

Dacayanan, Melissa

PLANNING DEPARTMENT
COUNTY OF HAWAII

From: Maija Cottle [mcottle@co.hawaii.hi.us]
Sent: Wednesday, July 02, 2014 3:02 PM
To: Dacayanan, Melissa
Subject: FW: Jas W. Glover Special Permit application 14-000162
Attachments: DOC009.pdf

2014 JUL -2 PM 3: 04

From: Daryn Arai [mailto:darai@co.hawaii.hi.us]
Sent: Wednesday, July 02, 2014 1:55 PM
To: Cottle, Maija
Subject: FW: Jas W. Glover Special Permit application 14-000162 ✓

Maija,
Please confirm Randy's representation and provide his info to WPC.
Thanks
Daryn

From: Randy Vitousek [mailto:rvitousek@caedes.com]
Sent: Wednesday, July 02, 2014 12:26 PM
To: 'Daryn Arai'
Cc: 'Mike Pearring'
Subject: RE: Jas W. Glover Special Permit application 14-000162

Daryn:

We will look for the hard copy today. Thanks.

We note that on Page 4 of the Background Report at numerical paragraph 13, it is stated that:

Special Permit No. 1221: Issued on October 3, 2003 to Jas W. Glover, Ltd to establish a quarry and related uses on approximately 14.99 acres of land in the middle and west portion of the subject property. The applicant has not complied with Condition 7, which required submittal of an Archeological Monitoring Plan to SHPD prior to starting quarry operations on the site. According to the applicant, about 90% of the rock on this site has been quarried. The life of this permit is co -terminus with the Jas W. Glover, Ltd. license agreement with Kamehameha Schools, which will expire on May 31, 2027.

We believe that the statement to the effect that "The applicant has not complied with Condition 7..." is not correct. Attached hereto are the Archeological Monitoring Plan prepared by PHRI for this 14.99 acre parcel together with a copy of the February 4, 2004 letter from SHPD approving the monitoring plan.

Can you please include this information in the material provided to the Windward Planning Commission members.

Call me if you have any questions. I am at 329-5811 and my cell is 808-938-0388.

See you tomorrow,

Aloha randy

EXHIBIT
42

SCANNED
JUL - 2 2014
By: 092771

From: Daryn Arai [<mailto:darai@co.hawaii.hi.us>]
Sent: Wednesday, July 02, 2014 10:26 AM
To: Barbara Huitt
Cc: Randy Vitousek
Subject: RE: Jas W. Glover Special Permit application 14-000162

Thank you very much!

We were able to make the mailout yesterday, so we hope that the Applicant is able to secure their hardcopy by today. We will have a hardcopy at the meeting just in case.

Please do not hesitate to contact me should there be any questions.

Daryn

Daryn S. Arai
County of Hawaii Planning Department
Aupuni Center
101 Pauahi Street, Suite No. 3
Hilo, Hawaii 96720
Phone: (808) 961-8142
Fax: (808) 961-8742
email: darai@co.hawaii.hi.us
"Hawai'i County is an equal opportunity provider and employer"

From: Barbara Huitt [<mailto:bhuitt@cades.com>]
Sent: Tuesday, July 01, 2014 5:11 PM
To: 'Arai, Daryn'
Cc: Randy Vitousek
Subject: RE: Jas W. Glover Special Permit application 14-000162

Thank you, Daryn. We have provided our client with a copy of your email and attachments.

Barbara A. Huitt
Legal Secretary to Roy A. Vitousek III
Cades Schutte LLP
75-170 Hualalai Road, B-303
Kailua-Kona, Hawaii 96740
Ph.: 808-329-5811
Fax: 808-326-1175
E-mail: bhuitt@cades.com

From: Arai, Daryn [<mailto:DARAI@co.hawaii.hi.us>]
Sent: Tuesday, July 01, 2014 4:39 PM
To: Randy Vitousek
Subject: Jas W. Glover Special Permit application 14-000162

Mr. Vitousek,

Our apologies for the delay in getting these reports to you and your client. I hope you don't mind my asking you to forward this to your client since I don't have Mr. Fujimoto's email.

Should you have any questions, please feel free to contact me.

Otherwise, we look forward to seeing you on Thursday before the Windward Planning Commission.

Daryn

Daryn S. Arai
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Aupuni Center
101 Pauahi Street, Suite No. 3
Hilo, Hawaii 96720
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Fax: (808) 961-8742
email: darai@co.hawaii.hi.us
"Hawai'i County is an equal opportunity provider and employer"

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Paul H. Rosendahl, Ph.D., Inc.

Archaeological Historical • Cultural Resource Management Studies & Services

204 Waiuananua Avenue • Hilo, Hawaii 96720 • (808) 969-1763 • FAX (808) 961-6998
P.O. Box 23305 • G.M.F. Guam 96921 • (671) 472-3117 • FAX (671) 472-3131

Fax Transmission Cover Sheet

2004 JUL -2 PM 3:04

PLANNING DEPARTMENT
COUNTY OF HAWAII

TO: MIKE PEARINO

AT: Company JAS. W. GLOVER, LTD

Address Hilo

FAX No. (-) 961-9237 Phone No. (-) 935-8071

FROM: PAUL H. ROSENDAHL

Date 2/12/04 Time _____ a.m. p.m.

PHRI is sending 2 pages, including this cover sheet. Operator initials _____

Project Number 03 - 2374 Project Name Quarry Site - 14.99 Ac.

Subject SHPD Review letter

MESSAGE Mike.

For your information. SHPD letter
approving maintenance plan. Any
questions, call me.

Paul

encl - SHPD letter dated 2/4/04

4894

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING, ROOM 555
601 KAMOKILA BOULEVARD
KAPOLEI, HAWAII 96707

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

ERNEST Y.W. LAU
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 4, 2004

Paul H. Rosendahl, Ph.D.
PHRI
224 Waiianuenue Avenue
Hilo, Hawaii 96720

LOG NO: 2004.0081
DOC NO: 0401JK31

Dear Dr. Rosendahl:

**SUBJECT: Chapter 6E-42 Historic Preservation Review of an Archaeological Monitoring Plan:
"Archaeological Monitoring Plan , 14.099-Acre Quarry Site, Land of Waiakea, South
Hilo District "
TMK: (3) 2-1-013: Por. 4**

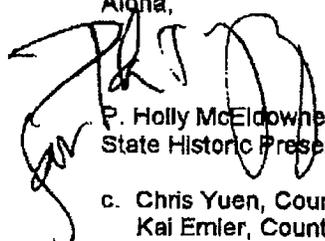
Thank you for submitting the above referenced report, prepared for Jas. W. Glover, Ltd., for our review and comment. The plan was received in our Honolulu office on January 9, 2004.

The plan was prepared in response to our August 7, 2003 review (Log No. 2003.1350, Doc No. 0308MM09) of an archaeological assessment of the current 14.09-acre site (Rosendahl 2002). At that time, SHPD agreed that no further archaeological survey work was warranted in the project area, and recommended that a monitoring plan be prepared and submitted for review prior to any ground disturbance. It was agreed that "on-call" monitoring would be acceptable for this project with the understanding that PHRI will be notified when and if any cultural remains are encountered during ground-altering activities. All work in the area will cease in order for the monitor to make a determination as to the significance of the find and whether quarrying activities will further disturb the uncovered deposits.

The plan adequately describes the anticipated findings and procedures to be implemented, and as such satisfies the requirements of HAR 13-279, Rules Governing Standards for Archaeological Monitoring and Reports. We look forward to reviewing a Monitoring Report upon completion.

If any questions should arise about this project in the future, please contact our Hawaii Island Archaeologist, Patrick McCoy at 692-8029.

Aloha,


P. Holly McElowney, Administrator
State Historic Preservation Division

c. Chris Yuen, County of Hawaii Planning Department
Kai Emier, County of Hawaii Department of Public Works

JK:ak

RECEIVED FEB 12 2004



JAS. W. GLOVER, LTD.

GENERAL CONTRACTORS

License No. ABC-3

January 5, 2004

State of Hawaii
Department of Land and Natural Resources
Historic preservation Division
Kakuhikewa Building, Room 555
601 Kamokila Boulevard
Kapolei, Hawaii 96707

Attention: Holly McEldowney
Administrator (Acting)

Subject: Archaeological Monitoring Plan for TMK 3-2-1-013:Por.4

In accordance with the conditions of Special permit No. 1221 issued by the County of Hawaii Planning Commission to Jas. W. Glover, Ltd. for the establishment of quarry operations and related activities on October 3, 2003, we are submitting the attached Archaeological Monitoring Plan for review by your office. Our permit calls for "on-call monitoring" in conjunction with your office of the site to ensure that no historic sites are inadvertently damaged or destroyed.

Please let us know as soon as possible that the attached plan meets with your approval. If you have need for further information, please contact Mike Pearring at 935-0871.

Sincerely,

Byron Fujimoto
Vice President

Honolulu
P.O. Box 579 • Honolulu, HI 96809
tel: (808) 591-8977 • fax: (808) 591-9174

Hilo
890 Leilani St. • Hilo, HI 96720
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Kona
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P.O. Box 23305 • G.M.F. Guam 96921 • (671) 472-3117 • FAX (671) 472-3131

2374

Transmittal Letter

TO: Mike Pearing

AT: Company Jas W. Glover Ltd.

Address Hilo 890 Leilani St.

Hilo HI 96720

Phone No. (908) 935-8071 FAX No. (808) 961-9237

FROM: PHRI

SUBJECT: Copies of PHRI Report 2374-103003

DATE: 11/17/03 PROJECT NO.: 2374

PHRI is sending you attached under separate cover via _____
the following items:

	# of copies	description
1.	1	camera ready copy
2.	2	bound copies
3.		
4.		Archaeological Monitoring Plan
5.		14.99-Acre Quarry Site
6.		
7.		
8.		

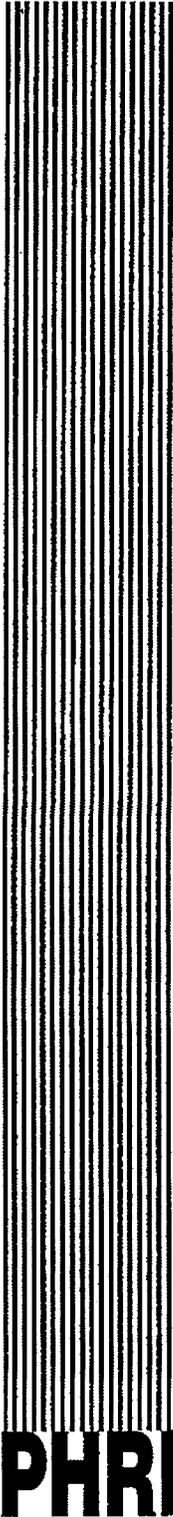
The above items are transmitted as checked below:

- for approval
- no exceptions taken
- resubmit _____ copies for approval
- for your use
- make corrections noted
- submit _____ copies for distribution
- as requested
- for review and comment
- other _____
- rejected
- revise and resubmit
- other _____

Comments Any questions, please call Paul Rosendahl at (808) 969-1763

Copies to PHRI, DS

By: Leonard Kirby



**Archaeological Monitoring Plan
14.99-Acre Quarry Site**

Land of Waiākea, South Hilo District
Island of Hawai'i

PHRI

Paul H. Rosendahl, Ph.D., Inc.

Archaeological • Historical • Cultural Resource Management Studies & Services

Archaeological Monitoring Plan 14.99-Acre Quarry Site

Land of Waiākea, South Hilo District
Island of Hawai'i (TMK:3-2-1-013:Por.4)

BY

Leonard M. Kubo • Senior Editor/Assistant Field Archaeologist

and

Paul H. Rosendahl, Ph.D. • Principal Archaeologist

PREPARED FOR

*Jas. W. Glover, Ltd.
Hilo Operation
890 Leilani Street
Hilo, Hawaii 96720*

NOVEMBER 2003



Paul H. Rosendahl, Ph.D., Inc.
Archaeological • Historical • Cultural Resource Management Studies & Services

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INTRODUCTION

This archaeological monitoring plan has been prepared by Paul H. Rosendahl, Ph.D., Inc. (PHRI), at the request of Mr. Mike Pearring of Jas. W. Glover, Ltd. This plan details the procedures that will be followed during monitoring of land modifications at a 14.99-acre Quarry Site located in the Land of Waiākea, South Hilo District, Island of Hawai'i (TMK:3-2-1-013:Por.4)(*Figure 1*). The current plan is the direct result of a stipulation for monitoring made by the County of Hawai'i Planning Commission in a letter dated 3 October 2003 (to B. Fujimoto, Jas. W. Glover, Ltd.), which was based on a recommendation in Rosendahl (2002a:5), an assessment survey report for the project site. The monitoring will be conducted in accordance with the general procedures outlined in the draft Hawai'i Administrative Rules 13§13-279, *Rules Governing Minimal Standards for Archaeological Monitoring Studies and Reports* (draft date November 1998).

BACKGROUND

A brief recounting of the circumstances that led to the SHPD recommendation for monitoring is presented here. In November 2002, at the request of Mr. Byron Fujimoto of Jas. W. Glover, Ltd., PHRI conducted an archaeological assessment survey of the current 14.99-acre site (Rosendahl 2002). The overall purpose of the assessment survey was to meet the historic preservation requirements of the SHPD, and gain SHPD approval for development of the site. During the assessment survey, no archaeological or historical remains of any kind were encountered. This finding, coupled with the review of previous archaeological work done in the general vicinity of the project area – which indicated the almost total absence of archaeological or historical remains – led PHRI to conclude that no significant historic sites were likely to be present within the 14.99-acre site (Rosendahl 2002:14) and that:

The terrain and present vegetation found within the project area evidence extensive recent historic period land modification...Portions of the northern part of the project area apparently had been cleared for improved cattle pasture. Much of the larger remainder of the project area had been extensively altered by bulldozer activity involving the imposition of a grid work of parallel and occasionally perpendicular clearing lines, the purpose of which has not been determined.

The SHPD approved the Rosendahl (2002) report in August 2003 (SHPD letter dated 7 August 2003, Log No:2003-1350, Doc No:308MM09). In the letter, the SHPD agreed that no further archaeological survey work was warranted in the project area, and recommended that a monitoring plan be prepared and submitted for review prior to any ground alteration. The SHPD also noted that "on call" monitoring would be acceptable. Subsequently, the Hawai'i County Planning Commission, on 22 September 2003, voted to approve the Special Permit Application filed by Jas. W. Glover (Application SPP 03-014) to allow the establishment of the quarry, with the condition (Condition 7) that:

Prior to commencing any land alteration activity, the applicant shall submit an Archaeological Monitoring Plan for review to the Department of Land and Natural Resources – State Historic Preservation Division (DLNR-SHPD) to ensure that no historic sites are inadvertently damaged or destroyed. This plan will call for "on call monitoring" in conjunction with DLNR-SHPD. (Letter dated 3 October 2003; to B. Fujimoto, Jas. W. Glover, Ltd.)

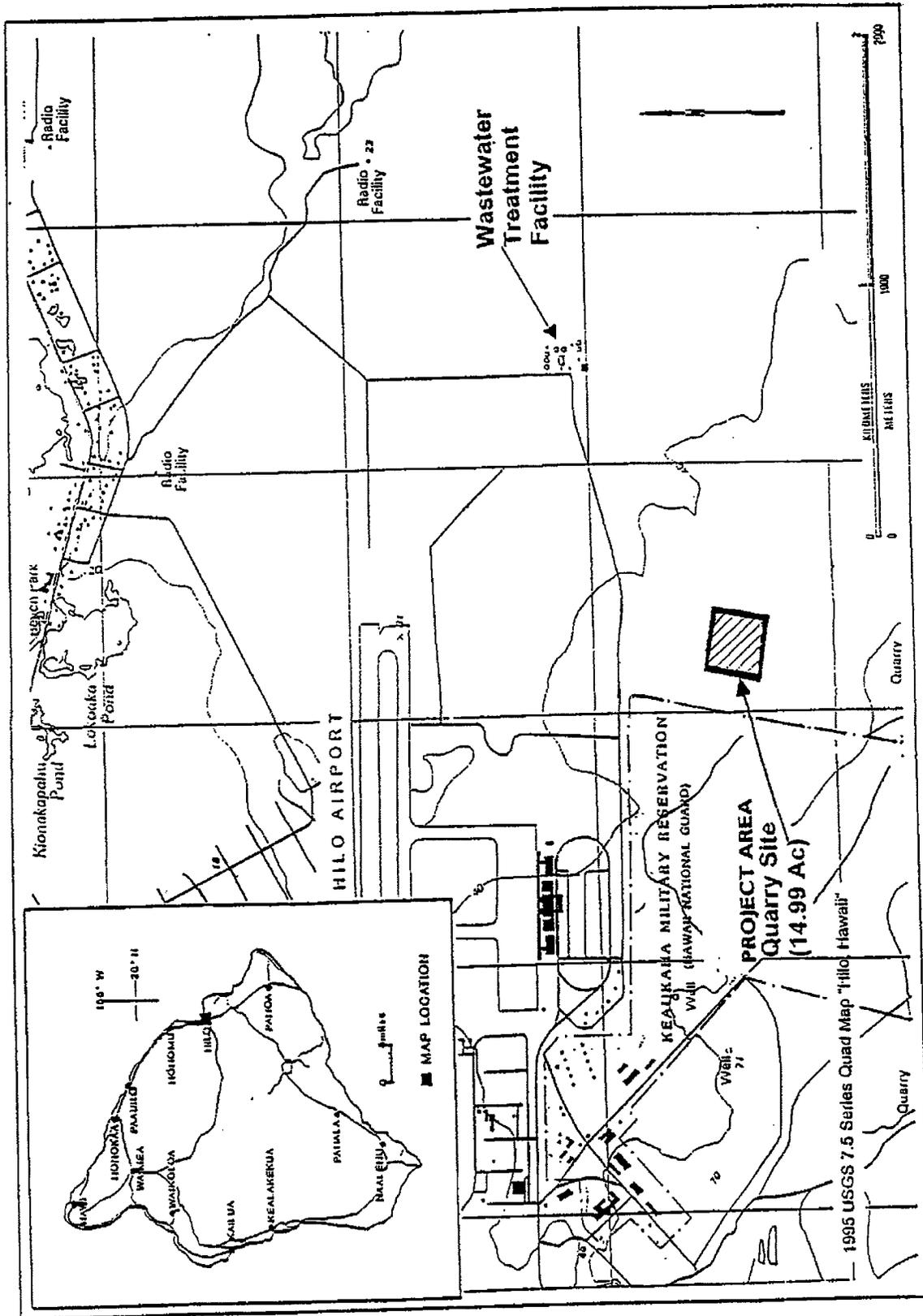


Figure 1. Project Location

PROJECT AREA SETTING

The project area is situated in the area south of the Hilo International Airport (General Lyman Field) (Figure 1), and is within the Hilo Lava Plain, a physiographic landform type defined by Armstrong (1983:37) as a large area with low relief. Terrain in the project area is very irregular and generally extremely rugged, and consists of exposed lava bedrock and outcrops, and shallow soils. Rainfall in the project area is c. 145-150 inches per year, and the mean annual temperature is approximately 72 degrees F. (Armstrong 1983:63-64). Vegetation in the area is moderately heavy to very heavy, and comprises a wet lowland forest consisting primarily of the introduced exotics *bingabing* (*Macaranga mappia* [L.] Müll. Arg.) and strawberry guava (*Psidium cattleianum* Sabine), as well as scattered lantana (*Lantana camara* L.), *koa-haole* (*Leucaena glauca* [L.] Benth.), and various other shrubs and grasses.

ANTICIPATED CULTURAL REMAINS

Based on a review of previous archaeological findings in the vicinity of the project area, it is highly unlikely that cultural remains will be identified during the land modification of the 14.99-acre Quarry Site. As noted in Rosendahl (2002), three previous archaeological projects have been conducted in the vicinity, of which only one resulted in identification of cultural remains. These remains comprised a C-shaped enclosure, a mound, and a surface midden scatter probably associated with temporary habitation. During the Rosendahl (2002) surface assessment survey of the current project area no cultural remains were identified. Therefore, it is likely that the only remains that would be identified during land alteration would be buried remains such as subsurface deposits, subsurface structures, or cultural remains found in association with hidden lava tube caves.

ARCHAEOLOGICAL MONITORING

An on-call archaeological monitor that meets the qualifications of the SHPD will be required for any ground-disturbing activity in the 14.99-acre Quarry Site.

COORDINATION OF EFFORTS

Prior to any land alteration in the project area, PHRI will discuss the procedures for monitoring with Jas. W. Glover, Ltd. A pre-quarrying meeting will be held and the following will be explained to the Jas. W. Glover, Ltd. team: (a) the nature of cultural remains that might be encountered during land alteration, and (b) the procedures to be taken if cultural remains are encountered. On encountering cultural remains, PHRI should be immediately notified. PHRI will contact the SHPD-DLNR and coordinate and consult with the SHPD archaeologists as appropriate.

FIELD METHODS

If during monitoring cultural deposits, features, artifacts, or any other cultural material are observed the monitor will initiate the following procedures.

Intact Cultural Deposits

If intact cultural deposits are exposed during monitoring, an assessment will be made as to their integrity and significance. If deemed significant, and the deposit is likely to be further disturbed by quarrying activities, work in the affected area will be curtailed, and an appropriate mitigation strategy developed in consultation with SHPD-DLNR.

Cultural Features

Cultural features exposed by ground disturbance will be fully described, drawn, and photographed. Provenience information will also be recorded and related to an established project datum ensuring accurate horizontal and vertical placement. The limits of the feature will be defined, if possible without further excavation, and any associations natural or cultural (including surrounding soil) will be noted. Where appropriate, samples for further analyses will be collected.

Artifacts

Artifacts observed in the removed soil will be collected and general provenience recorded. The precise locations of any items found *in situ* will be recorded and the items collected. Any observed association will also be documented.

Human Skeletal Remains

If human skeletal remains are discovered during the monitoring, the procedures for the inadvertent discovery of human skeletal remains outlined in HRS §§6E-43 and in §13-300-40 of the Hawai'i Administrative Rules, Title 13, Subtitle 13, Chapter 300 will be followed. Work in the immediate area of the discovery will be halted, the remains stabilized, and the appropriate authorities contacted. If the skeletal material is determined to be historic or pre-Contact (as opposed to recent), PHRI will direct the applicant to seek DLNR-SHPD guidance on how to proceed with the discovery.

TREATMENT OF RECOVERED REMAINS

Any cultural remains recovered during monitoring will be recorded in a field catalog, and upon completion of the fieldwork the disposition of the items will be as follows.

Cultural Material

Artifacts recovered during monitoring will be transported to the PHRI laboratory in Hilo, Hawai'i. Artifacts from intact contexts will be analyzed; those recovered from fill will simply be cataloged. Analyzed items will be cleaned, weighed, measured, and illustrated (if appropriate). Analysis will include formal description and functional interpretation.

Recovered Samples

All recovered samples (soil, charcoal, etc.) will be initially processed in the PHRI laboratory in Hilo, Hawai'i before being dispersed to the appropriate institutions and/or outside consultants for detailed analysis.

Human Skeletal Remains

If human skeletal remains are identified during monitoring the DLNR-SHPD will be notified. The SHPD will determine if the remains will be disinterred or preserved in place. In both cases, a treatment/reburial plan will be developed in consultation with SHPD and the Hawai'i Island Burial Council. Such treatment might include reburial without further analysis, or reburial following analysis. If osteological analysis is deemed appropriate, the analysis will comply with Hawai'i Administrative Rules 13§13-300-31.

REPORTING

Upon completion of the monitoring work a report covering both the on-site and off-site activities will be generated and submitted to the client and SHPD-DLNR for review. This report will follow the specifications outlined in the draft Hawai'i Administrative Rules 13 §13-279-7. If any human skeletal remains are recovered and analyzed as part of the monitoring project they will be addressed in the final monitoring report following procedures contained in the Hawai'i Administrative Rules 13 §13-300, adopted September 1996.

CURATION OF RECOVERED ITEMS

PHRI maintains an SHPD-approved curation facility. Any material recovered during the project will be temporarily stored at the PHRI curation facility for a period of no more than one year following submission of the final monitoring report, during which time arrangements will be made for permanent curation in consultation with the landowner and SHPD. It is the developer's responsibility to secure permanent curation in an acceptable facility; included in this responsibility are the costs associated with long-term curation.

REFERENCES CITED

Armstrong, R.W. (editor)

1983 *Atlas of Hawaii*. Honolulu: University of Hawaii Press. (Second edition)

Rosendahl, P.H.

2002 Archaeological Assessment Survey, 14.99-Acre Proposed Quarry Site, Land of Waiākea, South Hilo District, Island of Hawai'i (TMK:3-2-1-013:Por.4). PHRI Report 2293.1-120302. Prepared for Jas. W. Glover, Ltd.