

Draft Environmental Assessment

PROPOSED KALAUPAPA MEMORIAL LOCATED AT KALAUPAPA NATIONAL HISTORICAL PARK, ISLAND OF MOLOKA'I, HAWAI'I, TMK (2)6-1-001:002(POR.)

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Executive Summary

Project Name:	Proposed Kalaupapa Memorial
Type of Document:	Draft Environmental Assessment
Legal Authority:	Chapter 343, Hawai'i Revised Statutes
Agency Determination:	Anticipated Finding of No Significant Impact
Applicable Environmental Assessment review "Trigger":	Use of State Lands
Location:	Island of Moloka'i Kalaupapa National Historical Park Old Baldwin Boys Home Kalawao, Moloka'i, Hawai'i TMK No. (2)6-1-001:002(por.)
Applicant:	Ka 'Ohana O Kalaupapa P. O. Box 1111 Kalaupapa, Hawai'i 96742
Approving Agency:	Suzanne Case, Chairperson State of Hawai'i Department of Land and Natural Resources 1151 Punchbowl Street Honolulu, Hawai'i 96813
Project Summary:	Creation of a Kalaupapa Memorial ("Memorial") is an endeavor founded and fostered by the residents of Kalaupapa and their family members. Approximately 1,000 of the estimated 8,000 individuals who died at Kalaupapa have a marked grave. The remaining people lie in unmarked graves. The Memorial will list the names of all those sent to Kalaupapa and will serve as a lasting tribute to these thousands of people, more than 90 percent of whom were Native Hawaiians, to ensure that they are an integral part of the history that they helped to create. The Memorial will also provide

family members with a fitting place to reflect on the lives of their ancestors and find pride and healing.

On March 30, 2009, President Barack Obama signed The Kalaupapa Memorial Act into law. The Act directs the Secretary of the Interior to authorize Ka 'Ohana O Kalaupapa ('Ohana) to establish the Memorial within the boundaries of Kalaupapa National Historical Park to honor and to perpetuate the memory of those individuals who were separated from their families and forcibly relocated to the Kalaupapa Peninsula between 1866 and 1969 as a result of government policies regarding leprosy, now also called Hansen's Disease. The 'Ohana is a 501 (c)(3) nonprofit organization made up of Kalaupapa residents, family members and descendants of individuals sent to Kalaupapa, professionals involved in preserving the history of Kalaupapa, and longtime friends of the community.

A design team of local Hawai'i professionals has developed a conceptual design for the Memorial along with members of the 'Ohana. The design process has been facilitated by nationally renowned architect Don Stastny, who coordinated the design processes for the Flight 93 National Memorial, the Jefferson Expansion National Memorial, and the Oklaholma City Memorial, among others. The conceptual design for the Memorial has been prepared in accordance with design guidelines that have been agreed to by the National Park Service (NPS) and the 'Ohana.

Unlike most national parks, NPS does not own the land at Kalaupapa, except for a small 23-acre parcel of land surrounding the Kalaupapa Lighthouse. The remaining lands (approximately 8,700 acres) are owned by the State of Hawai'i.

NPS manages these lands by means of a lease with the Department of Hawaiian Home Lands (1,274 acres) and a series of cooperative management agreements with several State agencies, including the Department of Land and Natural Resources (DLNR), which has

jurisdiction over a large parcel of land, which includes the land where the Memorial will be located.

The remaining small population of those being honored by the Memorial are elderly, and many who had hoped to see the Memorial have now passed away. The 'Ohana, NPS, and DLNR are working collaboratively to fulfill the shared goal to expedite the processes needed to complete the Memorial, while there is still a living community to witness its unveiling.

The proposed Memorial site is located on a portion of large parcel owned by the State of Hawai'i, DLNR (Tax Map Key (2)6-1-001:002) in Kalawao County. The Memorial's footprint will cover a relatively small area of less than one-quarter acre. The use of State land triggers the need to prepare an Environmental Assessment (EA) pursuant to Chapter 343, Hawai'i Revised Statutes, the State's environmental review process, with DLNR as the approving agency. The Board of Land and Natural Resources approved granting a 65-year lease to the 'Ohana for the Memorial site. Final approval and issuance of the lease is contingent on completing the Chapter 343 process.

1. PROJECT OVERVIEW

1. PROJECT OVERVIEW

1.1 Background and Project Need

Since the mid-1980's, the residents of Kalaupapa and their family members have advocated for the establishment of a Memorial at Kalaupapa as the most appropriate way to honor and perpetuate the memory of the 8,000 individuals who were separated from their families and sent to Kalaupapa due to government policies regarding leprosy, now also called Hansen's Disease.

Ka 'Ohana O Kalaupapa ('Ohana), a 501 (c)(3) nonprofit organization, was founded in 2003 with the goal of promoting the value and dignity of every individual exiled to the Kalaupapa peninsula. Its members include Kalaupapa residents, family members and descendants of individuals sent to Kalaupapa, professionals interested in preserving the history of Kalaupapa, and longtime friends of the community. When the 'Ohana was established, the Kalaupapa community asked that the Memorial be a priority.

On March 30, 2009, President Barack Obama signed The Kalaupapa Memorial Act into law (See Appendix "A"). The Act directs the Secretary of the Interior to authorize Ka 'Ohana O Kalaupapa to establish the Memorial within the boundaries of Kalaupapa National Historical Park to honor and to perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula.

In order to build the Memorial within the Kalaupapa National Historic Park, the 'Ohana needed authorization from the United States Congress. In December, 2005, with the assistance and support of the Hawai'i delegation, new federal legislation was introduced before Congress to authorize the Memorial to be established by the 'Ohana.

A conceptual design for the Memorial was developed by a Design Team made up of local Hawai'i professionals, members of the 'Ohana, and architect Don Stastny. Don Stastny is known for facilitating the design processes for the Flight 93 National Memorial, the Jefferson Expansion National Memorial, the Oklahoma City Memorial, and recent renovations of the National Mall in Washington D.C., among others.

The Memorial will list the names of all those sent to Kalaupapa and will serve as a lasting tribute to these thousands of people, more than 90 percent of whom were Native Hawaiians, to ensure that they are an integral part of the history that they helped to create. Approximately 1,000 of the estimated 8,000 individuals who died at Kalaupapa have a marked grave. The remaining people lie in unmarked graves, and their names are no longer part of the landscape where they lived together and built a community under the most difficult of circumstances. The Memorial will also provide family members with a fitting place to reflect on the lives of their ancestors and to find pride and healing.

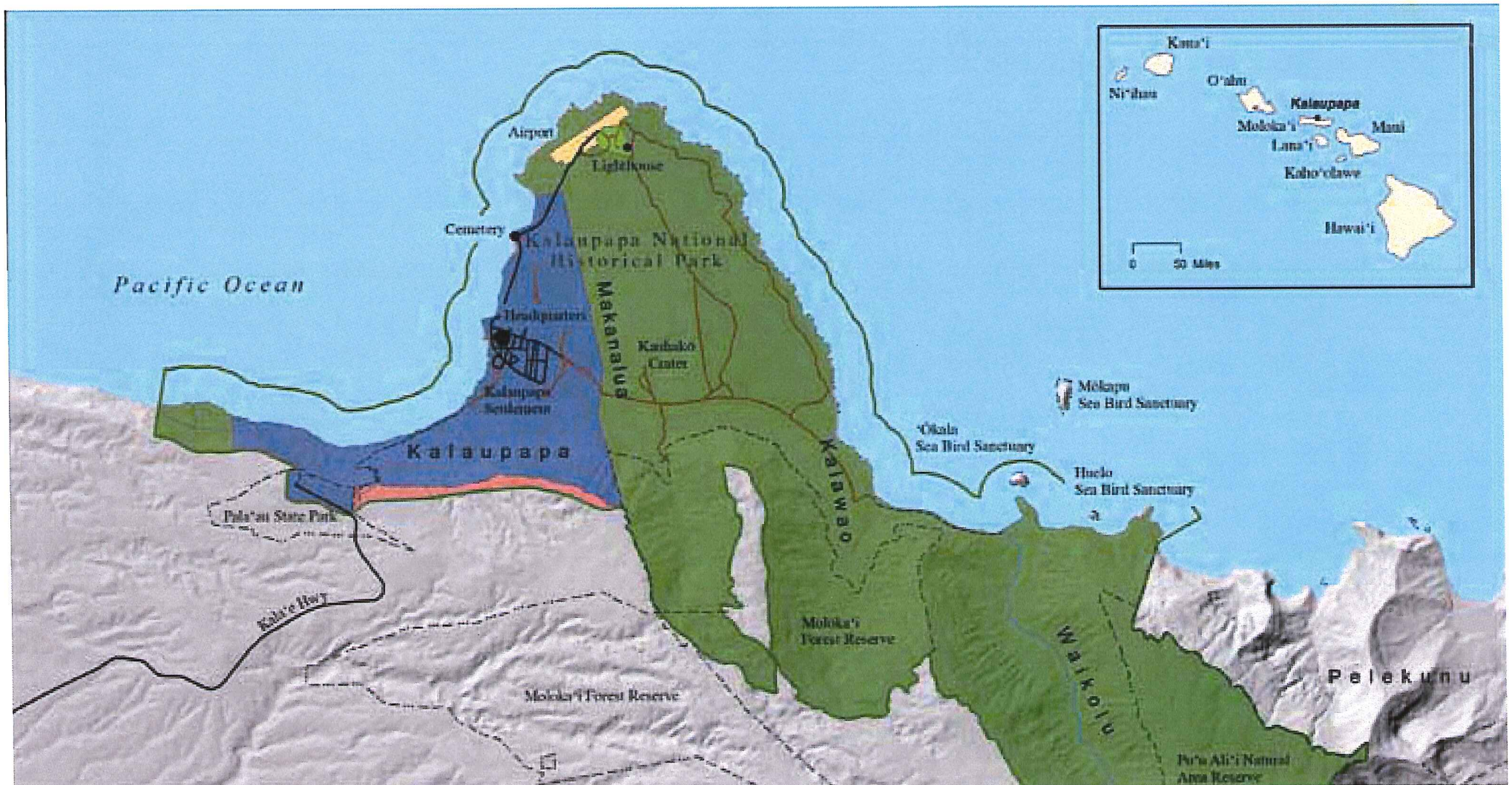
The 'Ohana, National Park Service (NPS), and Department of Land and Natural Resources (DLNR) have agreed to work collaboratively to expedite the process to complete the Memorial. The remaining small population of those being honored by the Memorial are elderly. Many who had hoped to see the Memorial completed have passed away. The 'Ohana hopes that the Memorial can be unveiled while there still is a living community.

I want to see a monument honoring the people of Kalaupapa before I die. I want to see all the names. These people are my friends—even though many of them died before I came here and I didn't know them personally, in spirit we are all together. I know their hearts and souls.

—Olivia Breitha, 90, who was sent to Kalaupapa in 1937 and was the author of the book, "Olivia: My Life of Exile in Kalaupapa." Mrs. Breitha died in 2006 on the day that these very words were read into the Congressional record at a House of Representatives subcommittee in Washington, D. C.

1.2 Project Location

Kalaupapa National Historical Park (KNHP) is located approximately midway along the north coast of the island of Moloka'i in the State of Hawai'i. See Figure 1.2.1. Moloka'i is approximately in the center of the eight major islands in the Hawaiian island chain, and is roughly 38 miles long and six to ten miles wide. KNHP lies on the Makanalua Peninsula, commonly referred to as the Kalaupapa Peninsula. The peninsula is located within Kalawao County, which is under the jurisdiction of the Department of Health. The boundaries of KNHP include the entire Makanalua Peninsula, three deeply carved valleys whose steep slopes rise from 1,600 to more than 3,000 feet and includes the rims of the cliffs. The boundaries also extend ¼ mile offshore and encompass the islands of Huelo and 'Okala. A map of KNHP is presented in Figure 1.2.2.



Source: National Park Service

KaOhanaOKalaupapa/Memorial/Draft EA/historicpark

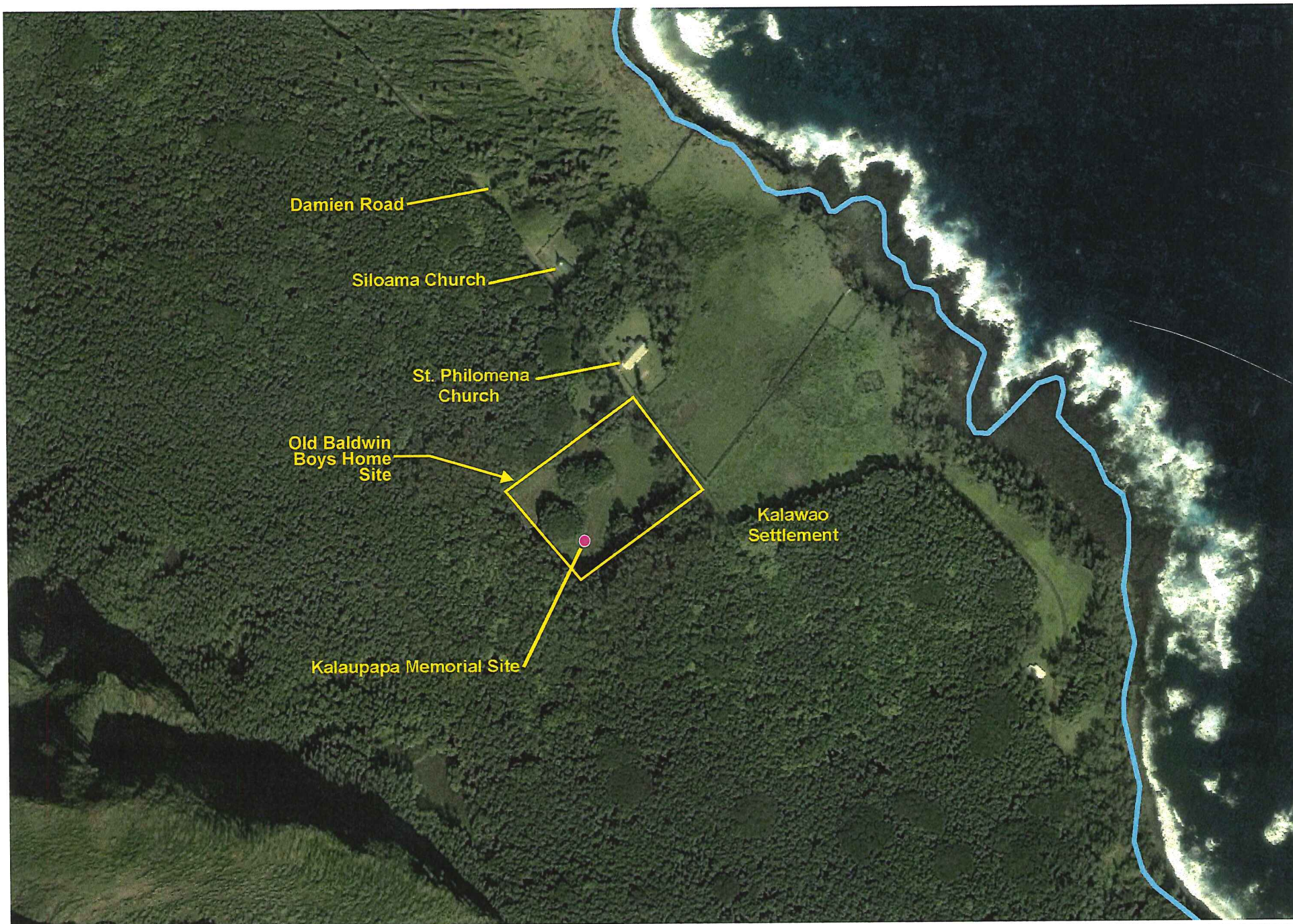
Figure 1.2.2
Kalaupapa National Historical Park

KNHP differs significantly from other national parks in that nearly all of the 8,725 acres of land (except 23 acres), 2,000 acres of water, and improvements within the authorized boundary are not owned by the NPS, but instead remain under the ownership of the State of Hawai'i. These areas are managed by NPS through a 50-year lease on the 1,274 acres of lands under the jurisdiction of the Department of Hawaiian Home Lands, and also through a series of 20-year cooperative management agreements with various state agency partners, including DLNR, which has jurisdiction over approximately 7,400 acres of state-owned lands, including the site where the Memorial will be located. Authorization for NPS to enter into 20-year cooperative agreements for the administration and management of the KNHP is provided for in Public Law 96-565, which is the federal legislation that established the KNHP. NPS also has a 20-year cooperative agreement with two of its non-government partners, the Catholic Diocese of Honolulu and the Hawai'i Conference of the United Church of Christ, the respective owners of St. Philomena and Siloama historic churches.

The proposed Kalaupapa Memorial site is on the east side of the peninsula in the historic Kalawao Settlement area, at the location once occupied by the Baldwin Boys Home. See Figure 1.2.3. The Old Baldwin Boys Home site is an approximate 5.9-acre area bounded by four rock walls located across Damien Road from St. Philomena Catholic Church and Siloama Protestant Church.

In 1892, philanthropist Henry P. Baldwin provided \$6,000 for construction of a new boys' orphanage at Kalawao. The original orphanage was comprised of a few individual huts and cabins near Saint Damien's house. These structures were replaced in 1888 by two (2) large buildings for the children, while construction continued on a larger facility. By late spring 1890, the first official home for boys was completed at Kalawao (Greene, 1985: 216), and by 1894, the new orphanage known as the Baldwin Home for Boys opened.

The slow transition in the settlement from Kalawao to Kalaupapa began as early as the 1870s, accelerated in the early 1900s, and continued into the second decade of the 1900s. The transition was completed when the Old Baldwin Boys Home closed in 1932 and the last of its occupants moved over to the west side of the peninsula. The home continued to serve the residents until 1932, by which time all of the facilities were relocated to Kalaupapa. By 1936, the remaining buildings in the Baldwin Home complex were characterized as being in very poor condition and were demolished and burned.



Source: Ka 'Ohana O Kalaupapa

KaOhanaOKalaupapa/Memorial/Draft EA/SiteLoc

Figure 1.2.3
Site Location Map



In the 1950's, the integrity of the site was further compromised when it was entirely bulldozed. Today, the abandoned Old Baldwin Boys Home site remains bounded by its original stone wall enclosure and is characterized by large non-native vegetation, cleared areas and earth piles from the previous demolition activities. See Figure 1.2.4.

1.3 Proposed Action

The 'Ohana intends to establish the proposed Memorial on the 5.9-acre area located within the four historic rock walls defining the former Old Baldwin Boys Home site on land under the jurisdiction of the DLNR. The overarching goal of the Memorial is to honor and to perpetuate the memory of the 8,000 individuals sent to Kalaupapa.

The approximately 8,000 names of those who will be honored on the Kalaupapa Memorial are being compiled by the 'Ohana. For those admitted prior to 1933, names are identified primarily from Kalaupapa admission registers in the public domain at the Hawai'i State Archives. These names are being cross-checked with other historical records, both in Hawai'i and on the mainland, including correspondence, petitions, vital statistics, and family genealogy records. The names of people admitted since 1933 are being compiled through the assistance of family members, correspondence, petitions, newspaper articles, and other documents that are part of the public record.

The Memorial will be designed in conformance with design criteria developed by and agreed upon by NPS and the 'Ohana. The design criteria are provided in Appendix "B". The Memorial will be sited and designed to ensure its long-term structural integrity and to foster an appropriate and dignified environment.

The footprint of the Memorial structure will be located within an area less than 8,000 square feet, which is less than five percent of the 5.9 acre Memorial Site. NPS and the 'Ohana have agreed that the Memorial will be limited in height to no more than 10 feet in order to facilitate visitor interaction with the names of those being honored by the Memorial, and also to minimize impacts on any existing historic view sheds. A pedestrian walkway will be provided for access to the Memorial from the existing Damien Road and will be accessible to persons with disabilities. Two walkway path alternatives are under consideration, see Figure 1.3.1. Both the Memorial and access walkway will be designed to limit ground and resource disturbance.

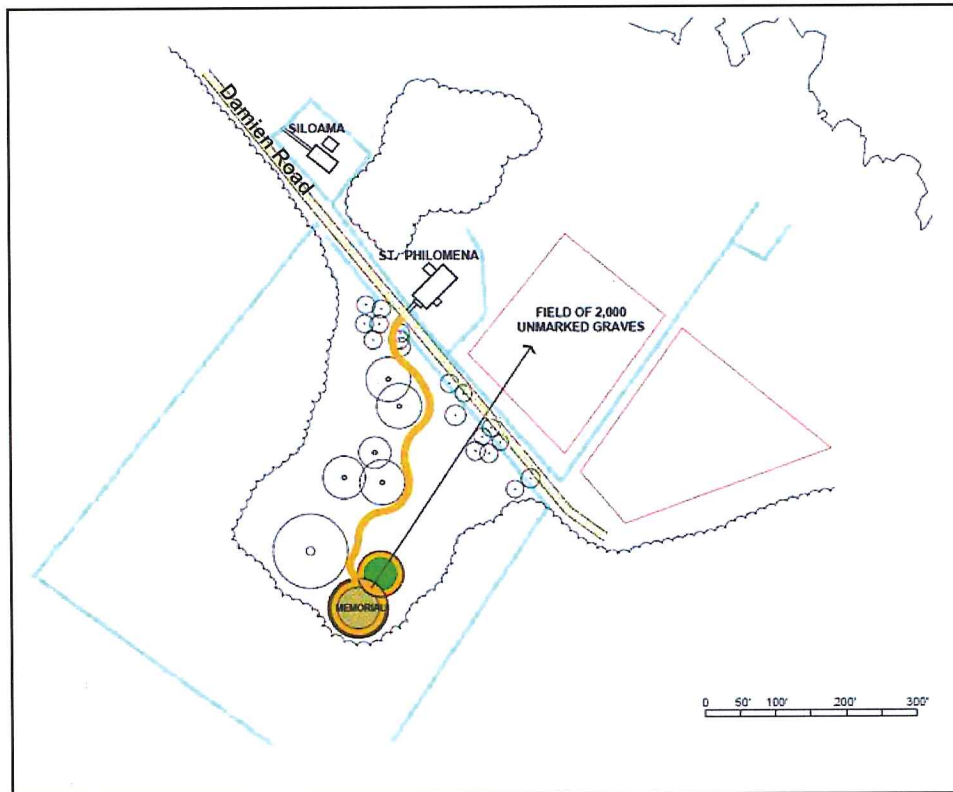


Source: Ka 'Ohana O Kalaupapa

KaOhanaOKalaupapa/Memorial/Photo Location

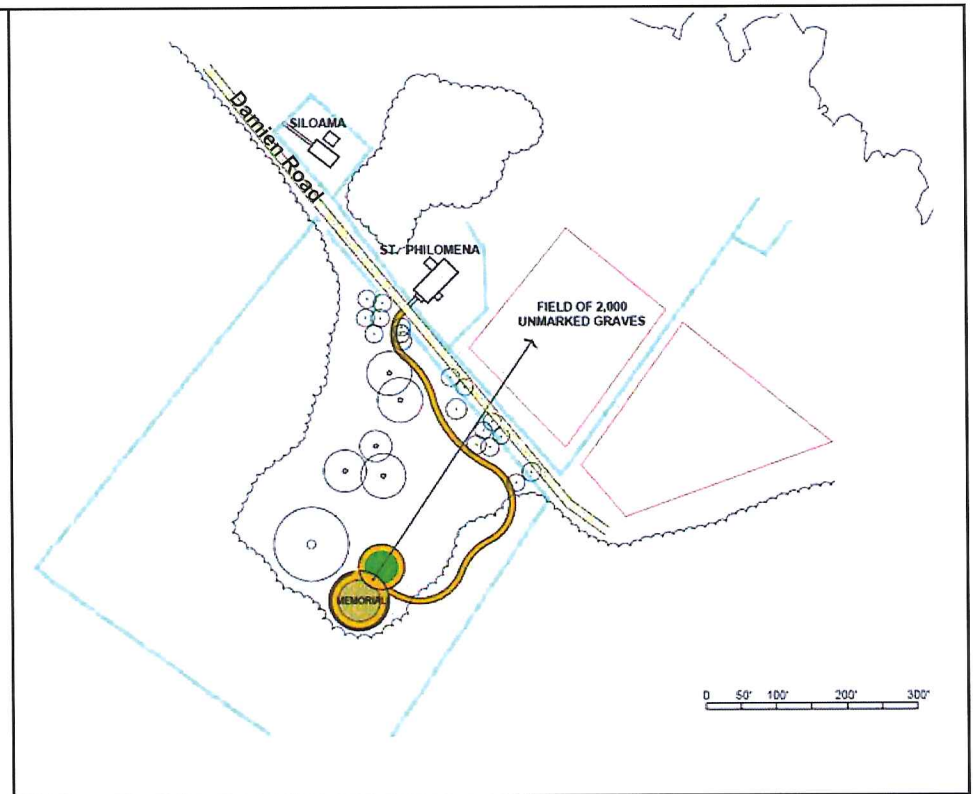
Figure 1.2.4
Photograph of Proposed Memorial Location

Central Path Option



Source: Ka 'Ohana Kalaupapa

East Path Option



KaOhanaOKalaupapa\Memorial\RevConceptPlan

Figure 1.3.1
Conceptual Site Plan

The use of non-potable water will be incorporated into the Memorial plans in order to meet the 'Ohana's responsibility of caring for and maintaining the Memorial in perpetuity. Non-potable water is available from a pipeline source running along Damien Road, which fronts the Memorial site. During its refinement of the conceptual design, the Design Team agreed with NPS to explore water supply options which do not introduce additional trenching requirements to the project. Alternatives to additional trenching may include an above-ground line to the Memorial, incorporation of a line into the pedestrian walkway construction, or use of a water truck.

There will be no restroom facility, visitor contact station, or parking lot constructed for the proposed Memorial. This number of visitors to Kalaupapa is limited to 100 per day. Existing restroom facilities at the Pavillion at Kalawao, located a short drive or 10 minute walk away, will be available for use by visitors. These are the same facilities used by residents. Street parking is available on Damien Road.

The Kalaupapa Memorial was envisioned by the people of Kalaupapa to honor and to remember the estimated 8,000 people who were sent to Kalaupapa. These individuals, 90 percent of whom were Kanaka Maoli, were deprived of their rights, their families, their communities and the lands of their birth.

When the Kalaupapa community requested that the 'Ohana make the establishment of the Memorial a priority, it was decided that the most appropriate way to honor everyone was to remember their names. Only about 1,000 of the approximate 8,000 who have died at Kalaupapa have marked graves.

A conceptual plan has been formulated for the Memorial. The design concept features two overlapping circular areas where visitors may gather, remember, and reflect. See Figure 1.3.2. The Mauka Circle is symbolic of the people relocated to Kalaupapa, and shall be encompassed by the Memorial wall upon which their names are inscribed. The Makai Circle represents the families left behind. The intersection of these two areas forms a third circle which shall be set apart as a place of reconciliation. Facing the ocean, the Memorial will provide visitors with an expansive view over a field which shelters the unmarked graves of 2,000 former Kalaupapa residents. The Memorial will be accessed by one pathway from Damien Road. As illustrated in Figure 1.3.2 and discussed later in this chapter, two options for the pathway are being considered. See Appendix "C" for the additional renderings of the proposed monument design. A discussion of



Source: Ka 'Ohana O Kalaupapa

KaOhanaOKalaupapa/Memorial/Draft EA/MemorialRendering

Figure 1.3.2
Memorial Rendering

the Design Team's inspiration for the conceptual design of the Memorial and its components is provided below.

Design Inspiration

The design concept, rooted in Hawaiian culture and identity, was inspired by the simple desire to fulfill a promise to the residents of Kalaupapa to honor and to perpetuate the memory of the individuals sent to Kalaupapa. The Mauka Circle will graciously house the 8,000 names, and represents all those that were left behind at Kalaupapa. This gathering space is intended to be a place of quiet contemplation, reflectivity, and reminiscence. The Makai Circle represents those families - of then, now, and those generations yet unborn - that have a pilina, or connection to those left behind. This gathering space is intended to be a place where families can take a moment's rest in the calm breezes that emanate and flow from both mountain and sea – a place where laughter and tears can be shared. The convergence of the two circles forms a third circle, an arrival point in the center form, symbolizing a subtle but significant reunion of families and communities – a place that assures separation shall no longer have a presence; that the stories of those who thrived and lived shall abide and be forever told; that the spirit, presence, and memory of those to whom this place became home shall be carried forward for generations to come.

The three circles also represent the wisdom and perspective passed down by the people of old in Hawai'i – known as the Pikokolu (triple Piko). In Hawaiian thought, the figurative meaning of piko is a "blood relative", with implications therein of attachment and relationship with both one's ancestors and descendants. The literal meaning of piko is best illustrated in the completeness of our human form and existence – each of us have three piko, or centers of shared spiritual and emotional bonds. The three, each with a unique purpose and relationship, in their unity represent the divine creation of our human form and existence.

The first piko, the piko po'o, represented by the Mauka Circle, is the posterior fontanel or the crown of the head and is indicative of our human association to a spiritual power or connection that is beyond our human cognition and understanding. Like a summit on a mountain, the head was considered to be sacred as a symbolic umbilical cord between mortal man and his ancestors, a connection to our collective and shared past. This piko is also the center wherein

memory and intellectual knowledge accumulated over experiences and time is housed.

The second piko, the piko na'au, represented by the convergence of the Mauka and Makai Circles, is the umbilicus, the obvious link between infant and mother – the nurturing and feeding union shared emphasizes that we were all strengthened and fed by our maternal sources of mana upon entry into this world. It is illustrative to a connection of the present generation and the center of intuitive knowledge – a “gut” sense wherein human emotions that are our sensory cues provide focus and insight to all we aspire to achieve.

The third piko, the piko wai'olu, represented by the Makai Circle, are the genitalia, poetically described as the piko in which the “refreshing and soothing waters emanate” – a tangible bond with our descendants – the procreative ability instilled in each of us to become a progenitor. This piko is the means to share in a bond that provides pleasure to create new life. This piko ensures the continuation of humanity over an infinite future and therein, is the means by which ancestral knowledge embedded in memories, talents, innate abilities, as well as connections to place through stories and songs are forever told. It is the connection to an immeasurable range of possibilities of the future to be.

The orientation and alignment of the memorial is also an exposition to the pikokolu concept. The names forged in the wall of the Mauka Circle are shielded and mantled in the protective shelter of those mauna kūpuna (mountain elders) that stand above. The memorial opens up to face the beckoning horizon of Ka Moana Nui o Ka Pākīpika (the great and vast Pacific Ocean expanse), the hallowed field of 2,000 unmarked graves of our ancestors, and a gesturing kūnou – a reverent bow to both Siloama and Philomena churches and the legacy they share in the physical and spiritual care of these 8,000 souls. Its position is intended to be a subtle but inviting beacon to reunite and remember.

A Living Memorial

The Board of Land and Natural Resources has granted a 65-year lease for the Memorial site to the 'Ohana. Final approval and issuance of the lease is contingent on the completion of the State of Hawai'i's Chapter 343, environmental compliance process and the final negotiations of the terms and conditions of the lease. Under the terms of the draft lease. The 'Ohana will be responsible for the operation and management of the lands subject to the lease and any

improvements thereon, including the Memorial. The Memorial is intended to be a “Living Memorial” and will be the nexus that fosters the continuation of the ‘Ohana’s highly successful educational and community outreach efforts, including its Legacy Names Project and Restoration of Family Ties programs. Over the past several years, the ‘Ohana has reconnected approximately 600 families.

Mauka Wall

This segment of the Memorial fulfills the fundamental desire voiced by the current and former residents of Kalaupapa—to list the names of the 8,000 that were relocated to Kalaupapa and then lived and contributed to the community. The final configuration of the wall will be determined through continuing refinement of the conceptual design. More than 7,000 of the 8,000 names have been collected, and the list continues to be refined through access to historical records, research, and explorations into individual ‘Ohana histories. The names will be displayed at a height that enables them to be touched by those visiting the Memorial.

When you see all the names on the Memorial, it will be like everyone from Kalaupapa and Kalawao is standing right in front of you – it will bring tears to your eyes.

*—Clarence “Boogie” Kahilihiwa,
President, Ka ‘Ohana O Kalaupapa*

Piko Na‘au Shade Structure

The structure is a concept only, and is envisioned to be constructed of a combination of metals with appropriate weather resistant surface and appropriate surface texture and color. The materiality of the structure will be dependent upon a careful analysis of materials, sustainability and function. Traditional materials will be considered in the context of appearance, compatibility with the Kalaupapa built environment, and maintenance.

Pathway

Access to and from the Memorial has been defined with entry to the site at the historic gate to the Baldwin Boys Home and arrival at the east or west side of the Piko Na‘au. Two potential routes for the path are under consideration. See Figure 1.3.1. One pathway runs up the central corridor of the site and the other extends

further to the east and runs along the eastern boundary of the Memorial site. Each path has functional, experiential, protocol, cost, and construction implications.

Both path options will be referenced in this EA, but only one pathway will be ultimately constructed. A decision on the path location will be determined through the design refinement process. In either case, the pathway will be a concrete path, 6 to 8 feet across to allow visitors to walk side by side. The pathway will be designed to be in conformance with Universal Design Criteria and ADA compliance. The design will also minimize the visual impact of the pathway. Concrete is considered, as a material that is compatible with the existing Kalawao environment and was used for the access pathways to the neighboring historic churches.

Materials and Construction Methods

The design concept incorporates a simple palette of materials: pōhaku (stone), concrete, granite tablets, stone pavers and grasses. The execution of the design will require ongoing research into the availability and expense of different materials and construction systems. The construction strategy will impact the final material selection. It is contemplated that the construction sequence would include a combination of off-site fabrication and on-site installation as well as on-site construction. Specifically regarding the pōhaku walls, other materials will be considered and evaluated regarding availability, cost and responsiveness to cultural requirements.

It is acknowledged that the construction of the Memorial will be challenging, due to Kalaupapa's remote location, and will require careful consideration of all materials and local sourcing, construction technologies, construction staging, incorporation of off-site fabrication and on-site installation as well as long-term maintenance strategies. A collaborative and cooperative effort involving the 'Ohana, NPS, and DLNR will be needed to expedite the process.

1.4 Environmental Impact Disclosure Processes

The proposed Memorial site is located on a portion of a large parcel owned by the State of Hawai'i, DLNR, and is identified by Tax Map Key (2)6-1-001:002 in Kalawao County. The use of State land triggers the need to prepare an Environmental Assessment (EA) under the State's environmental review process (Chapter 343,

Hawai'i Revised Statutes). DLNR is the approving agency for the EA process. DLNR's final approval and issuance of the 65-year lease of the Memorial site granted to the 'Ohana is contingent on completing the Chapter 343 process.

It is noted that the NPS issued a National Environmental Policy Act (NEPA) Finding of No Significant Impact (FONSI) for a Federal EA prepared for the Memorial to Commemorate Kalaupapa Patients in August 2011. Subsequent to the FONSI being released, the 'Ohana adjusted the boundary of the Memorial site slightly from the original footprint assessed in the NEPA EA. The boundary adjustment was initiated to avoid the unintended consequences of certain known site constraints. Through collaboration, NPS and the 'Ohana reached an agreement in March 2016 that additional NEPA review would not be required by NPS as a result of the boundary adjustment, if the Memorial design adhered to a framework agreed upon by the NPS and the 'Ohana. This framework included the following:

- During the design development and preliminary engineering, the Design Team, in collaboration with the NPS, will explore options for water service which do not require additional trenching. Alternatives to additional trenching may include an above-ground line to the Memorial, incorporation of a line into the pedestrian walkway construction, or use of a water truck.
- The NPS will be consulted prior to the use of organic material such as landscaping plants, and the 'Ohana will take all appropriate measures such as fumigation and inspection, in order to ensure that no invasive or foreign species are propagated.
- Pōhaku rock is not to be excavated from the Kalaupapa peninsula. There may be other sources of rock at Kalaupapa to use for the construction of the Memorial and the 'Ohana will coordinate with appropriate agencies if disturbed rock is acquired locally for the Memorial. Fumigation treatment will be implemented for any rock brought in from the outside.
- Termite treatment will be conducted for any lumber brought in for the Memorial.

When a final design is submitted to NPS for approval, NPS will coordinate its Section 106 review process with DLNR's State Historic Preservation Division (SHPD). See Appendix "D". During the Section 106 review any mitigation measures, in addition to those agreed to between NPS and the 'Ohana and acknowledged by SHPD (See 2.5.2) may be applied to the project to address any new, potentially significant impacts that may result from the final Memorial design.

1.5 Project Funding and Scheduling

Project costs for the Memorial will be determined through the design process. The 'Ohana will initiate construction of the project upon completion of the regulatory process and securing of funds.

2. DESCRIPTION OF THE EXISTING ENVIRONMENT, POTENTIAL IMPACTS AND PROPOSED MITIGATION MEASURES

2. DESCRIPTION OF THE EXISTING ENVIRONMENT, POTENTIAL IMPACTS AND PROPOSED MITIGATION MEASURES

2.1 Physical Setting

2.1.1 Existing Conditions

Federal Legislation (Public Law 96-565) established Kalaupapa National Historical Park as a unit of the National Park System (NPS) in 1980. In 2009, new Federal Legislation (portion of Public Law 111-11, known as the Kalaupapa Memorial Act) directed the Secretary of the Interior to authorize Ka 'Ohana O Kalapauapa to establish the Kalaupapa Memorial to honor and to perpetuate the memory of those who were forcibly relocated to the Kalaupapa peninsula.

The original settlement of people sent to Kalaupapa with Hansen's disease began on the eastern or windward side of the peninsula in the area of Kalawao. By the 1890's, the population and facilities were shifting from Kalawao to the warmer Kalaupapa area on the southwestern, leeward shore of the peninsula. Today it is still home for residents who have long been cured of the disease, but have chosen to remain in Kalaupapa because it is their home. The residences and support structures of the Kalaupapa settlement, housing for State and NPS employees and State and NPS offices and maintenance yards are all located in Kalaupapa.

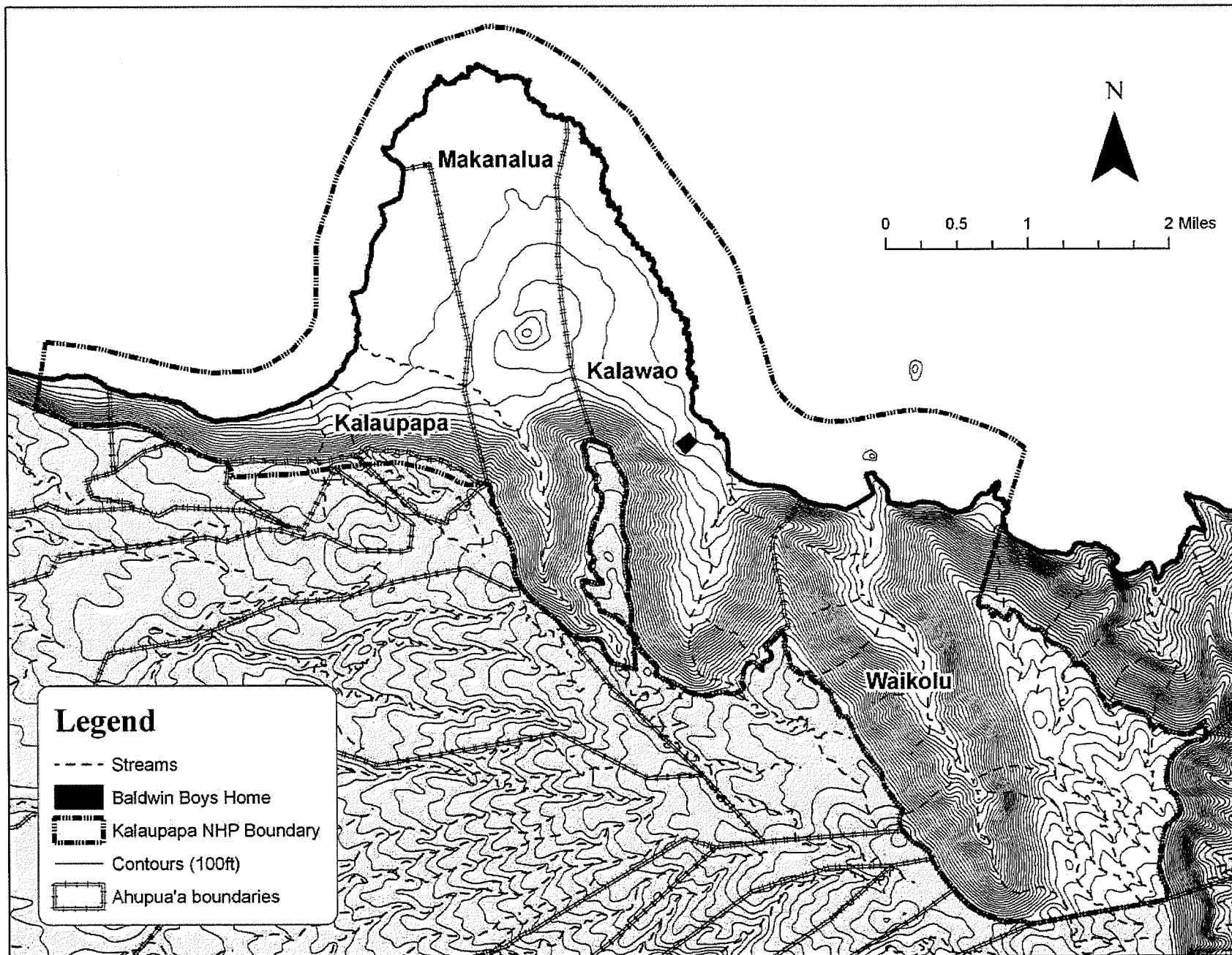
There is no vehicle access from the park to the rest of Moloka'i, referred to locally as "Topside". Pedestrian and equestrian access is via a steep, multi-switchback trail that starts on the top of the cliffs in Pālā'au State Park and enters the peninsula between the Kalaupapa Settlement and Black Sand beach to the west. A mule train descends the trail six days a week, bringing tourists. The park is also served several times a day, weather permitting, by twin-engine, flag-stop air taxis landing at the airstrip at the northwestern tip of the peninsula. A barge lands once a year in the lee of the trade winds at the Kalaupapa pier bringing building materials, machinery, freight and non-perishable food items.

The Kalaupapa Leprosy Settlement was designated a National Historic Landmark (NHL) in 1976; and the park is listed on the National Register. The boundaries of the park and the NHL are virtually the same. The Moloka'i lighthouse is also listed in the National Register as a separate historic property. Many other areas of the park have special designations reflecting unique resources found within the park boundaries. The NPS has designated eight Special Ecological Areas (SEAs) within the park that support rare species, many of which are listed as threatened or endangered under the Endangered Species Act. The North Shore Cliffs National Natural Landmark was established in 1972 and covers 27,100 acres from Kalaupapa to the eastern end of Moloka'i at Cape Hālawā. The portion of the park within the National Historic Landmark includes the Waihānau, Wai'ale'ia and Waikolu Valleys and the sheer cliffs rising above them.

The peninsula is divided into ahupua'a -- an ancient Hawaiian land division still used in land descriptions today. As is typical of Hawaiian land ownership, the ahupua'a extends from mountain (mauka) to sea (makai) (Figure 2.1.1). The Kalaupapa National Historical Park is within Kalawao County, a standalone county in the State under the direct management of the Director of the Hawai'i State Department of Health.

The proposed project site is within the Kalawao ahupua'a. This ahupua'a is 1,982 acres in extent and encompasses the first formal Hansen's Disease settlement area.

The Memorial to commemorate Kalaupapa residents is proposed for the site of the Old Baldwin Boys Home on the east side of the peninsula. A variety of individual historic features associated with the early development of Kalawao remain and contribute to the character of the cultural landscape. A few individual buildings also remain with a high level of integrity--such as Siloama Protestant Church, owned and managed by the Hawai'i Conference United Church of Christ, and Saint Philomena Church, owned and managed by the Catholic Diocese of Honolulu. Both church organizations are strongly in support of the Memorial as a welcome and relevant addition to the sacred area of Kalawao. Although individual buildings historically comprising the Baldwin Boys Home no longer



Source: National Parks Service

KaOhanaOKalaupapa/Memorial/Draft EA/LocalAhu

Figure 2.1.1
Project Area and Local Ahupua'a

remain, portions of building foundations and rock walls surrounding the site do remain as well as portions of historic tree plantings.

2.1.2 Potential Impacts and Proposed Mitigation Measures

The proposed project involves the establishment of a Memorial to honor and to perpetuate the memory of those sent to Kalaupapa. The Memorial will be located on the site of the former Baldwin Boys Home. The Memorial will occupy a small area, less than a quarter of an acre of the 5.9-acre area within the four rock walls bordering the former Baldwin Boys Home site. The Memorial will not adversely affect the physical settings of the surrounding areas in the ahupua'a of Kalawao.

2.2 Climate, Topography and Soils

2.2.1 Existing Conditions

Hawai'i's tropical location results in uniform weather conditions throughout the year. Climatic conditions on Moloka'i are characterized by mild and consistent year round temperatures, moderate humidity and steady northeasterly tradewinds. Variations in Moloka'i's weather are attributed to regional topographic and climatic conditions.

As described in the National Park Service's (NPS) NEPA Environmental Assessment (EA) (NPS, 2010), the soils at Kalaupapa are derived from 330,000-year old basalt flows from the Kauhako Crater (Clague et al., 1982). The soils are very rocky, silty clay loam; the typical profile consists of topsoil from 0 – 5 inches below the surface (0–13 cm) and subsoil ending at bedrock at 12 inches (30 cm) below the surface (McCoy and Hartshorn 2007). As noted in the NEPA EA, the site selected for construction of the original Baldwin Boys Home was referenced as a rocky waste. Today, the topography of the Memorial site is fairly level. The Memorial has been located within the higher elevation of the site.

2.2.2 Potential Impacts and Proposed Mitigation Measures

The proposed action is not anticipated to adversely impact existing climatic conditions in the region.

Rooting by feral pigs is the most visible direct impact of current management on soils and geology within the Old Baldwin Boys Home area bounded by rock walls. A portion of the site at lower elevation is subject to some overland water flows after high rainfall events that have the potential to disrupt local soils. To minimize potential disruption of soils, the Memorial's location has been located on the higher elevation portion of the site.

The currently designated Memorial site is located on relatively level, higher-lying ground within the rock wall area, with a gentle slope to Damien Road. The Memorial footprint would result in minor localized long-term impacts to geology and soils. Several benefits would be provided by the improved vegetation management and feral animal control within the site of the Old Baldwin Boys Home.

Best Management Practices (BMPs) will be implemented during the construction of the proposed Memorial to minimize soil erosion. Construction of the Memorial will occur during lower rainfall months, to the extent practicable, to reduce the potential of soil disturbance.

2.3 Flood and Tsunami Hazards

2.3.1 Existing Conditions

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM), the project site is located in Flood Zone X, which denotes an area of minimal flood hazard. A portion of the Memorial site at lower elevation is subject to water outflows after heavy rain events.

The project site is not identified as being located within the tsunami evacuation zone by the County of Maui, Civil Defense Agency.

2.3.2 Potential Impacts and Proposed Mitigation Measures

The Memorial site is located within Flood Zone X, an area of minimal flooding and is outside of the tsunami evacuation zone. As mentioned previously, a portion of the Old Baldwin Boys Home area is noted to have experienced over land water flows following past heavy rain events. Potential flood water flows were taken into consideration by the 'Ohana

when selecting the site for the Memorial. The proposed Memorial site will be located within higher lying areas of the Old Baldwin Boys Home site to minimize impediments to floodwaters.

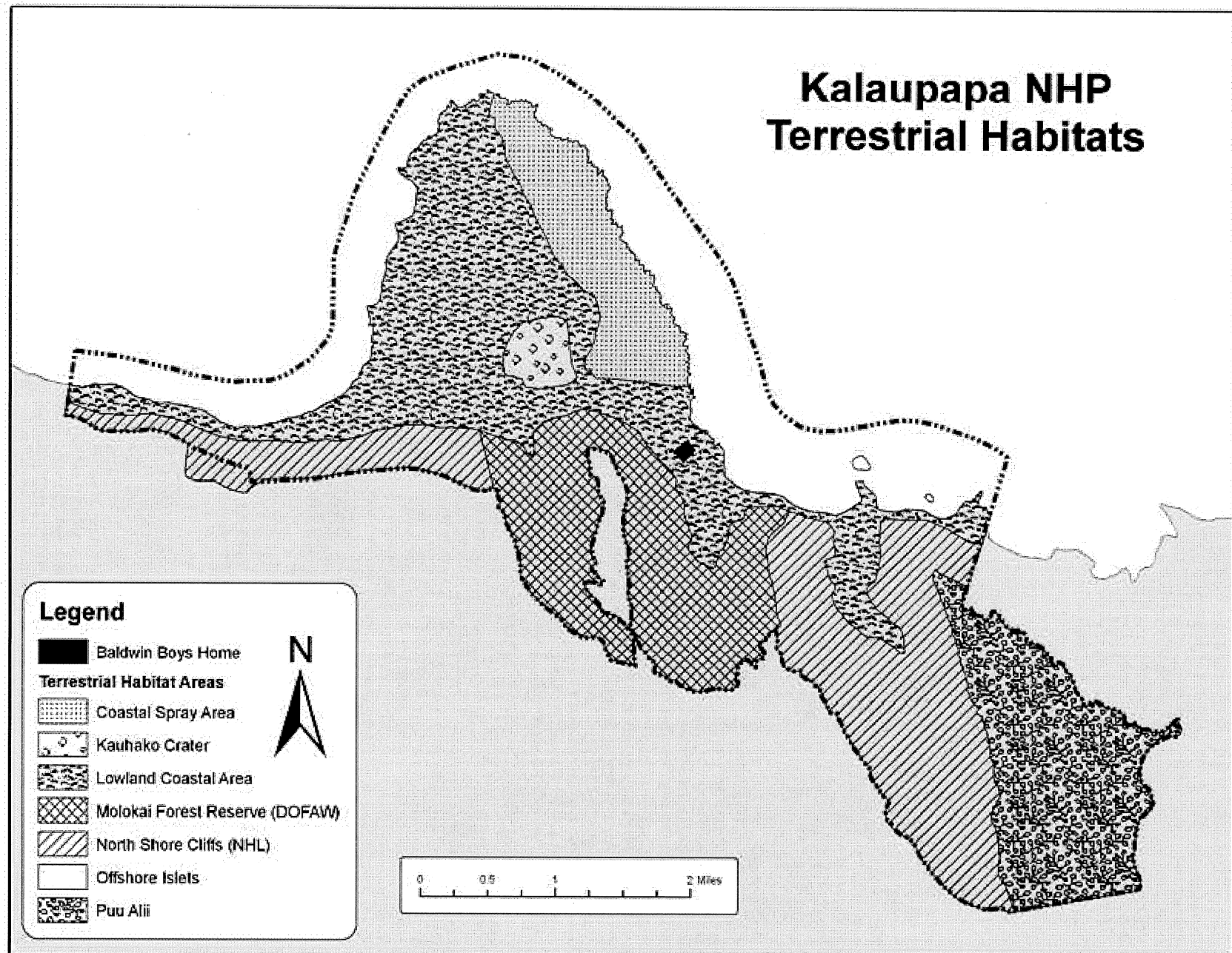
2.4 Flora and Fauna

2.4.1 Existing Conditions

As noted in the NEPA EA, the Old Baldwin Boys Home is located within the Lowland Coastal Area of the Kalaupapa National Historical Park. See Figure 2.4.1. Currently, the majority of the vegetation in the Lowland Coastal Area within the vicinity of the project site is comprised of non-native species. In particular, guava (*Psidium* sp.), Christmasberry (*Schinus terebinthifolius*), lantana (*Lantana camara*), and java plum (*Syzygium cumini*) are dominant. Very few native plant taxa are present.

Beyond the Lowland Coastal Area which includes the Old Baldwin Boys Home is the Coastal Spray Area. Compared to other coastal areas throughout the main Hawaiian Islands, the Coastal Spray area at Kalaupapa supports a diverse and extensive native coastal vegetation community. The relatively intact nature of this area is largely due to the minimal amount of human contact in this environment (Canfield 1990). However, grazing by ungulates, cultivation practices, the introduction of alien vegetation, and other activities have altered the vegetation that historically occurred there. The coastal spray zone area closest to the Old Baldwin Boys Home has been heavily impacted by livestock and building construction during recent historic times, and is currently dominated by non-native grasses (crab grass and Bermuda grass) and non-native shrubs (lantana and java plum).

The NEPA EA noted that seven seabird species have been documented within the coastal spray area. In 2005, several seabird species were observed flying over the Coastal Spray area including the Red-tailed Tropicbird (*Phaethon rubricauda rothschildi*), White-tailed Tropicbird (*Phaethon lepturus dorotheae*), Great Frigatebird (*Fregata minor palmerstoni*), and a Booby (*Sula* sp) (Kozar et al. 2007). One of the caves in



Source: National Parks Service

KaOhanaOKalaupapa/Memorial/Draft EA/Terrestrial

Figure 2.4.1
Terrestrial Habitats of
Kalaupapa National Historic Park

the Coastal Spray Area is a well-known resting place of noio (Hawaiian Noddy, Black Noddy, *Anous tenuirostris*). Two migratory shorebirds, the Pacific Golden-Plover or Kōlea (*Pluvialis fulva*) and Ruddy Turnstone (*Arenaria interpres*) were observed in the Coastal Spray Zone during the 2005 survey (Kozar et al. 2007).

On the western side of the peninsula along the Lowland Coastal Area, the Kōlea were commonly seen during the 2005 survey. Wandering Tattlers or 'Ulili (*Heteroscelus incanus*) were also observed on the rocky shoreline (Kozar et al. 2007). Wedge-tailed Shearwater (*Puffinus pacificus chlororhynchus*), Red-tailed Tropicbird, and White-tailed Tropicbird were observed flying over this area during the 2005 survey. Sooty Tern (*Sterna fuscata oahuensis*) have previously been detected flying over the Kalaupapa Settlement and Noio are known to nest in the rocky cliffs along the coastline (Kozar et al. 2007).

The Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) is the only native terrestrial mammal occurring in Hawai'i. While the bat has been detected in the Lowland Coastal Area in 2005, the base of the cliffs may offer better habitat.

Historically, the Coastal Spray Zone was browsed and trampled by various ungulates including horse (*Equus ferus caballus*), cattle (*Bos taurus*), donkeys (*Equus africanus asinus*), mules (*E. caballus* x *E. asinus*), axis deer (*Axis axis*), domestic goat (*Capra h. hircus*), and the domestic pig (*Sus s. scrofa*). Rats (*Rattus rattus*) and mongoose (*Herpestes javanicus*) add to the feral animal problem at Kalaupapa. No horse, cattle, donkey, or mule remain at Kalaupapa.

2.4.2 Potential Impacts and Proposed Mitigation Measures

Vegetation management within the Old Baldwin Boys Home and surrounding areas as a result of the construction and maintenance of the proposed Memorial would retain more open, lower-statured herbaceous vegetation, resulting in a benefit to the project area. Likewise, improved management (including feral animal control for safety reasons) would reduce the abundance of deer and pigs in the project area.

The avifauna at the Old Baldwin Boys Home is comprised of non-native species. The only danger potentially imposed on native birds would be by the inclusion of artificial lights. Lights are known to disrupt navigation and attract native seabirds from their marine habitat. The 'Ōpe'ape'a or Hawaiian hoary bat is the only native mammal species in Hawai'i and has the potential to fly through the area identified as the Old Baldwin Boys Home. As with the avifauna, lights are known to distract bats. Design criteria will ensure that artificial light sources are excluded from the Memorial. Construction of the Memorial is not expected to involve night work, and construction flood lights are not anticipated to be used for the proposed project.

Polynesian-introduced and more recently introduced non-native geckos would likely increase as a result of the Memorial construction. However, the Memorial will have a negligible effect on native reptiles and amphibians. There is no impairment of amphibians within the project area because native species are largely absent from the site.

The 'Ohana will notify NPS of its plans regarding the use of any organic material which may be part of the project (such as landscaping plants). This organic material will go through a fumigation treatment process and a plant agricultural inspection before coming to Kalaupapa to ensure that any foreign/invasive organisms not existing on the peninsula are removed.

2.5 Historical and Archaeological Resources

2.5.1 Existing Conditions

The "Kalaupapa Leprosy Settlement" National Historic Landmark (NHL) was designated on January 7, 1976, and subsequently listed in the National Register of Historic Places (NR #76002415). The periods of significance for the nomination are 1800-1899 and 1900 onward with a significant date of 1866. Areas of significance are identified as: prehistoric archaeology, historic archaeology, architecture, community planning, religion, and social/humanitarian.

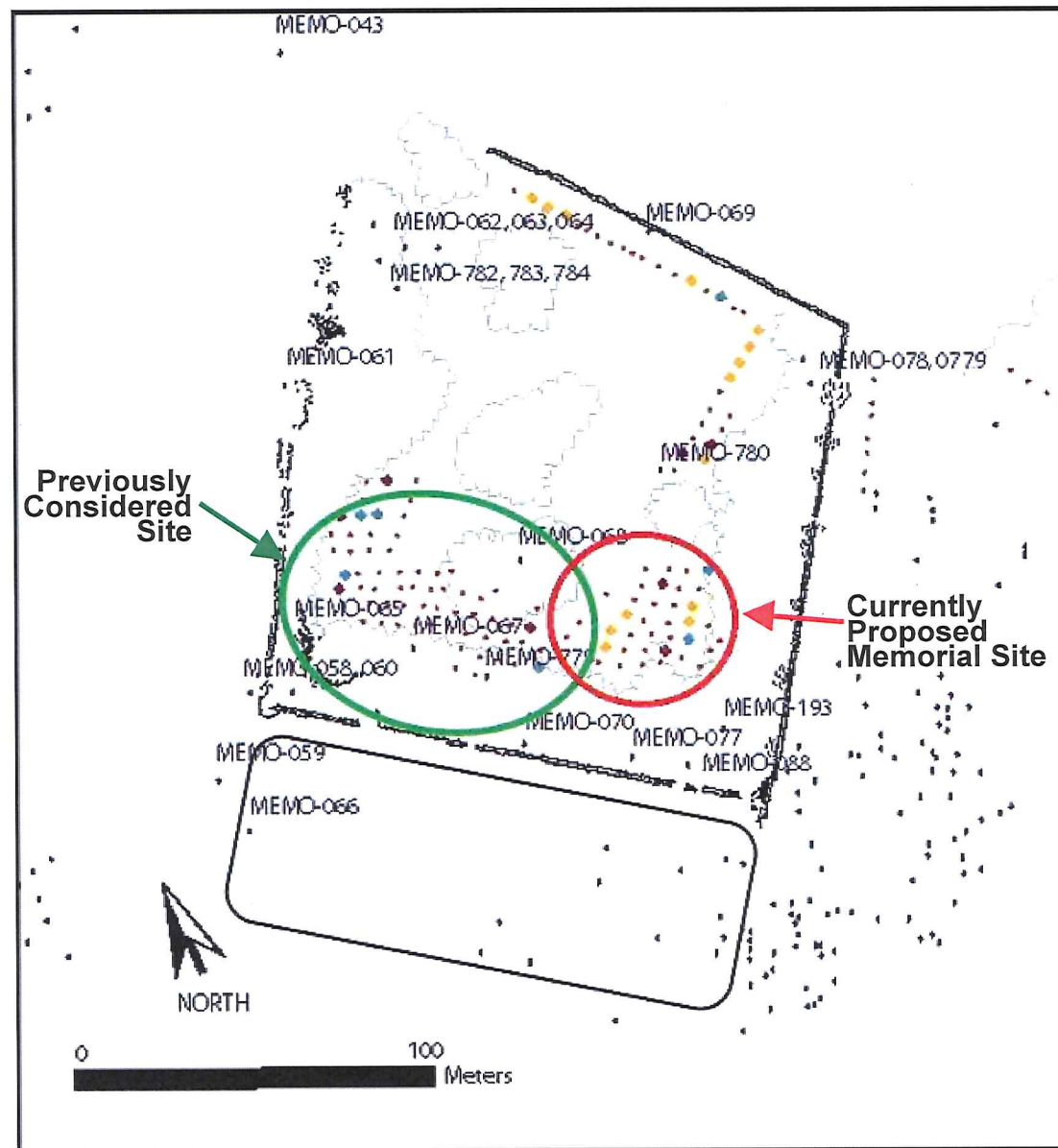
An archaeological inventory was conducted within the project area (Stein 2010). The archaeological data from within the project area adds information to the stories and understanding the development of the

Kalawao Settlement from 1866-1932. Additionally, there are several archaeological resources within the project area that pre-date 1866, adding to the knowledge of the kama'āina occupying Kalawao before the Kalaupapa Leprosy Settlement was established.

As documented in the NEPA EA, the archaeology in Kalawao is known to be multi-layered. The archaeology has been noted in numerous reports to be difficult to delineate into formal "sites" (Somers 1985, McCoy 2005, Stein 2010). The project area contains pre-contact and historic archaeological resources, which the NPS has acknowledged are of equal importance. Some pre-contact and historic artifacts were uncovered when NPS excavated approximately 130 shovel test pits (STPs) within the Baldwin Home site, each one of which was roughly one (1) foot square and up to approximately 24 inches deep. The artifacts were photographed, bagged, and moved offsite to NPS's curatorial facility. The Memorial structure will be built in the area where these empty shovel test pit excavations are located.

Figure 2.5.1 shows a map with the locations of the STPs excavated by NPS within the Old Baldwin Home site. Approximately 29 of these STPs revealed either historic or pre-contact material. The green circle represents where NPS envisioned a possible preferred alternative site for the Memorial back in 2010. The map has been amended to include the red circle, which shows the 'Ohana's preferred site for the Memorial structure that is the subject of this environmental assessment document. Nine of the STPs excavated within this proposed Memorial site revealed historic or pre-contact materials consisting of, among other items, fragments of broken window glass, portions of clay marbles, a kukui fragment, charcoal chunk, a faunal fragment, a small lead fragment, 'ili'ili, and miscellaneous rock fragments. All material found was removed from the site by NPS.

The project area identified in the NPS's NEPA EA (also referred to as the Area of Potential Effects) consists of a 33 acre area, which includes the 6-acre "project site" (former Baldwin Boys Home) where the Memorial will be located. It also includes 27 acres surrounding the Memorial project site which is defined in the NEPA EA to also include the adjoining former garden



Source: Stein, 2010

KaOhanaOKalaupapa\Memorial\Draft EA\ArchaeologicalTestPit

Figure 2.5.1
Archaeological Test Pit Locations at
Proposed Kalaupapa Memorial Site

area to the south of the Baldwin Boys Home, all of the surrounding rock walls, a portion of Damien Road, St. Philomena Church, Siloama Church, both church-associated graveyards, a field of 2,000 unmarked graves, a heiau, and the area extending out to the adjoining coast line.

Below are listed key archaeological sites, which the NPS referenced in its NEPA EA and which are contributing features to the NHL district.

2.5.1.1 Old Baldwin Boys Home Site

The site of the Old Baldwin Boys Home (SIHP# 50-60-03-2427) is listed on the National Register of Historic Places and is associated with a specific time in history. It is associated with prominent people in Kalaupapa's history, including the Sisters of St. Francis, Joseph Dutton, David Kupele, Ben Pea, John Cambra, Kenso Seki and nearly 1,000 other men and boys who were separated from their families and resided for varying lengths of time at the Old Baldwin Boys Home. The site is likely to yield further data. Archeological testing around the Old Baldwin Boys Home Site show a scatter of subsurface historic material including metal, charcoal, ceramic, and glass. A few substantial findings that help to understand the Old Baldwin Boys Home as an archaeological site include in situ pipes and clay marbles. It is said that the boys used to play games on the lanais of the home [Greene 1985: 234]. The Old Baldwin Boys Home was closed in 1932 when all the boys and men moved to Kalaupapa. The buildings were demolished and burned by the government in 1936, and the entire site was bulldozed in the 1950s, compromising the physical integrity of the site.

2.5.1.2 Old Baldwin Boys Home, Kitchen Ruins (ARPK-0035 / MEMO-062, 063, and 064)

Research suggests that one of the two hearths in the kitchen feature may have been used for heating items to a higher temperature based on the yellowing wear of the concrete. In addition, the larger fireplace and other hearth show that the coals were likely pushed to one corner when not being used. Another

chimney can be found outside of the immediate kitchen complex with the engraving “Albert Galaspo Aug. 1910”. Artifacts in the area consist of historic bricks, glass, metal, and porcelain.

2.5.1.3 Old Baldwin Boys Home, Central Garden

Historic photographs and historical documentation show a garden in the center of the Old Baldwin Boys Home complex. One newspaper account from 1896 refers to a “green rockery with fountain of water forming a center-piece” located at the Old Baldwin Boys Home (*Damien Institute Monthly Magazine*, 1896). The archaeological survey conducted by NPS (Stein, 2010) identified a mound with remnant ornamental plants and a large tree. The location and presence of plants suggest that this may be where the garden feature was located. The mound may have been created when the site was bulldozed in the 1950s.

2.5.1.4 Old Baldwin Boys Home, Stone Walls

The Old Baldwin Boys Home is bounded by a stone wall enclosure. A portion of the makai wall also contains a parallel lineal alignment. This might be curbing or associated with the water system as exhibited elsewhere on Damien Road. Also incorporated into the Old Baldwin Boys Home wall is a terrace in the southwest corner.

2.5.1.5 Pre-Contact/Proto-Historic Archaeological Site

Based on archaeological testing involving shovel test pits (STPs) excavated by NPS, a pre-contact/proto-historic archaeological site beneath the former Old Baldwin Boys Home was revealed. Archaeological testing would need to continue in order to define the boundaries of this site, however, preliminary investigations seem to show the site being on the eastern side of the Old Baldwin Boys Home with a notable concentration in the northeast. The Memorial structure will be located where the archaeological testing referenced above has been done. Some of the materials uncovered from the STP excavations included ‘ili ‘ili stones, charcoal, volcanic glass flakes, basalt flakes, a possible hammer stone, a possible coral fragment tool and a shell midden.

2.5.1.6 Pre-Old Baldwin Boys Home, Terrace (ARPK-0038/MEMO-783)

Prehistoric/proto-historic agricultural historic material surrounds the terrace and it is highly disturbed by bulldozing and erosion. It is located immediately south of the proposed project area.

2.5.1.7 Damien Road

Known as Damien Road (SIHP# 50-60-03-2428), this historic road connects the Kalawao side of the peninsula to the Kalaupapa side and is partially located in the project area. Only a portion of the road is used today, and is routed past St. Philomena Church to connect with Judd Park on the far eastside of Kalawao. This historic alignment of Damien Road continues until it reaches a large gulch. In portions along the entire Damien Road alignment, some paving and other road construction features such as berms can be seen in the woods east of the Old Baldwin Boys Home. Other features associated with the site include concrete foundations, stone alignments, concrete footings and an earthen platform.

In addition to the aforementioned sites, the following archaeological sites are located within the vicinity of the Old Baldwin Boys Home.

2.5.1.8 Catholic Rectory Site

This site (SIHP#: 50-60-03-2425) includes a large mound with a series of depressions, two roughly square-shaped depressions, and a possible outline for a third depression with a large mound to the south and a scatter of historic material including stone, mortar, and brick. A row of Ironwood trees grows near this area (Flexner n.d.). The presence and location of these remains can be matched with historic records to suggest that this is the site of the Catholic Rectory in Kalawao.

2.5.1.9 Moku Puakala (Burial Field) Site

Many references have been made to the largest known burial field of unmarked graves dating to the time of the Kalawao Settlement

(Hutchison 1932, Greene 1985, Carper et al. 1985, and Korn 1976). The burial ground is named Moku Puakala (thistles) according to Hutchison (1932: 4) and is situated “on the makai (seaward) side between the Leprosarium and the Baldwin homes”. Feral animals continue to roam through the graveyard.

2.5.1.10 Mauka-Makai Federal Hospital West Wall

Partially comprising the Old Baldwin Boys Home boundary on the east, this wall extends all the way from the makai bluff to the mauka slope against the pali. The point where it meets Damien Road has a gate post. Historic photographs and maps show this wall during the time of the Federal Leprosy Investigation Station, also known as the Federal Hospital or Federal Leprosarium. The wall is significant as it formerly separated the Federal Hospital from the Kalawao Settlement and totally enclosed the Leprosarium. A few archaeological features immediately east of this long wall show evidence of being “robbed” for stone, suggesting that the stones were used to compose the mauka-makai wall.

2.5.1.11 Wash House Site

Located at the very makai end of the Mauka-Makai Federal Hospital Wall and abutted to this wall is an enclosure, which once contained a wash house. The wash house can be seen in some historic photographs.

2.5.1.12 Heiau Site (Makali'i)

Located southeast of the Wash House Site, this coastal site has been recorded as a heiau (SIHP# 50-60-03-2304). It is composed of very large boulders, many situated upright, and grooves or channels' located within the interior. It is almost exactly square and scattered material can also be observed in the area including lithic debitage and adze fragments. This site has been said to be a navigational heiau (Nalaielua 2002, verbal communication with Kaohulani McGuire).

2.5.2 Potential Impacts and Proposed Mitigation Measures

Actions within the Kalaupapa National Historical Park are subject to Section 106 of the National Historic Preservation Act (NHPA). The NPS, as the lead Federal agency, has initiated consultation with the Hawai'i State Historic Preservation Officer, the Advisory Council on Historic Preservation, and other interested parties on the proposed project.

In its December, 2010 Section 106 letter sent to consulting parties, NPS acknowledged that it originally proposed a finding that the Memorial would have adverse effects on historic properties at Kalaupapa. The letter further acknowledged that NPS received many letters from consulting parties indicating that they did not agree with the adverse effect finding and instead proposed a finding of no adverse effect to historic properties. Refer to Appendix "D".

The Section 106 letter went on to note that based on this input, the Memorial design criteria agreed upon by the 'Ohana and NPS, and because the design of the Memorial will be chosen at a later date requiring further Section 106 review, the NPS changed its finding to a no adverse effect to historic properties.

In addition to design criteria for the Memorial that the 'Ohana and NPS have agreed to, there are also certain mitigation measures that have been agreed upon to lessen the potential impact on any historic or archaeological resources.

When the 'Ohana submits a final design to NPS for final approval, NPS will initiate final Section 106 review, in consultation with DLNR's State Historic Preservation Division (SHPD) and others. Refer to Appendix "D".

During the review, any mitigation measures needed, in addition to those already agreed to, may be attached to the project if there are any new significant potential adverse effects resulting from the final design of the Memorial. The Section 106 process must be completed before NPS grants final approval and construction commences.

Overall site mitigation measures include adherence to the design criteria developed by the 'Ohana and NPS. These criteria provide guidance for

compatible new development through the appropriate scale (mass and height), use of materials, location and siting to reduce potential visual and physical impacts to other resources, and general standards for the design of commemorative structures appropriate within the NHL district.

Ground disturbing activities, including excavation, grading and vegetation removal are expected to be limited for the Memorial and associated features, such as the access pathway from Damien Road. NPS and the 'Ohana agree that ground disturbing activities, including excavation, grading, and vegetation removal for the construction of the Memorial, could affect previously unidentified prehistoric or historic archaeological resources.

In order to minimize potential adverse impacts to archaeological resources and to contributing features of the NHL district, the following mitigation measures (as agreed to by NPS and the 'Ohana) will be implemented:

- To ensure that no undetected significant archaeological resources will be affected, an archaeological monitor will be present at the site during all construction activities.
- Should presently unidentified significant archaeological resources be discovered during construction, work in that location would be halted, the park Cultural Resources Program Manager contacted, and the site secured. NPS would be consulted according to 36 CFR 800.11, provisions of the Native American Graves and Protection and Repatriation Act of 1990, and Hawai'i state burial laws.
- Any archaeological site would be properly recorded by the archaeologist and evaluated under the eligibility criteria of the National Register of Historic Places.
- If the site is determined eligible, appropriate measures would be implemented either to avoid further resource impacts or to mitigate loss or disturbance (e.g. by data recovery excavations or other means) in consultation with the Hawai'i State Historic Preservation Office.
- According to the design criteria established by Ka 'Ohana O Kalaupapa, in conjunction with NPS, any iwi (bones from ancient burials), significant archaeological features or rare native plants discovered on the preferred Alternative Site for the Memorial will remain in place.

- All new development and construction within the historic site will follow the Secretary of the Interior Standards for the Treatment of Historic Properties. Project work will not commence until Section 106 of the National Historic Preservation Act is completed.
- Any contributing feature to the cultural landscape that is modified or removed will be documented before and after construction to HABS/HAER standards.

It is additionally noted that construction of the Memorial would mean that the non-native vegetation and feral animals would be managed, resulting in less damage and a beneficial effect to the archaeological resources.

2.6 Cultural Assessment

2.6.1 Existing Conditions

Historic Overview

As described in the NPS's NEPA EA, on January 6, 1866, the first 12 people, 9 men and 3 women, were sent to the Kalaupapa peninsula because they were believed to have leprosy. They were landed on the Kalaupapa side of the peninsula and walked to Kalawao, the area where the first settlement was located. They were accompanied by at least four family members who had chosen to go along as kōkua (helpers) (Law 2010).

These individuals were the first of an estimated 8,000 people who were forcibly taken from their families and sent to the peninsula between 1866-1949, at least 90% of whom were Native Hawaiians (Ka 'Ohana O Kalaupapa 2007). Of those who lived and died on the peninsula, at least 87% lie in unmarked graves (Purnell 1991).

Over a quarter of the unmarked graves are reported to lie in the large field alongside Saint Philomena Church. In 1887, Dutton commented: *"The principal graveyard back of my cabin has about two thousand graves and nearly one thousand are buried elsewhere"* (Daws 1973:168-169). This represents the largest known concentration of unmarked graves on the peninsula. This large field of unmarked graves is located across the street from the former Old Baldwin Boys Home. Hutchison (1932) refers to this site as Moku Puakala.

Early on, Saint Damien recognized the need for a home for boys and elderly men, as well as a home for “unprotected women and girls.” According to Ambrose Hutchison, long-time resident of Kalaupapa, in mid-1879, Saint Damien built a dormitory west of his own house, to which eight boys of different ages were initially admitted (Law and Law 2009:55-56). This was followed by a larger dormitory. By mid-1885, Saint Damien was caring for 30 boys and 12 girls in a home that was supported by the Catholic Church (Hanley and Bushnell 1991: 220).

Ambrose Hutchison described how Saint Damien interested the boys in farming and they joined in the work “with a will,” clearing and planting the land, planting sweet potatoes, onions, cabbage, and bananas. They planted their vegetables and fruit in the large area across the road from St. Philomena Church that would later become the Baldwin Home for Boys (Law and Law 2009:57). This appears to be the first documented settlement-era use of the site that is now known as the Old Baldwin Boys Home.

Mother Marianne, who was in charge of the newly established Bishop Home for women and girls, noted that in November, 1888, there were about 100 boys at Saint Damien’s boys’ home. She was particularly concerned because the home and the boys’ playground were basically located in the graveyard next to St. Philomena Church (Hanley and Bushnell 1991:324). According to Joseph Dutton, on January 1, 1889, the Board of Health assumed operations of the boys’ home which was referred to at that time as the Damien Home (Case 1931:118). Shortly after Saint Damien’s death, the Board of Health asked Mother Marianne to assume management of the boys’ home and she officially accepted on May 2, 1889 (Hanley and Bushnell 1991:325-26). Upon her agreement, the Board of Health built a convent for the Sisters of St. Francis who would work at the Boys’ Home. It was built across the road from St. Philomena Church. Mother Marianne worked with R.W. Meyer, the settlement Agent of the Board of Health, proposing various improvements for the two homes she managed (Hanley 2010, pers. comm.).

In 1892, the Board of Health began to develop an extensive complex of buildings for the Home with funds donated by Henry P. Baldwin of Maui.

In 1893, Rudolph Meyer suggested that the boys' home be named after its benefactor. The home was chosen to be constructed across the road from St. Philomena Church, where the Sisters convent was located, enabling more convenience in their work (Hanley 2010, personal comm.). The Sisters' Convent was enclosed by a board fence (Hanley and Bushnell 1991: 355). When the Baldwin Home for Boys opened in 1894, it consisted of 29 structures. Ultimately the Baldwin Home would contain some 55 buildings, including a band room, a school room, and a tailor shop. One (1) building consisted of the poi house, the boiler house, the beef room, the pantry, and the banana room, all under one roof (Case 1931:111, 115).

Once the home's construction was completed, Mother Marianne suggested to the Board of Health that the brothers be invited to teach the boys of Baldwin Home useful skills (Hanley 2010, personal comm.). In 1895, four Sacred Heart Brothers (Brothers) from Europe arrived at Kalawao and, at this time, Joseph Dutton, a longtime assistant with the boys, assumed management of the Baldwin Home. Sisters Crescentia, Vincentia and Irene moved to the Bishop home for new assignments and the Brothers took up residence in what had been their convent.

A description from the Honolulu newspaper in 1896, commented: *"The dormitories, hospital, and school are arranged in a hollow square, enclosing a pretty grass plot dotted with nice shrubs and beautiful flowers. These grounds have been converted from a rocky waste by the work of the boys, one hour each day . . ."* (Damien Institute Monthly Magazine, April 1896). Joseph Dutton later recalled: *"That garden near the pali, has some rich earth, but there was a great number of big and smaller rocks over it. We dug long trenches about 15 feet wide and 15 feet deep and buried the rocks, leaving about three feet of earth on top"* (Case 1931:111).

Throughout its history, the Old Baldwin Boys Home was a site of pain, joy, and community. Upon the death of Henry Baldwin in 1911, Dutton noted that, including those who lived there at the time, 1,073 men and boys had resided at the Baldwin Home. He commented: *"We aim to operate the home as a big family -- the largest on the island"* (Baldwin 1915: 67). John Cambra, who lived in the Baldwin Boys Home in 1924, recalled the friendships formed there:

I used to live in number 7 building. Then came the hall, then came number 9, then 10. That's where we would meet and play music. Every night we played music. One played the violin, one the banjo. We had three Palakiko brothers up there -- Sam, Joe and Emmeran Palakiko. They played ukulele, double bass, and steel guitar. And we had this Joe Kepali, he had a wonderful voice -- tenor. And we had George Pununui. We had David Espinda. We had old man Kalahao. You heard about him? Old man, he used to play the violin. He's an old timer, he'd been here a long time. He'd play and all these boys we would go there. Every night we'd go over there and play music, over in number 10 building (Skinsnes 1984).

By the time the Baldwin Boys Home was moved to Kalaupapa in December, 1932, the number of men and boys who had resided there for varying lengths of time would be significantly higher. Some of the more well-known persons in Kalaupapa's history who lived at the Baldwin Home include: Kawika Kahoeka, Pilipo Iilili, John Kiaaina, Willie Wicke, Ambrose S. Kahoohalahala, Ben Pea, David Kupele, the Palakiko brothers, John Cambra, and Kenso Seki.

Ethnographic Resources and Traditional Communities

A variety of ethnographic research has been conducted at and about Kalaupapa and is summarized in the NEPA EA for the proposed Memorial. Together these studies present a picture of the lives of the residents of the peninsula from 1866, when the first leprosy patients arrived, to the present day. Among the collected oral histories and interviews, recurring themes include disease, separation, stigma, depression, and death but also community, hope, faith, and a unique "sense of place".

Cultural Resources

As described in the NEPA EA, the existence of Hawaiian culture on the peninsula dates back at least 800 years before present. In 1866, when the first leprosy patients arrived, there was still a traditional Hawaiian community living on the Kalaupapa Peninsula and in the neighboring Windward valleys. In order to enforce King Kamehameha's 1865 Act to Prevent the Spread of Leprosy, the Board of Health attempted to enforce strict isolation when the Kalawao Settlement was first established. As a result, these kama'āina were relocated by the Hawaiian government and

the Board of Health. This displacement occurred in gradual stages over a period of about thirty years, from 1865 to 1895. The impact of this displacement was that there was a loss of ancestral and cultural connection to the land.

By agreeing to relocate to other lands on an island of their choice, these kama'āina relinquished their interests in their kuleana (smaller plots of land belonging to native tenants within the larger ahupua'a). The majority of the kama'āina chose to relocate to lands set aside for them in the Eastern districts of Moloka'i. Some chose to go to other islands. The government paid for the cost of their transportation and relocation. Though the Hawaiian government reimbursed the kama'āina for their land, and for any resources of value – their homes, fruit trees and cultivated garden plots – the fact remains that the native people were displaced and there was a disconnection from their ties to the 'āina.

This departure of the kama'āina from their lands in Waikolu and Kalaupapa peninsula is a major contributing factor to the loss of Hawaiian cultural knowledge about land use, religion, traditional customs and cultural sites on the peninsula. Much of the oral knowledge about Hawaiian cultural resources and sites that has filtered down to the current patient population today is fragmented and incomplete.

Associated Communities

Within the park boundaries, the main group of residents with whom the park consults are those individuals who were affected by the disease and who have now made Kalaupapa their home.

Members of the clergy, State, and Federal employees work and live on the peninsula to support the patient community. Many of these workers are of native Hawaiian ancestry who also fish, hunt and gather resources from the 'āina. Most of these workers are also Moloka'i residents who live on upper Moloka'i when not in the Settlement for work. Support is also provided by families and friends of patients who have visited Kalaupapa for many years and established relationships with the resident community.

Present-Day Kalaupapa Community

As explained in the NEPA EA, the majority of the current residents came to Kalaupapa during the 1940s and 1950's and are now considered elderly. While some residents have relocated to O'ahu and Kaua'i, most remain at Kalaupapa. The ethnic composition of the patient community, is predominantly Hawaiian or part-Hawaiian, as it was historically. As in historic times, the Catholic faith still dominates the community although the Protestant churches still continue to have weekly services, and only last year regular worship ended at the Church of Jesus Christ of Latter-Day Saints due to the death of its last leader. Though there was a small Buddhist community that started in the 1920s, there are no remaining Buddhists left at Kalaupapa.

Current Cultural Resource Use

The NEPA EA further explains that plants from the Kalawao area have been used to make lei, as a source of food, and medicine. Kīkānia is a thorny non-native plant that grows wild, especially out in the open spaces at Kalawao where it used to be more abundant during the time of heavy livestock grazing. Its orange fruit, gathered and strung into lei, has become symbolic as the "official" lei representing Kalaupapa. Many residents have planted kīkānia in their yards because the open areas where kīkānia used to grow have become dominated by invasive shrub and trees. Other plants such as lau kī, hō'i'o and watercress were used for food preparation and/or eating. Residents also used plants for lā'au lapa'au, for medicine and healing.

Hunting for animal resources with guns is a recent tradition. It was illegal for patients to own guns until the early 1950s and kōkua were not allowed to hunt until about 1995. In earlier years, residents hunted pigs and goats with dogs or by catching the young animals. In one story, a patient killed a pig by hitting it on the head with a rock. The pig was dressed, cooked in the imu and shared with the rest of the boys at the Old Baldwin Boys Home (Cambra in Skinsnes Law, 1985). Deer entered the park in 1984 and are hunted today by kōkua, who share their excess deer meat with those who request it. The tradition of giving fish, salt and other resources away to widows, elderly and those in need is rooted in Hawaiian culture. This

tradition has carried over to Kalaupapa culture. Both patients and kōkua speak of giving fish out to others who can no longer fish or no longer have access to fish (i.e., a spouse who fished has since died). Now that many older residents no longer fish, they depend on kōkua to supply them with these kinds of food resources that they love and that represent their cultural values.

Many people are often surprised to discover that “Siloama Church” was the first church built at Kawaluna in Kalawao. The church was organized in June of 1866 and a church building constructed in 1871. Siloama Church was built on the site of their first meeting place – the lānai of a home that belonged to Kapuhaula. Its founding members, comprised of twelve women and 23 men of Hawaiian ancestry, most of whom were sent to Kalawao during that first historic year of segregation. A biblical name after the pool of Siloam in Jerusalem, Siloama means “church of the healing spring” (Helen Keao in Skinsnes Law, 1984-5: Tape #5A, p. 2).

Siloama Church was rebuilt in the 1960s, but nevertheless is a contributing feature of the NHL district. Within the rock wall delineating the church yard are 13 graves associated with Siloama; nine are unmarked with no visible inscription. Outside of the rock wall (west) is the weathered, now unmarked, tomb of Kanakaokai, Hawaiian teacher, and a former student of Lahainaluna Seminary on Maui.

Though the church patient membership is very limited, it is important to the members that Siloama be used. They still carry on the tradition of holding services there on the last Sunday of each month (Sarah Benjamin in Skinsnes Law, 1984-5: Tape 5A, p.8).

The historic St. Philomena Church, also known as Damien’s Church, is located across the road from the Old Baldwin Boys Home entrance. Brother Bertrand built the original chapel which was dedicated on May 30, 1872. Saint Damien built an addition on the west side of the church in 1876. The stone-work section started in 1888 and in 1889, was completed, after Saint Damien’s death. Mass is held regularly on the first Sunday of each month. Special masses are occasionally held there whenever special guests and groups visit. Olive trees believed to be planted by Saint Damien grow just inside the church grounds. At Kalaupapa Palm Sunday

celebrations, small branches from these olive trees are sometimes cut and given to each person attending the service.

There are four associated graveyards east of the church. Most of the graves are unmarked burials in several open fields. Adjacent to St. Philomena is the cemetery where Joseph Dutton and a relic of Saint Damien are buried.

2.6.2 Potential Impacts and Proposed Mitigation Measures

The proposed Memorial is intended to serve as a tribute to the thousands of individuals who endured the challenges of being separated from family and friends while dealing with Hansen's disease. It will also provide family members with a fitting place to pay tribute to their ancestors and find a place of pride and healing. In this regard, the proposed action is viewed as a positive impact to bringing richness and life to the cultural and historic heritage of Kalaupapa.

2.7 Air and Noise Quality

2.7.1 Existing Conditions

There are no major stationary sources of air pollution in the area. With the rural landscape that predominates in this area and prevailing trade wind conditions, air quality is generally good in this area of Moloka'i. There are no significant noise generators in the vicinity of the project area.

2.7.2 Potential Impacts and Proposed Mitigation Measures

Airborne particulates, including dust, may be generated during site preparation and construction activities. However, Best Management Practices (BMPs) for dust control measures, such as a dust fence, regular watering and sprinkling, will be implemented as needed to minimize wind-blown emissions.

As with air quality, ambient noise conditions will be temporarily impacted by construction activities. In this context, BMPs such as regular maintenance of equipment, inspection of mufflers on equipment and scheduling of construction activity will be applied during construction to minimize adverse noise impacts. The contractor will coordinate with the

State Department of Health to ensure that noise permits are obtained, as appropriate.

With the implementation of these BMPs, the proposed project is not expected to adversely impact local and regional air quality and ambient noise quality.

Upon completion, the proposed Memorial will not impact local or regional air quality or ambient noise quality.

2.8 Streams and Wetlands

2.8.1 Existing Conditions

There are no wetlands within the vicinity of the Old Baldwin Boys Home. The Old Baldwin Boys Home is located within the Wai'ale'ia watershed, which is named after the intermittent Wai'ale'ia stream. There are no streams in the immediate vicinity of the Old Baldwin Boys Home. It is noted however, that unnamed drainageways are located along the entire Kalaupapa Peninsula to help convey stormwater runoff from mauka to makai areas. A drainageway located near the Memorial site serves as an example of the natural hydrologic character of the watershed. Historically, this drainageway has conveyed stormwater through the Old Baldwin Boys Home property. The 'Ohana recognizes this natural constraint and accordingly, has sited the Memorial on higher ground beyond the limits of stormwater flow.

2.8.2 Potential Impacts and Proposed Mitigation Measures

Inasmuch as there are no streams or wetlands within the project site, the proposed Memorial will not have adverse impacts on stream or wetland resources. As noted above, the Memorial site is located beyond the limits of stormwater flow associated with mauka-makai conveyance of stormwater flow.

2.9 Scenic and Open Space Resources

2.9.1 Existing Conditions

The natural landscape at Kalawao defined by cliffs, deep valleys, and open space landscape remains the dominant scenic resource associated with the historic settlement. Many of these scenic resources are viewed by the public at vantage points from along the Old Damien Road as it traverses the Kalawao landscape. As one travels along this road corridor from Kalaupapa Settlement, the view which was historically open on either side of the road, is generally narrow and confined by encroaching vegetation. Once the road passes Siloama Church and Saint Philomena Church, the view expands to the Pacific Ocean.

At the Old Baldwin Boys Home, non-native vegetation has encroached from areas historically planted with ornamentals, or from areas associated with subsistence and cultivated garden areas. As a result of these changes, remaining views at the Baldwin site focus inward to a relatively small open area in the center of the property in the vicinity of a man-made mound and banyan tree at the site of the old rock garden. Refer to Figure 1.2.4.

While the larger topographic landscape setting remains the dominant scenic resource at Kalawao, the remnant landscape associated with the historic settlement is also considered an important scenic resource. Commonly, the encroachment of non-native vegetation in historically open areas throughout Kalaupapa Peninsula—including those views to and from within the Old Baldwin Boys Home, has altered the visual character of the settlement.

2.9.2 Potential Impacts and Proposed Mitigation Measures

The construction of the Memorial will adhere to the design criteria in Appendix “B” of this document. These criteria provide guidance for compatible new development through the appropriate scale (mass and height), use of materials, and location to reduce potential visual and physical impacts to other resources, and general standards for the design of commemorative structures appropriate within the NHL district and cultural landscape setting.

The design of the Memorial, as reflected in the conceptual plan, creates a site and Memorial concept which is naturally integrated with the existing landscape and scenic character of the Old Baldwin Boys Home. As noted in the NEPA EA, the continued encroachment of invasive species of vegetation has limited historically significant views and scenic resources from where the Memorial will be located out across the field of 2,000 unmarked graves and open landscape to the Pacific Ocean. Selective thinning or removal of invasive species will be undertaken to enhance the relationship between the natural landscape and the Memorial. In general, the proposed action will functionally enhance views to and from the Memorial. No adverse impacts to scenic and open space resources are anticipated.

2.10 Traditional Beach and Mountain Access

2.10.1 Existing Conditions

The project site does not abut the coastline and there are no traditional beach access trails in the vicinity of the project site that are known by 'Ohana.

There are no traditional mountain access trails in the vicinity of the project site.

2.10.2 Potential Impacts and Proposed Mitigation Measures

The proposed project will not adversely impact traditional beach or mountain access trails.

2.11 Socio-Economic Environment

2.11.1 Existing Conditions

The resident population of the island of Moloka'i (excluding Kalawao), as determined by the 2010 U.S. Census, was 7,255. The census count report note that there were 90 people living in Kalawao County in 2010, which included State and Federal (NPS) employees. The average age of residents in Kalawao County was 55 years old at the time of the 2010 Census.

2.11.2 Potential Impacts and Proposed Mitigation Measures

The proposed Memorial is not anticipated to impact Kalawao County from a socio-economic standpoint. The number of visitors to the KNHP is not anticipated to increase significantly as a result of the proposed project.

2.12 Public Services

2.12.1 Existing Conditions

2.12.1.1 Visitor Experience

Kalaupapa National Historical Park was created to preserve the history of the settlement and its people. As such, visitor experience is about how the history of the settlement and its inhabitants are shared. Every effort is made to preserve the peace and sanctity of the peninsula to allow residents of the settlement to live as they desire.

Visitation is thus limited to those who obtain a Department of Health permit either by sponsorship or participation on the tour. Guests are not allowed to roam outside of the settlement unescorted by appropriate designated representatives of Kalaupapa. A General Management Plan (GMP) is currently being written to ensure that the history of the peninsula and memories of its people continue to be preserved through time. The Kalaupapa Memorial is a condition to all the alternatives being considered in the draft GMP for the future management of Kalaupapa.

2.12.1.2 Maintenance

Kalaupapa National Historical Park headquarters is located within the Kalaupapa Settlement. Various buildings throughout the settlement serve as the base of operations for Kalaupapa. There are five office buildings, a fire station, recycling center, compost facility, carpentry/paint shop, electrical shop, curatorial storage facility, water pumping station, vehicle storage facilities, auto/boat mechanic garage, and 30 housing units. Current maintenance of

the Old Baldwin Boys Home property is comprised of periodic cutting by NPS of woody vegetation and mowing of the open area that has not been overtaken by invasive vegetation.

2.12.1.3 Safety and Security

A staff of law enforcement rangers offer public safety services and emergency aid. As of May 2016, the law enforcement staff is five rangers. Visitors who become ill or are injured are airlifted to hospitals.

2.12.2 Potential Impacts and Proposed Mitigation Measures

Construction of a Memorial bearing the names of patients with Hansen's disease is a direct contribution to the educational opportunity offered by existing historic buildings, archaeological features, interpretive signs, and other resources in the vicinity of the Old Baldwin Boys Home. The Memorial is thus a benefit to local educational opportunities. The construction of the Memorial and the intended removal of invasive vegetation will improve the visitor experience as well as contribute to the ongoing maintenance of the site.

The implementation of the Memorial at the Old Baldwin Boys Home property is not anticipated to result in adverse impacts to public services, which are currently available to residents and visitors.

2.13 Infrastructure

2.13.1 Existing Conditions

The Old Baldwin Boys Home site is accessed by Damien Road, which connects the Kalawao side of the peninsula to the Kalaupapa side. There are currently no potable water service or wastewater service to the Old Baldwin Boys Home site. However, there is an existing non-potable water line along Damien Road. Additionally, there are no man-made drainage systems at the project site. Parking is available along Damien Road.

2.13.2 Potential Impacts and Mitigation Measures

The proposed Memorial will not include the creation of new parking at the site. Due to the lack of automobiles on Kalaupapa, and the use of vans and buses to transport visitors, a defined and improved parking lot will not be required. Sufficient parking is available along Damien Road. The Memorial will not include facilities that generate wastewater. Existing restroom facilities at the Pavilion at Kalawao, located a short drive or 10 minute walk away, will be available for use by visitors to the Memorial. Non-potable water from the existing non-potable water line that runs along Damien Road in front of the Memorial site will be utilized for maintenance and care of the Memorial. To convey non-potable water to the Memorial, the Design team has agreed with NPS to explore water supply options which do not introduce additional trenching requirements to the project. Alternatives to trenching may include an above-ground line from Damien Road to the Memorial, incorporation of a line into the pedestrian walkway construction, or use of a water truck.

The proposed Memorial will not add significant impervious area to the Old Baldwin Boys Home property and, therefore, will not result in significant additional stormwater runoff. Drainage mitigation in the form of on-site detention basins will not be required, and adverse impacts to downstream properties are not anticipated.

2.14 Cumulative and Secondary Impacts

Pursuant to Section 11-200-2 of the Hawai'i Administrative Rules, Chapter 200, entitled Environmental Impact Statement Rules, a cumulative impact means:

The impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

The proposed Memorial is not part of a larger action nor does it represent a commitment to undertake such other actions. There are no significant cumulative impacts associated with the proposed Memorial.

Secondary impacts are those which have the potential to occur later in time or farther in distance, but are still reasonably foreseeable. They can be viewed as actions of others that are taken because of the presence of a project. Secondary impacts from highway projects, for example, can occur because they can induce development by removing one of the impediments to growth.

The proposed Memorial is not a population generator and will not generate secondary impacts. Policies regarding visitors to the Kalaupapa National Historic Park will be governed by current policies and future policies identified by the proposed General Management Plan. Currently, 100 visitors per day are allowed at Kalaupapa.

3. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS

3. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS

3.1 State Land Use Districts

Chapter 205, Hawai'i Revised Statutes (HRS), relating to the Land Use Commission (LUC), establishes the four (4) major land use districts in which lands in the State are placed. These districts are "Urban", "Rural", "Agricultural", and "Conservation".

The proposed Kalaupapa Memorial project is located within the State "Agricultural" district. See Figure 3.1.1.

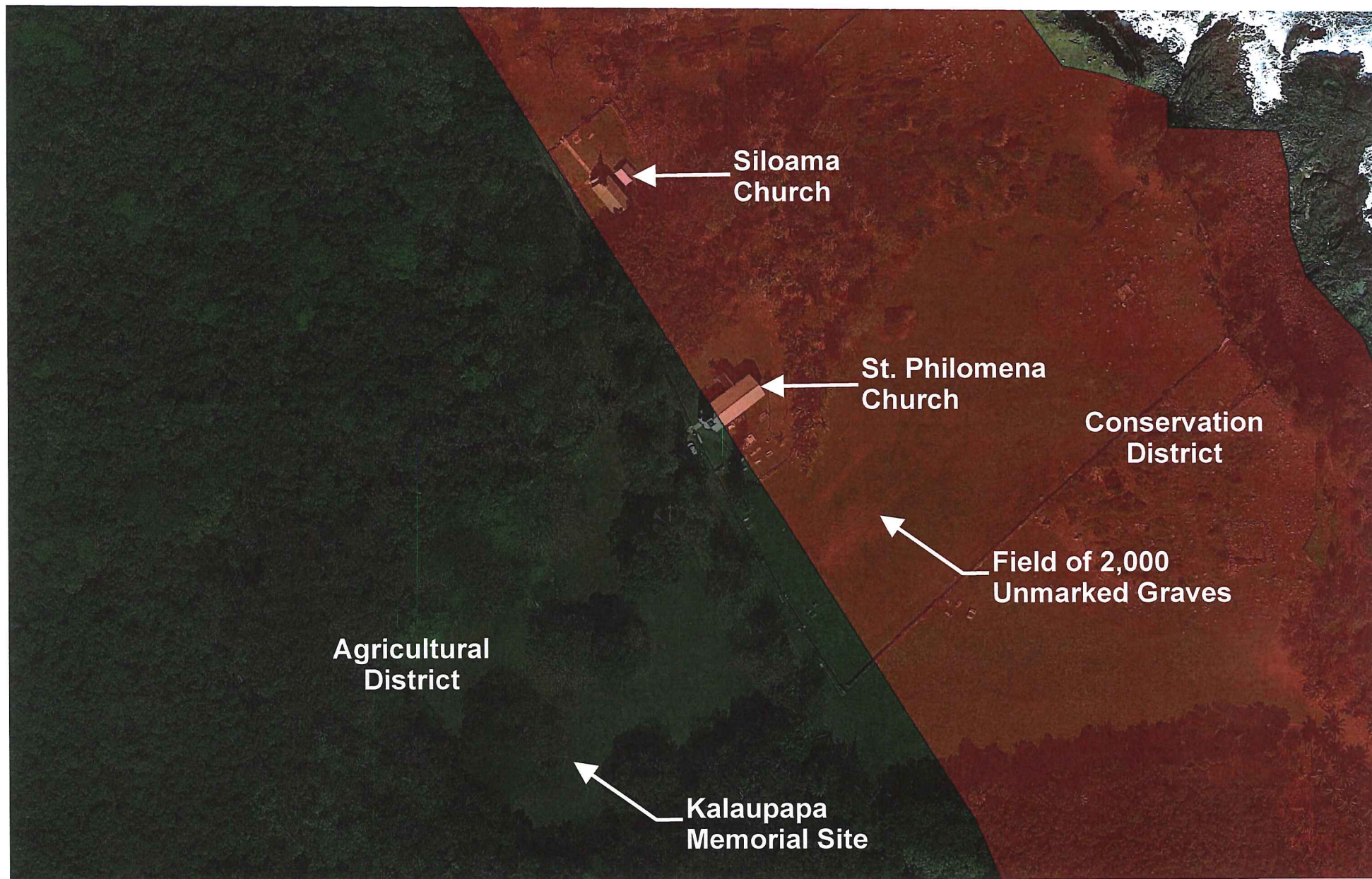
Chapter 205-4.5(a)8, HRS, stipulates that "retention, restoration, rehabilitation or improvement of buildings or sites of historic or scenic interest" is permitted within the "Agricultural" District. The Old Baldwin Boys Home is listed on the National Register of Historic Places and the construction of the memorial is considered a permitted use as an improvement to a historic site. At the request of the LUC, the 'Ohana submitted a petition for a declaratory order from the LUC to confirm that the memorial is permitted by Chapter 205-4.5(a)8, HRS. On October 16, 2015, the LUC unanimously affirmed that the proposed Kalaupapa Memorial is a permitted use at the subject property. See Appendix "E".

3.2 Chapter 226, HRS, Hawai'i State Plan

Chapter 226, HRS, also known as the Hawai'i State Plan, is a long-range comprehensive plan which serves as a guide for the future long-range development of the State by identifying goals, objectives, policies, and priorities, as well as implementation mechanisms.

3.2.1 Objectives and Policies of the Hawai'i State Plan

The proposed action is consistent with the following objectives and policies of the Hawai'i State Plan:



Source: Google Earth, State Land Use Commission

KaOhanaOKalaupapa/Memorial/Draft EA/SLUD

Figure 3.1.1
State Land Use District Map

§226-12 Objective and policies for the physical environment--scenic, natural beauty, and historic resources.

- (a) *Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawaii's scenic assets, natural beauty, and multi-cultural/historical resources.*
- (b) *To achieve the scenic, natural beauty, and historic resources objective, it shall be the policy of this State to:*
 - (1) *Promote the preservation and restoration of significant natural and historic resources.*
 - (2) *Provide incentives to maintain and enhance historic, cultural, and scenic amenities.*
 - (3) *Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.*
 - (4) *Protect those special areas, structures, and elements that are an integral and functional part of Hawaii's ethnic and cultural heritage.*

3.3 COASTAL ZONE MANAGEMENT OBJECTIVES AND POLICIES

This section addresses the project's relationship to applicable Coastal Zone Management considerations, as set forth in HRS, Chapter 205A.

The Hawai'i Coastal Zone Management Program (HCZMP), as formalized in Chapter 205A, HRS, establishes objectives and policies for the preservation, protection, and restoration of natural resources of Hawai'i's coastal zone. It is noted that the entire Kalaupapa peninsula is designated within the Special Management Area (SMA). However, the State Office of Planning confirmed that there are no SMA Rules established for Kalawao County. While Kalawao County's unique status means that this project is not subject to any SMA permitting requirements under HCZMP, due to its physical location within the Coastal Zone Management area, HCZMP objectives and policies are considered relevant and applicable. Therefore, the proposed Memorial project has been analyzed with respect to Chapter 205A, HRS, to demonstrate the project's compliance with the HCZMP.

3.3.1 Recreational Resources

Objective:

Provide coastal recreational opportunities accessible to the public.

Policies:

- a. *Improve coordination and funding of coastal recreational planning and management; and*
- b. *Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*
 - i. *Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
 - ii. *Requiring replacement of coastal resources having significant recreational value, including but not limited to surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;*
 - iii. *Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;*
 - iv. *Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;*
 - v. *Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;*
 - vi. *Adopting water quality standards and regulating point and non-point sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;*

- vii. *Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and*
- viii. *Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of Section 46-6.*

Response: The proposed project is not anticipated to result in adverse impacts to recreational resources. Construction of a Memorial bearing the names of patients with Hansen's disease, and possibly other information, is a direct contribution to the educational opportunity offered by existing historic buildings, archaeological features, interpretive signs, and other resources in the vicinity of the Old Baldwin Boys Home. As such, the Memorial is viewed as a benefit to the KNHP.

3.3.2 Historic Resources

Objective:

Protect, preserve and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Policies:

- a. *Identify and analyze significant archeological resources;*
- b. *Maximize information retention through preservation of remains and artifacts or salvage operations; and*
- c. *Support state goals for protection, restoration, interpretation, and display of historic resources.*

Response: The proposed action is in alignment with the CZM policy of advancing the interpretation and display of historic information significant in Hawaiian and American history and culture. The Memorial will establish a place of remembrance for approximately 8,000 individuals who contributed to a community whose place in history is considered

significant. It will also provide family members with a fitting place to pay tribute to their ancestors and a place of reflection to express gratitude to the strength of those who lived in Kalalupapa.

3.3.3 Scenic and Open Space Resources

Objective:

Protect, preserve and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies:

- a. Identify valued scenic resources in the coastal zone management area;*
- b. Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;*
- c. Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and*
- d. Encourage those developments that are not coastal dependent to locate in inland areas.*

Response: The construction of the Memorial would adhere to the design criteria in Appendix “B” of this document. These criteria provide guidance for compatible new development through the appropriate scale (mass and height), use of materials, and location to reduce potential visual and physical impacts to other resources, and general standards for the design of commemorative structures appropriate within KNHP and the cultural landscape setting.

In this regard, the design of the Memorial, as reflected in the conceptual plan, creates a site and Memorial concept which is naturally integrated with the existing landscape and scenic character of the Old Baldwin Boys Home. No significant adverse impacts to scenic and open space resources are anticipated.

3.3.4 Coastal Ecosystems

Objective:

Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies:

- a. *Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;*
- b. *Improve the technical basis for natural resource management;*
- c. *Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;*
- d. *Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and*
- e. *Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.*

Response: Appropriate BMPs will be employed to ensure that coastal waters are not degraded during construction activities. Adverse impacts to coastal ecosystems are not anticipated.

3.3.5 Economic Uses

Objective:

Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies:

- a. *Concentrate coastal dependent development in appropriate areas;*

- b. *Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and*
- c. *Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:*
 - i. *Use of presently designated locations is not feasible;*
 - ii. *Adverse environmental effects are minimized; and*
 - iii. *The development is important to the State's economy.*

Response: The proposed project will have short-term positive economic impact from construction related employment and services. There are no significant adverse economic impacts associated with the proposed project in the long term.

3.3.6 Coastal Hazards

Objective:

Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence and pollution.

Policies:

- a. *Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;*
- b. *Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint pollution hazards;*
- c. *Ensure that developments comply with requirements of the Federal Flood Insurance Program; and*
- d. *Prevent coastal flooding from inland projects.*

Response: The proposed Memorial site is located in Flood Zone X, an area of minimal flooding, and outside of the tsunami evacuation area. The project is not anticipated to have adverse impacts related to coastal hazard conditions nor will it increase exposure to these threats.

3.3.7 Managing Development

Objective:

Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies:

- a. *Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;*
- b. *Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and*
- c. *Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life-cycle and in terms understandable to the public to facilitate public participation in the planning and review process.*

Response: Opportunities for public involvement were provided during the NEPA Environmental Assessment Review (EA) process. The proposed project will undergo further agency and public review during the Chapter 343, HRS, EA review process. All aspects of the proposed project will be conducted in accordance with applicable Federal, State, and County standards. Early consultation with agencies and interested parties was conducted for formulation of this Draft EA. Copies of early consultation letters received and responses to those letters are provided in Chapter 9 of this document.

3.3.8 Public Participation

Objective:

Stimulate public awareness, education, and participation in coastal management.

Policies:

- a. *Promote public involvement in coastal zone management processes;*
- b. *Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and*
- c. *Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.*

Response: As previously mentioned, public awareness and participation have been and will be facilitated through the NEPA EA and Chapter 343, HRS, EA review processes. The proposed project is being processed in accordance with the objectives of public awareness, education, and participation.

3.3.9 Beach Protection

Objective:

Protect beaches for public use and recreation.

Policies:

- a. *Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;*
- b. *Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and*
- c. *Minimize the construction of public erosion-protection structures seaward of the shoreline.*

Response: The proposed Memorial site is located inland and does not abut the coastline. Adverse impacts to nearby beaches are not anticipated as a result of the construction of the Memorial.

3.3.10 Marine Resources

Objective:

Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policies:

- a. Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;*
- b. Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;*
- c. Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;*
- d. Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and*
- e. Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.*

Response: As previously mentioned, the project site is located inland from the coastline and is not anticipated to have adverse impacts to marine resources.

In addition to the foregoing objectives and policies, HRS Section 205A-30.5, Prohibitions, provides that:

- (a) No Special Management Area Use Permit or Special Management Area Minor Permit shall be granted for structures that allow artificial light from floodlights, uplights, or spotlights used for decorative or aesthetic purposes when the light:*
 - (1) Directly illuminates the shoreline and ocean waters; or*
 - (2) Is directed to travel across property boundaries toward the shoreline and ocean waters.*

(b) *Subsection (a) shall not apply to Special Management Area use permits for structures with:*

(2) *Artificial lighting provided by a government agency or its authorized users for government operations, security, public safety, or navigational needs; provided that a government agency or its authorized users shall make reasonable efforts to properly position or shield lights to minimize adverse impacts.*

Response: Construction activities are expected to be limited to daylight hours. Artificial light sources are not part of the Memorial's design.

4. SUMMARY OF ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

4. SUMMARY OF ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

Construction of the Memorial will result in a certain amount of unavoidable construction-related impacts. These include noise generated impacts and air quality impacts associated with the operation of construction equipment. Air quality will also be impacted by dust generated from site work. The construction-related impacts will be temporary and mitigated through implementation of appropriate Best Management Practices (BMPs).

In the long term, it is not anticipated that any significant adverse effects on the environment will result from the construction of the proposed Memorial, which will commemorate the 8,000 individuals, who were forcibly separated from their families and lives because of government's policy regarding leprosy.

The Kalaupapa Memorial is an important, but relatively small project. The footprint of the Memorial structure and associated access pathway will cover less than a quarter of an acre of the 5.9 acre Memorial site located within rock walls defining the former Baldwin Boys Home.

In the Finding of No Significant Impact statement, which NPS issued in association with its federal environmental assessment document (NEPA EA), it was acknowledged that "ground disturbing activities, including excavation, grading and vegetation removal for the construction of the Memorial" were anticipated. However, the 'Ohana is committed to the goal of limiting ground and resource disturbance through design, siting and construction of the Memorial.

5. ALTERNATIVES TO THE PROPOSED ACTION

5. ALTERNATIVES TO THE PROPOSED ACTION

5.1 PREFERRED ALTERNATIVE

Under the preferred alternative, the Memorial structure would be constructed within the south/southeastern area of the Old Baldwin Boys Home site, (See Figure 5.1.1) a 5.9-acre rectangular area, which is defined by historic rock walls on four sides (Refer to Figure 1.2.3). The footprint of the Memorial will cover less than a quarter of an acre of the site. The preferred alternative includes a Memorial design comprised of two (2) overlapping circles, a wall containing the names of the 8,000 individuals sent to Kalaupapa, and a pathway to the Memorial from Damien Road. This is the alternative preferred by most of the residents of Kalaupapa.

5.2 DEFERRED OR NO ACTION ALTERNATIVE

Under this alternative, the Memorial would not be constructed within Kalaupapa National Historical Park. Park management and operations would continue as is. The no action or deferred action alternative would not be consistent with the Kalaupapa Memorial Act signed by President Barack Obama on March 30, 2009, directing the Secretary of the Interior to authorize Ka 'Ohana O Kalaupapa ('Ohana) to establish the Kalaupapa Memorial within the boundaries of Kalaupapa National Historical Park.

5.3 SITE ALTERNATIVES

5.3.1 Alternative Memorial Location

The National Environmental Policy Act (NEPA) Environmental Assessment (EA) assessed nine (9) sites, including the Old Baldwin Boys Home, as potential locations for the proposed Memorial. These sites are listed below and illustrated in Figure 5.1.1.

1. Bandstand Area, Kalaupapa
2. Historic Building – Bay View Home, Kalaupapa
3. Grotto at 2nd Baldwin Boys Home, Kalaupapa
4. Bishop Home, Kalaupapa
5. Papaloa – field across from cemetery, Kalaupapa
6. Water Tank Area – Makanalua
7. Judd Park/Waikolu Overlook, Kalawao
8. Pālā 'au State Park – Overlook
9. Old Baldwin Boys Home, Kalawao

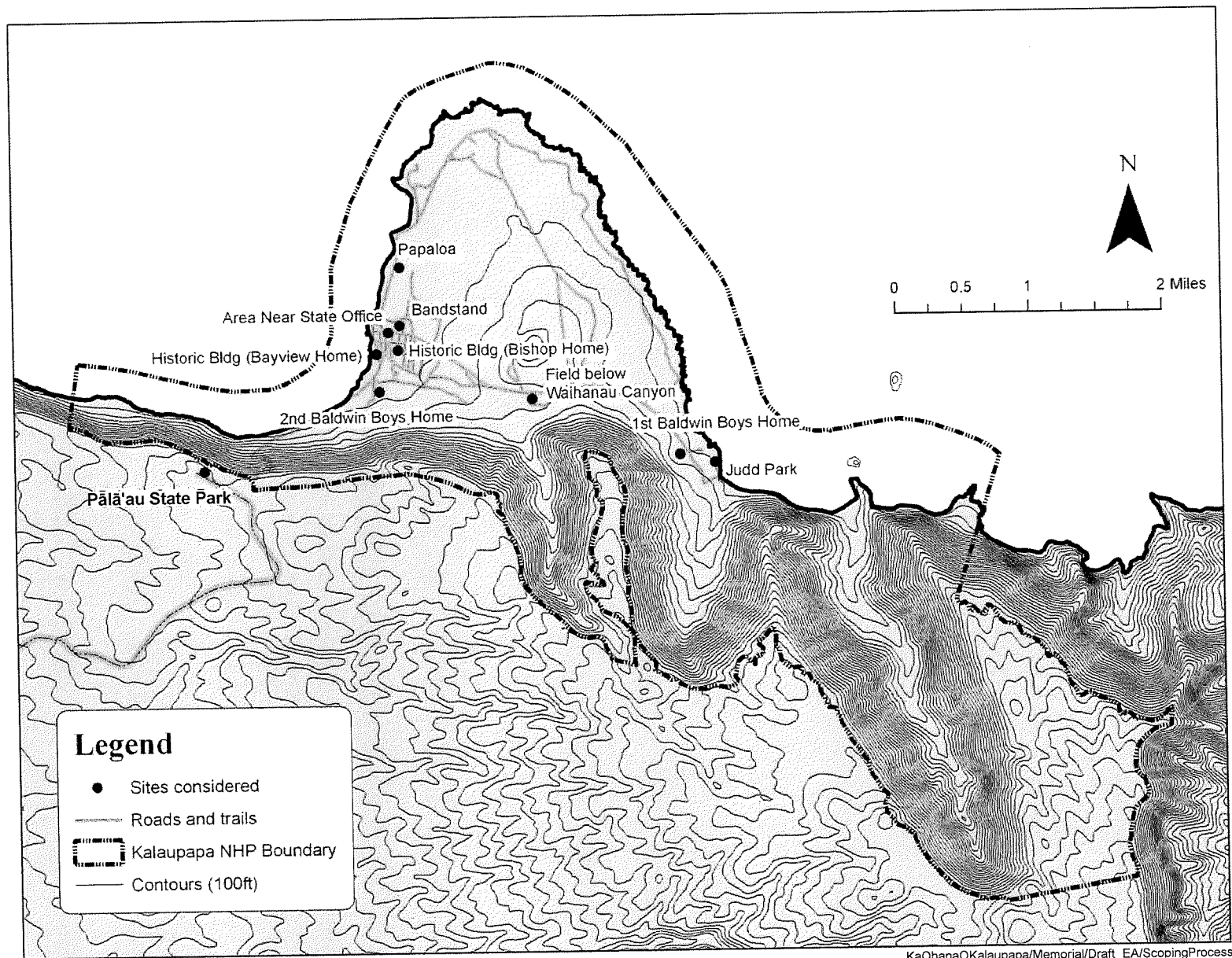


Figure 5.1.1
Potential Memorial Locations Examined
During the Public Scoping Process

The bandstand area was not considered an appropriate place to site the Memorial because of its traditional use as a place of noisy celebration and the proximity of homes.

Neither the Bay View Home nor the Bishop Home were considered appropriate sites because the remaining historic structures at these sites have integrity and convey their own history. Furthermore, use of the Bishop Home would detract from the story of Mother Marianne, a candidate for sainthood.

The grotto at the second Baldwin Boys Home located outside of Kalaupapa is an existing shrine and the general area is considered “desecrated” by the adjacent garbage dump.

Several reasons contribute to the rejection of Papaloa - the field between the settlement of Kalaupapa and the airport. The area is prone to flooding and high wind, and the busy road detracts from the natural quiet and serenity preferred for a Memorial. In addition, the use of the area for storage of construction/management equipment is considered to have desecrated the site. Furthermore, enhanced visitation to the area may disrupt the endangered monk seals on adjacent beaches.

The empty field and water tank midway between the settlements of Kalaupapa and Kalawao were considered desecrated by past earth moving.

While the Judd Park/Waikolu overlook and Federal Leprosy Investigation Station are within Kalawao and adjacent to the Old Baldwin Boys Home, the history of these areas is considered incongruent with the intent of the Memorial.

The Pālā’au State Park is rejected on the basis of being geographically removed and isolated from the settlement and its activities.

Long before any evaluation of site alternatives for the Memorial was proposed, the residents of Kalaupapa had expressed a desire to have the Memorial established in Kalawao at the site of the first Baldwin Boys Home, which is located across Damien Road from the historic St. Philomena and Siloama churches. The Old Baldwin Boys Home was selected as the site for the Memorial to be established.

5.3.2 Alternatives Within the Old Baldwin Boys Home Property

The NEPA EA identified two (2) alternative sites within the Old Baldwin Boys Home property for the siting of the Memorial. The preferred alternative identified by the NEPA EA is depicted in Figure 5.3.1 as the site with the irregular boundary. Subsequently, NPS amended the boundary of the preferred site from 0.4 acre to 0.7 acre, rounding it out to make the site more useable.

The NEPA EA preferred alternative site within the Old Baldwin Boys Home property is challenged by the fact that a portion of the area lies within a corridor that has historically experienced stormwater runoff flows and the area also contains a large banyan tree. To mitigate this condition, the 'Ohana identified a site within the Old Baldwin Boys Home that is located on higher ground. This site is located adjacent to and overlaps with the NEPA EA preferred alternative site. The footprint of the Memorial site identified by the 'Ohana and assessed as the preferred alternative by this EA provides greater flexibility in design without the constraint of the historic flood area or the existing banyan tree. By locating the Memorial in the open and on higher ground, visitors to the Memorial will experience expansive panoramic views looking to the distant field of 2,000 unmarked graves and the Pacific Ocean, two elements that are considered relevant to the Memorial experience. For these reasons, the preferred site identified in Chapter 1 is deemed the most functional from a design and utility standpoint. Refer to Figure 1.3.1. This preferred site has been coordinated with the NPS.

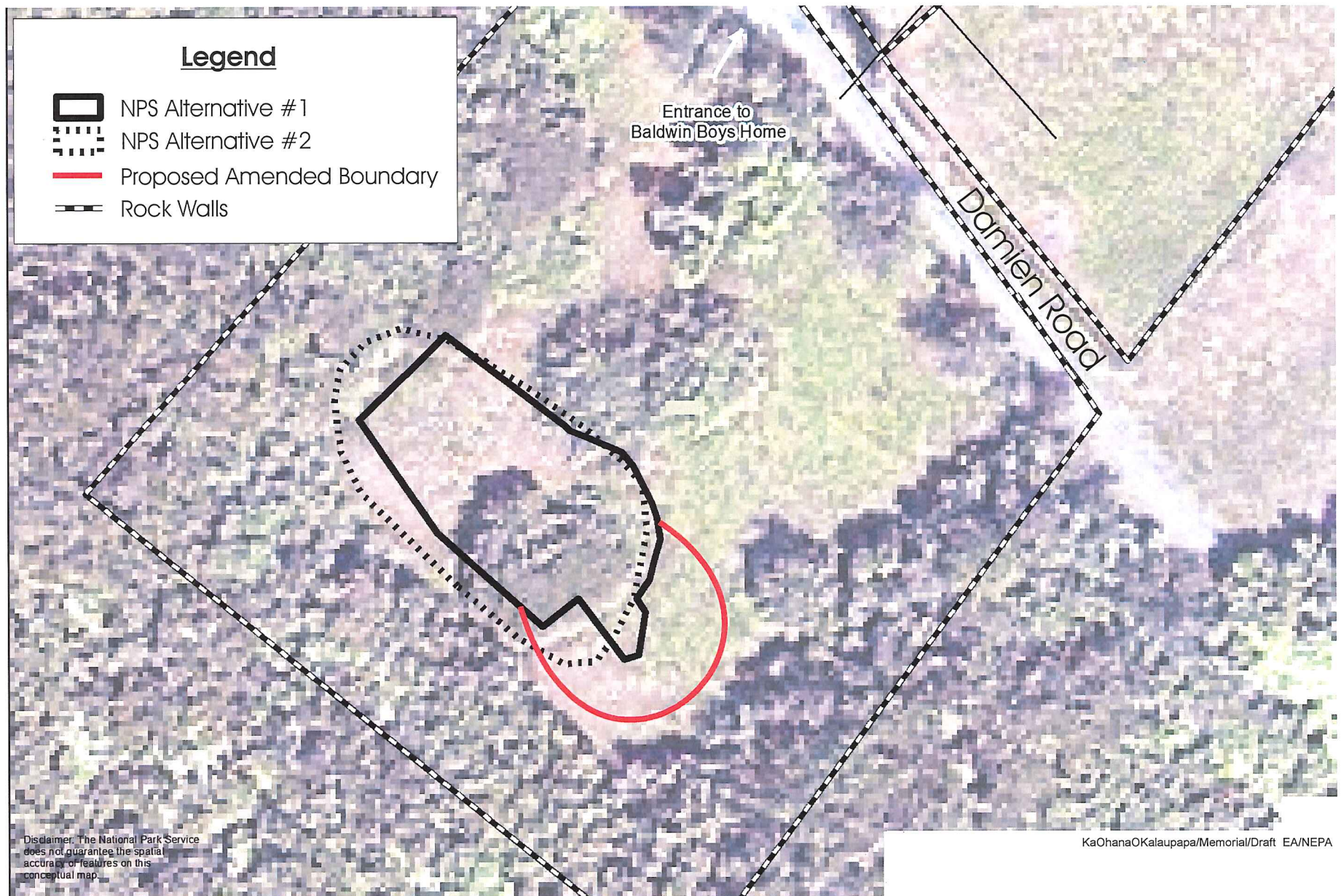


Figure 5.3.1
Alternatives within the
Old Baldwin Boys Home Property
NEPA EA Preferred Alternative Site

6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The proposed establishment of the Kalaupapa Memorial is a small, but important undertaking. It is anticipated to result in the irreversible and irretrievable commitment of certain, limited natural and fiscal resources, including land, fuel, labor, funding, and material resources. However, this commitment of resources is deemed reasonable when compared with the benefit that will result from the creation of the proposed Memorial to Commemorate the Kalaupapa Residents, who sacrificed a great deal for the perceived betterment of Hawai'i's greater society.

7. SIGNIFICANCE CRITERIA ASSESSMENT

7. SIGNIFICANCE CRITERIA ASSESSMENT

The “Significance Criteria”, Section 12, of the Hawai‘i Administrative Rules, Title 11, Chapter 200, “Environmental Impact Statement Rules”, were reviewed and analyzed to determine whether the proposed project will have significant adverse impacts to the environment. The following analysis is provided:

- 7.1 Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;

The proposed Memorial is intended to serve as a tribute to the thousands of individuals who endured the challenges of being forcibly separated from family and friends while dealing with Hansen’s disease. It will also provide family members with a fitting place to pay tribute to their ancestors and find a place of pride and healing. In this regard, the proposed action is viewed as a positive impact to bringing richness and life to the cultural and historic heritage of Kalaupapa. Furthermore, the commitment of land is small, as the Memorial’s footprint shall be less than a quarter of an acre.

- 7.2 Curtails the range of beneficial uses of the environment;

The proposed Memorial and the commitment of limited land resources are not anticipated to curtail the range of beneficial uses of the environment. With proposed mitigation measures, such as implementation of BMPs during construction, the proposed Memorial is not expected to result in adverse effects on beneficial uses of the environment.

- 7.3 Conflicts with the State’s long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;

The State’s Environmental Policy and Guidelines are set forth in Chapter 344, Hawai‘i Revised Statutes (HRS). The proposed action does not contravene provisions of Chapter 344, HRS, court decisions, or executive orders.

7.4 Substantially affects the economic welfare, social welfare, and cultural practices of the community or State;

The proposed action would provide a direct, short-term economic benefit to the community during the construction phase. As noted previously, the proposed action will enhance the history and culture of the Kalaupapa Peninsula.

7.5 Substantially affects public health;

No adverse impacts to public health are anticipated to result from the proposed action.

7.6 Involves substantial secondary impacts, such as population changes or effects on public facilities;

The proposed project is limited to the construction of a Memorial to commemorate the Kalaupapa residents and will not have significant impacts on population. There are also no anticipated adverse effects upon public services, such as police, fire, medical, educational, or waste collection services.

7.7 Involves a substantial degradation of environmental quality;

The proposed project is not anticipated to substantially degrade environmental quality. During project construction, appropriate measures such as Best Management Practices (BMPs) will be utilized to mitigate potential short-term environmental impacts.

7.8 Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;

The proposed Memorial is not part of a larger action and is not anticipated to result in significant cumulative impacts.

7.9 Substantially affects rare, threatened or endangered species or its habitat;

There are no identified rare, endangered, or threatened species of flora, fauna, avifauna and their habitats within the project site. Thus, impacts to rare, threatened or endangered species of flora, fauna, avifauna and their habitats from the proposed action are not anticipated.

Improved management, including vegetation management and feral animal control would result in a benefit to the project area.

7.10 Detrimentially affects air or water quality or ambient noise levels;

With implementation of appropriate BMPs, as discussed in Chapter 2 of this EA, the proposed project is not expected to adversely impact air, water, and noise quality during construction. Upon completion, the proposed Memorial will not impact local or regional air, water, or ambient noise quality.

7.11 Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a floodplain, tsunami zone, beach, erosion prone area, geological hazardous land, estuary, fresh water or coastal waters;

The Memorial site is located within Flood Zone X, an area of minimal flooding and is outside of the tsunami evacuation zone. The site is not located in a floodplain, or near beaches, estuaries, or any body of fresh or coastal waters. The proposed Memorial will be located within higher lying areas of the Old Baldwin Boys Home site. As such, this project is not anticipated to result in an adverse effect on environmentally sensitive areas.

7.12 Substantially affects scenic vistas and viewplanes identified in County or State plans or studies; or

The proposed action is not anticipated to result in substantive, adverse impacts to identified scenic vistas or viewplanes.

7.13 Requires substantial energy consumption

The proposed action will involve the short-term commitment of fuel for equipment, vehicles, and machinery during construction activities. Upon completion of construction, the project will not involve energy consumption.

In summary, the proposed Memorial will honor and commemorate the residents of Kalaupapa. The Memorial is not anticipated to have a significant adverse impact on the environment.

Based on the analysis described in this section, the Department of Land and Natural Resources, Division of State Parks anticipates issuing a Finding of No Significant Impact (AFONSI) for the implementation of the plans for the Kalaupapa Memorial.

8. LIST OF PERMITS AND APPROVALS

8. LIST OF PERMITS AND APPROVALS

The following permits and approvals may be required prior to the implementation of the project.

State of Hawai'i

1. National Pollutant Discharge Elimination System (NPDES) Permit (construction, as applicable)
2. Community Noise Permit, as applicable
3. Final approval and issuance of the 65-year lease of the Memorial site from the Board of Land and Natural Resources

Federal Government

1. Approval of Final Memorial Design by the Secretary of the Interior

**9. PARTIES CONSULTED
DURING THE PREPARATION OF
THE DRAFT ENVIRONMENTAL
ASSESSMENT; LETTERS
RECEIVED AND RESPONSES TO
SUBSTANTIVE COMMENTS**

9. PARTIES CONSULTED DURING THE PREPARATION OF THE DRAFT ENVIRONMENTAL ASSESSMENT; LETTERS RECEIVED AND RESPONSES TO SUBSTANTIVE COMMENTS

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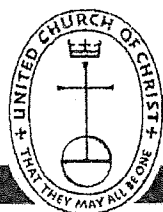
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Wailuku, Hawaiʻi 96793
97. David Goode, Director
County of Maui
Department of Public Works
200 South High Street
Wailuku, Hawaiʻi 96793
98. Jo Anne Johnson Winer, Director
County of Maui
Department of Transportation
200 South High Street
Wailuku, Hawaiʻi 96793
99. David Taylor, Director
County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawaiʻi 96793
100. Mathew McNeff
Maui Electric Company, Ltd.
P.O. Box 398
Kahului, Hawaiʻi 96733
101. Hawaiian Telcom
60 South Church Street
Wailuku, Hawaiʻi 96793
102. Nahua Guilloz
c/o Parker Ranch
66-1304 Mamaloa Highway
Waimea, HI 96743
103. Dan Quinn , Administrator, State of Hawaiʻi
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaiʻi 96809
104. Alan Arakawa, Mayor
County of Maui
200 South High Street
Wailuku, HI 96793
105. Jerome Yasuhara
Compliance Specialist,
Office of Hawaiian Affairs
560 N. Nimitz Highway, Suite 200
Honolulu, Hawaiʻi 96817

106. Robert Lindsey, Jr., Chairman
Board of Trustee
Office of Hawaiian Affairs
560 N. Nimitz Highway, Suite 200
Honolulu, Hawai'i 96817
107. Mike White, Chair
Maui County Council
200 South High Street
Wailuku, Hawai'i 96793
108. Teena Rasmussen, Director
Economic Development, County of Maui
2200 Main Street, Suite 305
Wailuku, Hawai'i 96793

MAY 01 2015



HAWAII CONFERENCE

UNITED CHURCH OF CHRIST

18 March 2015

Mr. Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
Post Office Box 1111
Kalaupapa, Hawai'i 96742

Dear Mr. Kahilihiwa:

**RE: Early Consultation for the Preparation of a Chapter 343 Hawaii
Revised Statutes Draft Environmental Assessment for the Establishment of
the Kalaupapa Memorial to Honor and Commemorate the Residents of
Kalaupapa**

Thank you for your invitation to provide comments related to an Environmental Assessment.

The position of the Hawai'i Conference of the United Church of Christ (HCUCC) is unchanged since the time that the National Park Service conducted its Environmental Assessment in 2011. In summary, HCUCC believes that the Memorial as currently proposed would pose no impact on our Siloama Church, including its two buildings and grounds. For this reason, we supported the "Finding of No Significant Impact."

The Hawai'i Conference remains supportive of both the Memorial concept and the location proposed. The former Old Baldwin Home Site is ideal because it is within visual range of and in near proximity to the field of unmarked graves across the road, could greatly enhance visitors' experience to Kalawao, and would offer visual interest and a meditative environment for visitors.

HCUCC is committed to assisting Ka 'Ohana O Kalaupapa in its efforts to see the Memorial through to its completion, including community support, names research and fundraising.

Please let us know if we can be of further assistance.

Sincerely,

Charles Buck
Conference Minister

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Charles Buck, Conference Minister
Hawaii Conference
United Church of Christ
1848 Nuuanu Avenue
Honolulu, Hawaii 96817

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for
the Establishment of the Kalaupapa Memorial to Honor and Commemorate
the Residents of Kalaupapa

Dear Mr. Buck:

Thank you for your letter of March 18, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We appreciate your continued support for the memorial and your comments that the proposed project would pose no impact on the Siloama Church.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft Environmental Assessment.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

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HISTORIC HAWAII FOUNDATION

MAY 04 2015

April 8, 2015

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
PO Box 1111
Kalaupapa, Hawai'i 96742

**RE: Early Consultation for Draft Environmental Assessment Chapter 343
Kalaupapa Memorial Project**

Dear Mr. Kahilihiwa,

Thank you for including Historic Hawai'i Foundation in the pre-consultation for the Draft Environmental Assessment for the Kalaupapa Memorial Project. Since 1974, Historic Hawai'i Foundation has served as a statewide nonprofit organization supporting the preservation of Hawai'i's significant historic places.

Based on the correspondence, the project consists of construction of a memorial to honor all patients sent to Kalaupapa and provide a place for family members to pay tribute. Historic Hawai'i Foundation understands that the land is currently owned by the State Hawai'i Department of Land and Natural Resources, and maintained by the National Park Service. The project is mauka of St Philomena Church in an area once occupied by the original Baldwin Home. The area is within the National Historic Landmark and within the National Historic Park boundaries. Due to the federal nexus and State ownership, both State and Federal regulatory and review processes will be followed. The National Park Service at Kalaupapa completed an Environmental Assessment with a Finding of No Significant Impact in 2011.

Historic Hawai'i Foundation does have a number of questions related to the construction of the Memorial, including:

- How will this Environmental Assessment differ from the Environmental Assessment prepared by the National Park Service in compliance with NEPA in 2011?
- Will the same alternatives be presented in both documents?
- Will this Draft EA utilize the research and documentation such as the Archaeological Investigation and Identification Report completed for the NPS EA?
- Will this Draft EA discuss the design standards incorporated into the Park Service EA?
- How will the final design be chosen?
- When will the final design be chosen?

- Will HRS Chapter 6E review be completed in conjunction with HRS Chapter 343 compliance?
- What will the role of Ka 'Ohana O Kalaupapa be in the Section 106 process for this project?

We look forward to the Draft Environmental Assessment and continuing as a consulting party in this process. Megan Borthwick, Preservation Program Manager, will be the point of contact for this project. If you have questions or concerns related to these comments, please feel free to contact her at megan@historichawaii.org or by phone (808) 523-2900.

Sincerely,

A handwritten signature in cursive script that reads "Kiersten Faulkner".

Kiersten Faulkner, AICP
Executive Director

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Kiersten Faulkner, AICP, Executive Director
Hawaii Historic Foundation
670 Iwilei Road, Suite 690
Honolulu, Hawaii 96817

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Dear Ms. Faulkner:

Thank you for your letter of April 8, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. The responses to your questions are provided in the order presented in your letter.

1. This Environmental Assessment (EA) is being prepared to meet the Hawaii Environmental Policy Act (HEPA) requirements pursuant to Chapter 343, Hawaii Revised Statutes. The EA prepared by the National Park Service (NPS) meets the requirements of the federal National Environmental Policy Act (NEPA). Because the Memorial project involves State lands and lands within the Kalaupapa National Historical Park, both State and federal environmental review processes must be met.
2. This EA will assess a preferred alternative which is similar to the preferred alternative assessed in the NEPA EA. The preferred alternative, as currently proposed, is contiguous to and includes a portion of both the original preferred alternative in the NEPA EA, and the site as subsequently amended by NPS. However, the Memorial site has been shifted slightly to the east due to site constraints such as existing heritage trees and flood areas. The new preferred alternative that will be assessed in the Draft EA provides the most fitting and appropriate location to honor the 8,000 individuals exiled to Kalaupapa. The site is on higher ground away from the flash flood area. Its higher location provides the Memorial location with a commanding view of the distant ocean, Father Damien's grave, St. Philomena Church and a field of 2,000 unmarked graves, where many of those being commemorated on the Memorial lie at rest. Similar to the NEPA EA,

this EA will assess a preferred alternative, a site alternative, and a no action alternative.

3. The Draft EA will utilize information and research from the NEPA EA completed by the NPS, including the NPS's archaeological report on the Memorial site entitled "Layered Landscapes".
4. The Draft EA will incorporate information on the design standards, which were collaboratively prepared and agreed upon by the NPS and the 'Ohana.
5. A Design Team has prepared a conceptual design for the Memorial in accordance with design guidelines agreed upon by NPS and the 'Ohana and acknowledged by DLNR's State Historic Preservation Division. The Design Team is comprised of individuals with cultural and family ties to Kalaupapa residents as well as others, including local design and architecture professionals. The design process has been facilitated by Don Stastny, who has worked on major projects with NPS and has also facilitated the design process for such projects as the National Mall renovation in Washington, D.C., and for both the Oklahoma City and the Flight 93 Memorial projects.
6. A conceptual design for the Memorial was completed in February, 2016.
7. HRS 6E Compliance with the State Historic Preservation Division (SHPD) will be completed in conjunction with the HRS 343 EA process.
8. The Section 106 process is being led by the NPS. The 'Ohana anticipates to continue to be consulted through the Section 106 process.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kaluapapa

CK

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DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440

April 24, 2015

SUBJECT: Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial in Kalaupapa National Historic Park in Kalaupapa, Kalawao County, Island of Molokai, Hawaii; POH-2015-00061

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
PO Box 1111
Kalaupapa, HI 96742

Dear Mr. Kahilihiwa:

In response to your letter dated March 31, 2015 requesting comments for the draft environmental assessment for the Kalaupapa Memorial, the following information is provided for your consideration.

Please be advised, if the proposed project involves work in waters of the U.S., a Department of the Army (DA) authorization may be required. Under Section 10 of the Rivers and Harbors Act, structures and/or work in or affecting the course, location, condition, or capacity of navigable waters of the U.S. require DA authorization. Navigable waters of the U.S. are waters subject to the ebb and flow of the tide. Under Section 404 of the Clean Water Act, DA authorization is required for discharges of dredged or fill material into waters of the U.S., including wetlands. Generally, discharges of fill include materials that change the bottom elevation of a water of the U.S. and include rock, sand, soil, debris, overburden, etc. Waters of the U.S. include navigable waters of the U.S. and other waters including wetlands, rivers, streams, lakes, and ponds.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this determination, please contact me at 808-835-4307 or via e-mail at Rebecca.M.Frager@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

Rebecca Frager
Project Manager
Regulatory Branch

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Rebecca Frager, Project Manager
Department of the Army
Honolulu District
U.S. Army Corps of Engineers
Fort Shafter, Hawaii 96858-5440

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa (POH-2015-00061)

Dear Ms. Frager:

Thank you for your letter of April 24, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We note that the proposed Memorial will not involve work in waters of the U.S.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK
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DAVID Y. KEE
GOVERNOR



DOUGLAS MURDOCK
Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 118, HONOLULU, HAWAII 96810-0118

MAR 30 2015

(P)10565

Mr. Clarence "Boogie" Kahilihiwa, President
Ka Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

Subject: Early Consultation for Draft Environmental Assessment
Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa
TMK: (2) 6-1-001: 002

Thank you for the opportunity to comment on the subject project. The proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities. Therefore, we have no comments to offer at this time.

If you have any questions, your staff may contact Ms. Gayle Takasaki of the Public Works Division at (808) 586-0584.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Murdock".

DOUGLAS MURDOCK
Comptroller

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
EMDJCWB

03037PJF.15

April 1, 2015

Mr. Clarence "Boogie" Kahilihiwa
President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

SUBJECT: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa Island of Molokai

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated March 9, 2015, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: <http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>.

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).

Mr. Clarence "Boogie" Kahilihiwa
April 1, 2015
Page 2

03037PJF.15

For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

3. If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and HAR, Chapter 11-54.

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.
5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:
 - a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects

Mr. Clarence "Boogie" Kahilihiwa
April 1, 2015
Page 3

03037PJF.15

natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.

- b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g., minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
- c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.
- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

If you have any questions, please visit our website at: <http://health.hawaii.gov/cwb/>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



ALEC WONG, P.E., CHIEF
Clean Water Branch

JF:ay

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Alec Wong, P.E., Chief
Clean Water Branch
Department of Health
State of Hawaii
P.O. Box 3378
Honolulu, HI 96801

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa (EMD/CWB 03037PJF.15)

Dear Mr. Wong:

Thank you for your letter of April 1, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We would like to provide the following information in response to your comments:

1. The proposed Memorial will comply with applicable regulations as it relates to potential impacts to State Waters.
2. As the design process progresses, we will coordinate with the Clean Water Branch to determine the applicability of National Pollution Discharge Elimination System (NPDES) permit requirements.
3. The U.S. Army Corps of Engineers, Regulatory Branch has been consulted for the proposed memorial. A request for early consultation was submitted and they will be provided with a copy of the Draft Environmental Assessment.
4. The proposed Memorial will comply with the State's Water Quality Standards.
5. Through the planning process, the Memorial Design Team will consider the recommendations provided in your letter regarding measures to reduce, reuse, and recycle to protect and sustain water quality and beneficial uses of State waters.

Alec Wong, P.E., Chief
June 1, 2016
Page 2

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft Environmental Assessment.

Sincerely,

A handwritten signature in cursive script that reads "Clarence 'Boogie' Kahilihiwa".

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

K:\DATA\KaOhanaOKalaupapa\Memorial\EC Response\DOH CWB.docx

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H.
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3376

April 1, 2015

Mr. Clarence Kahilihiwa
President
Ka 'Ohana O Kalaupapa
P. O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

Subject: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes, Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Thank you for the opportunity to review this project. We have the following comments to offer:

Please provide us with the wastewater disposal method for the above project if there are any structures. If you have any questions, please call Roland Tejano, Environmental Engineer, at 808 984-8232.

It is strongly recommended that the Standard Comments found at the Department's website: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/> be reviewed and any comments specifically applicable to this project should be adhered to.

Should you have any questions, please contact me at 808 984-8230.

Sincerely,

A handwritten signature in cursive script, reading "Patti Kitkowski".

Patti Kitkowski
District Environmental Health Program Chief

c EPO

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Patti Kitkowski
District Environmental Health Program Chief
Department of Health
Maui District Office
State of Hawaii
54 High Street
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Dear Ms. Kitkowski:

Thank you for your letter of April 1, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. Decisions regarding ancillary facilities at the memorial that may generate wastewater, such as restroom facilities, will be finalized during the design process. Restroom facilities will be designed in accordance with State Department of Health regulations related to individual wastewater systems.

The Memorial Design Team will review the Department's Standard Comments on its website and will comply with applicable comments.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft Environmental Assessment.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

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DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

EPO 15-059

March 16, 2015

Mr. Clarence Kahilihiwa, President
Ka Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

SUBJECT: Early Consultation (EC) for the Preparation of Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

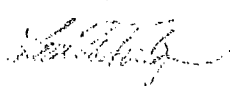
The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your EC to our office on March 9, 2015. Thank you for allowing us to review and comment on the proposed project. The EC was routed to the District Health Office on Maui. They will provide specific comments to you if necessary. EPO recommends that you review the standard comments and available strategies to support sustainable and healthy design provided at: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/>. Projects are required to adhere to all applicable standard comments.

We encourage you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at: <https://eha-cloud.doh.hawaii.gov>

You may also wish to review the revised Water Quality Standards Maps that have been updated for all islands. The Water Quality Standards Maps can be found at: <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/water-quality-standards/>.

We request that you utilize all of this information on your proposed project to increase sustainable, innovative, inspirational, transparent and healthy design.

Mahalo nui loa,


Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office

C: DHO Maui

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Laura Leialoha Phillips McIntyre, AICP
Environmental Planning Office
Department of Health
State of Hawai'i
P.O. Box 3378
Honolulu, Hawai'i 96801-3378

SUBJECT: Chapter 343, Hawai'i Revised Statutes, Draft Environmental Assessment
for the Establishment of the Kalaupapa Memorial to Honor and
Commemorate the Residents of Kalaupapa

Dear Ms. McIntyre:

Thank you for your letter of March 16, 2015, providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We acknowledge that the Environmental Planning Office forwarded our request for early consultation to the District Health Office of Maui. Comments were received from the District Health Office.

Thank you for providing information on the Hawaii Environmental Health Portal and the Water Quality Standard Maps. We will review the information during the preparation of the Draft Environmental Assessment (EA).

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

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DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 9, 2015

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

FIRST DEPUTY

WILLIAM M. TAM
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

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

SUBJECT: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from the Division of State Parks on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin E. Moore".

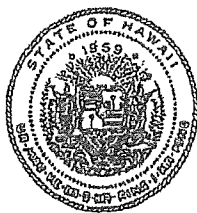
Kevin E. Moore
Acting Land Administrator

Enclosure

cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAIIRECEIVED
LAND DIVISION

2015 MAR 24 PM 3:02

RECEIVED
STATE PARKS DIVCARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENTDEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAIISTATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

15 MAR 18 AM 10:16

POST OFFICE BOX 621
HONOLULU HAWAII 96809DEPT OF LAND &
NATURAL RESOURCES

March 16, 2015

MEMORANDUM

TO:

DLNR Agencies:

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☐ Div. of Forestry & Wildlife
- ☒ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☒ Office of Conservation & Coastal Lands
- ☒ Land Division -- Maui District
- ☒ Historic Preservation

FROM:

Kevin E. Moore, Acting Land Administrator *va*

SUBJECT:

Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

LOCATION:

Kalawao County, Island of Molokai; TMK: (2) 6-1-001:002

APPLICANT:

Ka 'Ohana O Kalaupapa

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by April 9, 2015.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

- ☒ We have no objections.
- ☒ We have no comments.
- ☐ Comments are attached.

Signed:

Print Name:

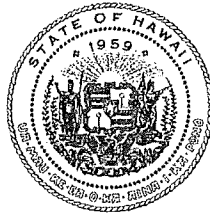
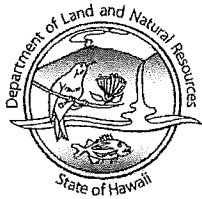
Date:

[Signature]
CARTY S. CHANG
3.23.15

cc: Central Files

MAY 01 2015

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 13, 2015

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING 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

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

SUBJECT: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments previously sent you on April 9, 2015 enclosed are comments from the Office of Conservations and Coastal Lands on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

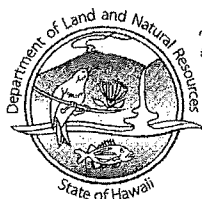
Sincerely,

A handwritten signature in black ink, appearing to read "Kevin E. Moore".

Kevin E. Moore
Acting Land Administrator

Enclosure
cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Ref: OCCL:LY

MEMORANDUM

TO: Russell Tsuji, Administrator
Land Division

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: Early Consultation for the Preparation of a Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

TMK: (2) 6-1-001:002

LOCATION: Kalawao County, Island of Moloka'i

Based on the information provided, it is not apparent whether or not the project is located within the Conservation District. More information needs to be provided for OCCL to make a proper determination. Otherwise, it is suggested that Ka 'Ohana O Kalaupapa request a boundary interpretation from the State Land Use Commission.

CORR: MO 15-144

APR - 9 2015

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Russell Tsuji, Land Administrator
Department of Land and Natural Resources
Land Division
State of Hawaii
P.O. Box 621
Honolulu, Hawaii 96809

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Dear Mr. Tsuji:

Thank you for your letters of April 9 and 13, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We provide the following information in response to your letters.

Office of Conservation and Coastal Lands

The proposed Memorial site is located within the State Agricultural District. A state land use district map identifying the project site will be included in the Draft EA.

Division of State Parks

We note that the Division of State Parks had no objections to or comments on the proposed Memorial project in its memo dated March 23, 2015.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,

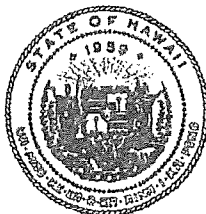
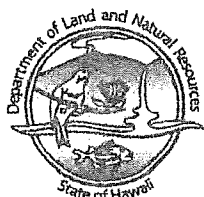


Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

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DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 29, 2015

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING 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

VIA REGULAR MAIL AND VIA EMAIL: vmonson@kalaupapaohana.org

Mr. Clarence "Boggie" Kahilihiwa, President

Ka 'Ohana O Kalaupapa

PO Box 1111

Kalaupapa, HI 96742

Dear Mr. Kahilihiwa:

SUBJECT: Early Consultation Letter Dated March 9, 2015 Regarding the Kalaupapa Memorial, Kalaupapa, Moloka'i, TMK: (2) 6-1-001:002 (por.)

Thank you for the update on the status of the HRS Chapter 343 process regarding the Kalaupapa Memorial. As you know, the Department is supportive of the memorial. On February 14, 2014, the Board of Land and Natural Resources approved, in principle, a long term lease for the memorial and looks forward to reviewing more detailed plans as they become available.

In your letter, you seek review and comment on the proposed memorial. The Department offers the following comments:

1. The proposed footprint includes a 100 foot diameter area. It is not clear as to the relative size of the memorial structure within the 100 foot diameter.
2. The memorial structure and pathways will be designed to limit ground disturbance. It is not clear as to the extent of the planned ground disturbance and how it would be limited.
3. Attached to the letter is a conceptual site plan with a small, blue circle. An arrow from the circle point Makai but it is not clear what the significance of the arrow means.

We look forward to a more thorough review of the design plans and discussion with the 'Ohana on ways to move the project forward. If you have any questions, please contact Daniel S. Quinn, Administrator of the Division of State Parks at 808 587-0290.

Sincerely,

Kekoa Kaluhiwa
for Suzanne D. Case
Chairperson

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Suzanne Case, Chairperson
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Dear Ms. Case:

Thank you for your letter of April 29, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We note your three (3) questions regarding the Memorial design and the conceptual plan for the Memorial. A Design Team has prepared a conceptual design for the Memorial. The conceptual design process has been facilitated by Don Stastny, who has worked with National Park Service (NPS) on a number of projects, including the Flight 93 Memorial, the Oklahoma City Memorial, and most recently a project involving the renovation of the National Mall in Washington, D.C.

The footprint of the Memorial within the 100-foot circle is intended to be less than 8,000 square feet. There will be one (1) pathway, which, along with the Memorial, will be designed and constructed with minimal ground disturbance, as noted in the NEPA EA prepared by NPS. The 'Ohana intends to limit ground disturbance to only excavators needed to ensure the structural integrity of the Memorial and its features.

The blue circle on the site plan referenced in your letter was a conceptual wayside area that is no longer being considered. The Memorial design will be consistent with the design guidelines that have been agreed to by the National Park Service (NPS) and the 'Ohana. A copy of the design guidelines will be included in the Draft EA.

Suzanne Case, Chairperson
June 1, 2016
Page 2

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,

A handwritten signature in cursive script that reads "Clarence 'Boogie' Kahilihiwa".

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK
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DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KAHILUWA
FIRST DEPUTY

W. ROY HARDY
ACTING 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
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

June 22, 2015

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
PO Box 1111
Kalaupapa, Hawaii 96742

Log No: 2015.00984
Doc No: 1506MD30
Archaeology

Aloha Mr. Kahilihiwa:

**SUBJECT: Chapter 6E-8 and National Historic Preservation Act (NHPA) Section 106 Consultation –
Early Consultation, Preparation of a Draft Environmental Assessment
Kalaupapa Ahupua'a, Kalawao District, Island of Moloka'i
TMK: (2) 6-1-001:002 (por.)**

Thank you for the opportunity to comment on the proposed undertaking which we received on March 12, 2015. We apologize for the delay in our reply. The Ka 'Ohana O Kalaupapa (Ohana) is preparing a draft environmental assessment (DEA) for the development of a memorial, the Kalaupapa Memorial (Memorial), within the boundaries of Kalaupapa National Historical Park. Because this will be located on State land, the need for an Environmental Assessment has been triggered pursuant to the Hawaii Environmental Policy Act, Chapter 343, Hawaii Revised Statutes. Although State owned, the land is managed as part of the Kalaupapa National Historical Park (Kalaupapa). Thus, this project is a federal undertaking as defined by 36 CFR 800.16(y), requiring historic preservation review under Section 106 of the National Historic Preservation Act (NHPA) and compliance with the National Environmental Policy Act (NEPA).

The proposed Memorial will be located within a 100 square foot area of the 5.9 acre portion of Kalaupapa defining the prior location of the Old Baldwin Home. Kalaupapa overall encompasses the entire 8,725-acre Kalaupapa Peninsula. The Memorial is intended to honor and perpetuate the memory of approximately named 8,000 individuals who were sent to Kalaupapa from 1866 to 1969 because of government policies regarding leprosy. The Old Baldwin Home is located close to two historic churches, St. Philomena and Siloama, as well as the grave of Saint Damien and within view of a field east of St. Philomena Church where an estimated 2,000 individuals lie in unmarked graves. Less than 1,000 of the approximately 8,000 individuals who died at Kalaupapa have a marked grave.

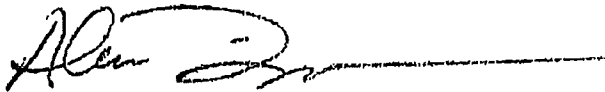
The Memorial structure will be limited in height to no more than 10 feet in order to facilitate the reading of the names of those being honored by the Memorial and also to minimize impacts on any existing historic view sheds. A pedestrian walkway will be constructed to access the Memorial from the existing Damien Road and will be accessible to those with disabilities. Both the Memorial and the access walkway will be designed to limit ground and resource disturbance. The National Park Service (NPS) previously issued a NEPA Finding of No Significant Impact for a Federal EA prepared for the Memorial. The FONSI acknowledges that although the Memorial's final design would not be known until a design process is completed, it concluded that there would not be any adverse effect to cultural resources, given the required subsequent completion of ongoing Section 106 reviews.

The Ohana has requested review and comment on the proposed Memorial. Based on this submission, and prior and continuing consultation between the NPS and SHPD, the State Historic Preservation Officer (SHPO) believes that it is premature to reach a conclusion on the potential effect of the proposed memorial until concrete designs alternative are available for review. The SHPO looks forward to continuing discussion with the Ohana and NPS as the design process moves forward.

Ka 'Ohana O Kalaupapa
June 22, 2015
Page 2

Please contact Morgan Davis, Maui Lead Archaeologist at (808) 243-4641 or at Morgan.E.Davis@hawaii.gov if you have any questions regarding this letter.

Aloha,



Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Caroline D. Hall, Assistant Director
Office of Federal Agency Programs, Federal Property Management Section
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 803
Washington, DC 20004

Erika Stein Espaniola, Superintendent
Kalaupapa National Historical Park
PO Box 2222
Kalaupapa, Hawaii 96742

Most Reverend Larry Silva, Bishop of Honolulu
Diocese of Honolulu, Office of the Bishop
1184 Bishop Street
Honolulu, Hawaii 96813

Charles Buck, Conference Minister
Hawaii Conference, United Church of Christ
1848 Nuuanu Avenue
Honolulu, Hawaii 96817

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Department of Land and Natural Resources
State of Hawaii
601 Kamokila Blvd, Ste 555
Kapolei, Hawai'i 96707

SUBJECT: Chapter 343, Hawai'i Revised Statutes, Draft Environmental Assessment
for the Establishment of the Kalaupapa Memorial to Honor and
Commemorate the Residents of Kalaupapa

Dear Mr. Downer:

Thank you for your letter of June 22, 2015, regarding the proposed Kalaupapa Memorial
to honor and commemorate the residents of Kalaupapa (Doc No 1506MD30).

We acknowledge that the State Historic Preservation Officer believes that it is premature
to reach a conclusion on the potential effect of the memorial until design plan is available
for review. Further details regarding the proposed memorial design will be included in the
Draft Environmental Assessment (EA). We also note that further historic preservation
review under Section 106 of the National Historic Preservation Act (NHPA) will be
undertaken once a final memorial design has been approved by the National Park Service.

Thank you again for your comments on this important project to honor and respect the
residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

K:\DATA\KaOhanaOKalaupapa\Memoria\EC Response\SHPD.docx

APR 21 2015

2015-04-06 08:23

Kalaupapa Admin 8085676943 >>

P 11/11

DAVID Y. IGE
GOVERNOR



FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
STP 8.1778

March 27, 2015

Mr. Clarence "Boogie" Kahilihiwa
President
Ka 'Ohana O Kalaupapa
P. O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

Subject: Kalaupapa Memorial
Early Consultation for Draft Environmental Assessment
Kalaupapa, Molokai, Hawaii
TMK: (2) 6-1-001:002 (POR.)

The subject project is not expected to significantly impact the State Transportation facility.

If there are any questions, please contact Mr. Norren Kato of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7976.

Sincerely,


FORD N. FUCHIGAMI
Director of Transportation

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Ford Fuchigami, Director
Department of Transportation
State of Hawaii
869 Punchbowl Street
Honolulu, Hawaii 96813-5097

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment
for the Establishment of the Kalaupapa Memorial to Honor and
Commemorate the Residents of Kalaupapa (STP 8.1778)

Dear Mr. Fuchigami:

Thank you for your letter of March 27, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We acknowledge your assessment that the proposed memorial project is not anticipated to significantly impact State transportation facilities.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft Environmental Assessment.

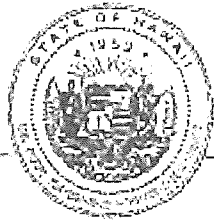
Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

K:\DATA\KaOhanaOKalaupapa\Memorial\EC Response\SDOT.docx

**OFFICE OF PLANNING
STATE OF HAWAII**

235 South Seretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2840
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

Ref. No. P-14692

March 27, 2015

Mr. Clarence "Boogie" Kahilihiwa
President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

Subject: Early Consultation for a Draft Environmental Assessment - Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa, TMK: (2) 6-1-001:002 (por)

Thank you for the opportunity to provide comments on this pre-consultation request for a Draft Environmental Assessment (Draft EA) on the Kalaupapa Memorial. The review material for this pre-consultation request was transmitted to our office by letter, dated March 12, 2015. The parcel in question is located in Kalawao County, on the island of Molokai. Based on the review material, it is our understanding that this project proposes to establish and construct a memorial to honor the estimated 8,000 individuals who have died at Kalaupapa. The memorial will serve as a lasting tribute to the deceased, many of who have no marked graves. The memorial will be located within the 5.9 acre grounds of the Old Baldwin Home site. The footprint of the memorial will be approximately 100 feet in diameter and no more than 10 feet high. Additionally, a pedestrian walkway will be built to connect the memorial to the existing Damien Road.

The Office of Planning (OP) has reviewed the transmitted material, and has the following comments to offer:

1. OP provides technical assistance to state and county agencies in administering the statewide planning system in Hawaii Revised Statutes (HRS) Chapter 226, the Hawaii State Plan. The Hawaii State Plan presents the goals, objectives, priorities, and priority guidelines for growth, development, and the allocation of resources throughout the State. The Hawaii State Plan includes diverse policies and objectives of state interest including but not limited to the economy, agriculture, the visitor industry, federal expenditure, the physical environment, facility systems, socio-cultural advancement, climate change adaptation, and sustainability.

The Draft EA should include an analysis on the Hawaii State Plan, HRS Chapter 226,

Mr. Clarence "Boogie" Kahilihiwa
President
March 27, 2015
Page 2

that addresses whether this project conforms or is in conflict with state and county plans, policies, and controls. The analysis should include a discussion on the project's ability to meet the objectives and policies, and priority guidelines listed in HRS Chapter 226.

2. The coastal zone management area is defined as "all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the U.S. territorial sea" see HRS § 205A-1 (definition of "coastal zone management area").

HRS Chapter 205A requires all state and county agencies to enforce the coastal zone management (CZM) objectives and policies. The assessment on compliance with HRS Chapter 205A is an important component for satisfying the requirements of HRS Chapter 343.

The Draft EA should include an assessment as to how the proposed project conforms to the CZM objectives and its supporting policies set forth in HRS § 205A-2. These objectives and policies include: recreational resources, historic resources, scenic and open space resources, coastal ecosystems, economic uses, coastal hazards, managing development, public participation, beach protection, and marine resources.

3. The Draft EA should indicate if any federal involvement, and to what extent such involvement, will occur in this project. The national Coastal Zone Management Act requires direct federal activities and development projects to be consistent with approved state coastal programs to the maximum extent practicable. OP is the lead state agency to conduct this evaluation.
4. The review material provided to OP declares that one of the goals for this project is the rehabilitation of the Old Baldwin Home site. Furthermore, it indicates that the pedestrian path for the memorial will be designed to limit ground disturbance, the memorial will be sited to ensure long-term structural integrity, and the land is heavily vegetated with much of the cultural and historical resources previously degraded. As this is a new development, please consider Low-Impact Development (LID) design practices in the planning process for this project. LID techniques promote a range of structural best-management practices (BMP) for stormwater control management that minimizes negative environmental impact on coastal and marine resources and encourages the restoration of the natural drainage patterns for the area.

Mr. Clarence "Beogie" Kahiliniwa
President
March 27, 2015
Page 3

LID design concepts and BMP's that may be considered for this project include: the preservation of natural features and conservation design; the reduction of impervious ground cover in the composition of the pedestrian pathway; and utilizing natural features and source control for stormwater management. These methods are listed in OP's Low Impact Development, A Practitioners Guide. For a complete list of LID BMP's, please examine Section 1.7, pgs. 1-4 to 1-11 for further information. This guidance can be viewed or downloaded from the OP website at: http://files.hawaii.gov/dbedt/op/czm/initiative/lid/lid_guide_2006.pdf

If you have any questions regarding this comment letter, please contact Josh Hekekia of our office at 587-2845.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo R. Asuncion', written over a horizontal line.

Leo R. Asuncion
Acting Director

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Leo Asuncion, Acting Director
Office of Planning
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii 96804

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa (Ref No. P-14692)

Dear Mr. Asuncion:

Thank you for your letter of March 27, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We would like to provide the following information in response to your comments:

1. The Draft Environmental Assessment (EA) will include an analysis of the Hawaii State Plan (HRS Chapter 226).
2. The Draft EA will include an analysis of how the proposed Memorial conforms to the Coastal Zone Management objectives and supporting policies.
3. Ka 'Ohana O Kalaupapa is working in partnership with the National Park Service (NPS) to establish the proposed Memorial. The Memorial will be located within the Kalaupapa National Historical Park. We understand that the project shall be consistent with the national Coastal Zone Management Act.
4. As recommended, the Memorial Design Team will consider the use of Low Impact Development (LID), as practicable, in the project design. Thank you for the resources on LID design concepts provided in your letter.

Leo Asuncion, Acting Director
June 1, 2016
Page 2

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,

A handwritten signature in black ink that reads "Clarence 'Boogie' Kahilihiwa". The signature is written in a cursive, flowing style.

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kaluapapa

CK
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MAY 01 2015

DAVID Y. IGE
GOVERNOR



ARTHUR J. LOGAN
BRIGADIER GENERAL
ADJUTANT GENERAL

KENNETH S. HARA
COLONEL
DEPUTY ADJUTANT GENERAL

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

Mr. Clarence Kahilihiwa, President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawai'i 96742

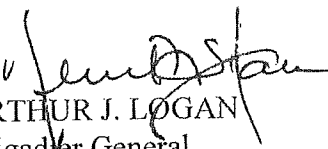
Subject: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes
Draft Environmental Assessment for the Establishment of the Kalaupapa
Memorial to Honor and Commemorate the Residents of Kalaupapa

Dear Mr. Kahilihiwa:

Thank you for the opportunity to comment on the above project. The State of Hawaii
Department of Defense has no comments to offer relative to the project at this time.

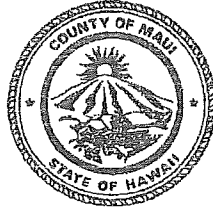
Please provide a copy of the Final Draft Environment Assessment upon completion, and contact
Ms. Havinne Okamura of the Department of Defense, Hawaii Emergency Management Agency
at 733-4300 for input regarding the Establishment of the Kalaupapa Memorial. Should you have
any questions or concerns, please have your staff contact Mr. Lloyd Maki, Acting Chief
Engineering Officer at (808) 733-8441.

Sincerely,

for 
ARTHUR J. LOGAN
Brigadier General
Hawaii National Guard
Adjutant General

c: Ms. Havinne Okamura, Hawaii Emergency Management Agency

ALAN M. ARAKAWA
Mayor
KYLE K. GINOZA, P.E.
Director
MICHAEL M. MIYAMOTO
Deputy Director



MICHAEL RATTE
Solid Waste Division
ERIC NAKAGAWA, P.E.
Wastewater Reclamation Division

**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2200 MAIN STREET, SUITE 100
WAILUKU, MAUI, HAWAII 96793

March 19, 2015

Mr. Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

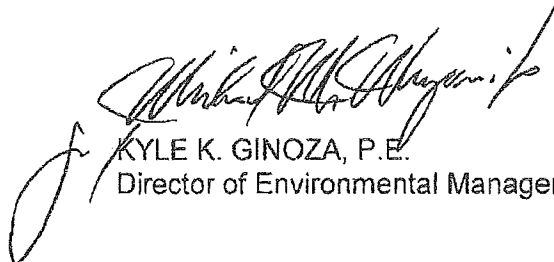
**SUBJECT: ESTABLISHMENT OF THE KALAUPAPA MEMORIAL
TO HONOR AND COMMEMORATE THE RESIDENTS OF KALAUPAPA
EARLY CONSULTATION FOR DRAFT ENVIRONMENTAL ASSESSMENT
TMK (2) 6-1-001:002, KALAUPAPA, MOLOKAI**

We reviewed the subject application and have the following comments:

1. Solid Waste Division comments:
 - a. None.
2. Wastewater Reclamation Division (WWRD) comments:
 - a. The County does not have a wastewater system in the area of the subject project.

If you have any questions regarding this memorandum, please contact Michael Miyamoto at 270-8230.

Sincerely,


KYLE K. GINOZA, P.E.
Director of Environmental Management

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Stewart Stant, Director
Department of Environmental Management
County of Maui
2200 Main Street, Suite 100
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment
for the Establishment of the Kalaupapa Memorial to Honor and
Commemorate the Residents of Kalaupapa

Dear Mr. Stant:

Thank you for your department's letter of March 19, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We understand that the County of Maui does not have a wastewater system in Kalaupapa. The proposed Memorial will not include facilities that generate wastewater. Existing restroom facilities at the Pavilion at Kalawao, located a short drive or 10 minute walk away, will be available for use by visitors to the Memorial.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft Environmental Assessment.

Sincerely,

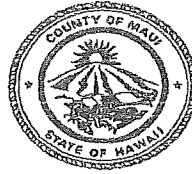


Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

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ALAN M. ARAKAWA
MAYOR



JEFFREY A. MURRAY
CHIEF

ROBERT M. SHIMADA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY
FIRE PREVENTION BUREAU

313 MANEA PLACE . WAILUKU, HAWAII 96793
(808) 244-9161 . FAX (808) 244-1363

March 19, 2015

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, HI 96742

Re: Kalaupapa Memorial - Draft EA
Kalaupapa, Moloka'i, Hawai'i

Dear Clarence:

Thank you for the opportunity to provide comment on this subject. At this time, our office provides the following comments:

- There are no specific comments in regards to the Draft Environmental Assessment.

Good luck and God bless on your group's endeavor of creating a lasting and worthy memorial for the people, past and present, of Kalaupapa.

If there are any questions or comments, please feel free to contact me. Thank you for your attention to fire prevention and public safety.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Haake", is written over a horizontal line.

Paul Haake
Captain, Fire Prevention Bureau



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
HOUSING DIVISION
COUNTY OF MAUI

ALAN M. ARAKAWA
Mayor

JO-ANN T. KIDAO
Director

JAN SUSHIRO
Deputy Director

35 LUNALEILO STREET, SUITE 102 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7352 • FAX (808) 270-6284

March 19, 2015

Mr. Clarence "Boogie" Kahilihiwa, President
Ka' Ohana O Kalaupapa
Kulaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

Subject: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa, Kalaupapa, Kalawao County, Hawaii, 96742. TMK (2) 6-1-001:002

The Department has reviewed the Early Consultation (EC) for the preparation of Draft Environmental Assessment (EA) for the above subject project. Based on our review, we have determined that the subject project is not subject to Chapter 2.96, Maui County Code. At the present time, the Department has no additional comments to offer.

Please call Mr. Veranio Tongson Jr. of our Housing Division at (808) 270-1741 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wayde T. Oshiro", is written over a light blue horizontal line.

WAYDE T. OSHIRO
Housing Administrator

cc: Director of Housing and Human Concerns

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Wayde T. Oshiro, Housing Administrator
Department of Housing and Human Concerns, Housing Division
County of Maui
35 Lunalilo Street, Suite 102
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment
for the Establishment of the Kalaupapa Memorial to Honor and
Commemorate the Residents of Kalaupapa

Dear Mr. Oshiro:

Thank you for your letter of March 19, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We understand that that the proposed memorial is not subject to Chapter 2.96, Maui County Code.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft Environmental Assessment.

Sincerely,

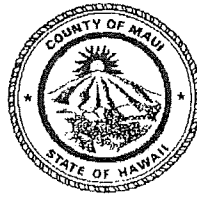


Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

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ALAN M. ARAKAWA
Mayor



MAY 01 2015
KA'ALA BUENCONSEJO
Director

BRIANNE L. SAVAGE
Deputy Director

DEPARTMENT OF PARKS & RECREATION
700 Hali'a Nakoa Street, Unit 2, Wailuku, Hawaii 96793

(808) 270-7230
FAX (808) 270-7934

April 2, 2015

Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
PO Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

SUBJECT: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Thank you for the opportunity for consultation on the subject project during the EA process. The Department of Parks & Recreation has reviewed the Early Consultation for the Draft Environmental Assessment (DEA) for the subject project and has no comments at this time. The Department supports the goals for the Memorial and looks forward to reviewing the Environmental Assessment when it is available.

Please feel free to contact me or Robert Halvorson, Chief of Planning and Development, at 270-7931, should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ka'ala Buenconsejo".

KA'ALA BUENCONSEJO
Director of Parks & Recreation

c: Robert Halvorson, Chief of Planning and Development

KB:RH:as

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

April 23, 2015

Mr. Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

**SUBJECT: REQUEST FOR COMMENTS (RFC) TO ESTABLISH THE
KALAUPAPA MEMORIAL WITHIN THE BOUNDARIES OF
KALAUPAPA NATIONAL HISTORICAL PARK, LOCATED ON
5.9 ACRE PARCEL ON THE ISLAND OF MOLOKAI, KALAWAO
COUNTY, HAWAII, TMK (2) 6-1-001:002 (RFC 2015/0029)**

The Department of Planning (Department) is in receipt of the above-referenced RFC.

The proposed 5.9-acre parcel is owned by the State of Hawaii, Department of Land and Natural Resources, Tax Map Key (2) 6-1-001:002 in Kalawao County. The proposed project is to establish the Kalaupapa Memorial within the boundaries of Kalaupapa National Historic Park. The Memorial will list all the names of the estimated 8,000 people who were sent to Kalaupapa. The footprint of the Memorial structure will be located within an approximate 100-foot diameter circular area and will be limited in height to no more than ten (10) feet in order to facilitate the reading of the names of those being honored by the Memorial, and also to minimize impacts on any existing historic view sheds.

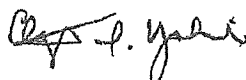
The parcel is located in the Kalawao County, and therefore, is not in the jurisdiction of Maui County, however we do recommend that the proposed project follow the guidelines of the 2006 International Building Code.

We request a copy of the Kalawao County Plan for the Department's records.

Mr. Clarence "Boogie" Kahilihiwa
April 23, 2015
Page 2

Thank you for your cooperation. If additional clarification is required, please contact Molokai Planner Sybil K. Lopez by email at sybil.lopez@mauicounty.gov or by phone at (808) 270-5529.

Sincerely,



CLAYTON I. YOSHIDA, AICP
Planning Program Administrator

for WILLIAM SPENCE
Planning Director

xc: Sybil K. Lopez, Molokai Planner (PDF)
Project File
General File

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Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

William Spence, Director
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa (RFC 2015/0029)

Dear Mr. Spence:

Thank you for your letter of April 23, 2015 providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We understand that the proposed Memorial is located in Kalawao County and is not under the jurisdiction of Maui County. We acknowledge your recommendation that the Memorial follow the guidelines of the 2006 International Building Code, where applicable.

Kalawao County is under the jurisdiction of the State of Hawaii, Department of Health. It is our understanding that the Department of Health does not have a Kalawao County Plan.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft EA.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

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ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7865



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793

GLENN A. UENO, P.E., P.L.S.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

March 24, 2015

Mr. Clarence "Boogie" Kahilihiwa, President
KA 'OHANA O KALAUPAPA
P. O. Box 1111
Kalaupapa, Hawaii 96742


Dear Mr. Kahilihiwa:

**SUBJECT: EARLY CONSULTATION FOR THE PREPARATION OF A
CHAPTER 343, HAWAII REVISED STATUTES, DRAFT
ENVIRONMENTAL ASSESSMENT FOR THE
ESTABLISHMENT OF THE KALAUPAPA MEMORIAL;
TMK: (2) 6-1-001:002**

We reviewed your early consultation request and have no comments at this time.

If you have any questions regarding this memorandum, please call Rowena Dagdag-Andaya at (808) 270-7845.

Sincerely,


DAVID C. GOODE
Director of Public Works

DCG:RMDA:da
xc: Highways Division
Engineering Division
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ALAN M. ARAKAWA
Mayor



MAY 01 2015

DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

March 33, 2015

Mr. Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
P.O. Box 1111
Kalaupapa, Hawaii 96742

Dear Mr. Kahilihiwa:

RE: Early Consultation for the Preparation of a Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa, TMK – (2) 6-1-001:002

Thank you for the opportunity to offer the following comment on the referenced project.

The project will not negatively impact the Department of Water Supply's water systems on Molokai.

Should you have any questions, please contact Arnold Y. Imae, Staff Planner at Arnold.Imaye@co.maui.hi.us or at (808) 463-3110.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul J. Meyer", is written over a horizontal line.

Dave Taylor, P.E., Director

ayi

c: DWS Engineering Division
DWS Water Resources & Planning Division

"By Water All Things Find Life"



Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

June 1, 2016

Dave Taylor, Director
Department of Water Supply
County of Maui
200 South High Street
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes Draft Environmental Assessment for the Establishment of the Kalaupapa Memorial to Honor and Commemorate the Residents of Kalaupapa

Dear Mr. Taylor:

Thank you for your letter providing comments on the establishment of the Kalaupapa Memorial to honor and commemorate the residents of Kalaupapa. We acknowledge your assessment that the proposed memorial project will not negatively impact Department of Water Supply systems on Molokai.

Thank you again for your comments on this important project to honor and respect the residents of Kalaupapa. A copy of your letter will be included in the Draft Environmental Assessment.

Sincerely,



Clarence "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa

CK

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10. REFERENCES

10. REFERENCES

- Asherman K. E., J. M. Crumme, and J. Q. C. Lau. 1990. A botanical reconnaissance of Kalaupapa National Historical Park, November 27 - December 5, 1989.
- Atkinson, I.A.E. 1985. The spread of commensal species of *Rattus* to oceanic islands and their effects on island avifaunas. In *Conservation of island birds: Case studies for the management of threatened island species*, edited by P.J. Moors, 35-81. Cambridge, UK: International Council for Bird Preservation.
- Baldwin, Arthur D. 1915. A Memoir of Henry Perrine Baldwin, 1842 to 1911. Privately printed in Cleveland.
- Baldwin, P. H., C. W. Schwartz, E. R. Schwartz. 1952. Life History and Economic Status of the Mongoose in Hawai'i. *Journal of Mammalogy*. 33, (3): 335-356.
- Benjamin, Sarah 1983. Interview: Tape #5A- Siloama Church. Quoted in Anwei Skinsnes Law, *Oral History Interviews, Kalaupapa, Hawaii* (Conducted for Hawai'i State Library for the Blind and Physically Handicapped, 1984-1985), Vol. 1: Part 2, 8.
- Cambra, John n.d. Interview: Tape #3A- The Old Baldwin Home. Quoted in Anwei Skinsnes Law, *Oral History Interviews, Kalaupapa, Hawaii* (Conducted for Hawai'i State Library for the Blind and Physically Handicapped, 1984-1985), Vol. 1: Part 1, 6.
- Canfield, J. E. 1990. Description and Map of the Plant Communities of the Northeast Coastal Spray Zone of Kalaupapa National Historical Park. Cooperative National Park Resources Studies Unit Technical Report 71. University of Hawai'i at Manoa, Honolulu, Hawai'i.
- Carper, Robert L., H. Thomas McGrath, Paul C. Cloyd, Linda W. Greene, Catherine H. Blee, Gary F. Somers. 1985. St. Philomena Catholic Church (Father Damien's Church). Historic Structure Report. National Park Service
- Case, Howard D., ed. 1931. Joseph Dutton, His Memoirs. Honolulu: The Honolulu Star- Bulletin, Ltd.
- CEQ. 1997. Council on Environmental Quality. Environmental Justice Guidance Under the National Environmental Policy Act.
- Cerny, Jennifer. 2001. Social Value: an essential step toward cultural landscape understanding. Master's Thesis, Cultural Heritage Studies Program, James Cook University, Townsville, Australia.
- Clague, D.A. C. Dao-Gong, R. Murnane, M.H. Beeson, M.A. Lanphere, G.B. Dalrymple, W. Friesen, and R.T. Holcomb. 1982. Age and Petrology of the Kalaupapa Basalt, Moloka'i, Hawai'i. *Pacific Science* 36(4):411-420.
- Damien Institute Monthly Magazine. 1896. April 1896. Blessed Marianne Cope Museum and Archives, OSF.

Damon, Ethel. 1948. Siloama. The Church of the Healing Spring. Honolulu: The Hawaiian Board of Missions.

Daws, Gavan. 1973. Holy Man, 168-169. New York: Harper and Row, Publishers.

Day, R.H. and B..A. Cooper. 2002. Petrel and Shearwater surveys near Kalaupapa, Moloka'i Island, June 2002. Final Report, prepared by ABR, Inc.—Environmental Research & Services. Fairbanks, AK. 17pp.

Diong, C. H. 1982. Population biology and management of the feral pig (*Sus scrofa* L.) in Kipahulu Valley, Maui. PhD Dissertation, University of Hawai'i, Honolulu, Hawai'i.

Durst, Mara and Jadelyn Moniz-Nakamura. 2005. Kalawao: Phase II of an Archaeological Inventory Survey of a Portion of Land within the Ahupua'a of Kalawao. National Park Service.

Duvall, F. 2000. Report on 2-day biological survey Huelo Islet: Vertebrates. Draft report, Department of Land and Natural Resources, Kahului, Maui.

Elliott, H.W. 1973. A field survey of the exotic axis deer at Point Reyes National Seashore. M.S. thesis, University of California, Davis. 40 pp.

Flexner James L., n.d. Two Seasons of Intensive Surface Survey in Hawai'i's First Hansen's Disease Settlement Kalawao, Moloka'i. University of California, Berkeley. Report Submitted to Kalaupapa National Historical Park.

Flexner, James L. 2006. Archaeology of the Recent Past at Kalawao: 2006 Field Summary Report. Submitted to Kalaupapa National Historical Park.

Flexner, James L. 2006. Making Sense of the Senseless: A Highly Fragmented Ceramic Assemblage from Kalaupapa National Historical Park, Moloka'i.

Flexner, James L. 2009. Houses of the Exiles: The 2008 Field Season of the Archaeology of the Recent Past at Kalawao. Submitted to Kalaupapa National Historical Park n.d. Two Seasons of Intensive Surface Survey in Hawai'i's First Hansen's Disease Settlement Kalawao, Moloka'i . Submitted to Kalaupapa National Historical Park.

Flexner, James L. and Colleen L. Morgan n.d. The Industrious Exiles: An Analysis of Flaked Glass Tools from the Leprosarium at Kalawao, Moloka'i. Unpublished manuscript.

Gibson, Emma, Warren. 1957. Under the cliffs of Moloka'i. Academy Library Guild.

GK & Associates. 1991. Environmental Assessment for Boulder Removal Project, Waihanau Stream, Kalaupapa National Historical Park, Moloka'i, Hawai'i. Prepared for Edward K. Noda and Associates, Inc.

Gogan, P.J., R. H. Barrett, W.W. Shook and T.E. Kucera. 2001. Control of Ungulate Numbers in a Protected Area. Wildlife Society Bulletin. 29(4): 1075-1088.

Goltz, D. M., A. M. Agness and P. C. Banko. 2001. Axis deer home range, movements, and survival at Kalaupapa, Moloka'i. Unpublished Report. USGS-BRD. Hawai'i Volcanoes National Park.

Graf, W. and L. Nichols Jr. 1966. The axis deer in Hawai'i. Journal of the Bombay Natural History Society.

Greene, Linda. 1985. Exile in Paradise: The Isolation of Hawai'i's Leprosy Victims and Development of Kalaupapa Settlement, 1865 to the Present. Branch of Planning, Alaska/Pacific Northwest/Western Team, U.S. Dept. of the Interior, National Park Service, Denver Service Center.

Gugelyk, Ted and Milton Bloombaum. 1979. *Ma'i Ho'oka'awale: the Separating Sickness*. Honolulu: University of Hawai'i, Social Science Research Institute.

Hanley, Sister Mary Laurence, O.S.F, 2010, personal communication.

Hanley, Sister Mary Laurence, O.S.F. and O.A. Bushnell. 1991. Pilgrimage and Exile: Mother Marianne of Moloka'i . Honolulu: University of Hawai'i Press.

Hodges, Cathleen Natividad. 1996. Observation of Seabird Survey at Kalaupapa. Memorandum to Rick Potts, KALA Wildlife Biologist. June 27, 1996.

Hosten, P. E. 2010. Legacy Trees and Other Culturally Significant Plants Within and Adjacent to the Baldwin Boys Home, Kalaupapa National Historical Park. Unpublished report. Kalaupapa National Historical Park. Hale Malama Archival Facility.

Hutchison, Ambrose T. 1932 In Memory of Reverend Father Damien J. DeVeuster and Other Priests Who Have Labored in the Leper Settlement of Kalawao, Moloka'i . Father Paul Macken transcribed handwritten Unpublished manuscript.

Jessel, S. and R. Agliam. 1994. Kūka'iwa'a, North Shore Moloka'i , Carter's Panic Grass (*Panicum fauriei* var. *carteri*), August 22-25, 1994.

Juvik, Sonia P., 2007, "Kalaupapa Landscape: An Ethnographic Study. United States Department of the Interior National Park Service, Pacific West Region Social Science Series, Publication Number 2007-03. Frederick F. York, Ph.D., Managing Editor.

Kaeo, Helen 1983. Interview: Tape #5A – Siloama Church. Quoted in Anwei Skinsnes Law, *Oral History Interviews Kalaupapa, Hawai'i* (Conducted for Hawai'i State Library for the Blind and Physically Handicapped, 1984-1985), Vol. 1: Part 2, 2.

Ka 'Ohana O Kalaupapa. 2007 (on-going) Kalaupapa Names Project.

Kirch, Patrick Vinton. 2002. From: the 'Cliffs of Keolewa' to the 'Sea of Papaloa': An archaeological reconnaissance of portions of the Kalaupapa National Historical Park, Moloka'i, Hawaiian Islands. Berkeley: Archaeological Research Facility, University of California, Berkeley.

Korn, Alfons L. 1976. News from Moloka'i . Letters between Peter Kaeo and Queen Emma, 1873-1876. Honolulu: University Press of Hawai'i

Kozar, K., R. Swift, and S. Marshall. 2007. Shoreline Bird Inventories in Three National Parks in Hawai'i: Kalaupapa National Historical Park, Haleakala National Park, and Hawai'i Volcanoes National Park. Pacific Cooperative Studies Unit Technical Report 149.

Kraus, F. 2005. Inventory of Reptiles and Amphibians in Hawai'i Volcanoes, Haleakala, and Kalaupapa National Parks. Contribution No. 2005-013 to the Hawai'i Biological Survey. Prepared for Pacific Cooperative Studies Unit. University of Hawai'i at Manoa, Honolulu, Hawai'i.

Langlas, Charles. 2006. *Final Report of the Kalaupapa Ethnographic Project*. National Park Service Pacific West Region Social Science Series. Technical Document Number 2006-TD01. United States Department of the Interior.

Langlas, Charles, Ka'ohulani McGuire and Sonia Juvik. 2008. *Kalaupapa 2002-2005, A Summary Report of the Kalaupapa Ethnographic Project*. Prepared for the National Park Service.

Law, Anwei S. 2010. *Ka Hōkūwelowelo: A Collective Memory of Kalaupapa*. University of Hawai'i Press.

Law, Anwei S. and Henry G. Law. 2009. *Father Damien: A Bit of Taro, A Piece of Fish, and A Glass of Water*. New York: IDEA Center for the Voices of Humanity).

LeGrande, M. 2002. Survey of Kūka'iwa'a Peninsula, Kalaupapa National Historical Park, Moloka'i, Hawai'i, Special Report Prepared for Kalaupapa National Historical Park.

McCoy, Mark D. n.d. Report on Kalaupapa Peninsula Archaeological Project 2002. Unpublished manuscript.

McCoy, Mark D. 2006. Landscape, social memory, and society: An ethnohistoric archaeological study of three Hawaiian communities. Unpublished PhD dissertation, University of California, Berkeley.

McCoy, Mark D., James L. Flexner, and John M. Matsunaga. 2005 Kalaupapa Cesspool Project (KCP 2005): A Report on Archaeological Testing in Kalaupapa Settlement, Moloka'i Island, Hawai'i. Unpublished manuscript.

McCoy, Mark D. and Anthony S. Hartshorn. 2007. Wind Erosion and Intensive Prehistoric Agriculture: A Case Study from the Kalaupapa Field System, Moloka'i Island, Hawai'i. *Geoarchaeology: An International Journal*. 22, (5): 511-532.

McGuire, Kaohulani. 2002 – pers. comm.

McGuire, Kaohulani. 2010 – pers. comm.

McKeown, S. 1996. *A Field Guide to Reptiles and Amphibians in the Hawaiian Islands*. Diamond Head Publishing, Inc., Los Osos, California.

Medeiros, A.C., C.G. Chimera, and L.L. Loope, S.M. Joe, and P.D. Krushelnycky. 2000. Notes on Status and Ecology of the Endangered Hawaiian Annual 'Āwiwi, *Centaurium sebaeoides* (Gentianaceae). *Pacific Science* 54(4):417-422.

Nalaelua 2002, Personal communication with Kaohulani McGuire.

National Park Service. 1998. NPS- 28: Cultural Resources Management Guideline. U.S. Department of the Interior, National Park Service, Washington, D.C.

NPS. 2000a. Resource Management Plan Kalaupapa National Historical Park, Kalaupapa, Hawai'i. U.S. National Park Service, Kalaupapa, Moloka'i.

NPS. 2006. National Park Service Management Policies. U.S. Department of the Interior, Washington, D.C.

NPS. 2010. Environmental Assessment - Construct Memorial to Commemorate Kalaupapa Patients.

Powell, Lahilahi. n.d. In unreleased *Kalaupapa Archeology* documentary film.

Puna, D. 1877 "Na Hiona Walohia o ke Aupuni Poepoe" Ka Lahui Hawai'i, Dec. 6, Buke 3, Helu 49: Aoao3. (Manuscript translated by Mary Kawena Pukui as part of the Hawaiian Ethnological Notes Collection at Bishop Museum "Sad Sights of the Enclosed Kingdom (Leper Colony)," HEN vol 1: 3030-3033).

Purnell, Nanette Napoleon. 1991. Kalaupapa Cemetery Directory. Research by: The Cemetery Research Project (Nanette Napoleon Purnell, Research Director). Sponsored by the National Park Service.

Skinsnes, Anwei. 1984. Interview with John Cambra. Oral History Project of the Library for the Blind and Physically Handicapped and Kalaupapa National Historical Park.

Skinsnes Law, Anwei

1984-85 Oral History Interviews, Kalaupapa, Hawai'i. Volume 1: Parts 1 and 2. Conducted for the Hawai'i State Library for the Blind and Physically Handicapped. Personal collection of Anwei Skinsnes Law.

1985-87 Oral History Interviews, Kalaupapa, Hawai'i. Volume 2: parts 1, 2, and 3. Conducted for the National Park Service. Personal collection of Anwei Skinsnes Law.

1988-89 Oral History Interviews, Kalaupapa National Historical Park. Volume 3. Conducted for the National Park Service. Personal collection of Anwei Skinsnes Law.

Somers, Gary, F. 1985. St. Philomena Catholic Church (Father Damien's Church). Historic Structure Report. National Park Service.

Stein, Erika T. Viernes. in prep. Archaeological Monitoring Report for Septic System Improvements at Kalaupapa National Historical Park. Kalaupapa, Hawai'i. National Park Service.

Stein, Erika T. Viernes. in prep. Archaeological Monitoring Report in Support of Restoration at St. Philomena Church at Kalawao, Kalaupapa National Historical Park. Kalaupapa, Hawai'i. National Park Service.

Stein, Erika T. Viernes. 2010. Layered Landscapes: Archaeological Investigations and Identification Report Associated with the Kalaupapa Memorial Project (MEMO). Kalaupapa, Hawai'i, Kalaupapa National Historical Park. National Park Service.

Stokes, John F.G. n.d. Moloka'i, Survey of Heiau. 1909. Unpublished manuscript, field notebook.

Summers, Catherine C. 1971. Moloka'i: A Site Survey. Honolulu: Pacific Anthropological Records Number 4, Department of Anthropology. Bishop Museum Press.

SWCA Environmental Consultants. 2010. Assessment of Natural Resources and Watershed Conditions for Kalaupapa National Historical Park. Fung Associates Inc. 1833 Kalakaua Avenue, Suite 1008, Honolulu, Hawai'i 96815. SWCA Environmental Consultants, 201 Merchant Street, Suite 2310, Honolulu, Hawai'i 96813. Unpublished Report, January 2010.

Tep P. and K.Gaines 2003. Reversing the impacts of feral pig on the Hawaiian tropical rainforest ecosystem. Restoration and Reclamation Review, University of Minnesota. www.hort.agri.umn.edu/h5015/rrr.htm

USFWS. 1998. Recovery Plan for the Hawaiian Hoary Bat (*Lasiurus cinereus semotus*). U.S. Fish and Wildlife Service, Portland, OR.

Watanuki, Randall 2010. Personal communication.

Wood, K.R. 2008. Vegetation Descriptions of the Offshore Islets, Kalaupapa, Moloka'i, Hawai'i and Kūka'iwa'a Peninsula. Special Report Prepared for the Kalaupapa National Historical Park.

Appendix A.

The Kalaupapa Memorial Act of 2009

H.R. 410 (111th): Kalaupapa Memorial Act of 2009

111th Congress, 2009–2010. Text as of Jan 09, 2009 (Introduced). HR 410 IH, 111th CONGRESS, 1st Session IN THE HOUSE OF REPRESENTATIVES

January 9, 2009

Ms. HIRONO (for herself and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL: To provide for the establishment of a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

This Act may be cited as the ‘Kalaupapa Memorial Act of 2009.’

SEC. 2. ESTABLISHMENT OF MEMORIAL WITHIN KALAUPAPA NATIONAL HISTORICAL PARK.

(a) In General- The Secretary of Interior shall authorize Ka ‘Ohana O Kalaupapa, a non-profit organization consisting of patient residents at Kalaupapa National Historical Park, and their family members and friends, to establish a memorial at a suitable location or locations approved by the Secretary at Kalawao or Kalaupapa within the boundaries of Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to Kalaupapa Peninsula from 1866 to 1969.□

(b) Design-

(1) IN GENERAL- The memorial authorized by subsection (a) shall--

(A) display in an appropriate manner the names of the first 5,000 individuals sent to the Kalaupapa Peninsula between 1866 and 1896, most of whom lived at Kalawao; and□(B) display in an appropriate manner the names of the approximately 3,000 individuals who arrived at Kalaupapa in the second part of its history, when most of the community was concentrated on the Kalaupapa side of the peninsula.

(2) APPROVAL- The location, size, design, and inscriptions of the memorial authorized by subsection (a) shall be subject to the approval of the Secretary of the Interior.

(c) Funding- Ka ‘Ohana O Kalaupapa, a nonprofit organization, shall be solely responsible for acceptance of contributions for and payment of the expenses associated with the establishment of the memorial.

Appendix B.

Memorial Design Criteria

SUMMARY OF DESIGN CRITERIA NPS AND THE 'OHANA HAVE REACHED CONSENSUS ON:

NPS, through the Secretary of the Interior, has approval of the final design of the Kalaupapa Memorial. Ka 'Ohana O Kalaupapa and National Park Service have worked cooperatively together to develop criteria that the final Memorial design must be in compliance with.

These criteria were agreed to by NPS and the 'Ohana to ensure that the final Memorial design will be worthy of those it is will commemorate and also be sensitive to the environment and be esthetically compatible with its relevant surroundings.

Assuming the final design meets the criteria below, NPS has stated that the Memorial "could help to enhance the landscape and enrich the history of Kalaupapa". If the Memorial's design does not meet these criteria, NPS has the authority to not approve the design.

Design criteria, which NPS and the 'Ohana have reached agreement on:

1. The Memorial will be designed and constructed in accordance with design guidelines outlined in NPS Management Policies and the design criteria developed jointly by the Kalaupapa National Historical Park staff and Ka 'Ohana o Kalaupapa.
2. The following design standards are taken from NPS Management Policies 9.6.3. (Approval of Commemorative Works). Before being approved, a determination must be made, based on consultation with qualified professionals that the proposed commemorative work will: be designed and sited to avoid disturbance of natural and cultural resources and values; be located in surroundings relevant to its subject; be constructed of materials suitable to and compatible with the local environment; meet NPS design and maintenance standards; not encroach on any other preexisting work or be esthetically intrusive; not interfere significantly with open space and existing public use; not divert attention from a park's primary interpretive theme; and not be affixed to the historic fabric of a structure.
3. In addition to the NPS Management Policies, the project team developed criteria to be used in the design of the Memorial. The physical extent of the Memorial and its associated structures should be compatible with physical remains, the natural setting, and spatial relationships defining the National Historic Landmark and cultural landscape of Kalaupapa.
4. The design of the Memorial must comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, and the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*.

FURTHERMORE, Any design approved would have to be consistent and supportive of the following representation made to the public in the Environmental Assessment document sent out by NPS: *The Memorial would serve as a tombstone for these thousands of people, more than 90 percent of whom were Native Hawaiians, to ensure that they are an integral part of the history that they helped to create. The Memorial would also provide family members with a fitting place to pay tribute to their ancestors and find pride and healing.*

Appendix C.

Renderings of Memorial



Source: Ka `Ohana O Kalaupapa

The Kalaupapa Memorial



Source: Ka `Ohana O Kalaupapa

Arriving at the Memorial



The Mauka Wall from the Makai Circle

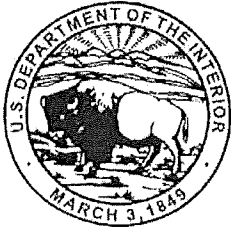


Source: Ka `Ohana O Kalaupapa

Looking out from the Makai Circle over the meadow
and the 2,000 unmarked graves

Appendix D.

National Historic Preservation Act (NHPA) Section 106 Review Correspondence



United States Department of the Interior

NATIONAL PARK SERVICE
Kalaupapa National Historical Park
P.O. 2222
Kalaupapa, HI 96742

Tel: 808-567-6802

Fax: 808-567-6729



December 21, 2010

Subject: Section 106 Consultation for Proposed Memorial at Kalaupapa National Historical Park

Dear

On October 16, 2010, the National Park Service sent a letter regarding the National Historic Preservation Act Section 106 compliance for the proposed Kalaupapa Memorial. The letter included a description of the area of potential effect (APE) and a proposed finding of effects to historic properties for the project as defined in 36 CFR § 800.11. I received a number of letters in response to this letter. I recognize that everyone is busy and I appreciate the time and thoughtfulness that went into preparing the letters.

Area of Potential Effect

While there were some requests to re-assess the APE, the NPS has decided to keep the APE as originally defined. The APE was determined by National Park Service historic preservation professionals specializing in archeology, cultural landscapes and National Historic Landmarks. The size of the APE was delineated to include historic view sheds, circulation patterns and preservation of the historic character of the area. The APE includes the Siloama and Saint Philomena Churches and their graveyards, an open burial field, a portion of Damien Road, and the Old Baldwin Boys Home Site including walls and the back garden terraces. An area larger than the specific project alternative locations is included in this assessment because of the potential impacts to visual resources, circulation patterns, and character of the sites and cultural landscape.

Assessment of Effects

The NPS originally proposed a finding of Adverse Effects on historic properties. This proposed finding was based on the extensive historic properties within the APE, many of which are listed or eligible for listing on the National Register of Historic Places. In addition, some of the historic properties are contributing resources to the National Historic Landmark status. A complete list of the historic properties within the APE and a description of the application of criteria for National Register of Historic Places eligibility can be found at <http://parkplanning.nps.gov/>.

Many of the letters received in response to the NPS finding of adverse effect to historic properties indicated that they did not agree with the finding and proposed a finding of no adverse effect to historic properties. Based on this input received from consulting parties, the Memorial design criteria agreed upon by Ka 'Ohana O Kalaupapa and the NPS, and because the design for the Memorial will be chosen at a later date, requiring further Section 106 review, the NPS has changed the finding of effect to a no adverse effect to historic properties with conditions (36 CFR § 800.5(b)) at this juncture. 36 CFR § 800.5(b) states:

Finding of no adverse effect. The agency official, in consultation with the SHPO/THPO, may propose a finding of no adverse effect when the undertaking's effects do not meet the criteria in paragraph (a)(1) of this section or the undertaking is modified or **conditions imposed, such as the subsequent review of plans** for rehabilitation by the SHPO/THPO to ensure consistency with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines, to avoid adverse effects.

Because the Memorial design will be selected at a later date through a competition, subsequent Section 106 review will be required when a design is selected. Efforts will be made to avoid, minimize or mitigate any adverse effects to historic properties from the establishment of the Memorial. The Hawaii State Historic Preservation District in their December 6, 2010, letter requested to be consulted while the Memorial plans are finalized. This will be part of the required subsequent Section 106 review for the Memorial design.

Ka 'Ohana O Kalaupapa and the National Park Service have agreed on initial design criteria for the memorial. They are as follows:

- The Memorial would be located within the rock wall that delineates the historic area. The footprint of the Memorial will not be larger than 25% of the total footprint of the area within the rock wall, and will be limited in height in order to minimize its impact on the historic scene and viewsheds.
- The Memorial would be designed and constructed in accordance with design guidelines outlined in NPS Management Policies and the design criteria developed jointly by the Kalaupapa National Historical Park staff and Ka 'Ohana O Kalaupapa.

The following design standards are taken from NPS Management Policies 9.6.3. Approval of Commemorative Works:

Before being approved, a determination must be made, based on consultation with qualified professionals that the proposed commemorative work will: be designed and sited to avoid disturbance of natural and cultural resources and values; be located in surroundings relevant to its subject; be constructed of materials suitable to and compatible with the local environment; meet NPS design and maintenance standards; not encroach on any other preexisting work or be esthetically intrusive; not interfere significantly with open space and existing public use; not divert attention from a park's primary interpretive theme; and not be affixed to the historic fabric of a structure.

In addition to the NPS Management Policies, the project team developed design criteria and elements to be used in the design and construction of the Memorial. They are:

- The physical extent of the Memorial, as well as associated structures and landscape features such as paths, vegetation, and universal access elements should be compatible with physical remains, the natural setting, and spatial relationships defining the National Historic Landmark and cultural landscape of Kalaupapa.

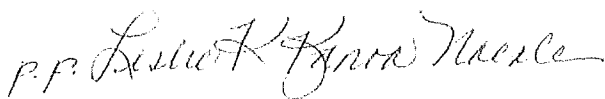
- The design of the Memorial must comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, and the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*.
- Additional research, site investigations and resource studies, such as archeological surveys, may lead to the development of additional criteria to mitigate potential impacts to the National Historic Landmark.

Earlier archeological investigations were an effort to minimize adverse effects by identifying locations within the project area that would have the least impact on archeological resources. In addition, the Hawaii State Historic Preservation Division suggested archeological mitigation, as appropriate, if ground disturbance will occur during construction. In order to minimize potential adverse impacts to archeological resources the following measures would be implemented:

- To ensure that no undetected significant archeological resources would be affected, an archeological monitor will be present at the site during all construction activities.
- Should presently unidentified archeological resources be discovered during construction, work in that location would be halted, the park Cultural Resources Program Manager contacted, the site secured, and the park would consult according to 36 CFR 800.11 and, as appropriate, provisions of the Native American Graves Protection and Repatriation Act of 1990 and Hawaii state burial laws (Chapter 13-300). Any archeological site would be properly recorded by an archeologist and evaluated under the eligibility criteria of the National Register of Historic Places.
- If the site is determined eligible, appropriate measures would be implemented either to avoid further resource impacts or to mitigate loss or disturbance (e.g., by data recovery excavations or other means) in consultation with the Hawaii State Historic Preservation Office.

The National Park Service looks forward to moving forward in the process to establish the Kalaupapa Memorial. Please direct any questions by phone or email to Cari Kreshak, NPS Cultural Resource Program Manager, at (808)541-2693 ext. 734 or cari_kreshak@nps.gov.

Sincerely,



Stephen Prokop
Superintendent

Cc:
See attached list

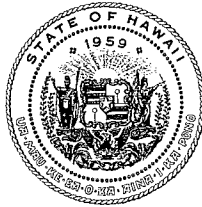
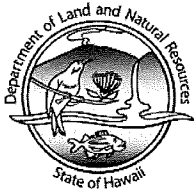
Letter Recipients

Last Name	First Name	Title	Affiliation
Aila	William	Director	Department of Land and Natural Resources
Aiu	Pua	Administrator	State Historic Preservation Division
Arruda	John		Resident-Patient
Ayau	Edward	Executive Director	Hui Malama I Na Kupuna O Hawai'i Nei
Bacon	Monica		
Bayman	Jim	President, Society for Hawaiian Archaeology	UH Manoa, Department of Anthropology
Boland	Patrick		
Brede	Mr. and Mrs. James		Resident-Patient
Brodnitz	Louise	Historic Preservation Specialist	Advisory Council on Historic Preservation
Buck	Rev. Dr. Charles	Conference Minister	Hawaii Conference United Church of Christ
Cayan	Phyllis "Coochie"	History & Culture Branch Chief	Molokai Island Burial Council, c/o State Historic Preservation Division, Burial Sites Program
Chapman	Dr. William		University of Hawaii, Historic Preservation Program, Dept of American Studies
Chow	Pauline		Resident-Patient
Costales	Katherine		Resident-Patient
Davis	Morgan	Maui / Molokai Archaeologist	State Historic Preservation Division
Eleniki	Sr. William Marie	Chief Administrator	St. Francis, Healthcare Foundation of Hawaii
Ellis	Mark		
Evanson	Mary		
Faulkner	Kiersten	Executive Director	Historic Hawaii Foundation
Fernandez	Sebastiana		Resident-Patient
Guth	Heidi		Office of Hawaiian Affairs
Hall	Dana Naone		
Hanley	Sr. Mary Laurence	Cause Director	Shrine and Museum of Blessed Marianne Cope, Sisters of Saint Francis Motherhouse
Harada	Glen		
Harada	Winifred		Resident-Patient
Hashimoto	Daniel		Resident-Patient

Hess	Pauline P.	Vice President, Board of Directors	Ka 'Ohana O Kalaupapa
Inglis	Wally		
Ka'ahanui	Irene	Community Resource Coordinator	Office of Hawaiian Affairs, Molokai Branch
Kaauwai	Gertrude		Resident-Patient
Kahihikolo	Elizabeth K.		Resident-Patient
Kahilihiwa	Clarence "Boogie"	President	Ka 'Ohana O Kalaupapa and Resident-Patient
Kahilihiwa	Ivy		Resident-Patient
Kaho ohalahala	Sol		
Park	Kaulana	Chairman	Department of Hawaiian Home Lands
Kaona	Lucy		Resident-Patient
Kaupu	Rev. David		Kalaupapa National Historical Park Advisory Commission
Keahi	Reverend Chris	Provincial Superior	Congregation of the Sacred Hearts of Jesus and Mary
Keli'Ikipi	Noe		Molokai Museum and Cultural Center
Khan	Lelmomi	President	The Association of Hawaiian Civic Clubs
Komagata	Bishop Shugen		Soto Mission of Hawaii
Lau	Sister Alicia Damien		
Law	Henry	Memorial team leader	Ka 'Ohana O Kalaupapa
Lelepali	Edwin		Resident-Patient
Machado	Colette		
Malo	Makia		Resident-Patient
Marks	Barbara		Resident-Patient
Marks	Gloria	President	Kalaupapa Patient Advisory Council
Mateo	Danny	Maui County Council Chairman	
Maxwell, Sr.	Kahu Charles Kauluwehi		Hui Malama I Na Kupuna O Hawaii Nei
Monson	Valerie	Coordinator	Ka 'Ohana O Kalaupapa
Nāmu'o	Clyde		Office of Hawaiian Affairs
Palea	Norbert		Resident-Patient
Reeser	Don		

Rycraft	Rev. Lon and Ellen Storm		
Silva	Most Rev. Larry		Roman Catholic Church, Diocese of Honolulu
Vanderbilt	DeGray William	Director	
Watanuki	Meli		Resident-Patient
Woodward	Charmaine		
Wunder	Arnold		Mormon Church
Yamada	Rose		Kalaupapa National Historical Park Advisory Commission

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
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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

December 6, 2010

Stephen Prokop, Superintendent
Kalaupapa National Historical Park
US Department of the Interior
PO 2222
Kalaupapa, Hawaii 96742

LOG NO: 2010.3445
DOC NO: 1012MD01
Archaeology

Dear Mr. Prokop:

**SUBJECT: National Historic Preservation Act (NHPA) Section 106 Review -
Proposed Memorial at Kalaupapa National Historical Park
Kalaupapa Ahupua'a, Kalawai County, Island of Moloka'i**

Thank you for your correspondence dated October 15, 2010 regarding the aforementioned undertaking, which we received on October 18, 2010. We apologize for the delay in our reply.

The National Park Service (NPS) is working in partnership with Ka 'Ohana O Kalaupapa (the 'Ohana) to establish the Kalaupapa Memorial (the Memorial) at the Kalaupapa National Historical Park (KNHP). The Memorial is the result of legislation signed on March 30, 2009 by President Barack Obama, directing the Secretary of the Interior to authorize the 'Ohana to establish the Memorial at a location or locations approved by the Secretary to honor and perpetuate the memory of approximately 8,000 individuals who were sent to the Kalaupapa Peninsula from 1866 to 1969 because of government policies regarding leprosy. The 'Ohana, a 501(c)3 organization, consists of surviving patient residents, family members, long-time friends and professionals. The U.S. Department of the Interior Memorandum dated July 1, 2009 (Subject: Activation: P.L. 111-11, Omnibus Public Land Management Act of 2009, Title VII, Subtitle B., Section 7108: Kalaupapa National Historical Park Memorial), states that "The location, size, design, and inscriptions of the memorial shall be subject to the approval of the Secretary of the Interior."

The NPS has determined that the proposed Memorial location, to be situated within the land previously occupied by the Old Baldwin Boy's Home (which was deliberately destroyed in the 1950s) will be located in an APE of 33 acres, "...where the Memorial project may directly or indirectly alter the character of integrity of historic properties" and "the assessment of effects to historic properties extends beyond the proposed Memorial locations because of the potential for effects to the characteristics of the National Historic Landmark and the cultural landscape." We note that the National Historic Landmark encompasses the 8,725-acre Kalaupapa Peninsula.

Your correspondence indicates that guidelines for the design and location of the Memorial have been agreed-upon between the 'Ohana and the NPS. The agreed-upon guidelines follow the NPS Management Policies for memorials and include the following principals;

The memorial shall:

1. Be designed and sited to avoid disturbance of natural and cultural resources and values;
2. Be located in surroundings relevant to its subject;
3. Be constructed of materials suitable to and compatible with the local environment;
4. Not encroach on any other pre-existing work or be esthetically intrusive;
5. Not interfere significantly with open space and existing public use;
6. Not divert attention from the park's primary interpretive theme; and
7. Not be affixed to the historic fabric of a structure.

In your letter dated October 15, 2010, you indicate that, "Through proper mitigation and design, the Kalaupapa Memorial could help to enhance the landscape and enrich the history of Kalaupapa." We concur with this assessment and believe that if the agreed-upon guidelines (1 through 7 above) are followed, there will be **no adverse effect** to the KNHP or to individual historic properties within the district, pursuant to 36CFR§800.5, which states,

(b) *Finding of no adverse effect.* The agency official, in consultation with the SHPO/THPO, may propose a finding of no adverse effect when the...undertaking is modified or conditions are imposed, such as the subsequent review of plans for rehabilitation by the SHPO/THPO to ensure consistency with the Secretary's Standards for the Treatment of Historic Properties (36CFR part 68) and applicable guidelines, to avoid adverse effects.

We believe that the guidelines agreed upon by NPS and the 'Ohana will ensure consistency with the applicable Secretary's Standards for Preservation and Preservation Planning; we also believe that the preferred location at the site of the former Baldwin Boy's Home is within the stated guidelines. We request the opportunity to be consulted as the plans for the memorial are finalized. We also request that you consider some level of archaeological mitigation, either data recovery or monitoring at the final site of the memorial, if ground disturbance will occur during construction.

Your letter also indicates that NPS has determined that this undertaking may have an adverse effect on the KNHP pursuant to CFR 36 Part 800. We request that you take into account the following information when making your final determination:

1. The 'Ohana, who are cited as partners in this undertaking, do not agree with the determination of Adverse Effect (letter to SHPD dated October 25, 2010 and letter to NPS dated November 15, 2010);
2. We feel the APE (either of 33 acres or 8,725 acres) needs further refinement, given that the only location from which this Memorial will be visible is the St. Philomena Church;
3. The Bishop of the St. Philomena Church does not agree with the determination of Adverse Effect (letter from the Bishop of Honolulu to NPS, dated October 25, 2010);
4. The next closest church, United Church of Christ, does not agree with the determination of Adverse Effect (letter from Conference Minister Charles Buck to NPS, dated November 3, 2010);
5. The Advisory Council on Historic Preservation does not agree with the finding of Adverse Effect (letter from ACHP to NPS dated November 5, 2010); and

6. Prior findings of the NPS indicated that "*Memorial construction not consistent with the Secretary Standards for Historic Preservation will have an adverse effect on cultural resources.*" (*emphasis added*; Layered Landscapes June 2010, p. i).

In addition, we find guidance in the original foundation statement of the Kalaupapa National Historical Park (NPS 2006), citing Public Law 95-565, Sec. 102 dated 22 December 1980 which was the founding document for the KNHP, regarding Patient and Native Hawaiian Staffing:

Preservation and interpretation of the settlement will be managed and performed by patient and Native Hawaiians to the extent practical.

Training opportunities shall be provided to patients and Native Hawaiians in management and interpretation of the settlement's culture, historical, educational, and scenic resources.

It is our understanding that to date, consulted patients and Native Hawaiians have found that the memorial will enhance rather than adversely affect the KNHP.

If you have questions about this letter please contact Morgan Davis at (808) 243-5169 or via email to: morgan.e.davis@hawaii.gov.

Aloha,



Theresa K. Donham
Acting Archaeology Branch Chief
Deputy SHPO
State Historic Preservation Division

cc:

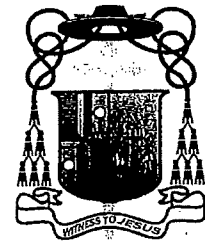
Caroline D. Hall, Assistant Director
Office of Federal Agency Programs, Federal Property Management Section
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 803
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Charles Buck, Conference Minister
Hawaii Conference, United Church of Christ
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Most Reverend Larry Silva, Bishop of Honolulu
Diocese of Honolulu, Office of the Bishop
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Charles "Boogie" Kahilihiwa, President
Ka 'Ohana O Kalaupapa
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October 25, 2010

Stephen Prokop
Superintendent
Kalaupapa National Historical Park
P.O. Box 2222
Kalaupapa, HI 96742

Subject: Section 106 Consultation for Proposed Memorial at Kalaupapa National Historical Park

Dear Mr. Prokop:

Thank you for your letter of October 15, 2010, requesting my input on the proposed Memorial at Kalaupapa National Historical Park.

I am in agreement with the sites proposed by the Ohana O Kalaupapa for the Memorial, namely in the area of the former Baldwin Boys Home. I was a little confused about what the National Park Service is recommending, since the two following paragraphs, in juxtaposition, seem to cancel each other out.

NPS has initially determined that the construction of the Kalaupapa Memorial on the former Baldwin Boys Home site may cause adverse effects to cultural resources, specifically the National Historic Landmark, archeological resources and the cultural landscape, areas which encompass almost the entire 8,725-acre Kalaupapa Peninsula.

Through proper mitigation and design, the Kalaupapa Memorial could help to enhance the landscape and enrich the history of Kalaupapa. ... Establishing the Memorial in the Old Baldwin Boys Home could provide opportunities for education and interpretation as well as continued invasive vegetation management.

I am not sure what "adverse effects" the Memorial would have on the area, but in my opinion it would have very positive effects on the site of the old Baldwin Boys Home. The two you mention above (opportunities for education and interpretation as well as continued invasive vegetation management) are excellent reasons in themselves. In addition, I would add the following:

- The area of Kalawao in question is a sacred place, and visitors I have taken there always are in great awe at its "mana" or spiritual nature. Siloama and St. Philomena churches, the cemetery with Father Damien's original grave and Joseph Dutton's grave all contribute to the sacredness of the area. Adding the Memorial would enhance the feeling of sacred space, since it would call to mind all the people who worshipped at those two sites and the others for whom they prayed daily.

- The area of the Baldwin Boys Home is currently underappreciated, because only those who have been to Kalaupapa before know that is indeed the former site of the Home. The Memorial would call greater attention to this great community service that was a part of the life of the Kalaupapa settlement.
- We know that the area is an important archeological zone, filled with the remains of those who were buried there over the decades and whose graves are not unmarked. The Memorial would serve as a kind of communal "headstone" so that all buried on the Peninsula, whether in marked or unmarked graves, could be remembered.

Therefore, I would like to affirm the site of the old Baldwin Boys Home as the ideal site for the Memorial. Since the NPS will have continuous oversight over the project, I would urge the NPS to make the determination that the project will not have adverse effects, so that the Memorial may move forward as expeditiously as possible.

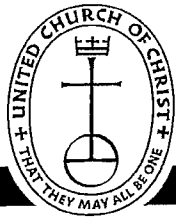
Thank you for all you do to preserve this very special place.

Sincerely,

A handwritten signature in cursive script, reading "Larry Silva".

Most Reverend Larry Silva
Bishop of Honolulu

Cc.: Mr. Clarence Kahilihiwa, Chairman of Ohana O Kalaupapa



HAWAII CONFERENCE

UNITED CHURCH OF CHRIST

3 November 2010

Mr. Stephen Prokop, Superintendent
Kalaupapa National Historical Park
Post Office Box 2222
Kalaupapa, Hawai'i 96742

Dear Mr. Prokop:

Thank you for your letter of October 15, 2010, inviting comments as part of the Section 106 Consultation for the proposed memorial at Kalaupapa National Historical Park.

The Hawai'i Conference of the United Church of Christ (HCUCC) remains supportive of the concept of a memorial to honor and perpetuate the over 8,000 individuals sent to Kalaupapa between 1866 and 1969 because of Hansen's Disease. Both proposed locations for the memorial outlined in your letter accord with our general understanding of the sites being considered, and HCUCC has no reason to object to either location. In fact, it would be especially meaningful for the memorial to be within visual range of and in near proximity to the field of unmarked graves.

While our Siloama Church, including the two buildings and grounds, lie in close vicinity to the proposed locations, we believe that there is adequate separation to mitigate any adverse effects on the church from the memorial, including construction, appearance and visitors. We further believe that the addition of the memorial to the general area could enhance visitors' experience to Kalawao, as well as offer visual interest and a meditative environment for the former Old Baldwin Home site.

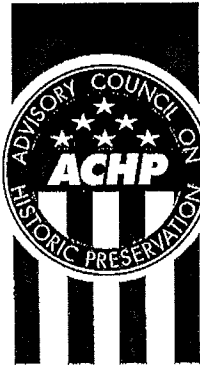
HCUCC continues to be appreciative of the National Park Service's stewardship of Kalaupapa and its historical and cultural legacy. We trust that the NPS will be able to do the same for the memorial and satisfy fully the guidelines for its establishment.

Please let us know if we can be of further assistance.

Sincerely,

Charles Buck
Conference Minister

cc: Ka 'Ohana O Kalaupapa



Preserving America's Heritage

November 5, 2010

Mr. Stephen Prokop
Superintendent
Kalaupapa National Historical Park
PO Box 2222
Kalaupapa, HI 96742

Ref: *Proposed Memorial at Kalaupapa National Historical Park
Kalaupapa, Kalawai County, Hawaii*

Dear Mr. Prokop:

On October 21, 2010, the Advisory Council on Historic Preservation (ACHP) received additional supporting documentation from the National Park Service (NPS) in regard to the above-referenced undertaking. Thank you for the additional documentation. This information was in response to an earlier September 15, 2009 letter from the ACHP requesting that NPS provide us with the project documentation required in our Section 106 regulations at 36 CFR 800.11(e). We note that your latest letter provides some but not all of the needed documentation and the following information will be necessary for us to complete our review:

1. Description of the Undertaking: While NPS has defined the undertaking as a memorial subject to NPS Management Policies guidelines for memorials, the description of the undertaking is unclear. Is the undertaking the competition to design the memorial, to be followed by another Section 106 process to implement a specific design, or will this undertaking include both the design competition and the implementation of a specific design with potential effects that are not fully known? Further, it is not clear whether the proposed memorial is intended as a functioning part of the still-active settlement, or instead serve as an "interpretation of the settlement by patients and Native Hawaiians" (per Public Law 95-565, 12/22/1980).
2. Your map indicates a 33-acre Area of Potential Effect (APE) within which the Memorial project may directly or indirectly alter the character or integrity of historic properties, but the letter indicates that there may be adverse effects to a larger area encompassing almost the entire 8,725-acre Kalaupapa Peninsula. We would appreciate your resolving this ambiguity over the size of area where the memorial may cause alterations in the character or use of historic properties.
3. Your description of historic properties is not sufficient to assess potential effects to them. We would appreciate a brief description of the characteristics that qualify each historic property for listing in the National Register as required in the Section 106 regulations at 36 CFR 800.11(e)(3).
4. The description of the undertaking's effects on historic properties, and explanation of why the criteria of adverse effect are applicable or inapplicable, are not supported by the information

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004

Phone: 202 404 8500 • Fax: 202 404 8647 • achp@achp.gov • www.achp.gov

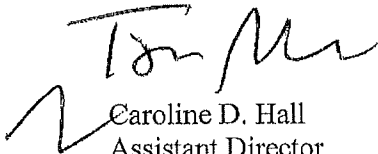
presented. This is important in identifying potential scenarios where adverse effects are avoidable through adherence to guidelines or conditions. The description of the undertaking (per item 1, above) may have implications in this particular case on how the criteria of adverse effect may be applied.

5. The views of other consulting parties, including local governments, the Hawai'i State Historic Preservation Officer, Native Hawaiian organizations and the public do not seem to be reflected in your findings. Have the views of Native Hawaiian organizations that attach religious and cultural significance to historic properties that may be affected by an undertaking been solicited in the identification and evaluation of historic properties as the Section 106 regulations require (at 36 CFR 800.2 (c)(2)(ii)(A))? Were the views of any patients taken into account? Please provide us with information on how the views of consulting parties have informed your findings.

We agree with the suggestion made by Cari Kreshak in an e-mail dated October 27, 2010, that it would helpful to convene a conference call to address some of the issues identified above and further refine NPS' findings in order to move this project forward.

Thank you for your cooperation. If you have any questions regarding this request, please contact Louise D. Brodnitz at 202-606-8527 or via e-mail at lbrodnitz@achp.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Caroline D. Hall', with a stylized flourish at the end.

Caroline D. Hall
Assistant Director
Office of Federal Agency Programs
Federal Property Management Section

Ka 'Ohana O Kalaupapa

"E Ho'ohanohano a E Ho'omau...

...To Honor and To Perpetuate"

PO Box 1111, Kalaupapa, Hawaii 96742

November 15, 2010

Mr. Stephen Prokop, Superintendent
Kalaupapa National Historical Park
PO Box 2222
Kalaupapa, Hawaii 96742

Dear Steve:

Thank you for your findings letter of October 15, 2010, asking for comments on the Kalaupapa Memorial as proposed by Ka 'Ohana O Kalaupapa. The 'Ohana looks forward to continuing to work in partnership with Kalaupapa National Historical Park on this very important project. The 'Ohana discussed your letter and our response during our annual meeting, Nov. 5-6, at Kalaupapa.

On March 30, 2009, President Barack Obama signed the law that authorized Ka 'Ohana O Kalaupapa to establish the Kalaupapa Memorial within the boundaries of Kalaupapa National Historical Park. (See Attachment A.) The Kalaupapa Memorial Act, which was adopted by Congress, authorized the 'Ohana to select the location, design and inscriptions for the Memorial with the approval of the Secretary of the Interior. The 'Ohana was also mandated to raise all the funds.

Last year, I was elected President of Ka 'Ohana O Kalaupapa. I have been a resident of Kalaupapa for more than 50 years and am a founding member of the 'Ohana, which is a 501-c-3 organization made up of Kalaupapa residents, their family members, descendants and longtime friends, including professionals who have been involved with the preservation of the history for many years. Our Board of Directors includes four Kalaupapa kupuna, six family members/descendants and three longtime friends. Eight of our 13 Directors are Native Hawaiians.

When the 'Ohana organized in the summer of 2003, the Kalaupapa community asked that the establishment of a Memorial be a priority. The Kalaupapa community has expressed the need for a Memorial since 1985 – and the vast majority has favored locating the Memorial in Kalawao on the grounds where the Baldwin Boys Home once existed. I know about these discussions because I was part of them.

In your October 15 letter, you asked for our comments specifically on the Area of Potential Effect, the list of historic properties and the finding of Adverse Effect.

The National Park Service has determined that the Area of Potential Effect (APE) for the Kalaupapa Memorial encompasses 33 acres. The 'Ohana does not know the criteria or documentation that NPS used to determine the APE. Was this a unilateral decision by the NPS or were other entitled consulting parties asked for their input? The 'Ohana, a partner with the NPS, was not asked for our comments on either an APE or a list of properties that could be affected by the Memorial.

The Memorial footprint as noted in the site map attached to your letter is a small fraction of the size of the APE determined by the NPS. The APE seems quite large by comparison. Because the NPS has not provided any explanation on how the boundaries of the APE were determined, it is difficult for us to provide input as you requested.

The list of historic properties seems long. The NPS lists the properties as "historic", but we are not convinced that all of these sites qualify as historic properties because they lack the physical integrity. The Old Baldwin Home site itself contains none of the buildings that once existed. The grounds are overgrown with invasive vegetation. The 'Ohana believes the Kalaupapa Memorial will have "no adverse effect" on this neglected area or any other qualified historic properties in the vicinity, such as St. Philomena Church, which is located more than a football field away from the Memorial, or Siloama Church, which sits more than 700 feet from the Memorial's location.

Since the NPS did not provide any information on what criteria was used to determine the "historic" designation of the properties, it makes it difficult for us to provide meaningful input on this issue.

It would have been helpful to the 'Ohana and others if a map had been included showing the location of the historic properties in relationship to the Memorial.

The 'Ohana would also like to know the basis upon which the NPS arrived at its initial determination of "adverse effects." No description or definition of an "effect," "no adverse effect" or "adverse effect" was included in your letter as the 'Ohana had requested in correspondence with the NPS.

The 'Ohana also wants to clarify information that was included on the map attached to your letter. The 'Ohana does not support the large pathways which were inserted on the map by the NPS without consulting with the 'Ohana. This is a design feature of the project which should not be part of the Section 106 process. One of the NPS pathways is actually larger than either the preferred location or the alternative site.

The design of the Memorial is not known at this time because the 'Ohana plans to have an open design competition. However, the basic parameters agreed to by the 'Ohana and the NPS essentially define the physical scope of the project. Ka 'Ohana has stated all along that the NPS design guidelines for memorials will be followed. In addition, the NPS will approve the design selected by the 'Ohana. If all guidelines are followed and the NPS has final approval, the 'Ohana believes the design of the Memorial will have no

adverse effects on any historic properties in the Area of Potential Effect or elsewhere within Kalaupapa National Historical Park.

The mitigation recommendations could be listed in a simple letter from the NPS to the State Historic Preservation Officer (SHPO), a process previously followed by NPS and SHPO to allow the construction of a vehicle shed to be built within a few feet of the Old Stone Church, the oldest structure on the Kalaupapa peninsula. These letters, which are attached along with a picture of the new construction, permitted the shed to be built and satisfied the compliance requirements for the Section 106 process.

The Memorial will list the names of everyone sent to Kalaupapa because of government policies regarding leprosy. Of the estimated 8,000 people who have died at Kalaupapa, fewer than 1,000 have marked tombstones. The Memorial will return people to their rightful places in the history that they helped to create by returning their names to the landscape. Family members will be able to reconnect with their ancestors in a quiet place of contemplation and find healing, pride and closure.

The Baldwin Boys Home operated from 1894 to 1932. After the home was closed, the buildings were burned by the government in 1936 and razed in the 1950s. Since then, much of the grounds have been overtaken by invasive vegetation.

Once the 'Ohana determined that the site of the former Baldwin Home was the preferred choice of Kalaupapa residents past and present, we began to conduct our due diligence to make sure this location met National Park Service guidelines and other important criteria.

Additional reasons why the 'Ohana felt the site of the Baldwin Home should be the preferred location for the Kalaupapa Memorial:

- The Memorial would be located in the same proximity as a cemetery that contains at least 2,000 unmarked burials of the early residents of Kalaupapa/Kalawao. This would meet the NPS requirements referred to in your letter that the Memorial be “located in surroundings relevant to its subject” and “not divert attention from the park’s primary theme” which focuses on honoring the people of Kalaupapa.
- The Memorial would be located in the same proximity of St. Philomena Church, also known as Father Damien’s church, and Siloama Church. Many of the people whose names are listed on the Memorial would have worshipped at these churches. The 'Ohana believes the Memorial will be located far enough away from the churches so as not cause any adverse effects on either structure.
- The Memorial would be located in an area that “contains minimal cultural materials and subsurface archaeological features,” as the NPS concluded after an archaeology survey was conducted. No burials were discovered on the sites of the preferred or alternative locations, but any inadvertent burials encountered would remain in place as recommended to the 'Ohana by the Office of Hawaiian Affairs. An archaeologist would be on site during any ground disturbance.

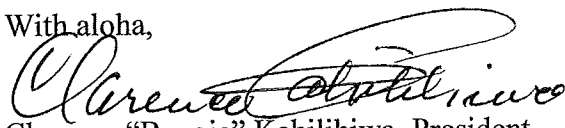
We respectfully urge that the NPS change its initial finding/determination to reflect that the Kalaupapa Memorial will have no adverse effects on the park's cultural resources. Furthermore, we ask the NPS to send a letter to the State Historic Preservation Officer with this new finding. This finding can be contingent on mitigation measures the 'Ohana and the NPS have already agreed upon to insure there are "no adverse effects."

If the SHPO concurs with the NPS's amended finding, it is our understanding that this will satisfy compliance with the Section 106 process. The NPS and the 'Ohana can then move forward, in partnership, to the next stages of compliance and planning in a more timely manner.

The 'Ohana wants to make sure the Memorial is unveiled and dedicated while there are still residents living at Kalaupapa. As I have stated publicly, when we see the names on the Memorial, it will be like everyone is standing right there in front of you. It will bring tears to my eyes.

Please share this letter with other consulting parties for the Kalaupapa Memorial. We also respectfully request that you send us copies of other comment letters you receive.

With aloha,



Clarence "Boogie" Kahilihiwa, President

attachments

The Kalaupapa Memorial Law

Public Law 111–11 111th Congress

SEC. 7108. KALAUPAPA NATIONAL HISTORICAL PARK.

(a) **INGENERAL.**—The Secretary of the Interior shall authorize Ka ‘Ohana O Kalaupapa, a non-profit organization consisting of patient residents at Kalaupapa National Historical Park, and their family members and friends, to establish a memorial at a suitable location or locations approved by the Secretary at Kalawao or Kalaupapa within the boundaries of Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to Kalaupapa Peninsula from 1866 to 1969.

(b) DESIGN.—

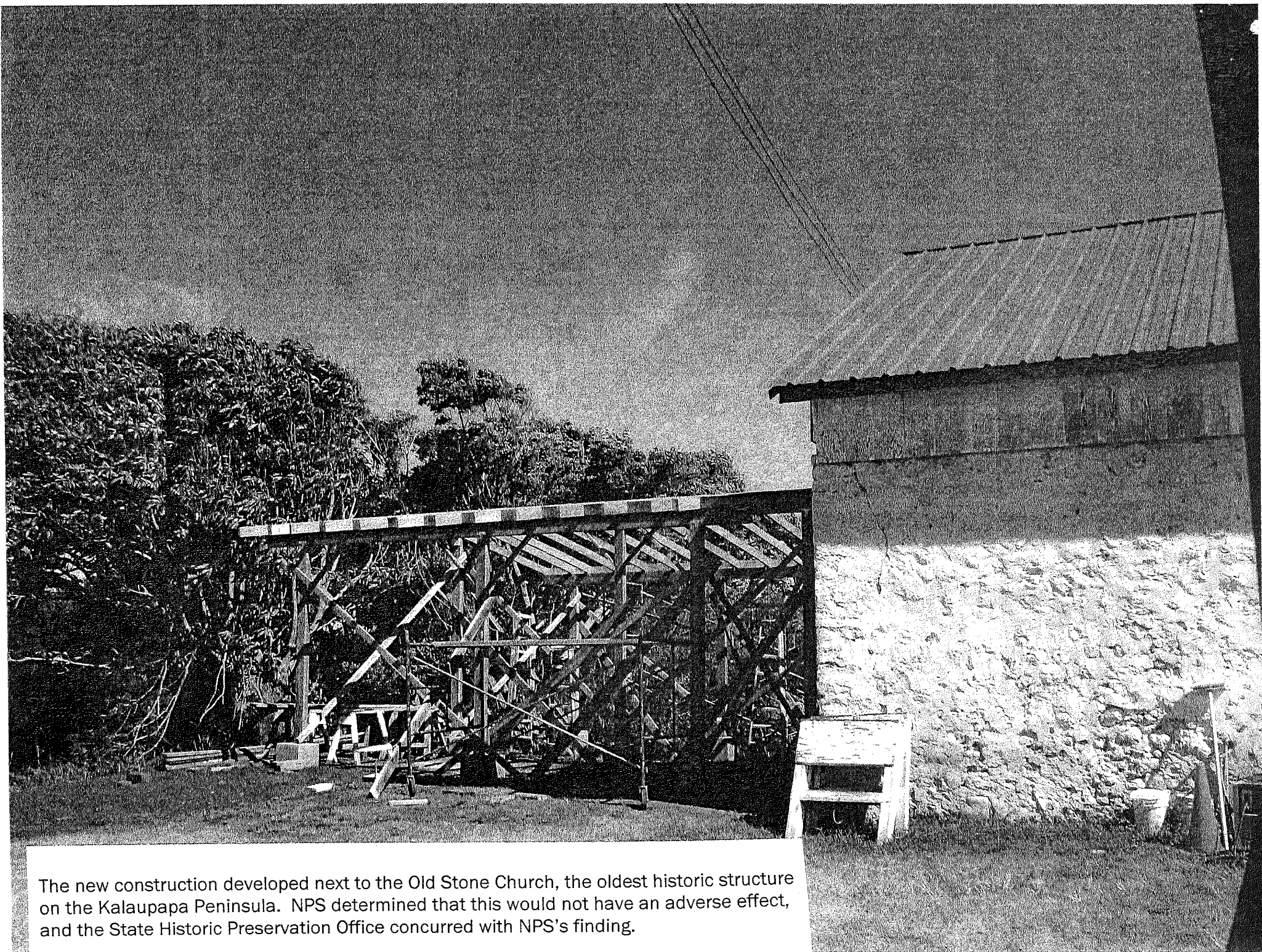
(1) **IN GENERAL.**—The memorial authorized by subsection (a) shall—

(A) display in an appropriate manner the names of the first 5,000 individuals sent to the Kalaupapa Peninsula between 1866 and 1896, most of whom lived at Kalawao; and

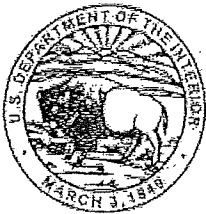
(B) display in an appropriate manner the names of the approximately 3,000 individuals who arrived at Kalaupapa in the second part of its history, when most of the community was concentrated on the Kalaupapa side of the peninsula.

(2) **APPROVAL.**—The location, size, design, and inscriptions of the memorial authorized by subsection (a) shall be subject to the approval of the Secretary of the Interior.

(c) **FUNDING.**—Ka ‘Ohana O Kalaupapa, a nonprofit organization, shall be solely responsible for acceptance of contributions for and payment of the expense of the memorial.



The new construction developed next to the Old Stone Church, the oldest historic structure on the Kalaupapa Peninsula. NPS determined that this would not have an adverse effect, and the State Historic Preservation Office concurred with NPS's finding.



United States Department of the Interior

NATIONAL PARK SERVICE

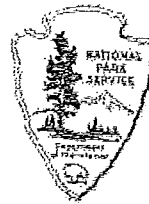
Kalaupapa National Historical Park

P.O. 1223

Kalaupapa, HI 96742

Tel: 808-567-6802

Fax: 808-567-6729



Date: June 25, 2001

Tonja Moy
State Historic Preservation Officer
Department of Land and Natural Resources
Kakuhikewa Building Room 555
601 Kamokila Boulevard
Kapolei, Hawaii 96701

Subject: Section 106 Review of Construction of Storage Shed beside Fire Station Project

Dear Tonja:

In accordance with the regulations of the Advisory Council on Historic Preservation, 36 CFR Part 800: Protection of Historic Properties, we request your review and comment on a proposed undertaking to construct a storage shed beside the Kalaupapa Fire Station.

The Project is scheduled to begin during the summer of 2001. The shed will be three sided with an open front measuring 20 feet wide and 30 feet deep. An archaeological survey of the proposed shed construction area was initiated in March of 2001. No surface archaeological features were identified at that time and archaeological monitoring during the surface disturbance portion of the construction will be implemented.

Should you require further information concerning this project please contact Christi Shaw, Cultural Resource Program Manager at Kalaupapa National Historical Park, 808-567-6802 extension 42.

Sincerely,

Thomas Workman
Superintendent

Encl: Assessment of Actions documents



DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSIONER OF WATER RESOURCES MANAGEMENT

DEPUTY
JANET E. KAHALO
LINDA HIRAIWA

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
Kalaupapa Building, Room 155
601 Kamehameha Boulevard
Kapaeha, Hawaii 96707

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
COMMISSIONER OF WATER RESOURCES
MANAGEMENT
CONSERVATION AND RESOURCES
ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND
STATE PARKS

July 24, 2001

Thomas Workman
Superintendent
United States Department of the Interior
National Park Service
Kalaupapa National Historic Park
PO Box 2222
Kalaupapa, Hawaii 96742

LOG NO: 27902
DOC NO: 0107co08
Architecture

Dear Superintendent Workman:

SUBJECT: Section 106 Review (NHPA)
Construction of Storage Shed
Kalaupapa Fire Station
TMK: 6, Kalaupapa, Kalaupapa

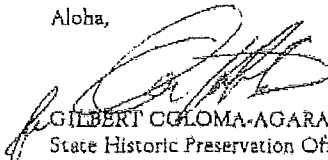
Thank you for the letter dated June 25, 2001, received July 2, 2001 regarding construction of a storage shed beside the Kalaupapa Fire Station. We concur that the addition of the shed will have a visual impact on the adjacent historic structure and the landscape. We have the following recommendations to minimize the visual effect of the structure.

1. The front of the shed should be set back from the face of the fire station. The rear should not extend beyond the back. This would reduce the depth 6-10 feet.
2. The high point of the shed roof should be at one of the middle supports, creating a modified gable.
3. The three sides of the shed could have the board and batten. The short facade should be simple, without the vertical delineation.

We believe with these recommendations incorporated, the project should have "no adverse effect" on the historic character of the fire station or the district. Please send a revised site plan, floor plan and elevation.

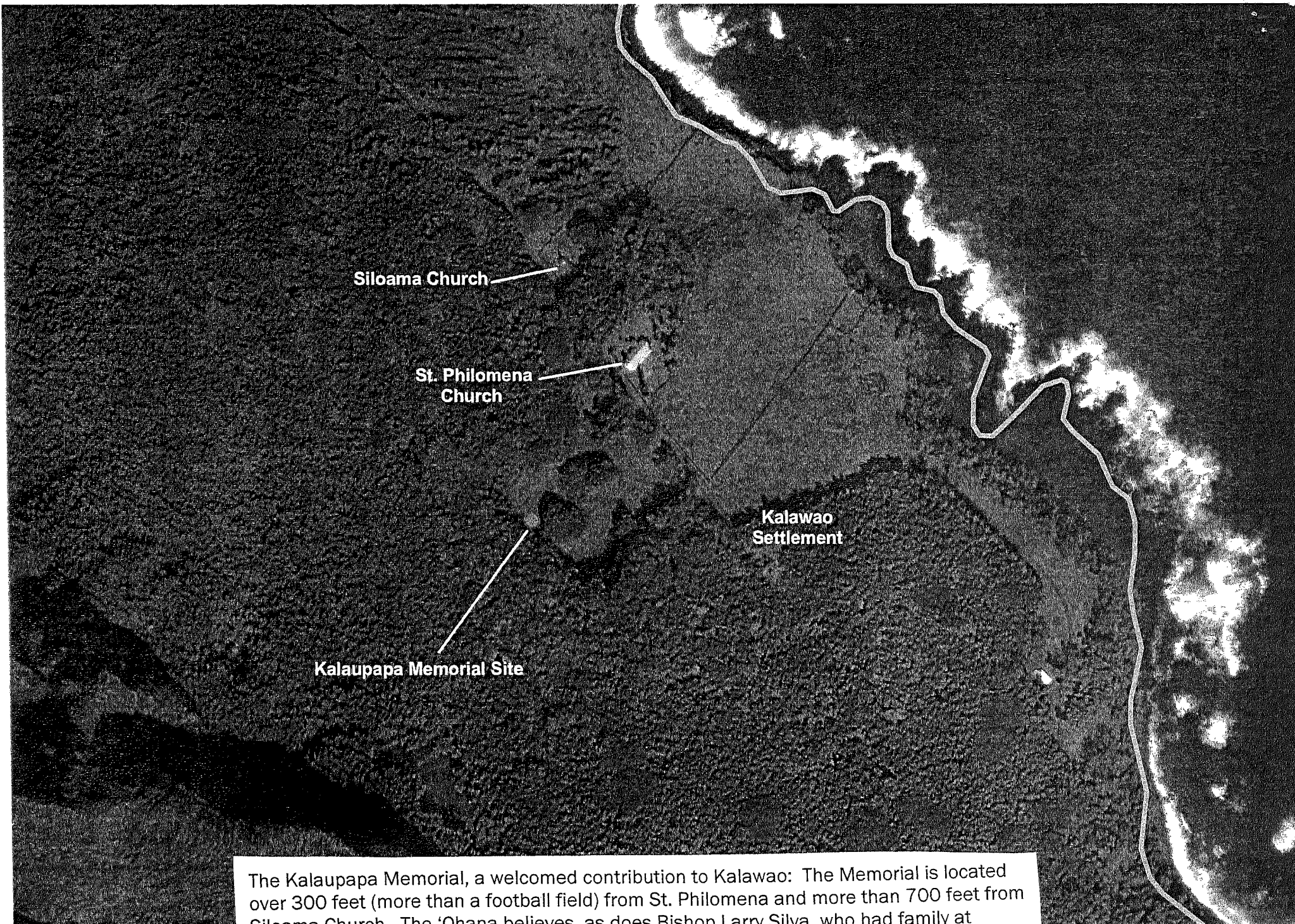
Thank you for the opportunity to comment. Should you have any questions please contact Carol Ogata at 692-8032.

Aloha,


GILBERT COLOMA-AGARAN
State Historic Preservation Officer

CO:jk

AUG 18 2001



The Kalaupapa Memorial, a welcomed contribution to Kalawao: The Memorial is located over 300 feet (more than a football field) from St. Philomena and more than 700 feet from Siloama Church. The 'Ohana believes, as does Bishop Larry Silva, who had family at Kalaupapa, that the Memorial will not have an adverse effect on the church's significance.

Appendix E.

Land Use Commission Declaratory Order



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

LAND USE COMMISSION
STATE OF HAWAII
2015 OCT 28 A 11:06

In the Matter of the Petition of	)	DOCKET NO. DR15-53
)	
KA 'OHANA O KALAUPAPA	)	ORDER GRANTING PETITION
	)	FOR DECLARATORY ORDER AND
For A Declaratory Order Under	)	PETITIONER'S REQUEST
§§ 15-15-98 <i>et seq.</i> of the Land Use	)	TO WAIVE FILING FEE
Commission Rules and Hawai'i)	
Revised Statutes § 91-8)	

ORDER GRANTING PETITION FOR DECLARATORY ORDER
AND PETITIONER'S REQUEST TO WAIVE FILING FEE

AND

CERTIFICATE OF SERVICE



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

LAND USE COMMISSION
STATE OF HAWAII
2015 OCT 28 A 11:07

In the Matter of the Petition of	)	DOCKET NO. DR15-53
)	
KA 'OHANA O KALAUPAPA	)	ORDER GRANTING PETITION
	)	FOR DECLARATORY ORDER AND
For A Declaratory Order Under	)	PETITIONER'S REQUEST
§§ 15-15-98 <i>et seq.</i> of the Land Use	)	TO WAIVE FILING FEE
Commission Rules and Hawai'i)	
Revised Statutes § 91-8)	

ORDER GRANTING PETITION FOR DECLARATORY ORDER
AND PETITIONER'S REQUEST TO WAIVE FILING FEE

On September 9, 2015, Ka 'Ohana O Kalaupapa ("Ka 'Ohana"), through its attorney Tom Pierce, Attorney at Law, LLLC, filed a Petition For Declaratory Order ("Petition"), pursuant to Section 15-15-98 *et seq.*, Hawai'i Administrative Rules ("HAR"), and Section 91-8, Hawai'i Revised Statutes ("HRS"); Exhibits 1 – 17, and Certificate of Service. Ka 'Ohana sought a declaratory ruling from the Commission declaring that the proposed Kalaupapa Memorial is a permitted use under Section 205-4.5, HRS. In addition, Ka 'Ohana requested a waiver of the Commission's filing fee as a native Hawaiian non-profit organization.

On September 16, 2015, the Commission mailed a Notice of Docket filing to all potential interested parties as identified by Petitioner.

On September 28, 2015, the State of Hawai'i Office of Planning ("OP") filed its Response to Ka 'Ohana's Petition for Declaratory Order, Exhibits A-B, and Certificate of Service.

On September 29, 2015, the Commission received public testimony from Clarence “Boogie” Kahilihiwa.

On October 8, 2015, the Commission mailed a Meeting Notice and Agenda for its meeting scheduled for October 16, 2015, in Honolulu, O`ahu, to the Parties, and the O`ahu, Maui, and Statewide mailing lists.

On October 16, 2015, the Commission received public testimony via e-mail from De Gray Vanderbilt.

On October 16, 2015, the Commission met in Honolulu, O`ahu, Hawai`i, to consider the Petition pursuant to Section 15-15-100, HAR. Tom Pierce, Esq., appeared on behalf of Ka `Ohana. The following individuals provided oral and/or written testimony: Clarence “Boogie” Kahilihiwa, De Gray Vanderbilt, and Valerie Munson.¹ The Commission also heard public testimony on the Petition from Bryan C. Yee, Esq., on behalf of OP. There were no representatives for the Department of Health or the County of Kalawao.

Mr. Pierce described that basis for Ka `Ohana requesting a wavier of the filing fee. In its discussion of the request for waiver of the filing fees, the Commission noted, among other things, the nature of Ka `Ohana as a non-profit and past waiver requests.

Thereafter, a motion was made and seconded to GRANT the Petitioner’s request to waive filing fees pursuant to Section 15-15-34(b), HAR. Following discussion by the Commission, a vote was taken on this motion. There being a vote tally of 8 ayes and 0 nays, the motion carried.

2

In its deliberations on the Petition, the Commission noted, among other things, that the proposed Kalaupapa Memorial is currently within the State Agricultural District, is an activity

¹ The Commission previously received written testimony on the Petition from Clarence “Boogie” Kahilihiwa.

² As of this date the Commission has one vacant position.

related to and would occur on property on the National Register of Historic Places, and is a permitted use under Section 205-4.5(a)(8), HRS, and under Section 15-15-25(b), HAR.

Thereafter, a motion was made and seconded to GRANT the Petition pursuant to Section 15-15-100(a)(2), HAR. Following discussion by the Commissioners, a vote was taken on this motion. There being a vote tally of 8 ayes and 0 nays, the motion carried.

ORDER

Having duly considered the Petition and the written and oral arguments presented by KA `OHANA O KALAUPAPA, the pleadings filed by OP, as well as public comments received, and a motion having been made at a meeting conducted on October 16, 2015, in Honolulu, O`ahu, Hawai`i, and the motion having received the affirmative votes required by Section 15-15-13, HAR, and there being good cause for the motion, this Commission ORDERS that the Petition be GRANTED and it is declared that under the particular facts of this case, the Kalaupapa Memorial, as presented to this Commission, is a permitted use on the property described in the Petition.

ADOPTION OF ORDER


This ORDER shall take effect upon the date this ORDER is certified by this Commission.

Done at Honolulu, Hawai'i, this 28th, day of October, 2015, per motion on
October 16, 2015.

LAND USE COMMISSION

APPROVED AS TO FORM

STATE OF HAWAI'I


Deputy Attorney General

By 
EDMUND ACZON
Chairperson and Commissioner

Filed and effective on:

10/28/15

Certified by:


DANIEL ORODENKER
Executive Officer



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

LAND USE COMMISSION
STATE OF HAWAII
2015 OCT 28 A 11:07

In the Matter of the Petition of	)	DOCKET NO. DR15-53
)	
KA `OHANA O KALAUPAPA	)	ORDER GRANTING PETITION
	)	FOR DECLARATORY ORDER AND
For A Declaratory Order Under	)	PETITIONER'S REQUEST
§§ 15-15-98 <i>et seq.</i> of the Land Use	)	TO WAIVE FILING FEE
Commission Rules and Hawai'i)	
Revised Statutes § 91-8)	
<hr/>		

CERTIFICATE OF SERVICE

I hereby certify that a ORDER GRANTING PETITION FOR DECLARATORY ORDER was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by regular or certified mail as noted:

CERTIFIED MAIL: TOM PIERCE, Esq.
PETER MARTIN, Esq.
PO Box 798
Makawao, Hawai'i 96768
Petitioner Representative

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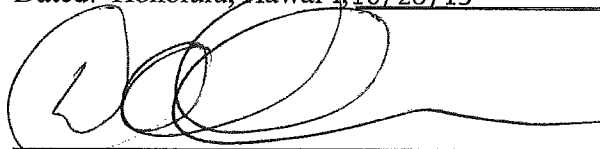
REGULAR ERIKA STEIN ESPANIOLA, Superintendent
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Dated: Honolulu, Hawai'i, 10/28/15

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a horizontal line.

DANIEL ORODENKER

Executive Officer