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Attorneys for Petitioners

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition) DOCKET NO. A15-798
of:)
) DIRECT TESTIMONY OF LISA
WAIKAPU PROPERTIES, LLC; MTP) ROTUNNO HAZUKA
LAND PARTNERS, LLC; WILLIAM S.)
FILIOS, Trustee of the William)
S. Filios Separate Property)
Trust dated APRIL 3, 2000; and)
WAIALE 905 PARTNERS, LLC,)
)
To Amend the Agricultural Land)
Use District Boundaries into)
the Rural Land Use District for)
certain lands situate at)
Waikapu, District of Wailuku,)
Island and County of Maui,)
State of Hawaii, consisting of)
92.394 acres and 57.454 acres,)
bearing Tax Map Key No. (2) 3-)
6-004:003 (por) and to Amend)
the Agricultural Land Use)
District Boundaries into the)
Urban Land Use District for)
certain lands situate at)
Waikapu, District of Wailuku,)
Island and County of Maui,)
State of Hawaii, consisting of)
236.326 acres, 53.775 acres,)
and 45.054 acres, bearing Tax)
Map Key No. (2) 3-6-002:003)
(por), (2) 3-6-004:006 and (2))
3-6-005:007 (por).)

DIRECT TESTIMONY OF LISA ROTUNNO-HAZUKA

1 I am Lisa Rotunno-Hazuka. I am an anthropologist and
2 have been working on Maui since the late 1980s. I am the owner
3 of Archaeological Services Hawaii, LLC (ASH).

4 I received a Bachelor's of Arts degree in Anthropology
5 from Texas A& M University in 1985.

6 After receiving my degree, I worked for Texas A&M
7 University doing archaeological surveys and testing. In 1989, I
8 took a position with The Bishop Museum in Honolulu. When I
9 started with Bishop Museum, I was a part of the team that
10 conducted the archaeological survey for the H3 highway
11 construction project. When that work was finished, I conducted
12 archaeological surveys for Bishop Museum on Maui. Some of the
13 projects on which I worked were the Makena and Wailea golf
14 course projects. I have been living and working on Maui in the
15 field of archeology since 1990.

16 I served on the Maui Cultural Resources Commission for
17 two terms, the most recent of which ended in about 2008.

18 I provided testimony on archaeological matters more
19 than five times to agencies.

20 In 1991, Jeffrey Pantaleo and I formed ASH. Over the
21 past 26 years, ASH has conducted over 100 archaeological
22 surveys, prepared numerous archaeological monitoring plans for
23 projects throughout Maui, and provided consulting services in

1 the field of archaeology to private and public individuals,
2 companies and groups.

3 ASH maintains an active license to provide
4 archaeological services that is issued by the Department of Land
5 and Natural Resources of the State of Hawaii. This requires ASH
6 to have an archaeologist who is the principal investigator of
7 any archaeological project.

8 The qualifications to act as a principal investigator
9 include a graduate degree from an accredited institution in
10 archeology or anthropology, at least one year of cumulative
11 archaeological experience in Hawaii or the Pacific, at least
12 four months of supervised archaeological field and analytic
13 experience in Hawaii, at least one year of archaeological
14 research, administration or management at a supervisory level
15 with at least four months of field experience, a demonstrated
16 ability to carry research to completion and a demonstrated
17 knowledge of historic preservation laws, rules and guidelines.

18 ASH's principal investigator is Jeffrey Pantaleo who has a
19 Master's Degree in Anthropology from San Diego State University.

20 In late 2012, ASH was hired to provide archaeological
21 consulting services for a project called Waikapu Country Town.
22 The objective of the work was to determine the presence/absence

1 of archaeological features or deposits on the surface and in the
2 sub-surface of the area in which the Project would be developed,
3 and, if present, to evaluate the significance of any
4 archaeological features or deposits that were found, and if
5 significant, to provide guidance on the preservation of such
6 features or deposits.

7 In performing the work, ASH first conducted a
8 historical background investigation. This involved reviewing
9 materials within ASH's library as well as reviewing materials
10 held by other sources such as the Bishop Museum and the State
11 Historical Preservation Division of the Department of Land and
12 Natural Resources (SHPD), and Wailuku Agribusiness, the former
13 owner of the land. Research involving maps, land commission
14 awards, historical reference works, land grants and previous
15 archaeological reports in the area of the Project was conducted.
16 The purpose of this review was to gain an understanding on the
17 historical uses of the area of the Project so that ASH could
18 plan a field investigation that would provide the best
19 opportunity to find historical structures, features and
20 artifacts.

21 Since the land that ASH investigated was located in
22 several different TMKs, ASH divided the survey area into five

1 sections.

2 Following the sectioning of the Project area, ASH
3 conducted a systematic walking survey of the property to
4 determine the presence or absence of surface sites and to
5 identify areas that would be appropriate for further testing and
6 evaluation. Based on the review of the background materials,
7 the acreage to be developed and the results of the pedestrian
8 survey, locations were identified for the excavation of
9 subsurface trenches to determine the presence/absence of
10 subsurface cultural materials and/or structural remains.

11 With regard to this project, a number of Land
12 Commission Awards were identified and it was determined that
13 trenching should occur in those areas to search for existing
14 structures or artifacts. Simply put, more trenches would be
15 placed in areas in which habitation and/or agricultural
16 activities were suggested due to the existence of Land
17 Commission Awards or the observation of possible historical
18 sites based on the pedestrian survey.

19 Although the area had been in cultivation for sugar
20 cane and pineapple for a number of decades, experience has shown
21 that those agricultural activities will disturb features and
22 artifacts to a depth of 1 ½ to 2 ½ feet. However, features and

1 artifacts located more than 2 ½ feet below the surface may
2 remain undisturbed by the farming activities. Accordingly, to
3 determine whether some historical features or artifacts may
4 exist even in areas that were heavily farmed, trenches were
5 placed in a pattern that would provide coverage of the entire
6 project area to be developed.

7 Trenching involved the use of a backhoe in which a
8 scraping of six to eight inches is made and the materials
9 removed and inspected. The trenches were excavated to a depth
10 of about 5.0 feet unless subsurface features were encountered or
11 bedrock was reached. In the event that intact subsurface
12 archaeological features or deposits were observed during the
13 excavations, trenching was halted and hand excavation was
14 implemented. After trench excavations were completed, the
15 trench walls were examined and observations made during the
16 trenching were recorded.

17 After the field work is completed a report is
18 prepared.

19 A copy of the ASH report that was prepared in 2013 is
20 attached as Appendix E to Exhibit "25."

21 Although ASH and Petitioners sought SHPD comments to
22 the Archaeological Inventory Survey dated September 2013, no

1 comments were received until August, 2017. Based on comments
2 received from SHPD, ASH prepared a revised report dated
3 September 2017. A copy of the ASH Revised Archaeological
4 Inventory Survey is Exhibit "32." The report is substantially
5 the same as the earlier report with the following difference.
6 At the time of the 2013 report, it was not clear if sites that
7 were found to exist would be preserved. SHPD requested
8 additional information about the preservation of the sites,
9 together with clarification on the methodology used to determine
10 trenching locations. The Revised Report provided the
11 information requested by SHPD and the Revised Report was
12 approved by SHPD in September, 2017. A copy of the SHPD
13 approval letter is Exhibit "33."

14 The conclusion of the report was that the proposed use
15 of the land with the implementation of an archaeological
16 monitoring plan and an archaeological preservation plan would
17 not have an impact on the historical sites within the Petition
18 Area that were identified by the Archaeological Inventory
19 Survey.

20 I would like to review some notable items in the
21 report with you.

22 First, four historic sites that had not been

1 identified by previous studies were found. These sites, which
2 were given SHPD designations 50-50-04-7881 through 7884. Site
3 7881 had 19 subcomponent features. The features were principally
4 related to sugarcane cultivation and consisted of plantation era
5 water diversion and transportation features such as concrete
6 lined irrigation ditches, sluice gates and dirt culverts with
7 concrete lined headwalls.

8 Site 7882 is a disturbed, historic L-shaped retaining
9 wall. The rock retaining wall supported a soil terrace,
10 indicative of historic farming practices and which may or will
11 yield information pertaining to the history of the area. The
12 site is located at the edge of the Petition Area and the
13 Petitioners have indicated that the site is not within the area
14 that will be developed by the Project.

15 Site 7883 is a World War II aerial observation bunker.
16 Constructed in the 1940s, the bunker is associated with events
17 that contributed to broad patterns of history and may represent
18 a distinct type of construction. Petitioners have indicated
19 that the bunker will be preserved in place.

20 Finally, Site 7884, which has three marginal
21 subcomponent features, are scatters of secondarily deposited
22 materials such as broken glass fragments, ceramic plate shards,

1 porcelain bowl sherds, a fragment of a comb and a bottle glass
2 base fragment. These items may or will yield information
3 pertaining to the history of the area.

4 The second item I would like to review is the number
5 of trenches that were excavated. One hundred fifty trenches
6 were placed throughout the project which was about 500 acres.
7 The trenches were primarily negative for cultural remains.

8 Although the majority of the project area has
9 undergone compounded surficial disturbances from commercial and
10 small scale agricultural, the area was intensively settled from
11 the pre-Contact period through the historic era. The goal of the
12 backhoe trenching was to test a representative sample of the
13 project area with a focus on areas that contain Land Commission
14 Awards and Grants.

15 ASH divided the project area into five sections. In
16 the first section that was located in the northwest portion of
17 the project area, a total of 15 trenches were excavated. This
18 area was the subject of a 2007 archaeological study conducted by
19 Scientific Consultant Services which excavated 31 trenches in
20 the area and found no surface historic features or structures
21 and no buried cultural remains. In order to complete the
22 coverage of the first section, the trenches excavated by ASH

1 were located outside the area of the previous archaeological
2 study and within the proposed development area. Except for a
3 single bottle glass fragment, no buried cultural remains were
4 identified in this section.

5 In the second section of the project area, a total of
6 forty-two trenches were excavated with twenty-seven trenches
7 located *mauka* (west) of Waihe`e Ditch (Site 5197) and fifteen
8 trenches excavated *makai* (east) of the ditch. No buried
9 cultural remains were identified in any of the forty-two
10 trenches.

11 A total of twenty-six trenches were excavated in the
12 third section of the project area. The trenches were negative
13 for buried intact cultural remains.

14 In the fourth section of the project area, which
15 included the Maui Tropical Plantation, a total of twenty-five
16 trenches were dug. With the exception of one trench, no buried
17 cultural remains were found. The exception was a trench in
18 which buried historic refuse (Site 7884) consisting of glass
19 fragments from a beverage bottle and a few pieces of ceramics and
20 metal in association with charcoal were found.

21 In the last section of the project area, a total of
22 forty-two trenches were excavated. No cultural materials were

1 recovered and the testing noted several areas containing alluvial
2 deposits (water affected) likely from the meandering Waikapu
3 Stream.

4 Finally, I would like to address mitigation measures
5 to be undertaken in connection with the archaeological features
6 and items found in ASH's study. Based on the proposed
7 development plan, the historic scatters will be adversely
8 affected during development. These historic properties have
9 been adequately documented and require no further work beyond
10 construction monitoring.

11 Archaeological monitoring will be performed initially
12 full-time for all proposed development areas until the nature of
13 the subsurface conditions are assessed. After the assessment is
14 complete, monitoring procedures may be adjusted; however, no
15 changes to the scope of the monitoring procedures may be
16 implemented without the prior consultation with and the approval
17 of SHPD. Prior to the commencement of construction, an
18 Archaeological Monitoring Plan (AMP) detailing the localities to
19 undergo monitoring procedures will be prepared and submitted to
20 SHPD for review and approval.

21 To summarize, ASH's Archaeological Inventory Survey
22 found limited archaeological structures and deposits and we do

1 not believe that development of the Project will have an impact
2 on significant historic sites in the State of Hawaii if the fou:
3 sites found in our Survey are preserved as recommended in our
4 report.

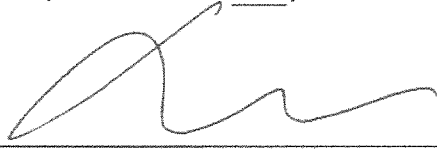
5 I thank you for the opportunity to address you.

6 DATED: Wailuku, Hawaii, October 30, 2017.

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LISA ROTUNNO-HAZUKA