

APPENDIX K
Cultural Impact
Assessment

**A CULTURAL IMPACT ASSESSMENT REPORT
FOR APPROXIMATELY 86 ACRES, LAND OF
PŪLEHU NUI, WAILUKU DISTRICT, MAUI, HAWAII
[TMK: (2) 3-8-08:019]**

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FINAL

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INTRODUCTION

At the request of CMBY 2011 Investment, LCC (CMBY), Scientific Consultant Services (SCS), Inc., conducted a Cultural Impact Assessment (CIA) on approximately 86 acres in the lands of Pulehenui Nui, Wailuku District, Maui Island, Hawai'i [TMK: 3-8-01; (Figures 1 and 2)]. The CIA was conducted in preparation for the proposed Pu'unene Heavy Industrial Subdivision.

The Constitution of the State of Hawai'i clearly states the duty of the State and its agencies is to preserve, protect, and prevent interference with the traditional and customary rights of native Hawaiians. Article XII, Section 7 (2000) requires the State to "protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by *ahupua'a* tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778." In spite of the establishment of the foreign concept of private ownership and western-style government, Kamehameha III (Kauikouali'i) preserved the peoples' traditional right to subsistence. As a result in 1850, the Hawaiian Government confirmed the traditional access rights to native Hawaiian *ahupua'a* tenants to gather specific natural resources for customary uses from undeveloped private property and waterways under the Hawaiian Revised Statutes (HRS) 7-1. In 1992, the State of Hawai'i Supreme Court, reaffirmed HRS 7-1 and expanded it to include, "native Hawaiian rights...may extend beyond the *ahupua'a* in which a native Hawaiian resides where such rights have been customarily and traditionally exercised in this manner" (Pele Defense Fund v. Pele, 73 Haw.578, 1992).

Act 50, enacted by the Legislature of the State of Hawai'i (2000) with House Bill (HB) 2895, relating to Environmental Impact Statements, proposes that:

...there is a need to clarify that the preparation of environmental assessments or environmental impact statements should identify and address effects on Hawai'i's culture, and traditional and customary rights...[H.B. NO. 2895].

Articles IX and XII of the state constitution, other state laws, and the courts of the State impose on government agencies a duty to promote and protect cultural beliefs and practices, and resources of native Hawaiians as well as other ethnic groups. Act 50 also requires state agencies and other developers to assess the effects of proposed land use or shore line developments on the "cultural practices of the community and State" as part of the HRS Chapter 343 (2001) environmental review process.

Figure 2: Tax Map Key (TMK) of Project Area.

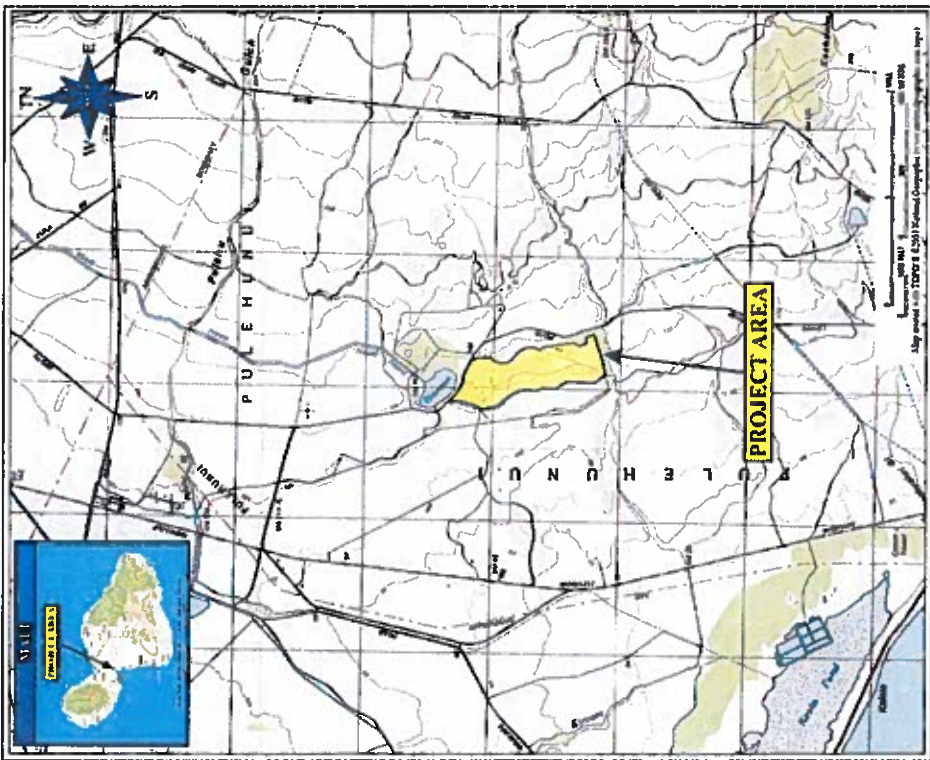
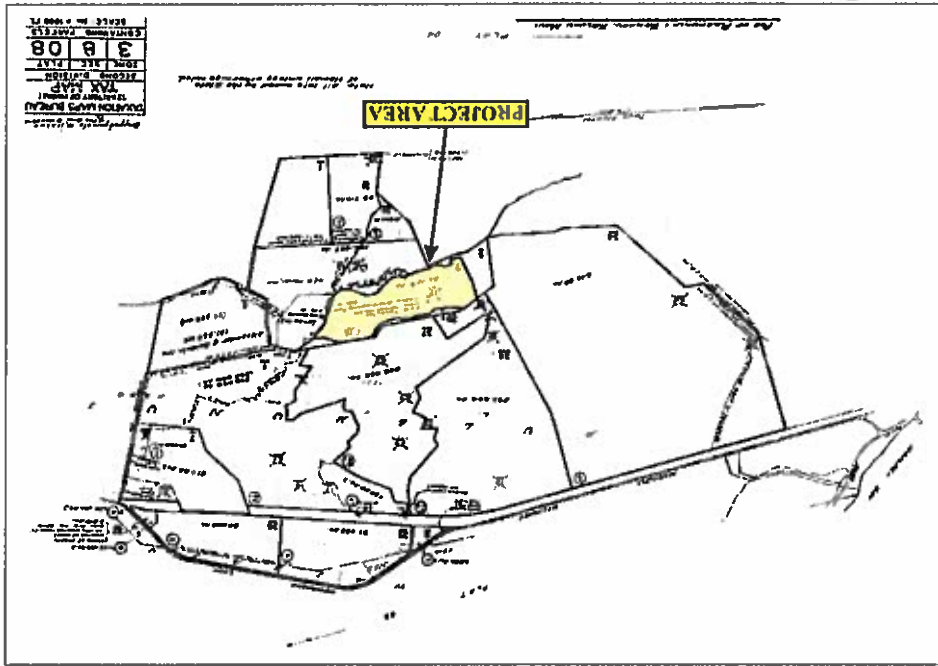


Figure 1: USGS Quadrangle Map Showing Project Area.



Figure 3: Google Maps Plan View of Project Area.

It also re-defined the definition of "significant effect" to include "the sum of effects on the quality of the environment including actions impact a natural resource, limit the range of beneficial uses of the environment, that are contrary to the State's environmental policies . . . or adversely affect the economic welfare, social welfare or cultural practices of the community and State" (H.B. 2895, Act 50, 2000). Cultural resources can include a broad range of often overlapping categories, including places, behaviors, values, beliefs, objects, records, stories, etc. (H.B. 2895, Act 50, 2000).

Thus, Act 50 requires that an assessment of cultural practices and the possible impacts of a proposed action be included in Environmental Assessments and Environmental Impact Statements, and to be taken into consideration during the planning process. The concept of geographical expansion is recognized by using, as an example, "the broad geographical area, e.g. district or *ahupua'a*" (OEQC 1997). It was decided that the process should identify 'anthropological' cultural practices, rather than 'social' cultural practices. For example, *limu* (edible seaweed) gathering would be considered an anthropological cultural practice, while a modern-day marathon would be considered a social cultural practice.

Therefore, the purpose of a Cultural Impact Assessment is to identify the possibility of on-going cultural activities and resources within a project area, or its vicinity, and then assessing the potential for impacts on these cultural resources. The CIA is not intended to be a document of in depth archival-historical land research, or a record of oral family histories, unless these records contain information about specific cultural resources that might be impacted by a proposed project.

According to the Guidelines for Assessing Cultural Impacts established by the Hawaii State Office of Environmental Quality Control (OEQC 1997):

The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs. The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural, which support such cultural beliefs.

The meaning of "traditional" was explained in *National Register Bulletin*:

Traditional" in this context refers to those beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. The traditional cultural significance of a historic property then is significance derived from the role the property plays in a community's historically rooted beliefs, customs, and practices. . . . [Parker and King 1990:1]

METHODOLOGY

This Cultural Impact Assessment was prepared as much as possible in accordance with the suggested methodology and content protocol in the Guidelines for Assessing Cultural Impacts (OEQC 1997). In outlining the "Cultural Impact Assessment Methodology", the OEQC states that:

"...information may be obtained through scoping, community meetings, ethnographic interviews and oral histories..."

This report contains archival and documentary research, as well as communication with organizations having knowledge of the project area, its cultural resources, and its practices and beliefs. Copies of the letters of inquiry are presented below in Appendix A; copies of posted legal notices are presented in Appendix B; and copies of the second group of letters of inquiry are presented below in Appendix C. This Cultural Impact Assessment was prepared in accordance with the suggested methodology and content protocol provided in the Guidelines for Assessing Cultural Impacts (OEQC 1997), whenever possible. The assessment concerning cultural impacts may include, but not be limited to, the following matters:

- (1) if consultation is available, a discussion of the methods applied and results of consultation with individuals and organizations identified by the preparer as being familiar with cultural practices and features associated with the project area, including any constraints or limitations which might have affected the quality of the information obtained;
- (2) a description of methods adopted by the preparer to identify, locate, and select the persons interviewed, including a discussion of the level of effort undertaken;

(3) if conducted, interview procedures, including the circumstances under which the interviews were conducted, and any constraints or limitations which might have affected the quality of the information obtained;

(4) biographical information concerning the individuals and organizations consulted, their particular expertise, and their historical and genealogical relationship to the project area, as well as information concerning the persons submitting information or being interviewed, their particular knowledge and cultural expertise, if any, and their historical and genealogical relationship to the project area;

(5) a discussion concerning historical and cultural source materials consulted, the institutions and repositories searched, and the level of effort undertaken, as well as the particular perspective of the authors, if appropriate, any opposing views, and any other relevant constraints, limitations or biases;

(6) a discussion concerning the cultural resources, practices and beliefs identified, and for the resources and practices, their location within the broad geographical area in which the proposed action is located, as well as their direct or indirect significance or connection to the project site;

(7) a discussion concerning the nature of the cultural practices and beliefs, and the significance of the cultural resources within the project area, affected directly or indirectly by the proposed project;

(8) an explanation of confidential information that has been withheld from public disclosure in the assessment;

(9) a discussion concerning any conflicting information in regard to identified cultural resources, practices and beliefs;

(10) an analysis of the potential effect of any proposed physical alteration on cultural resources, practices, or beliefs; the potential of the proposed action to isolate cultural resources, practices, or beliefs from their setting; and the potential of the proposed action to introduce elements which may alter the setting in which cultural practices take place, and;

(11) the inclusion of bibliography of references, and attached records of interviews which were allowed to be disclosed.

If on-going cultural activities and/or resources are identified within the project area, assessments of the potential effects on the cultural resources in the project area and recommendations for mitigation of these effects can be proposed.

ARCHIVAL RESEARCH

Archival research focused on a historical documentary study involving both published and unpublished sources. These included legendary accounts of native and early foreign writers; early historical journals and narratives; historic maps, land records, such as Land Commission Awards, Royal Patent Grants, and Boundary Commission records; historic accounts, and previous archaeological reports.

INTERVIEW METHODOLOGY

Interviews are conducted in accordance with Federal and State laws, and guidelines, when knowledgeable individuals are able to identify cultural practices in, or in close proximity to, the project area. If they have knowledge of traditional stories, practices and beliefs associated with a project area or if they know of historical properties within the project area, they are sought out for additional consultation and interviews. Individuals who have particular knowledge of traditions passed down from preceding generations and a personal familiarity with the project area are invited to share their relevant information concerning particular cultural resources. Often people are recommended for their expertise, and indeed, organizations, such as Hawaiian Civic Clubs, the Island Branch of Office of Hawaiian Affairs (OHA), historical societies, Island Trail clubs, and Planning Commissions are depended upon for their recommendations of suitable informants. These groups are invited to contribute their input, and suggest further avenues of inquiry, as well as specific individuals to interview. It should be stressed again that this process does not include formal or in-depth ethnographic interviews or oral histories as described in the OEQC's *Guidelines for Assessing Cultural Impacts* (1997). The assessments are intended to identify potential impacts to on-going cultural practices, or resources, within a project area or in its close vicinity.

If knowledgeable individuals are identified, personal interviews are sometimes taped and then transcribed. These draft transcripts are returned to each of the participants for their review and comments. After corrections are made, each individual signs a release form, making the interview available for this study. When telephone interviews occur, a summary of the information is usually sent for correction and approval, or dictated by the informant and then incorporated into the document. If no cultural resource information is forthcoming and no knowledgeable informants are suggested for further inquiry, interviews are not conducted.

Letters were sent to organizations whose jurisdiction included knowledge of the area. Consultation was sought from the History and Culture Branch Chief of the State Historic Preservation Division; Office of Hawaiian Affairs (OHA), O'ahu Branch; Central Maui Hawaiian Civic Club; Kimokeo Kapaunuleau; Maui SHPD, Cultural Branch; County of Maui, Department of Planning, Cultural Resources Commission; OHA Maui Branch; and Hale Mahaolou (Appendix A). In addition, a Cultural Impact Assessment Notice was published in *The Honolulu Star-Advertiser*, and *The Maui News*, on July 20, 21, and 24, as well as and the August issue of the OHA newspaper, *Ka I'wai Ola* (Appendix B). These notices requested information of cultural resources or activities in the area of the proposed project, stated the TMK number, and where to respond with pertinent information. Based on the responses, an assessment of the potential effects on cultural resources in the project area and recommendations for mitigation of these effects can be proposed.

If on-going cultural activities and/or resources are identified within the project area, assessments of the potential effects on the cultural resources in the project area and recommendations for mitigation of these effects can be proposed.

PROJECT AREA AND VICINITY

The project area is located in the land of Pūlehu Nui Ahupua'a, about 1.4 miles east of Mokuiehe Highway and adjacent to the Old Pu'uene Airport. Access from Mokuiehe Highway to the project area will be provided by a 56-ft wide access easement along Kama'aima Road, South Firebreak Road, and Lower Kiihei road. An alternate access route around the north and east side of an HC&S irrigation reservoir was also examined. Both access routes were assessed as part of the CIA. (see Figure 3).

CULTURAL HISTORICAL CONTEXT

The island of Maui ranks second in size of the eight main islands in the Hawaiian Archipelago. Pu'u Kukui, forming the west end of the island (1,215 m above mean sea level), is composed of large, heavily eroded amphitheater valleys that contain well-developed permanent stream systems that watered fertile agricultural lands extending to the coast. The deep valleys of West Maui and their associated coastal regions have been witness to many battles in ancient times and were coveted productive landscapes. These are joined together by an isthmus containing dry, open country (*kauiā*), and the land of Pūlehu Nui, among others.

PAST POLITICAL BOUNDARIES

Traditionally, the division of Maui Island into districts (*mōka*) and sub-districts was performed by a *kahuna* (priest, expert) named Kalaiha ʻŌhia, during the time of the *aliʻi* Kaka ʻAlaneo (Beekwith 1940:383; Fomander places Kaka ʻAlaneo at the end of the 15th century or the beginning of the 16th century [Fomander 1919-20, Vol. 6:248]). Land was considered the property of the king or *aliʻi ʻai mōka* (the *aliʻi* who eats the island/district), which he held in trust for the gods. The title of *aliʻi ʻai mōka* ensured rights and responsibilities pertaining to the land, but did not confer absolute ownership. The king kept the parcels he wanted, his higher chiefs received large parcels from him and, in turn, distributed smaller parcels to lesser chiefs. The *maka ʻāinana* (commoners) worked the individual plots of land.

In general, several terms, such as *moku*, *ahupuaʻa*, *ʻiwi* or *ʻiwi ʻāina* were used to delineate various land sections. A district (*moku*) contained smaller land divisions (*ahupuaʻa*) which customarily continued inland from the ocean and upland into the mountains. Extended household groups living within the *ahupuaʻa* were therefore, able to harvest from both the land and the sea. Ideally, this situation allowed each *ahupuaʻa* to be self-sufficient by supplying needed resources from different environmental zones (Lyons 1875:111). The *ʻiwi ʻāina* or *ʻiwi* were smaller land divisions next to importance to the *ahupuaʻa* and were administered by the chief who controlled the *ahupuaʻa* in which it was located (*ibid*:33; Lucas 1995:40). The *mo ʻo ʻāina* were narrow strips of land within an *ʻiwi*. The land holding of a tenant or *hoʻa ʻāina* residing in a *ahupuaʻa* was called a *kūleana* (Lucas 1995:61). The project area is located in the lands of Pūlehu Nūi which translated literally means "large pilehu," but since *pūlehu* means "broiled", it might refer to the degree of broiling one could receive from the sun in this area (Pukui *et al.*:193).

TRADITIONAL SETTLEMENT PATTERNS

The Hawaiian economy was based on agricultural production and marine exploitation, as well as raising livestock and collecting wild plants and birds. Extended household groups settled in various *ahupuaʻa*. During pre-Contact times, there were primarily two types of agriculture, wetland and dry land, both of which were dependent upon geography and physiography. River valleys provided ideal conditions for wetland *kalo* (*Colocasia esculenta*) agriculture that incorporated pond fields and irrigation canals. Other cultivars, such as *kō* (sugar cane, *Saccharum officinarum*) and *maʻi ʻa* (banana,

Musa sp.), were also grown and, where appropriate, such crops as *ʻuala* (sweet potato, *Ipomoea batatas*) were produced. This was the typical agricultural pattern seen during traditional times on all the Hawaiian Islands (Kirch and Sahlins 1992, Vol. 1:5, 119; Kirch 1985). It must be noted that Handy (1940:105 stated that, "... the bounds of cultivation... were strictly drawn by limitation of water for irrigation." The word "*kūleana*" meant "open country, or plain", according to Handy and Handy, and was often used to differentiate between dry, or *kūleana* land, and wet-land. The height and size of Halekālā to the east, prevents moisture from reaching its southern and western flanks, causing and desert-like conditions throughout the region (Handy and Handy 1972).

This is an essential characteristic of Kūleana, the central plain of Maui which is practically devoid of streams. Kūleana was always an arid region, throughout its long, low seashore, vast stony *kūleana* lands, and broad uplands (*ibid*:510)

As to the occupation of this vast plain, Handy and Handy stated:

Both on the coast, where fishing was good, and on the lower westward slopes of Halekālā a considerable population existed. So far as we could learn Kūleana supported no Hawaiian taro, and the fishermen in this section must have depended for vegetable food mainly on *pōʻi* brought from the wet lands of Waikapu and Wāihuku to westward across the plain to supplement their usual sweet-potato diet (*ibid*:511).

An early witness to its lack of productivity was George Vancouver. During his second visit to Hawaiʻi in 1793 as a Captain, he anchored in Māʻālela Bay:

The appearance of this side of Mowee was scarcely less forbidding than that of its southern parts, which we had passed the preceding day. The shores, however, were not so steep and rocky, and were mostly composed of a sandy beach; the land did not rise so very abruptly from the sea towards the mountains, not was its surface so much broken with hills and deep chasms; yet the soil had little appearance of fertility, and no cultivation was to be seen. A few habitations were promiscuously scattered near the water side, and the inhabitants who came off to us, like those seen the day before, had little to dispose of [1984:852]

Not much had changed 24 years later (1817) when Peter Conroy sailed this way, bound for Oʻahu. He made special reference to Keālia Pond (now the Keālia Pond and Wildlife Refuge), a short distance southwest of the project area.

... Next morning we passed Morokene (Molokini), and made sail up Mackerrey (Mulaea) bay. . . This bay is very deep and wide, and nearly divides the island, there being but a narrow neck of land and very low, keeping the two parts of the island together. . . On this neck of land are their principal salt-pans, where they make most excellent salt [Corney 1965:70-71]

EARLY HISTORY

The Wailuku District was a center of political power often at war with its rival in Hana. Between 1775 to 1779, there was almost continual fighting between Kahakili, chief of Maui and Kalani'ōpu'u, Chief from Hawai'i Island, who was often in residence at Hana (Kamakau 1961). After several skirmishes in which Kalani'ōpu'u had been defeated by the warriors of Kahakili, Kalani'ōpu'u retired to Hawai'i Island. He spent the next year gathering men from each of the six districts on the island, forming six divisions of warriors. His prize troops consisted of chiefs from his own group of attendants, which were named the 'Ālapa and Pi'ipi'i. Leaving nothing to chance, Kalani'ōpu'u then built *hauia* for his war gods, assuring success, and when all was ready (1776), he and his men returned to Maui (*ibid.*).

Rather than landing at Hana on the east side, the warriors came around the southern coast of Maui. They first landed at Keone'o'io Bay and ravaged the country side giving Kahakili notice and time to prepare his fighting men (*ibid.*). Kalani'ōpu'u's men traveled up the coast by sea and landed at Kāheipuko'a at Keālia, confident that the victory was to be theirs (*ibid.*) The 800 'Ālapa and Pi'ipi'i warriors marched across the plain (in which is the project area) to Wailuku where Kahakili and his warriors were waiting. Kamakau said:

They slew the Ālapa on the sand hills at the southeast of Kala. There the dead lay in heaps strewn like *hauia* branches; corpses lay heaped in death; they were slain like fish enclosed in a net... [*ibid.*:85-89].

An interesting anecdote is recounted by George W. Bates during his journey from Wailuku to Kahului in 1854:

Leaving Wai-lu-ku [town], and passing along toward the village Kahului, a distance of three miles, the traveler passes over the old battle-ground named after the village. It is distinctly marked by moving sand-hills, which owe their

formation to the action of the northeast trades. Here these winds blow almost with the violence of a sirocco, and clouds of sand are carried across the northern side of the isthmus to a height of several hundred feet. These sand-hills constitute a huge "Calgotha" for thousands of warriors who fell in ancient battles. In places laid bare by the action of the winds, there were human skeletons projecting, as if in the act of struggling for resurrection from their lurid sepulchers. In many portions of the plain who cart-loads were exposed in this way. Judging of the numbers of the dead, the contest of the old Hawaiians must have been exceedingly bloody. . . . [Sandwich Island Notes, 309]

The 1776 encounter between Kahakili and Kalani'ōpu'u resulted in a temporary truce which was broken in 1790 by the battle of Kepaniwai, when Kamehameha I consolidated his control over Maui Island.

THE GREAT MĀHELE

In the 1840s, traditional land tenure shifted drastically with the introduction of private land ownership based on western law. While it is a complex issue, many scholars believe that in order to protect Hawaiian sovereignty from foreign powers, Kamehameha III was forced to establish laws changing the traditional Hawaiian economy to that of a market economy (Kame'elehiwa 1992:169-70, 176; Kelly 1983:45, 1998:4; Daws 1962:111; Kuykendall 1938 Vol. 1:145). The Great Māhele of 1848 divided Hawaiian lands between the king, the chiefs, the government, and began the process of private ownership of lands. The subsequently awarded parcels were called Land Commission Awards (LCAs). Once lands were thus made available and private ownership was instituted, the *maka'āinana* (commoners), if they had been made aware of the procedures, were able to claim the plots on which they had been cultivating and living. These claims did not include any previously cultivated but presently fallow land, 'ōkēpā (on O'ahu), stream fisheries, or many other resources necessary for traditional survival (Kelly 1983; Kame'elehiwa 1992:295; Kirch and Sahlins 1992). If occupation could be established through the testimony of two witnesses, the petitioners were awarded the claimed LCA and issued a Royal Patent after which they could take possession of the property (Chinen 1961:16).

The *ahupua'a* of Pūlehu Nui extended across the Kula plain up through Makawao, to the edge of Halekālā and would have included fruitful sections, not just the arid plains (Figure 4). There were 13 *kāleana* claimed in the *ahupua'a* of Pūlehu Nui. LCA 05230, consisting of 982 acres and belonging to Keaweamahi, appears to contain the portion of

Pūlehu Nui where the project area is located. On this LCA Keaweamahi claimed 5 *apana* (land portions), 7 *ʻōʻi* (wet taro) and 2 *kūia* (pastures). Saltwater-associated geography (i.e., shore and dunes) was also claimed by Keaweamahi as part of LCA 5230 (Waihoia 'Aina Database 2011). However, of these 5 *apana* are listed in the project area.

HISTORIC LAND USE

SUGAR YEARS

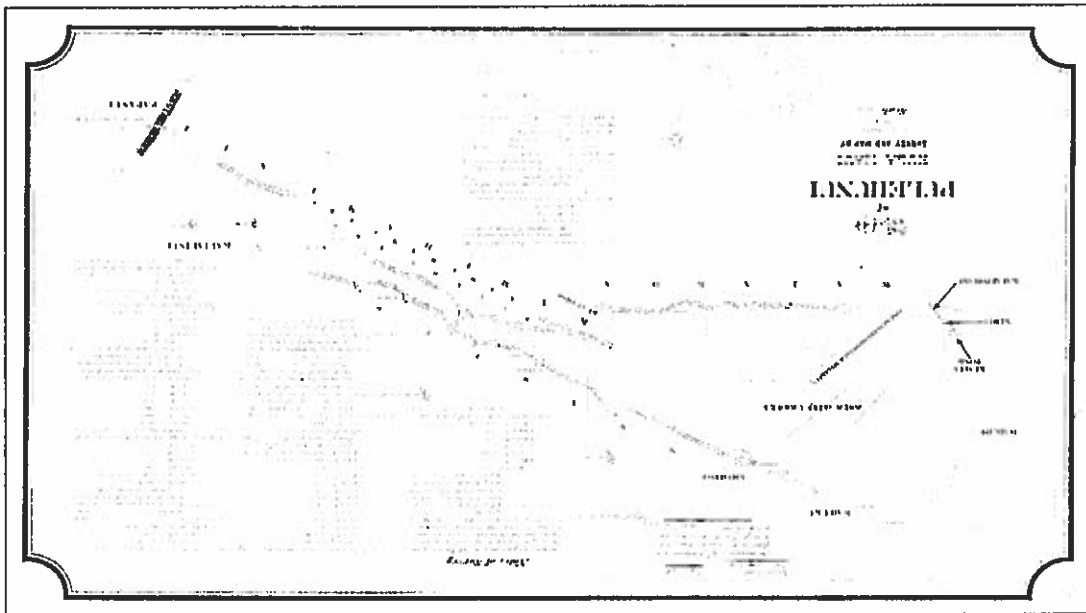
As the sugar industry developed in the mid-1800s, more and more land was leased or purchased for what had become an intensely profitable endeavor. Water was an issue, but in 1876, the Hamakua Ditch Company (Alexander and Baldwin) was formed and within two years was bringing water from the streams of Halekālā to four plantations in East Maui (Dorrance and Morgan 2000).

Also in 1876, the Reciprocity Treaty's ratification notice arrived by steamer, along with Claus Spreckles, California's sugar magnate, who viewed the sugar situation and decided two years later to turn the dry plains of Maui into a garden of cultivated cane (Van Dyke 2008). By various questionable means, he was able to acquire half interest in 16,000 acres of land in Waikapū commons and was able to lease 24,000 acres of Crown Lands on the Wailuku plains in central Maui for \$1,000 (*ibid.*). Figure 4 above, shows the survey line of the property extending across Pūlehu Nui, Claus Spreckles obtained from Henry Cornwell.

Having seen the success of the recently completed Hamakua Ditch now bringing mountain water to the otherwise dry, and unproductive East Maui fields, and having lost his battle to control this ditch water, Spreckles formed the Hawaiian Commercial Company and decided to construct a ditch system of his own on East Maui above the Hamakua Ditch, for his newly acquired land (Wilcox 1996). Spreckles' Haiku Ditch extended 30 miles, from Honomanu Stream to the Kīhei boundary and the water was used to irrigate his cane lands in the central Maui plains (*ibid.*). Presently, the Haiku Ditch ends at the Haiku reservoir abutting the project area to the north (see Figure 1).

In 1882, Spreckles reorganized his company into a California corporation, called Hawaiian Commercial and Sugar Company, or HC&S (Wilcox 1996). Later he constructed another water system known as the Waīhee Ditch in West Maui. It brought

Figure 4: Modified "Pūlehu Nui Kūia Maui, Survey and Map By M.D. Monsarrat 1879", Showing *Akupua ʻa Meets* and Bounds and Boundary of Spreckles Kūia land(State Survey Office, Reg. Map #1770)



water from 15 miles away, starting at an elevation of 435 feet, to Kula where it emptied into HC&S Waiale reservoir (*ibid.*).

The ensuing years brought trials and tribulations between Spreckles, his associates, and the Maui sugar planters, resulting finally in the 1898 sale of his HC&S stock, at an all time low, to James Castle in partnership with Alexander and Baldwin, and the departure of Claus Spreckles from Hawai'i (Dorrance and Morgan 2000; Wilcox 1996).

Henry Baldwin and Lorrin Thurston formed the Kihei Sugar Company in 1899, to grow cane on their ranch lands in south central Maui, which included the project area (Dorrance and Morgan 2000). It was sent to the mill at Pu'u'uēhē to be ground, but, although production was high, it was not enough to cover the costs (*ibid.*).

After the annexation in 1898, some of the planters on Maui, including Alexander and Baldwin, had decided to combine plantations to reap maximum profit. They formed the Maui Agricultural Company, a co-partnership that initially encompassed seven plantations and two mills. In 1904, five new plantations became part of the Maui Agricultural Company, as Kula Plantation Company, Makawao Plantation Company, Pūlehu Plantation Company, Kailua Plantation and Kaliauui Plantation Company were newly formed by carving up the unprofitable Kihei Plantation land (Dorrance and Morgan 2000). Figure 5 shows the lands in Kula, previously Kihei Plantation Company, which became the "five companies" of the Maui Agricultural Company surveyed in 1904 by Arthur Alexander. The newly formed Makawao Plantation included the section of Pūlehu Nui containing the project area (Figure 6). Maui Agricultural Company merged with HC&S in 1948 (Dorrance and Morgan 2000).

WORLD WAR II

A portion of the cane fields to the west of the project area was turned into a civil airfield for the Territory of Hawai'i in 1937, as the one located at Ma'alaica had become so small to accommodate (www.airfields-freeman.com/HI/Airfields_HI_Maui.htm:201). Two years later, Inter-Island Airways began service to Maui, conveniently landing at Puunene Airport. As war loomed on the horizon (1940), the Navy began using the airport, along with a small Army Air Corps support base at the airfield (*ibid.*). At this time, the air station was being used to support Squadron VU-3, to tow targets and operate

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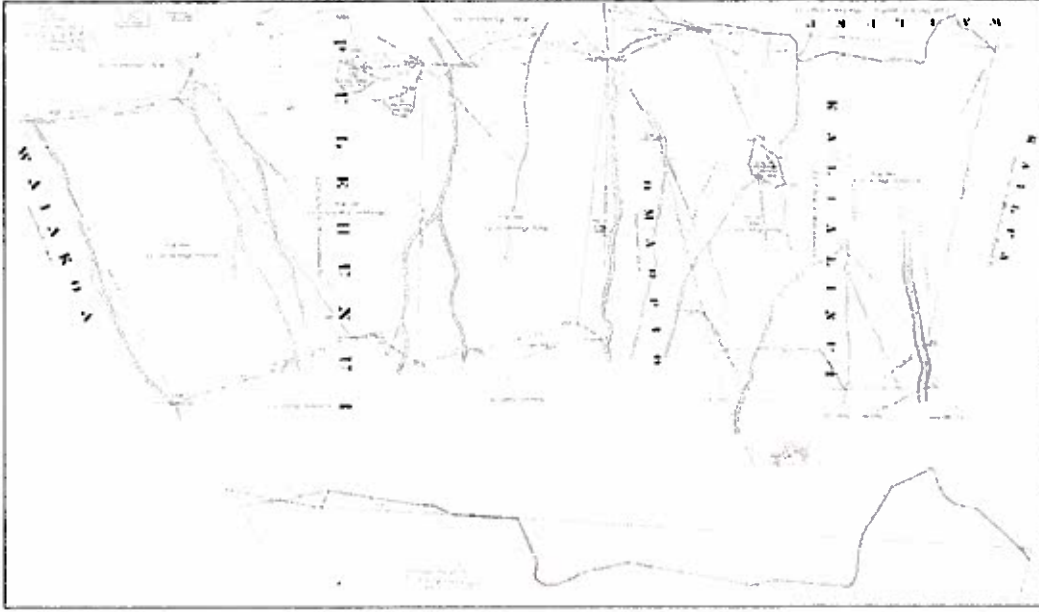


Figure 5: "Kihei Plantation Co. [crossed out], Map of Lands in Kula, Maui Belonging to the "Five Companies" of the Maui Ag. Co., July 1904" (State Survey Office, Reg. Map #1770).

drones for the fleet. Shortly after the United States entered WWII, land in the area of the airport was condemned (1942), including the project parcel listed as parcel 2-C in the Declaration of Taking filed with the District Court of the United States for the District of Hawaii (on file Bureau of Conveyances, Honolulu). The airport was expanded and commissioned as Naval Air Station Maui (NAS). The Figure 7 photo illustrates the military impact on the area and shows a portion of the Haiku reservoir and the project area. The Navy lengthened and widened the runways and added Link trainers, as well as changing its name to NAS Puunene. One hundred and six squadrons and carrier groups passed through the NAS during WWII (www.airfield-freeman.com/HW/Airfields_HI_Maui.htm; 2011).

Figure 8 shows a 1944 map of the Naval Air Station, including the Haiku Reservoir and the project area, in 1943. By 1945, the base consisted of a total of 2,202 acres, supporting over 3,300 personnel, and 271 aircraft. There were two paved runways, taxiways, ramps, hangers, and auxiliary buildings (*ibid.*).

The airfield was released by the Navy back to the Territory of Hawai'i in 1947 and was apparently used as the official inter-island Airport until at least 1952 when the Kahului Airport was available for civil use (*ibid.*). However, the Maui/Pu'unenē airstrip, as it was known, serviced crop-dusters and other smaller aircraft and wasn't abandoned as a landing strip until sometime between 1961 and 1977 (*ibid.*). Over-grown military facilities were left in the area, including bunkers, revetments, and other bits and pieces. This is when the old airstrips were used for impromptu racing. All the land, except 222 acres, was sold back to HC&S by the State of Hawai'i. The 222 acres were deeded to the Maui County and the 2002 master plan for this land, included a raceway park, county fair grounds, Hawai'i National Guard, Maui Correctional Center and 3.5 (at the northeast end of the drag strip acres set aside for a naval memorial park at the northeast end of the drag strip (*ibid.*). Management is provided by the County Parks and Recreation Department and a portion of the airstrip is presently being used by the Maui Raceway Park Drag Strip, the Paradise Speedway Dirt Track, and the Maui Remote Airplane Club (*ibid.*).

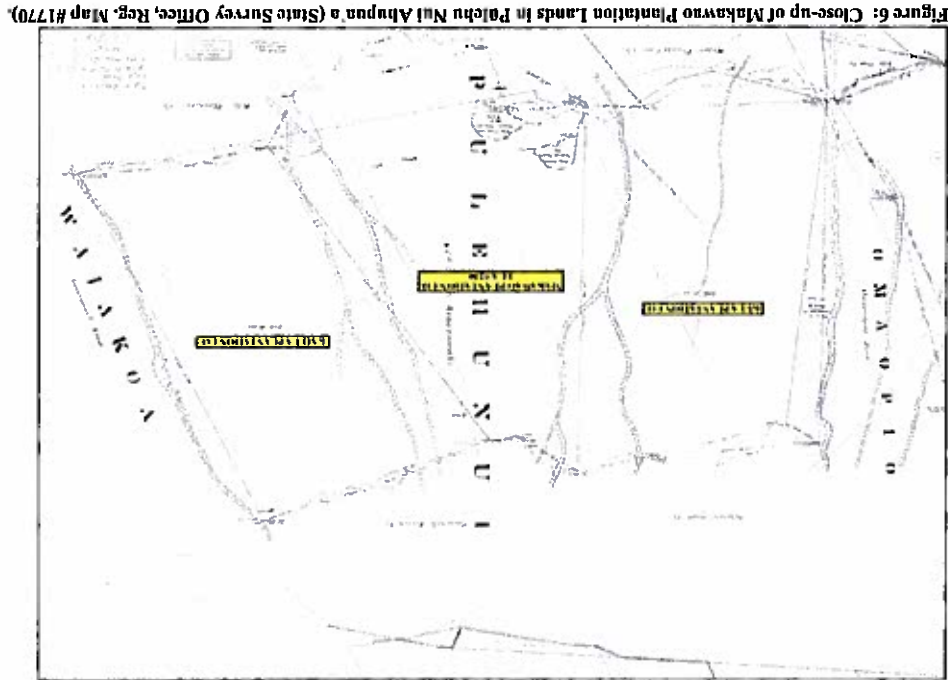


Figure 6: Close-up of Makawao Plantation Lands in Polchu Nui Ahupua'a (State Survey Office, Reg. Map #1770).

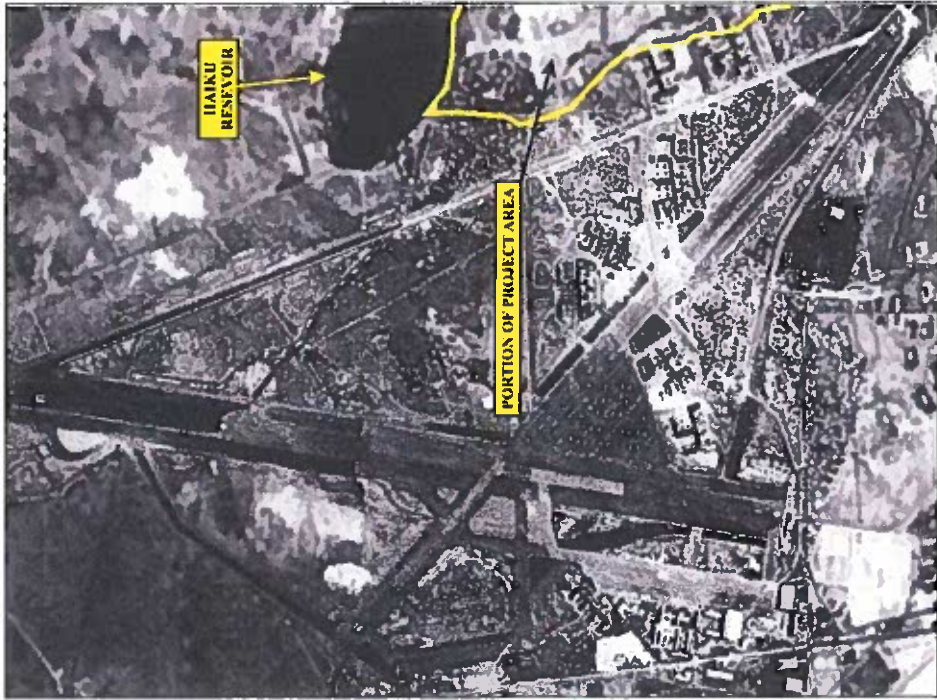


Figure 7: "1943 Aerial View of Puanene" (National Archives Photo).

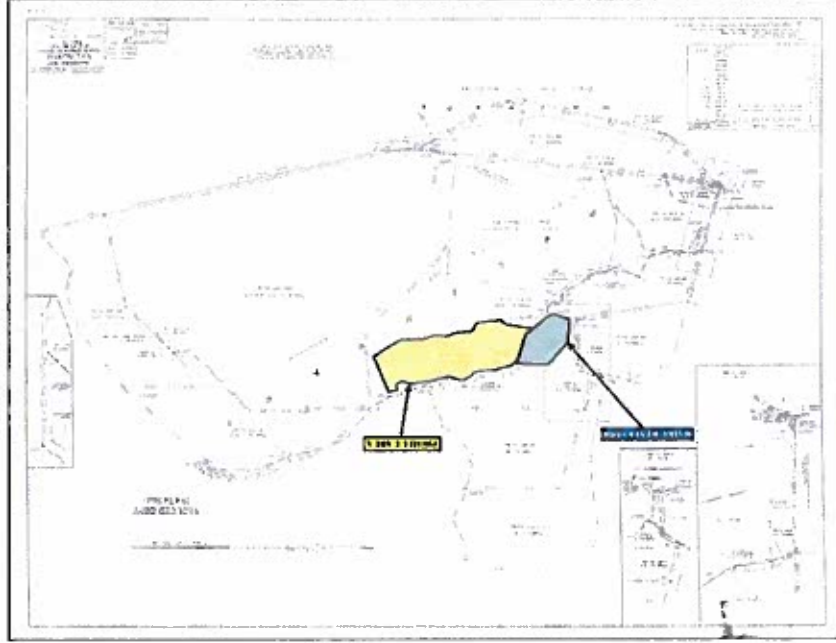


Figure 8: "Boundary Map NAS Puanene Polohuani and Waikapu Districts of Kula and Waiau Māui T.H. June 1944", Showing Project Area (14th Naval District, Pearl Harbor, T.H.; Courtesy of Hugh Starr).

In recent times, the northern half of the 86-acre parcel had been used for a pig farm and as a scrap-metal storage site, while the southern half of the property remained fallow.

SUMMARY

The "level of effort undertaken" to identify potential effect by a project to cultural resources, places or beliefs (OEQC 1997) has not been officially defined and is left up to the investigator. A good faith effort can mean contacting agencies by letter, interviewing people who may be affected by the project or who know its history, research identifying sensitive areas and previous land use, holding meetings in which the public is invited to testify, notifying the community through the media, and other appropriate strategies based on the type of project being proposed and its impact potential. Sending inquiring letters to organizations concerning development of a piece of property that has already been totally impacted by previous activity and is located in an already developed industrial area may be a "good faith effort". However, when many factors need to be considered, such as in coastal or mountain development, a good faith effort might mean an entirely different level of research activity.

In the case of the present parcel, letters of inquiry were sent to organizations whose expertise would include the project area. Consultation was sought from the History and Culture Branch Chief of the State Historic Preservation Division; Office of Hawaiian Affairs (OHA), O'ahu Branch; Central Maui Hawaiian Civic Club; Kimoko Kapahuleui; Maui SHPD, Cultural Branch; County of Maui, Department of Planning, Cultural Resources Commission; OHA Maui Branch; and Hale Mahaolu. In addition, a Cultural Impact Assessment Notice was published in *The Honolulu Star-Advertiser*, and *The Maui News*, on July 20, 21, and 24, as well as and the August issue of the OHA newspaper, *Ka Wai Ola* (page 29).

Historical and cultural source materials were extensively used and can be found listed in the References Cited portion of the report. Such scholars as I'i, Kamakau, Beckwith, Chinen, Kame'eiehiwa, Formander, Kuykendall, Kelly, Handy and Handy, Puku'i and Elbert, Thrum, Sterling, and Cordy have contributed, and continue to contribute to our knowledge and understanding of Hawai'i, past and present. The works of these and other authors were consulted and incorporated in the report where appropriate. Land use document research was supplied by the Waihona 'Aina 2007 Data base.

ARCHAEOLOGY

In depth archaeological information concerning the project area and vicinity can be found in the appropriate Archaeology section of the Environmental Impact Statement that covers the archaeological studies associated with this project. Individual reports can be found on file at the State Historic Preservation Division.

Briefly, International Archaeological Research Institute, Inc. (IARI) conducted Archaeological Inventory Survey in 1999 of a large area, part of which included the current the subject property (Tomamari-Tuggle *et al.* 2001). During the IARI survey, two archaeological sites, State Site 50-50-09-4164 (former World War Two Naval Air Station Puunene) and State Site 50-50-09-4801 (post-World War II cattle ranching site) were newly identified. IARI determined that at least two of these archaeological sites were used for multiple historic activities (Tomamari-Tuggle *et al.* 2001). For example, the crop dusting operation utilized the former Naval Air Station Puunene's airstrip as a runway for their planes. A few of the standing military structures located on the current project area [TMK: (2) 3-8-008:09] were converted form military features to holding facilities for pigs.

In 2011, SCS relocated these two archaeological sites and supplemented the initial study with the identification of additional, previously undocumented surface features within the two State sites identified by IARI (Tome and Dega 2011). Archival research indicated the northern half of the project area had been utilized for a pig farm and as a scrap-metal storage site, while the southern half of the subject property remained fallow. A total of fifteen (15) features, interpreted as either NAS Puunene-related or post-war cattle ranching-related features, had not been previously recorded. Of these 15 features recorded during this 2011 study, three features were located in the State Site 50-50-09-4801 post-war cattle ranching area. The remaining twelve (12) features were located in the State Site 50-50-09-4164 former Naval Air Station Pu'unenē area.

Archaeology deals with material remains, and although cultural beliefs are often reflected through some sort of architecture, like *heiau*, or *ko'a*, there are many examples of cultural associations still important to the community with no physical structures to mark their significance. One such place, *Uluhukani O Lanikaula*, located on Moloka'i, is considered an extremely sacred spot. Another might be Kilauea and Halema'uma'u, home of Pele o Hawai'i Island. These places have become important sites supporting a traditional belief system still held by the many peoples of Hawai'i. They contain no

identified archaeological features, however they are highly meaningful "...because of [their] association with cultural practices or beliefs of a living community . . ." (King 2003:3).

CIA INQUIRY RESPONSE

As stated above, consultation was sought from the History and Culture Branch Chief of the State Historic Preservation Division; Office of Hawaiian Affairs (OHA), O'ahu Branch; Central Maui Hawaiian Civic Club; Kimokeo Kapaluleua; Maui SHPD, Cultural Branch; County of Maui, Department of Planning, Cultural Resources Commission; OHA Maui Branch; and Hale Mahaolu . In addition, a Cultural Impact Assessment Notice was published in *The Honolulu Star-Advertiser*, and *The Maui News*, on July 20, 21, and 24, as well as and the August issue of the OHA newspaper, *Ka Wai Ola* . In addition, contact was made with long time resident, Hugh Starr, who sent copies of reference documents and a map pertaining to the WWII use of the area. A letter was received from OHA, dated July 28, 2011, with no additional CIA referrals, but a number of suggestions concerning environmental aspects of the project that SCS passed on the client for their consideration (Appendix C).

No further comments, or information was received from the other letters of inquiry concerning the potential for cultural resources or cultural activities to occur in the project area (TMK 3-8-08:019), or with additional suggestions for further contacts.

CULTURAL ASSESSMENT

Analysis of the potential effect of the project on cultural resources, practices or beliefs, its potential to isolate cultural resources, practices or beliefs from their setting, and the potential of the project to introduce elements which may alter the setting in which cultural practices take place is also a suggested guideline of the OEQC (No. 10, 1997). To our knowledge, the project area has not been used for traditional cultural purposes within recent times. Based on historical research and no additional suggestion for contacts, analysis of the potential effect of the project on cultural resources, practices or beliefs, its potential to isolate cultural resources, practices or beliefs from their setting, and the potential of the project to introduce elements which may alter the setting in which cultural practices take place is a requirement of the OEQC (No. 10, 1997). To our

knowledge, the project area has not been used for traditional cultural purposes within recent times.

Based on the above research, it is reasonable to conclude that, pursuant to Act 50, the exercise of native Hawaiian rights, or any ethnic group, related to gathering, access or other customary activities will not be affected by development activities on a portion of Parcel 019. Because there were no cultural activities identified within the project area, there are no adverse effects. The visual impact of the project from surrounding vantage points, e.g. the highway, mountains, and coast is minimal.

REFERENCES CITED

- Bates, George Washington
1854 *Sandwich Island Notes*. Harpers & Brothers, Publishers. New York.
- Beaglehole, John, Ed.
1967 *The Journals of Captain James Cook on his Voyages of Discovery*. Vol 3. *The Voyage of the Resolution and Discovery, 1776-1780*. Cambridge: Hakluyt Society, Cambridge University Press: London.
- Beckwith, Mardha
1940 *Hawaiian Mythology*. The University of Hawaii. Honolulu.
- Chinen, Jon
1961 Original Land Titles in Hawaii. Copyright 1961 Jon Jitsuzo Chinen. Library of Congress Catalogue Card No. 61-17314.
- Comey, Peter
1965 *Early Voyages in the North Pacific, 1813-1818*. Reprint ed. Ye Galleon Press. Fairfield, Washington.
- Daws, G.
1968 *Shoal of Time: History of the Hawaiian Islands*. University of Hawai'i Press. Honolulu.
- Dornance, William H. and Francis Morgan
2000 *Sugar Islands*. Mutual Publishing. Honolulu.
- Formander, Abraham
1919 *Hawaiian Antiquities and Folklore*. Bishop Museum Press: Honolulu.
- Handy, Craigbill
1940 *The Hawaiian Planter, Vol 1*. Bishop Museum Press: Honolulu.
- Handy, E.S.C. and D.G. Handy
1972 *Native Planters in Old Hawaii: Their Life, Lore, and Environment*. B. P. Bishop Museum Bulletin 233. Bishop Museum Press, Honolulu.
- Kamakau, Samuel
1961 *Ruling Chiefs of Hawaii*. The Kamehameha Schools Press: Honolulu.
- Kame'elehewa, Lili'uala
1992 *Native Land and Foreign Desires: Pehea La E Pono Ai? Bishop Museum Press*. Honolulu.
- Kelly, Marion
1983 *Nā Māla o Kona: Gardens of Kona*. Dept. of Anthropology Report Series 83-2. Bishop Museum. Honolulu.
- 1998 A Gumboat Diplomacy, Sandalwood Lust and National Debt. In *Ka Iwai Ola o OHA*, Vol. 15, No. 4, April 1998.
- King, Thomas
2003 *Places that Count*. Alta Mira Press. California.
- Kirch, Patrick
1985 *Feathered Gods and Fishhooks: An Introduction to Hawaiian Archaeology and Prehistory*. University of Hawaii Press. Honolulu.
- Kirch, Patrick V. and Marshall Sahlins
1992 *Anahulu*. Vol. 1 and 2. University of Chicago Press. Chicago.
- Kuykendall, R.S.
1938 *The Hawaiian Kingdom*. Vol. 1. University of Hawai'i Press. Honolulu.
- Lucas, Paul F. Na'hoa
1995 *A Dictionary of Hawaiian Legal Land-Terms*. Native Hawaiian Legal Corporation. University of Hawai'i Committee for the Preservation and Study of Hawaiian Language, Art and Culture. University of Hawai'i Press.
- Lyons, C.J.
1875 Land Matters in Hawaii. *The Islander*, Vol. 1. Honolulu.
- OEQC (Hawaii State Office of Environmental Quality Control)
1997 "Guidelines for Assessing Cultural Impacts." Adopted by the Environmental Council, November 1997
- Parker, Patricia and Thomas King
1990 Guidelines for Evaluation and Documenting Traditional Cultural Properties. *National Register Bulletin*. No. 38. U.S. Department of the Interior, National Park Service.
- Pukui, Mary Kawena, Samuel Elbert, Esther Mookini
1974 *Place Names of Hawaii*. University of Hawai'i Press: Honolulu.

- Tome, Guerin and Mike Dega
2011 *An Archaeological Inventory Survey of an Approximate 917 Meier-Long Alternate Access Road and an 86.029 Property in Puunene, Pūlehu Nui Ahupua'a, Waiuku District, Island of Maui, Hawai'i [TMK 920 3-8 008-005, 006, and 019].* Prepared for Pacific Rim Land, Inc.
- Tomonari-Tuggle, M.J., H.D. Tuggle, D.E. Duensing, C.Magnusen, and U. Prasad
2001 *Fire on the Land: Archaeology, Architecture, and Oral History of Former Naval Air Station Puunene, Pūlehu Nui, Maui.* International Archaeological Research Institute, Honolulu.
- Wailona 'Aina Corporation
2011 *Māhele Database.* www.wailona.com. Accessed on July 2011. Honolulu, Hawaii.
- Wilcox, Carol
1996 *Sugar Water: Hawaii's Plantation Ditches.* University of Hawai'i Press, Honolulu.
- Vancouver, George
1984 *A Voyage of Discovery to the North Pacific Ocean and Round the World 1791-1795.* Kaye Lamb, ed. The Hakluyt Society. Cambridge University Press: London.
- Van Dyke, Jon
2008 *Who Owns the Crown Lands of Hawai'i?* University of Hawai'i Press, Honolulu.

APPENDIX A: CIA CONSULTATION LETTERS - 1ST BATCH 8 JULY 2011

Phyllis Coeche Cayan
History and Culture Branch Chief
State Historic Preservation Division
601 Kamohila Blvd. Room 555
Kapolei, Hawaii 96707

July 8, 2011

Dear Ms. Cayan:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'uhone, Pūhāhonu, Ahupua'a, Waiuku District, Maui Island [TMK: (2) 3-8-008:019] (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Waikona 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweamahi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

According to the *Guidelines for Assessing Cultural Impacts* (Office of Environmental Quality Control, Nov. 1997):

The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs... The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...

We are asking you for any information that might assist us in gathering knowledge of traditional activities, or traditional rights that might be impacted by development of the property. The results of our assessments rely greatly on the assistance and response of individuals and organizations such as yours. Enclosed are maps showing the location of the proposed project area. Please contact me or Leann McGerty at our SCS Honolulu office at (808) 597-1182; with any information or recommendations concerning this Cultural Impact Assessment.

Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Daglier
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

Figure 1: USGS Quadrangle (Waiuku) Map Showing Project Area Location.
Figure 2: Tax Map Key [TMK: (2) 3-8-008] Showing Project Area Location.
Land Commission Award 5230

Central Maui Hawaiian Civic Club
P.O. Box 1493
Waiuku, Hawaii 96793

August 24, 2011

Dear Members:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'uhone, Pūhāhonu, Ahupua'a, Waiuku District, Maui Island [TMK: (2) 3-8-008:019] (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Waikona 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweamahi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

According to the *Guidelines for Assessing Cultural Impacts* (Office of Environmental Quality Control, Nov. 1997):

The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs... The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...

We are asking you for any information that might assist us in gathering knowledge of traditional activities, or traditional rights that might be impacted by development of the property. The results of our assessments rely greatly on the assistance and response of individuals and organizations such as yours. Enclosed are maps showing the location of the proposed project area. Please contact me or Leann McGerty at our SCS Honolulu office at (808) 597-1182; with any information or recommendations concerning this Cultural Impact Assessment.

Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Daglier
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

Figure 1: USGS Quadrangle (Waiuku) Map Showing Project Area Location.
Figure 2: Tax Map Key [TMK: (2) 3-8-008] Showing Project Area Location.
Land Commission Award 5230

County of Maui
Department of Planning
Cultural Resources Commission
250 S. High Street
Wailuku, Hawaii 96793

July 8, 2011

Dear Sir or Madam:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'umene, Pūhānuū Ahupua'a, Wailuku District, Maui Island (TMK: (2)3-8-008:019) (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Wāhona 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweamāhi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

According to the *Guidelines for Assessing Cultural Impacts* (Office of Environmental Quality Control, Nov. 1997): The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs... The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...

We are asking you for any information that might assist us in gathering knowledge of traditional activities, or traditional rights that might be impacted by development of the property. The results of our assessments rely greatly on the assistance and response of individuals and organizations such as yours. Enclosed are maps showing the location of the proposed project area. Please contact me or Leann McGerty at our SCS Honolulu office at (808) 597-1182, with any information or recommendations concerning this Cultural Impact Assessment.

Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Dagher
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

Figure 1: USGS Quadrangle (Wailuku) Map Showing Project Area Location.
Figure 2: Tax Map Key (TMK: (2)3-8-008) Showing Project Area Location.
Land Commission Award 5230

3

Hale Mahalo
11 Mahalo St.
Kahului, Hawaii 96732

July 8, 2011

Dear Members:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'umene, Pūhānuū Ahupua'a, Wailuku District, Maui Island (TMK: (2)3-8-008:019) (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Wāhona 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweamāhi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

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We are asking you for any information that might assist us in gathering knowledge of traditional activities, or traditional rights that might be impacted by development of the property. The results of our assessments rely greatly on the assistance and response of individuals and organizations such as yours. Enclosed are maps showing the location of the proposed project area. Please contact me or Leann McGerty at our SCS Honolulu office at (808) 597-1182, with any information or recommendations concerning this Cultural Impact Assessment.

Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Dagher
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

Figure 1: USGS Quadrangle (Wailuku) Map Showing Project Area Location.
Figure 2: Tax Map Key (TMK: (2)3-8-008) Showing Project Area Location.
Land Commission Award 5230

4

Kimoeko Kapuhuluhua
c/o 'Ao 'Ao O Nā Loko I 'a O Maui
P.O. Box 1574
Kihei, Hawai'i 96731

July 8, 2011

Dear Mr. Kapuhuluhua:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'uene, Pūhāhāhā District, Maui Island [TMK: (2) 3-8-008:019] (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Waiohona 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweamāhi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

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The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs... The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...

We are asking you for any information that might assist us in gathering knowledge of traditional activities, or traditional rights that might be impacted by development of the property. The results of our assessments rely greatly on the assistance and response of individuals and organizations such as yours. Enclosed are maps showing the location of the proposed project area. Please contact me or Leann McGerty at our SCS Honolulu office at (808) 597-1182; with any information or recommendations concerning this Cultural Impact Assessment.

Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Dagher
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

Figure 1: USGS Quadrangle (Wailuku) Map Showing Project Area Location.
Figure 2: Tax Map Key [TMK: (2) 3-8-008] Showing Project Area Location.
Land Commission Award 5230

5

Office of Hawaiian Affairs
360 Papa Place, Suite 105
Kahului, Hawai'i 96732-2464

July 8, 2011

Dear Sir or Madam:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'uene, Pūhāhāhā District, Maui Island [TMK: (2) 3-8-008:019] (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Waiohona 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweamāhi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

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Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Dagher
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

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Figure 2: Tax Map Key [TMK: (2) 3-8-008] Showing Project Area Location.
Land Commission Award 5230

6

Clyde Nānu o, Director
City Office of Hawaiian Affairs
711 Kapi'olani Blvd, Suite 500
Honolulu, Hawaii 96813

July 8, 2011

Dear Mr. Nānu o:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'uene, Pūhāhonu Ahupua'a, Waiuku District, Maui Island [TMK: (2) 3-8-008:019] (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Waihoana 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweama'ahi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

According to the *Guidelines for Assessing Cultural Impacts* (Office of Environmental Quality Control, Nov. 1997): The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs... The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...

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Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Dagher
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

Figure 1: USGS Quadrangle (Waiuku) Map Showing Project Area Location.
Figure 2: Tax Map Key [TMK: (2) 3-8-008] Showing Project Area Location.
Land Commission Award 5230

7

Hinano Rodrigues, Cultural Historian
DLNR Maui Office Annex
130 Mahalani Street
Waiuku, Hawaii 96791

July 8, 2011

Dear Hinano:

Scientific Consultant Services, Inc. (SCS) has been contracted by Pacific Rim Land Inc., to conduct a Cultural Impact Assessment (CIA) of a land parcel in Pu'uene, Pūhāhonu Ahupua'a, Waiuku District, Maui Island [TMK: (2) 3-8-008:019] (Figures 1 and 2). According to documents supplied by Pacific Rim Land Inc., the project area consists of approximately 86 acres, which Pacific Rim Land Inc. plans to develop into a heavy industrial subdivision. Scientific Consultant Services is in the process of conducting an Archaeological Inventory Survey of the subject property and is assessing the probability of impacting cultural values and rights within the project area and its vicinity. A search of the Waihoana 'Aina Database (2011) indicates Land Commission Award (LCA) 5230 was issued to one Keaweama'ahi. According to the Tax Map Key (TMK), LCA 5230 appears to have included the current project area (see Figure 2).

According to the *Guidelines for Assessing Cultural Impacts* (Office of Environmental Quality Control, Nov. 1997): The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs... The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both man made and natural which support such cultural beliefs...

We are asking you for any information that might assist us in gathering knowledge of traditional activities, or traditional rights that might be impacted by development of the property. The results of our assessments rely greatly on the assistance and response of individuals and organizations such as yours. Enclosed are maps showing the location of the proposed project area. Please contact me or Leann McGerty at our SCS Honolulu office at (808) 597-1182; with any information or recommendations concerning this Cultural Impact Assessment.

Thank you in advance for your comments and help. We look forward to hearing from you.

Sincerely,

Cathleen A. Dagher
Senior Archaeologist
Scientific Consultant Services, Inc.

Attachments:

Figure 1: USGS Quadrangle (Waiuku) Map Showing Project Area Location.
Figure 2: Tax Map Key [TMK: (2) 3-8-008] Showing Project Area Location.
Land Commission Award 5230

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APPENDIX B: NEWSPAPER NOTICES

CULTURAL IMPACT ASSESSMENT NOTICE:
Information requested by SCS of cultural resources or ongoing cultural activities on or near a land parcel in Pūanani, Pūhāhonui Ahupuaʻa & Waihiʻa District, Nāhā, Hānā, (TNR: 72) 3-8-04-019).

Please respond within 30 days to SCS at (808) 597-1182

Ka Wai Ola
Honolulu Advertiser
Maui News

B

B)



FAX: 808-597-1182

FAX: 808-597-1183

FAX OR TRANSMITTAL MEMORANDUM

To: SIVY ROBERTSON Date: 7/14/2011
From: Legal Dept. Phone: 524-4344
Address: Legals@StarAirlines.com Fax: 524-4824

The following is being sent to you By Fax _____ By Email _____ Under Separate Cover
SCS Report(s) _____ Cont. # (s) _____ Sheet(s) _____ Bid _____ Other _____

SCS Project Number: 1221

RUN DATES 7/20/7/21/7/24

- For your files
- For your files
- For review and comments
- For your signature and return
- Submitting as "DRAFT"
- Submitting as "FINAL"
- For mandatory attach
- All required
- All per the contract

Comments:

Mary Thanks Stewart

Date:

For SCS:

Star Quality Dept. Name: _____ Position: _____ Title: _____

CULTURAL IMPACT ASSESSMENT NOTICE:
Information requested by SCS of cultural resources or on-going cultural activities on or near a land parcel in Pu'uonohu, Pūhāhonu, Waiuku, Waiuku District, Maui, Island, Hawaii: (T.N.M.C. (2) 3-8-008.0194).
Please respond within 30 days to SCS at (808) 597-1182

Ka Wai Ola
Honolulu Advertiser
Maui News

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII, } ss.
County of Maui }

Rhonda M. Kurohara being duly sworn deposes and says that she is in Advertising Sales of the Maui Publishing Co., Ltd., publishers of THE MAUI NEWS, a newspaper published in Wailuku, County of Maui, State of Hawaii; that the entered publication is to

CULTURAL IMPACT ASSESSMENT NOTICE

of which the assessed is a true and correct printed notice, was published 3 times in THE MAUI NEWS, addressed, commencing on the 20th day of July, 2011, and ending on the 24th day of July, 2011, (both days inclusive), to-wit: on July 20, 21, 24, 2011

and that affiant is not a party to or in any way interested in the above certified matter.

This 1 page Cultural Impact assessed July 20, 21, 24, 2011, was subscribed and sworn to before me this 25th day of July, 2011, in the Second Circuit of the State of Hawaii, by Rhonda M. Kurohara



Betty E. Jerns
Notary Public, Second Judicial Circuit, State of Hawaii
BETTY E. JERNS
NOTARY PUBLIC

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**AFFIDAVIT OF PUBLICATION
IN THE MATTER OF**

STATE OF HAWAII } ss.
City and County of Honolulu }

Doc. Date: Jul 20 2011 # Pages: 1
Notary Name: Patricia K. Reese Pre-Judge Circuit
Doc. Description: Affidavit of Publication
Publication: *Patricia K. Reese*

Notary Public being duly sworn, deposes and says that she is a duly authorized publisher of the above described document, and that she is not a party to or in any way interested in the above certified matter.

Witness my hand and seal this 25th day of July, 2011, in the Second Circuit of the State of Hawaii.

And I, the affiant, do hereby certify that the above described matter is a true and correct copy of the original as filed with me.

Subscribed and sworn to before me this 25th day of July, 2011, in the Second Circuit of the State of Hawaii, by *Patricia K. Reese*

AD # 000029663

CULTURAL IMPACT ASSESSMENT NOTICE:
Information reported by SCS of all local projects or activities that may have a potential impact on the cultural resources of the State of Hawaii, including but not limited to, historic sites, landmarks, archaeological sites, and other cultural resources. This notice is required for all projects that are subject to the Cultural Impact Assessment Act (HRS Chapter 205A).



07/15/2011 08:53

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HAUT NEWS CLASSIFIED

PAGE 01/04

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APPENDIX C: OHA'S RESPONSE

Source: Classified Source 2-4
CLASSIFIED BY: [redacted]
148866 - Page 1 - Composite

CULTURAL IMPACT ASSESSMENT NOTICE:
Information reported by SCS of cultural activities or religious cultural activities in or near a land parcel in the Hawaiian Islands, including the State of Hawaii, may be of interest to the State of Hawaii, the Department of Land and Natural Resources, the Department of Planning and Economic Development, and the Department of Health. If you are a landowner or have information regarding a land parcel in the Hawaiian Islands, please contact the Department of Land and Natural Resources at (808) 225-1122. For more information, visit www.dlnr.hawaii.gov.

CP

To: 54919
From: [redacted]
The Hawaii News Classified Desk
PR (808) 242-6333 Fax: (808) 242-6389
Your ad proof. Please call or fax your corrections/proof by _____
A. Blum

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B6

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PHONE: (808) 334-1885
FAX: (808) 334-1823



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 HAPOLAHU BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

HRD11/5837R

July 28, 2011

Cathleen A. Dagher, Senior Archaeologist
Scientific Consultant Services, Inc.
711 Kapʻolani Boulevard, Suite 975
Honolulu, Hawaii 96813

Re: Pre-Cultural Impact Assessment Consultation
Pūmehoe Heavy Industrial Subdivision
Island of Maui

Alaina e Cathleen A. Dagher.

The Office of Hawaiian Affairs (OHA) is in receipt of your July 8, 2011 letter with enclosures, initiating consultation ahead of a cultural impact assessment (CIA) for the proposed development of a heavy industrial subdivision (project) on 86 acres in Kihun on the Island of Maui. OHA is consequently responding to a June 21, 2011 request for comments on this project from Chris Hart & Partner, Inc. who will be preparing a draft environmental assessment (DEA). It is our understanding your CIA will have a supporting document to certain determinations within the DEA.

Your letter indicates that your firm will be conducting an archaeological inventory survey (AIS) of the project area. We look forward to reviewing the results of the AIS. Your archival research indicates Land Commission Award 5239 to Keawemahi is within the project area. We appreciate that you have provided this information in your letter.

OHA suggests that your CIA comprehensively discuss how project infrastructure (wastewater and onsite drainage systems) intends to contain chemicals and materials and prevent them from entering adjacent irrigation water systems or adversely impact the overall quality of the South Maui watershed (watershed) and groundwater. As you know, in traditional thinking natural resources (such as water) and cultural resources are one and the same and necessary to perpetuate traditional cultural practices.

OHA notes that the Kealia Pond National Wildlife Refuge (NWR) serves as a "sitting basin" for the entire watershed and is subject to intermittent flooding during the winter months. It is possible that any chemicals or pollutants which enter the watershed end up in the NWR adversely impacting native species and near shore marine water quality.

Cathleen A. Dagher, Senior Archaeologist
Scientific Consultant Services, Inc.
July 28, 2011
Page 2 of 2

We have no additional comments or referrals to individuals or organizations who may be interested in participating in consultation for this project in order to you at this time. Thank you for initiating consultation. We look forward to reviewing the CIA and providing additional comments at that time. Should you have any questions or concerns, please contact Keala Linkley at 594-0244 or keala@ohai.org.

ʻO wau iho nō me ka ʻāia ʻiʻo.

Cathleen A. Dagher
Chief Executive Officer

C: OHA- Maui COC