer at this time. Asking that the Commission consider increasing its offer or include a possible land swap of County owned property for equal or higher land value for possible consideration.
  - b. The Department reviewed the potential for the County of Kaua'i land swap and there are no options of this type of offer for the Commission to consider.
  - c. Communication sent to Land Owner to provide an offer for sale.
2. On June 7, 2019, the Department received email communications from Land Owner and an offer to sell the property for \$430,000.00.

TMK: (4) 1-8-008:065

May 9, 2019

Page 2 of 2

By \_\_\_\_\_

Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_

KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_

**EXHIBIT IV**

**Supplemental Report #5 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #5 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2764 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the south by Kaumualii Highway; it is bordered to the west by Moi Road, and it is bordered to the north and east by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the Commissions last supplemental report dated June 2019, the Commission continues to support by unanimous vote to proceed with negotiations to acquire.
  - a. The Department continues to have a difficult time getting any response from the Land Owner.
  - b. Email and voice mail communications have been made to the Land Owner to set up a meeting on O'ahu for further negotiations and the Department has not received any response. Last voice mail and email communication were sent on October 9, 2019.
2. The Department has recently been made aware of an article first appearing in a Garden Island newspaper on September 9, 2019, "Hanapēpē War" and a more recent article on September 27, 2019 "The Hanapēpē Massacre Mystery" that is now being researched by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society to produce a new documentary.
  - a. In light of this new information, it is the Department's recommendation to defer this matter to allow the Department to reach out to the group conducting this research to get further input.

### III. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered.

1. There is an expressed interest and consideration on behalf of the landowner to sell.
2. Given the property's historical significance, the acquisition of the property does fulfill the following Commission purposes:
  - a. Preserving of cultural and historic sites;
  - b. Improving access to public land and open space;
  - c. Acquiring access to public land and open space;
  - d. Conserve land open space and scenic values.
3. Additional time is needed to allow completion of a new documentary and research by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society.

### IV. RECOMMENDATION

Based on the foregoing additional findings and preliminary evaluation it is hereby recommended that the subject property be **DEFERRED** for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.



By \_\_\_\_\_  
Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_  
KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_

**DEPARTMENT OF PLANNING**

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR  
MICHAEL A. DAHLIG, MANAGING DIRECTOR

**Public Access, Open Space, and Natural Resources Preservation  
Fund Commission ("Open Space Commission")**

The Preliminary Report and Supplemental Reports that were previously transmitted to the Open Space Commission regarding this property identified as Tax Map Key (4)1-8-008: 071 are attached as Exhibits. To date, the property owner has not yet responded to the Planning Department's letter that renewed its inquiry regarding the owner's willingness to sell the property to the County.

**I. RECOMMENDATION**

Based on the foregoing the recommends that consideration of acquiring the subject property be **DEFERRED**. If the Planning Department does not receive communication from the landowner in response to its inquiry within the next months, it will prepare an updated report that analyzes the proposal to acquire the property in an adversarial manner unless the Commission directs otherwise.

By   
JODI A. HIGUCHI SAYAGUSA  
Deputy Director of Planning

Date: 5/31/22

**I.2.**

JUN 09 2022

# **EXHIBIT I**

**Preliminary Report Dated January 5, 2018**

Michael A. Dahilig  
Director of Planning



Ka'aina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

PRELIMINARY REPORT

I. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	Hanapepe		
Tax Map Key(s):	(4) 1-8-008:071	Area:	0.2867
LAND USE DESIGNATIONS & VALUES			
Zoning:	R-6		
State Land Use District:	Urban		
General Plan Designation:	Residential		
Assessed Value:	\$269,900		
Market Value:	\$269,900		
Appraised Value:	To Be Determined		
Owner(s):	Kaua'i Petroleum Co LTD		
Owner Response:			
Date Public Recommendation Received:	December 18, 2017		

II. PROJECT DESCRIPTION AND USE

The subject lot of record is a 0.3709 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

### III. AGENCY COMMENTS

Forthcoming

### IV. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community the subject lot of record is known to be the staging area of what is known as the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

### V. PRELIMINARY CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

### VI. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property receive **PRELIMINARY APPROVAL** for acquisition and/or the establishment of a conservation easement.

TMK: (4) 1-8-008:071

December 29, 2017

Page 3 of 3


If granted preliminary approval, the Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in March 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 1/5/18

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EXHIBIT A

Real Property Assessment



<a href="#">Recent Sales in Neighborhood</a>		<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>		<b>Owner and Parcel Information</b>			
<b>Owner Name/ Type</b>	KAUAI PETROLEUM CO LTD / Fee Owner		<b>Today's Date</b>	December 29, 2017	
<b>Mailing Address</b>	3011 AUKELE ST STE C LIHUE, HI 96766		<b>Parcel Number</b>	180080710000	
<b>Location Address</b>	HANAPEPE RD		<b>Project Name</b>		
<b>Tax Classification</b>	COMMERCIAL		<b>Parcel Map</b>	<a href="#">Show Parcel Map</a>	
<b>Neighborhood Code</b>	1811-3		<b>Land Area (acres)</b>	0.2867	
<b>Legal Information</b>			<b>Land Area (approximate sq ft)</b>	12,490	

<b>Assessment Information</b>		<a href="#">Show Historical Assessments</a>			
<b>Year</b>	<b>Tax Classification</b>	<b>Total Market Value</b>	<b>Total Assessed Value</b>	<b>Total Exemption</b>	<b>Total Net Taxable Value</b>
2018	COMMERCIAL	\$ 269,900	\$ 269,900	\$ 0	\$ 269,900

**Improvement Information**  
No improvement information available for this parcel.

<b>Other Building and Yard Improvements</b>			
<b>Description</b>	<b>Quantity</b>	<b>Year Built</b>	<b>Area</b>
No information associated with this parcel.			

**Permit Information**  
No permit information associated with this parcel.

<b>Date</b>	<b>Permit Number</b>	<b>Reason</b>	<b>Permit Amount</b>
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**Sales Information**  
No sales information associated with this parcel.

<b>Sale Date</b>	<b>Price</b>	<b>Instrument #</b>	<b>Instrument Type</b>	<b>Instrument Description</b>	<b>Date Recorded</b>	<b>Document #</b>	<b>Cert #</b>	<b>Book/Page</b>	<b>Conveyance Tax</b>	<b>Document Type</b>
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<b>Current Tax Bill Information</b>			<b>2017 Tax Payments</b>		<b>Show Historical Taxes</b>				
<b>Tax Period</b>	<b>Description</b>	<b>Original Due Date</b>	<b>Taxes Assessment</b>	<b>Tax Credits</b>	<b>Net Tax</b>	<b>Penalty</b>	<b>Interest</b>	<b>Other</b>	<b>Amount Due</b>
2017-2	Real Property Tax	02/20/2018	\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09
<b>Tax Bill with Interest computed through 12/31/2017</b>			\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09

<a href="#">Recent Sales in Neighborhood</a>	<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>				

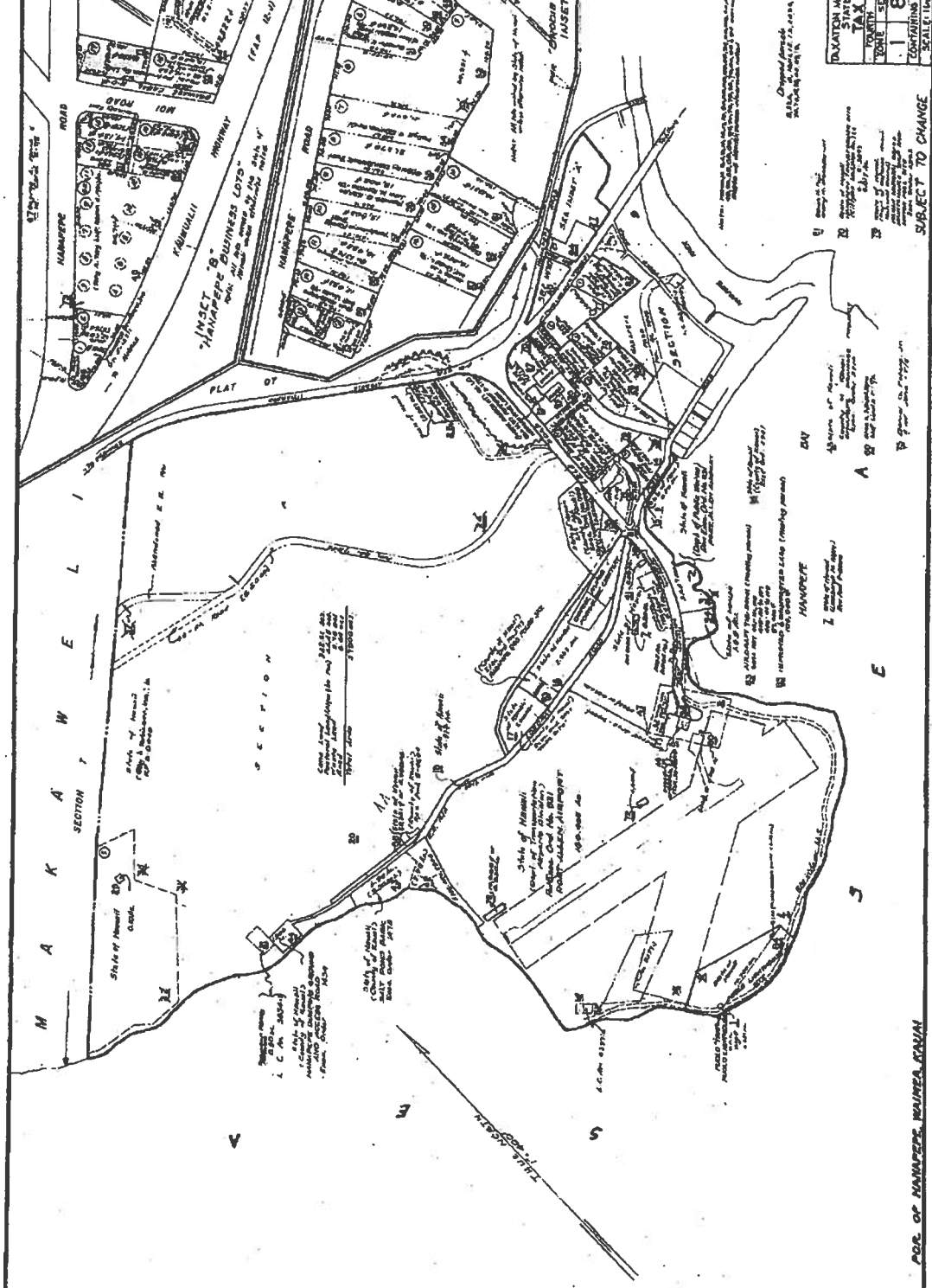
The Kauai County Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: December 29, 2017



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**EXHIBIT B**

**Tax Map Key (TMK) Map**



QUANTEN MAPS BRANCH	
TAX MAP	
COUNTY	HAWAII
TOWN	MAUI
SECTION	1808
CONTAINING	PARCELS
SCALE 1/4" = 100'	

SUBJECT TO CHANGE

POC OF MANAPAPA, MAUI, HAWAII

MANAPAPA, MAUI, HAWAII. This map shows the boundaries of the various parcels of land in the Manapapa area, Maui, Hawaii. The parcels are numbered and color-coded. The map is oriented with North at the top. A scale bar is located at the bottom left, and a north arrow is at the bottom right. The map is surrounded by a double-line border with the text '1808' at the top and '1808' at the bottom.

## EXHIBIT II

Supplemental #3 to Preliminary Report dated  
November 5, 2018, which contains Supplemental  
Reports #2 and #1

**Michael A. Dahilig**  
Director of Planning



**Ka'aina S. Hull**  
Deputy Director of Planning

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #3 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2867 acre parcel located in Hanapepe. Hanapēpē Ahupua'a. Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on October 11, 2018, the Commission requested an update on communications with regards to negotiations with the Land Owner following its transmittal of the appraisal on 8/13/18.
  - a. Received communication back from Land Owner, they are in receipt of the appraisal and will be conducting an appraisal of their own. Upon completion of their appraisal, they will be contacting us to continue negotiations.

By \_\_\_\_\_

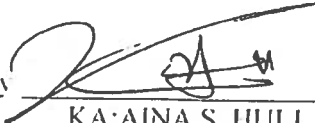
Nani Sadora  
Planner

Date: \_\_\_\_\_

11/5/18

TMK: (4) 1-8-008:071  
November 2, 2018  
Page 2 of 2

Approved & Recommended to Commission:

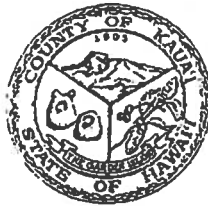
By   
KA'AINA S. HULI  
Deputy Director of Planning

Date: 11/2/18

# EXHIBIT A

Supplemental #2 to Preliminary Report

Michael A. Dahilig  
Director of Planning



Ka'āina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

SUPPLEMENTAL #2 to PRELIMINARY REPORT

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2867 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. In its Public Access, Open Space and Natural Resources Preservation Commission meeting held on April 12, 2018, the Commission received an Appraisal Report and is communicating negotiations with the Land Owner for acquisition. This Appraisal Report could be grounds for preliminary offer should Council want to take action for this acquisition.
2. The Department is continuing its research with the Hanapēpē Community Association and the Filipino Community for input regarding the commemorative memorial and a possible stewardship agreement to maintain the property. Additional research would be necessary to engage in outreach and in locating such entities willing to undertake and support such a project.

**III. AGENCY COMMENTS**

Forthcoming

**IV. EVALUATION**

In reviewing the proposed project site for acquisition, the following should be considered:

1. The Department is in receipt of an Appraisal of the subject lot of record and have several scheduled meetings along with transmitting the appraisal amounts to the Land Owner.
2. Upon concluding negotiations, the Department shall report to the Commission for action.
3. Should the Commission maintain their recommendation for acquisition, the Department could send communications by way of a dossier to County Council to include the appraisal report which could be grounds for Council consideration for acquisition.

#### V. CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- The Department shall communicate with the Land Owner and Commission for an agreed market value, should the Commission maintain their recommendation for acquisition the Department will send communications by way of a dossier to County Council for consideration for acquisition.

#### VI. RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property maintain **TENTATIVE APPROVAL** for acquisition and/or the establishment of a conservation easement.

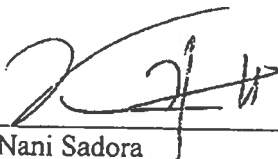
The Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in September 2019.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:




- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

By   
Nani Sadora  
Planner

Date: 8/9/18

Approved & Recommended to Commission:

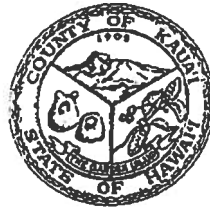
By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 8/9/18

## EXHIBIT A

Supplemental #1 to Preliminary Report

Michael A. Dahilig  
Director of Planning



Ka'aina S. Hull  
Deputy Director of Planning

COUNTY OF KAUA'I  
PLANNING DEPARTMENT

PRELIMINARY REPORT

I. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	Hanapepe		
Tax Map Key(s):	(4) 1-8-008:071	Area:	0.2867
LAND USE DESIGNATIONS & VALUES			
Zoning:	R-6		
State Land Use District:	Urban		
General Plan Designation:	Residential		
Assessed Value:	\$269,900		
Market Value:	\$269,900		
Appraised Value:	To Be Determined		
Owner(s):	Kaua'i Petroleum Co LTD		
Owner Response:			
Date Public Recommendation Received:	December 18, 2017		

II. PROJECT DESCRIPTION AND USE

The subject lot of record is a 0.3709 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

### III. AGENCY COMMENTS

Forthcoming

### IV. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered:

1. The subject lot of record could be considered for acquisition for its historical significance. In the Hanapēpē community the subject lot of record is known to be the staging area of what is known as the Hanapēpē Massacre, also called the Battle of Hanapepe of the 1920's. The massacre occurred as part of the Filipino efforts to unionize the sugar plantation workers. Acquisition of this parcel may be an opportunity for the Hanapēpē community and Kaua'i as a whole to recognize the labor struggles and prominent role migrant Filipino workers played in Kaua'i's history.
2. The establishment and maintenance of a memorial honoring those lives lost in the Hanapēpē Massacre may require partnering with a private entity. Additional research would be necessary to engage in outreach and locating such entities willing to undertake and support such a project.
3. Pursuant to Section 1-5-5 of the Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission, there do not appear to be any prohibitive factors for acquisition of the subject property.

### V. PRELIMINARY CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes the following:

- Acquisition of the subject property fulfills at least one of the Commission's purposes for preservation of historic or culturally important land areas.
- The cost for the acquisition may be commensurate to the public interest served.
- The process for the acquisition may be commensurate to the public interest served.

### VI. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that the subject property receive **PRELIMINARY APPROVAL** for acquisition and/or the establishment of a conservation easement.

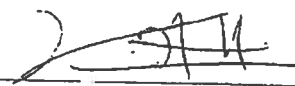
If granted preliminary approval, the Department will initiate further research to determine the specific cost and process for acquisition and/or the establishment of a conservation easement.

1. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is commensurate to the public interest served, the Department will be issuing a final review and evaluation at least 90 days prior to the first Commission meeting in March 2018.
2. If further research demonstrates that the cost and process of acquisition and/or the establishment of a conservation easement is not commensurate to the public interest served, the Department will notify the Commission of its findings and recommend the Commission decline further review of the subject property for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response to an inquiry for acquisition.

Approved & Recommended to Commission:

By   
KA'AINA S. HULL  
Deputy Director of Planning

Date: 1/5/18

## EXHIBIT A

# Real Property Assessment



<a href="#">Recent Sales in Neighborhood</a>		<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>					

<b>Owner and Parcel Information</b>			
Owner Name/ Type	KAUAI PETROLEUM CO LTD / Fee Owner	Today's Date	December 29, 2017
Mailing Address	3011 AUKELE ST STE C LIHUE, HI 96766	Parcel Number	180080710000
Location Address	HANAPEPE RD	Project Name	
Tax Classification	COMMERCIAL	Parcel Map	<a href="#">Show Parcel Map</a>
Neighborhood Code	1811-3	Land Area (acres)	0.2867
Legal Information		Land Area (approximate sq ft)	12,490

<b>Assessment Information</b>					<a href="#">Show Historical Assessments</a>
Year	Tax Classification	Total Market Value	Total Assessed Value	Total Exemption	Total Net Taxable Value
2018	COMMERCIAL	\$ 269,900	\$ 269,900	\$ 0	\$ 269,900

**Improvement Information**  
No improvement information available for this parcel.

<b>Other Building and Yard Improvements</b>			
Description	Quantity	Year Built	Area
No information associated with this parcel.			

<b>Permit Information</b>			
Date	Permit Number	Reason	Permit Amount
No permit information associated with this parcel.			

<b>Sales Information</b>										
Sale Date	Price	Instrument #	Instrument Type	Instrument Description	Date Recorded	Document #	Cert #	Book/Page	Conveyance Tax	Document Type
No sales information associated with this parcel.										

<b>Current Tax Bill Information</b>			<b>2017 Tax Payments</b>		<b>Show Historical Taxes</b>				
Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2017-2	Real Property Tax	02/20/2018	\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09
Tax Bill with Interest computed through 12/31/2017			\$ 1,093.09	\$ 0.00	\$ 1,093.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,093.09

<a href="#">Recent Sales in Neighborhood</a>		<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Return to Main Search Page</a>	<a href="#">Kauai Home</a>
<a href="#">Recent Sales in Area</a>					

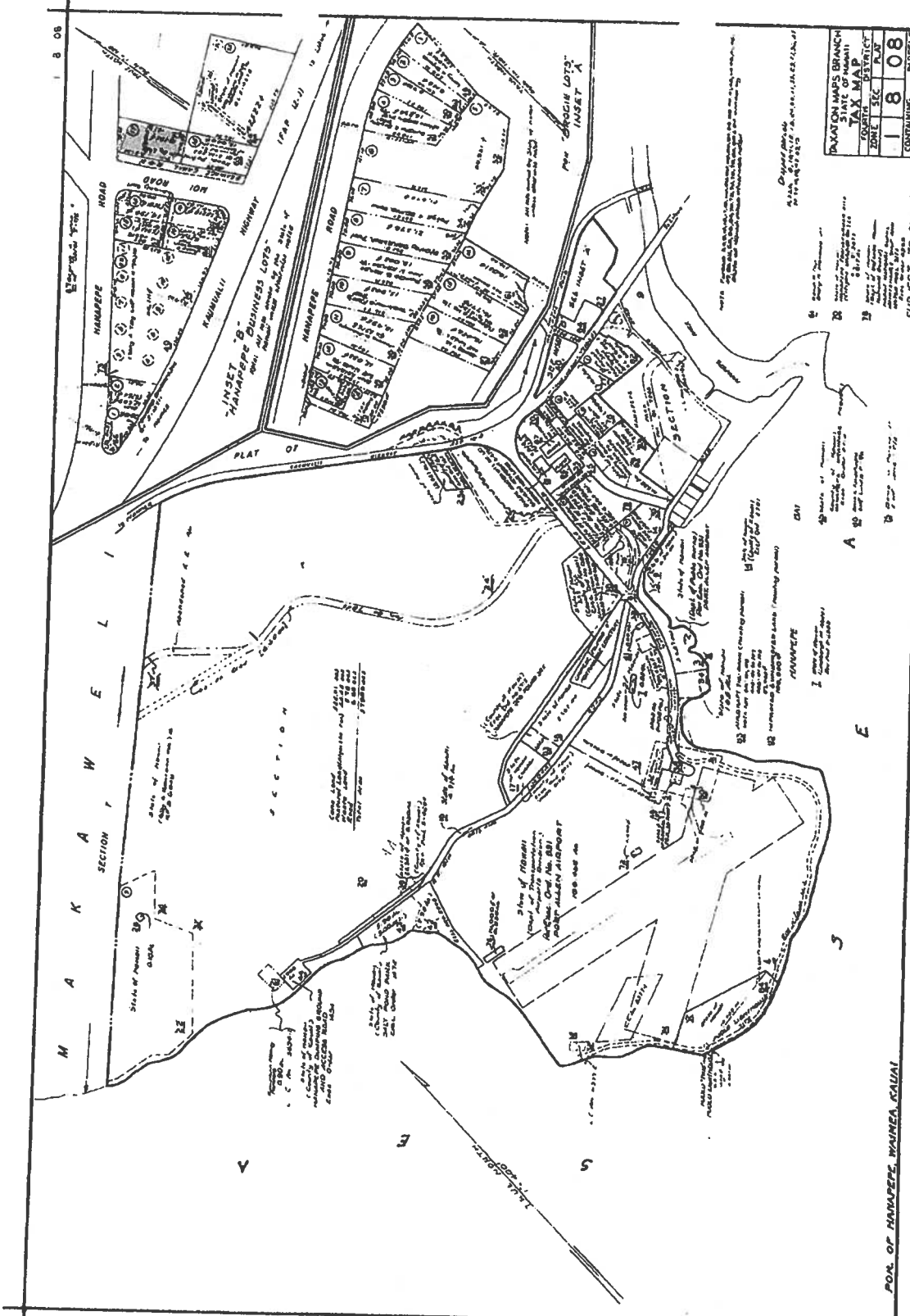
The Kauai County Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: December 29, 2017

## EXHIBIT B

Tax Map Key (TMK) Map



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DIVISION MAPS BRANCH STATE OF HAWAII	
COUNTY OF KAUAI	
ZONE SEC. PLAT	
1808	
CONTINUING	INDEXES
SCALE 1" = 400'	PH1116

SUBJECT TO CHANGE

POB. OF HANALEI, KAUAI, HAWAII

EXHIBIT A

Property Research

Blood In The Fields: The  
Hanapēpē Massacre And  
The 1924 Filipino Strike



Pablo Manlapit, labor leader and self-made lawyer, couldn't be stopped by arrests, intimidation and exile. (Courtesy of Filipinas Magazine)

**O**n Sept. 9, 1924, striking Filipino workers from the Makaweli

plantation in Hanapēpē, on the Hawaiian island of Kaua'i, armed themselves with guns, knives, rocks and clubs and plunged headlong into a bloody confrontation with the police. What came to be alternately known as the Battle of Hanapēpē and the Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the state of Hawai'i. And Filipinos figured centrally in almost all of them.

Between 1920 and 1940, Filipinos, making the greatest sacrifices, led the struggle of Hawai'i's working class for the democratic right to belong to a union and for an end to racial discrimination and the feudal practices of plantation bosses.

When Filipinos first arrived in Hawai'i at the turn of the century, they found a colonial backwater dominated by a small elite of *haole* (white) businessmen whose corporations were known as the Big Five—Castle & Cooke, Theo H. Davies, Alexander and Baldwin, C. Brewer and Amfac. The Big Five controlled the islands' economy and politics, following the overthrow of the Hawaiian Kingdom and annexation by the United States in 1898. At the bottom of society were the masses of immigrants and Hawaiian laborers who produced the wealth of the islands.

The plantation system was sharply divided not only along class lines, but also along race and nationality. The Hawai'i Sugar Planters Association (HSPA) skillfully practiced divide-and-rule by deliberately recruiting workers of different nationalities and races, and abetting cultural and linguistic differences by housing workers in segregated camps: *Pake* (Chinese), Japanese, *Pudagee* (Portuguese), Spanish and Filipino. Work assignments and wages were often determined by race.

By the 1920s, the Chinese, Japanese and Koreans—who had suffered bitter defeats in earlier strikes—were leaving plantations for better jobs and pay in Honolulu and other big towns, or migrating to the U.S. mainland. To make up for the loss of workers, the HSPA encouraged the immigration of more than 100,000 Filipinos to Hawai'i between 1910 and 1932.

Once the Filipinos arrived, they were distributed among 40 HSPA-affiliated plantations on the islands of Kaua'i, O'ahu, Maui, Moloka'i, Lana'i and the Big Island of Hawai'i, drastically changing the ethnic composition of the plantations. In 1915, Filipinos constituted only 19 percent of the work force, the Japanese, 54 percent. By 1932, only 19 percent of the plantation workers were Japanese and nearly 70 percent were Filipino.

Most Filipino workers were from the Ilocos provinces and the Visayan islands. Between 1916 and 1928, HSPA labor recruiters brought 66,436 Filipinos to the islands. Of this number, 37,114 (about 60 percent) came from the four Ilocano provinces of Ilocos Sur, Ilocos Norte, Abra and La Union; 17,799 (or about 27 percent) originated from Cebu, Bohol, Leyte and Negros. About 8,525 reported that they came from Pangasinan and Tarlac. The rest came from 35 other provinces.

**“The Hanapēpē Massacre was only one of several dramatic battles that shaped the relationship between labor and capital in the State of Hawai'i.”**

HSPA labor recruiters in the Philippines consciously selected uneducated workers of peasant origins. As late as 1930, seven out of ten Filipino plantation workers could neither read nor write. Recruits suspected of having even slight schooling were systematically screened out by the HSPA as potential troublemakers.

Most of the early Filipino immigrants were young men who came without parents, wives or children. From 1920 to 1930, the HSPA brought in 65,618 Filipino laborers, while allowing 5,286 women and 3,091 children to accompany the men. The Filipino male to female ratio was almost 14 to 1.

The social handicaps of the early Filipino immigrants made them ideal candidates for the most arduous and monotonous tasks, such as hoeing, planting and weeding during cane planting and cutting, hauling, loading and fluming during harvest. Their lives revolved around the 10-12 hour work day and the factory mill whistle.

It didn't take long before the first wave of Filipino immigrants, like the other nationalities before them, began to rebel against the social and economic conditions they found in paradise.

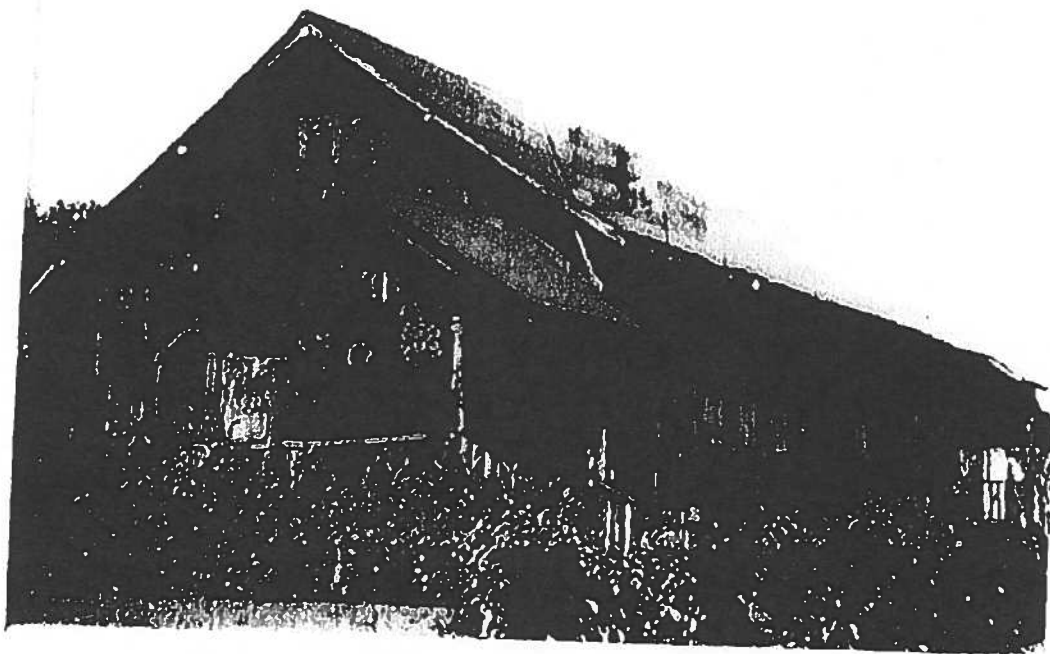
## Blood-Unionism

HSPA's divide-and-rule policy resulted in "blood unionism" among the various ethnic groups. Each group—the Chinese, Japanese, Portuguese, Hawaiians and Filipinos—fought the plantation bosses separately and without coordination. All strikes prior to the establishment of the International Longshore and Warehouse Union (ILWU) in the 1940s ended in tragic and costly defeat for the workers. The exception was the strike of Filipinos on Maui in 1937 led by Vibora Luviminda, the last of the racially-based unions in Hawai'i.

Between 1920 and 1940, Filipinos organized 12 strikes against the sugar barons. The most dramatic and bloodiest of these occurred in 1920, 1924 and 1937. The most important historical figure in Hawai'i's Filipino community before World War II was Pablo Manlapit, the founder of the early Filipino labor movement.

Unlike most Filipino workers, who were Ilocanos or Visayan, Pablo Manlapit was a Tagalog. Born in Lipa, Batangas, Manlapit was five years old when Jose Rizal, the Philippine national hero, was executed by the Spanish in 1896 and eight years old when the Philippine-American War began in February 1898. Manlapit came to Hawai'i as a 19-year-old in 1910. He had completed grade school in the Philippines but was somehow able to convince labor recruiters that he was a suitable worker. He was assigned to a plantation on the island of Hawai'i but was soon dismissed. He moved to the town of Hilo, where he started two newspapers and ran a pool hall. Later, he moved to Honolulu and worked as a salesman and stevedore. Manlapit became an interpreter and janitor in a legal office, where he studied law. In 1918, he qualified as a District Court Practitioner, becoming the first Filipino lawyer in Hawai'i.

A labor historian wrote that Manlapit was "an eloquent agitator, but an incapable administrator." For all his faults, Manlapit had charisma, and elderly Filipinos still speak of him with awe and respect.





A plantation-era house

Mestizo-looking and tall for a Filipino—he was six feet tall—Manlapit tirelessly represented Filipino workers in their grievances against their employers, becoming enormously popular among Filipinos throughout the territory. He also drew the attention and hatred of the HSPA.

In 1919, Manlapit traveled from island to island recruiting members into the Filipino Labor Union (FLU). In 1920, Manlapit and Japanese labor leaders formed the Higher Wage Movement. Following the HSPA's rejection of their demands for better wages, improved working conditions and equal pay for the same work regardless of race and sex, Manlapit and the Japanese labor leaders asked their respective unions to strike. It was the first time unions representing different nationalities united in a joint strike with a common demand.

Filipinos and Japanese workers left the fields and kept the mills idle in Waipahu, Waialua, 'Ewa, Kahuku and Waimānalo. At the height of the strike, the HSPA's hired goons evicted more than 12,000 workers from their plantation housing.

But the strike was broken when Manlapit suddenly pulled the Filipinos out of it due to an apparent dispute with the Japanese leaders. The HSPA took advantage of the split by spreading rumors and intrigues to demoralize the strikers.

The first interracial strike in the history of Hawai'i lasted three months, with the HSPA spending several million dollars to crush it. The defeat dealt a severe blow to the Japanese union, and it would be another 20 years before it would again play a central role in Hawai'i's labor movement.

## The Higher Wage Movement

After the defeat of the 1920 strike, Manlapit started a new labor organization with the help of George Wright, later to become the English editor of the *Hawaii Hochi*, the Japanese community newspaper. The HSPA had Manlapit thrown in jail twice and made it difficult for him to practice law. Undaunted, Manlapit continued visiting various plantations to forge the Filipino Higher Wage Movement.

The Movement petitioned the HSPA in 1923 for a \$2-a-day, 40-hour work week and an end to abuses. The HSPA ignored these demands. Manlapit appealed to the colonial Philippine government to send a labor commissioner to investigate the working conditions in Hawaii and to mediate between the planters and the Filipino workers. Governor General Leonard Wood appointed former Ilocos Norte governor Cayetano Ligot as special investigator.

Escorted by HSPA officials, Ligot paid token visits to several plantations. In an authoritative statement on the situation of Filipino laborers in Hawai'i, Ligot blamed the Filipinos themselves for their troubles. They were too unstable, said Ligot, and had fallen prey to parasitic gamblers and con men who snuck into the plantations to disrupt their otherwise pleasant situation. Management, he said, was doing its best to provide wholesome working conditions and decent wages. He urged his compatriots to give their services wholeheartedly to the plantations to bring honor to the Filipino people. Ligot concluded his report by attacking the activities of Filipino labor leaders, especially Manlapit.

Ligot was only one of many labor commissioners sent by the colonial government in Manila who would work hand in glove with the HSPA against the interest of Filipino workers. While Ligot was discouraging Filipino workers from fighting to get more than their \$20 a month wage, his report included a request to increase his monthly salary to \$250. Ligot's subservience earned him notoriety among Filipinos in Hawai'i. Filipino

old-timers still speak jokingly of "mistake Ligo" when something goes wrong over matters which they have little or no control.

## The 1924 Hanapēpē Massacre

In April 1924, one month after Ligo's report was made public, Manlapit called on all Filipino workers to walk out and strike. Twelve thousand Filipinos from 23 of the 45 plantations went on a long, violent and tragic strike that would last eight months.

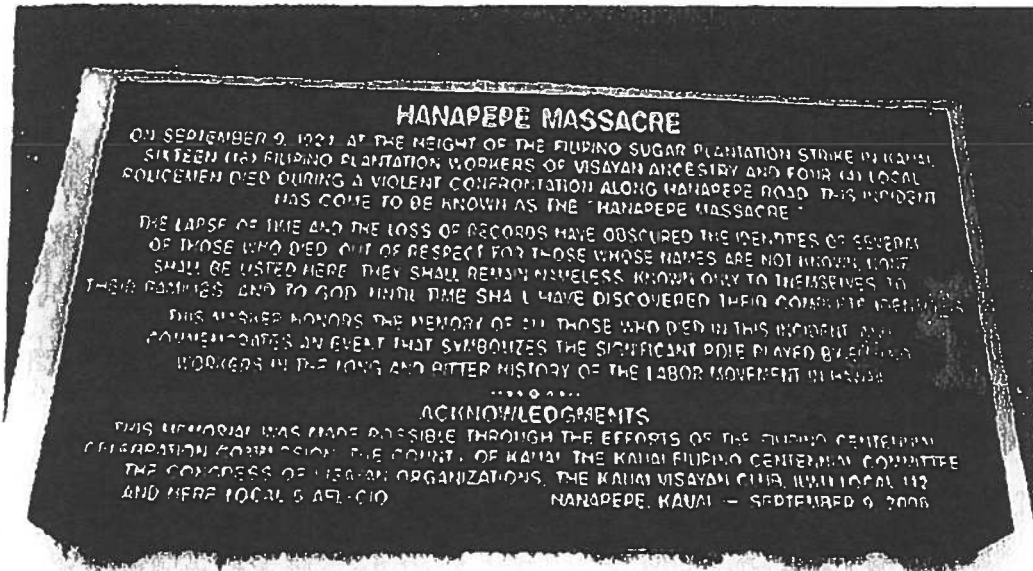
The strike was doomed from the start. The HSPA again employed its time-tested weapon of divide-and-rule. This time they pitted Filipinos against Filipinos—Ilocanos against Visayans. Ilocano laborers were recruited from the Philippines as strikebreakers. The tragic scene of striking Filipino workers and their families being evicted from their plantation-owned houses and replaced with newly arrived workers from the Philippines was repeated throughout the islands.

Thousands of strikers pitched tents near beaches and sugarcane fields. HSPA agents set up an elaborate spy network to infiltrate strike meetings, sow dissension and break up rallies. The plantation bosses adeptly used bribes as well as actual physical beatings.

What became the bloodiest incident in the history of labor in Hawai'i occurred in Hanapēpē on the island of Kaua'i on Sept. 9, 1924. Strikers at the Makaweli plantation armed themselves with guns, cane knives, rocks and clubs and captured two Ilocano strikebreakers. Kaua'i Sheriff William Rice led a posse to this camp on the banks of a small river just above the town of Hanapēpē to demand the release of the captured scabs.

The strikers resisted, and a battle ensued lasting several days. When the smoke cleared, 16 Filipinos and four policemen were dead and scores wounded. At Sheriff Rice's request, Gov. Farrington sent two machine-gun

squads and rifle companies of the National Guard to Kaua'i. The National Guard restored order, arresting more than 100 strikers. Seventy-six Filipinos were brought to trial, and 60 were given four-year sentences.



The marker commemorating the sacrifice of Filipino workers in the history of Hawaii's Labor Movement (Photo by Mona Lisa Yuchengco)

Manlapit and Cecil Basan, another prominent Filipino labor leader, were sentenced to ten years, even though the two men weren't even present in Kaua'i during the massacre. Years later, one elderly Filipino woman, then a nurse at the immigration station in Honolulu, stated that several witnesses, who had been promised \$10,000 each and a ticket back to the Philippines, testified falsely against Manlapit and Basan.

The Hawai'i Hochi wrote that Manlapit had been railroaded into prison, a victim of made-up evidence, perjured testimony, racial prejudice and class hatred. Manlapit was exiled from Hawai'i and left for California where he stayed until 1932. With Filipino leaders jailed or exiled and their

organization shattered, the strike of 1924 continued ineffectively, albeit heroically, for another three months.

## The 1937 Maui Strike

Labor activity on the plantations declined until the height of the Great Depression in 1933, when Manlapit returned from his exile. Together with Antonio Fagel and Epifanio Taok, Manlapit formed a new Filipino Labor Union. To avoid a repeat of 1924, the HSPA made a preemptive move by jailing Taok and banishing Manlapit permanently to the Philippines in 1935.

Fagel took the union underground and renamed it Vibora Luviminda. Vibora was the *nom de guerre* of the Filipino patriot Artemio Ricarte, who fought in the Philippine revolution against Spain and refused to sign an oath of loyalty to the United States. Luviminda stood for Luzon, Visayas and Mindanao—signifying the unity of the Filipinos. In 1936, Fagel brought Vibora Luviminda out into the open and launched a strike at Pu'unēnē plantation on Maui. Three thousand Filipinos joined the strike. With the Depression still at its height, the HSPA hired scabs from the massive ranks of the unemployed. The Philippine Commissioner in Washington sent a wire, as did President Manuel Quezon, to the striking Filipinos calling on them to return to work. After three months, the HSPA negotiated with the union to end the strike, a first in Hawai'i's history. The striking workers won a 15-percent wage increase.

In the midst of the negotiations, however, Fagel was arrested on trumped-up charges of kidnapping a Filipino strikebreaker. Fagel and seven other strike leaders were brought to trial, which dragged on for months. They were found guilty and sent to jail. The Vibora Luviminda, the last of Hawai'i's racial union, then fell into disarray, making the Pu'unēnē strike the last racial strike in Hawai'i.

The Vibora Luviminda strike of 1937 also marked the first time that haole labor leaders extended strike support to plantation workers. Jack Hall, the founder of the ILWU, who was sent to organize Hawaii's waterfront workers by the left-wing Congress of Industrial Organizations (CIO), played a central role in building support for the strike. So did William Bailey, the editor of *The Voice of Labor*, who was also an organizer of the American Communist Party in Hawai'i.

## One Big Union

After 1937, the idea of an industry-wide, interracial union began to take hold among plantation and waterfront workers. The plantation-based Filipino community was drawn into the key social drama unfolding in Hawai'i—the struggle to build one big union. Taking the lessons from the bitter labor wars waged by Filipinos between 1920 and 1940, the ILWU started its drive to unite Hawai'i's ethnically diverse working class under the slogan, "An injury to one is an injury to all."

The years following World War II saw epic battles between Hawai'i's workers—led by the ILWU—and the Big Five: the three-month-long 1946 Sugar Strike, the 1947 Pineapple Strike; the bitter six-month-long 1949 Long-Shore Strike and the four-month-long 1958 Sugar Strike. The ILWU won each time.

As the largest ethnic group on the plantations, Filipinos played a crucial role in the outcome of these historic events. The question of victory or defeat hinged on their unity and determination to stand behind their left-wing unions, which often came under intense anti-communist attacks. With the ILWU firmly established as a political and economic force in Hawaii, those in power have had to listen with begrudging respect to the voice of the Filipino plantation workers. Hawai'i's sugar and pineapple workers would emerge as the highest-paid agricultural workers in the world. The lowest paid sugar and pineapple workers in the field earn more than nine

dollars an hour. They have comprehensive medical plans, paid holidays and vacation and receive sick and severance pay. They're entitled to workmen's compensation if they get injured on the job, and are covered by the state's collective bargaining law. Hawai'i is the only state in which all workers in large-scale agricultural enterprises are organized in a labor union and have been for nearly 50 years.

But the captains of Hawai'i's agribusiness never fully reconciled themselves with labor's gains. Firms such as Castle & Cooke, Dole and Del Monte have shifted practically all of their sugar and pineapple operations to countries such as the Philippines, Thailand and Costa Rica, where they can pay workers one-tenth of the wages earned by Hawai'i's workers. After World War II, there were 36 sugar and nearly a dozen pineapple plantations employing more than 35,000 workers. Today, there are only four sugar and two pineapple plantations operating in Hawai'i, employing fewer than 2,000 people. The decline helps mask the islands' history of epic labor struggles, a tumultuous past in which Filipinos played a heroic role.

*The editors would like to thank Oscar Peñaranda and Jeanette Gandionco Lazam for pointing out our error: the Hanapepe Massacre happened in 1924, not 1942, as we originally posted. We have made the correction. We apologize for our mistake*



**Dean Alegado**

*Dean Alegado was a professor in ethnic studies and director of the Center for Philippines Studies in the School for Hawaiian, Asian and Pacific Studies at the University of Hawaii in Honolulu. He currently lives in Subic, Philippines.*

*Reprinted from Filipinas Magazine, October 1997.*



**EXHIBIT III**

**Supplemental Report #4 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #4 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2867 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the last communications to the Commission, supplement report #3 dated November 2018, the Department continues to have a difficult time getting a response from the Land Owner. The previous contact has since retired and is temporarily being handled by Scott Kimball. Email communications sent to Mr. Kimball December 2018, February 2019, March 2019 and April 2019.
  - a. On April 24, 2019, the Department received an email response Mr. Kimball on behalf of the Land Owner. The Department was able to communicate via phone conversation and per Mr. Kimball the Commission's appraisal amount offer for purchase is not an acceptable offer at this time. Mr. Kimball is proposing that the Commission increase its offer or include a possible land swap of County of Kaua'i owned property for equal or higher land value for possible consideration.
  - b. The Department reviewed the potential for the County of Kaua'i land swap and there are no options of this type of offer for the Commission to consider.
  - c. Communication sent to Land Owner to provide an offer for sale.
2. On June 7, 2019, the Department received email communications from Land Owner and an offer to sell in the amount of \$445,000.00.

TMK: (4) 1-8-008:071

May 9, 2019

Page 2 of 2

By \_\_\_\_\_  
Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_  
KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_

**EXHIBIT IV**

**Supplemental Report #5 to Preliminary Report  
(unsigned)**



**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**

**PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES  
PRESERVATION FUND COMMISSION**

**SUPPLEMENTAL #5 to PRELIMINARY REPORT**

**I. PROJECT DESCRIPTION AND USE**

The subject lot of record is a 0.2867 acre parcel located in Hanapepe, Hanapēpē Ahupua'a, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Residential (R-6) Zoning District.

The lot of record is bordered to the north by Hanapēpē Road; it is bordered to the west by Moi Road, and it is bordered to the east and south by residential properties currently in residential use.

**II. ADDITIONAL FINDINGS**

1. As of the Commission's last supplemental report dated June 2019, the Commission continues to support by unanimous vote to proceed with negotiations to acquire.
  - a. The Department continues to have a difficult time getting any response from the Land Owner.
  - b. Email and voice mail communications have been made to the Land Owner to set up a meeting on O'ahu for further negotiations and the Department has not received any response. Last voice mail and email communication were sent on October 9, 2019.
2. The Department has recently been made aware of an article first appearing in a Garden Island newspaper on September 9, 2019, "Hanapēpē War" and a more recent article on September 27, 2019 "The Hanapēpē Massacre Mystery" that is now being researched by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society to produce a new documentary.
  - a. In light of this new information, it is the Department's recommendation to defer this matter to allow the Department to reach out to the group conducting this research to get further input.

### III. PRELIMINARY EVALUATION

In reviewing the proposed project site for acquisition, the following should be considered.

1. There is an expressed interest and consideration on behalf of the landowner to sell.
2. Given the property's historical significance, the acquisition of the property does fulfill the following Commission purposes:
  - a. Preserving of cultural and historic sites;
  - b. Improving access to public land and open space;
  - c. Acquiring access to public land and open space;
  - d. Conserve land open space and scenic values.
3. Additional time is needed to allow completion of a new documentary and research by Emmy Award winning documentary filmmaker and the Kaua'i Chapter of the Filipino American National Historical Society.

### IV. RECOMMENDATION

Based on the foregoing additional findings and preliminary evaluation it is hereby recommended that the subject property be **DEFERRED** for acquisition.

The Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process whereby the entire record should be considered prior to decision making. The entire record includes but is not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- b. The land owner's response to an inquiry for acquisition

By \_\_\_\_\_  
Nani Sadora  
Planner

Date: \_\_\_\_\_

Approved & Recommended to Commission:

By \_\_\_\_\_  
KA'AINA S. HULL  
Director of Planning

Date: \_\_\_\_\_