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July 30, 2018

Michael Yee, Planning Director
County of Hawaii
Department of Planning
Pauahi Street, Suite 3
Hilo, HI 96720

IN REPLY REFER TO:
Log No. 2018.00878
Doc. No. 1807SN01
Archaeology

Dear Mr. Yee:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
County of Hawaii Change of Zone Application REZ 470, Ord. No. 02-131, RM-5 Zoned Land
Request to Amend for Time Extension - Kona Three LLC
Hōlualoa 1st Ahupua‘a, North Kona District, Island of Hawai‘i
TMK: (3) 7-6-021:016 and 017**

This letter provides the State Historic Preservation Division's (SHPD's) review of a request to amend Rezone Ordinance No. 02-131 pertaining to the 68.8-acre subject property. The submittal included an HRS 6E Submittal Form; a Change of Zone Application; a SHPD letter dated March 12, 1984 [Exhibit 14], regarding a SHPD site visit in 1984, which included recommendations for several archaeological sites identified as containing human remains; and an archaeological survey [Exhibit 15] titled *Archaeological Survey, Testing and Excavation of a 174 Acre Parcel, Hōlualoa, North Kona, Hawaii* (Hammatt et al., July 1984). SHPD received the subject submittal requesting the amendment on April 10, 2018.

SHPD has also received the following supporting documents pertaining to the subject request to amend Ordinance 02-131:

- (1) A revised archaeological inventory survey (AIS) report for a 5-acre portion of the subject parcels titled *Archaeological Inventory Survey Report for 5.0 Acres located in Hōlualoa 1st Ahupua‘a, North Kona District, Hawaii Island, Hawaii [TMK: (3) 7-6-021:017 por.]* (Escott and Escott, May 2018). SHPD received this report on May 10, 2018, and accepted the report on May 31, 2018 (Log No. 2018.01123, Doc. No. 1805SN05); and
- (2) A field inspection/assessment report titled *Archaeological Sites Inspection Letter Report for 20 Previously Recorded Archaeological Sites Located on 66.039 Acres of Land in Hōlualoa 1st Ahupua‘a, Kailua-Kona, North Kona District, Hawai‘i Island [Portions of TMK: (3) 7-6-021:016 and 017]* (Escott, August 17, 2016). SHPD received this letter report via email, from the applicant, on July 16, 2018; it is included here as part of Log No. 2018.00878. This submittal includes as an Enclosure, a letter to SHPD dated February 8, 1993 regarding reburial site selection for several burials identified within the Hammatt et al. survey area (Gregg Kashiwa [Project Planners Hawaii] to Edward Halealoha Ayau, Esq. [SHPD]).

The submittal indicates that the application pertains to portions of TMK: (3) 7-6-021:016 (40.138 acres) and TMK: (3) 7-6-021:017 (30.901 acres). The applicant is Kona Three LLC and the agent is Richard Wheelock. The change in zoning is to allow for future multi-family residential development of the property. The Hammatt et al. (1984) report indicates a reconnaissance survey with some subsurface testing of a 174-acre parcel owned at the time by Gamlon Corporation. SHPD correspondence indicates that our division reviewed several drafts of the Hammatt et al. report

(e.g., August 25, 1992, Log No. 6174, Doc. No. 3524c; and October 5, 1992, Log No. 6482, Doc. No. 3542c). The most recent correspondence (October 5, 1992) indicates that the revised survey report is still not acceptable and, in order to “satisfy the LUC condition based on our department’s comments, this survey was to locate all major sites, plane table map them, describe them in greater detail than in an earlier reconnaissance survey report [Hammatt et al. 1984], test excavate (with 1-2 small trenches) all sites likely to contain occupation remains, disinter and conduct osteological analyses of burials, and excavate more thoroughly stratified sites and caves (particularly sites 10, 102, 104, and 104).…”

The Hammatt et al. (December 1992) draft report indicates the survey involved 174 acres, which included all but a 5-acre portion of the current project area; the Escott and Escott (2018) AIS addressed this 5-acre portion. The Hammatt et al. (1992) survey identified 71 archaeological sites (Sites 10003 through 10076; full site numbers not provided). Of the 71 sites, 34 were subjected to testing. The sites included habitation, agricultural, ranching and, based on testing, three sites were confirmed to include human burials. Site maps and photographs were not provided for all sites.

No correspondence was located during the preparation of this letter indicating that the 71 archaeological sites were assessed for significance, that any recommendations were made regarding which sites were adequately documented, requiring no further work, and which retained potential for further documentation through mitigation including archaeological monitoring or preservation.

As a result, the County of Hawaii, in consultation with the landowner/project proponent, requested additional information be obtained about the archaeological sites recorded by Hammatt et al. within the 68.8-acre area comprising the current Change of Zone/proposed development project area. In support of this request for additional information, the landowner/project proponent contracted Scientific Consultant Services, Inc. (SCS) to conduct a field inspection to relocate the archaeological sites identified by Hammatt et al. within the boundaries of the current project area [within TMK: (3) 7-6-021:016 and 017] and, if relocated, to record their location using a hand-held GPS unit, to assess their current condition, and the “correctness” and adequacy of the Hammatt et al. descriptions, specifically in terms of site dimensions, construction method, form (type), function, and age. This field inspection did not include completing new documentation in the form of drawing site maps or taking photographs of sites for which such documentation was not recorded by Hammatt et al. (1992), although such documentation is required to minimum AIS standards as defined in HAR §13-276.

The Escott (2016) site inspection letter report indicates the following findings:

- (1) Project area has been impacted by bulldozing activity.
- (2) Relocated 20 previously-recorded archaeological sites and identified 2 modern agricultural areas (Sites 10011-10013, 10015, 10017-10020, 10033-10034, 10049, 10067-10075). Full site numbers not provided;
- (3) An additional site (Site 111) was identified to be within the Escott (2018) 5-acre AIS project area and thus was not documented as part of site inspection.
- (4) Of the 20 sites, 7 sites were recorded by Hammatt et al. in tabular form only (Sites 10015, 10017, 10018, 10020, 10033, 10034, and 10049). They were not mapped or photographed during the site inspection as they were identified as being related to historic agricultural or modern clearing activities.
- (5) Of the 20 sites, 13 were described by Hammatt et al. Of these 10 also were subject to excavation. Plan view maps were recorded for only 4.
- (6) Table 2 summarizes by site feature type, function, age, excavation status, level of recording, and 2016 site assessment. Escott indicates assessments were adequate.

The Escott and Escott (2018) AIS was completed for the 5-acre portion of TMK: (3) 7-6-021:017 within the current project area which was not within the boundaries of the Hammatt et al. survey. It was conducted in support of a County of Hawaii permit application yet to be submitted for proposed development of the property. The AIS identified 22 historic properties (Sites 50-10-37-30591 through 50-10-37-30612). The historic properties include a lava tube containing a human burial (Site 30593), a bed and berm of a historic railroad line (Site 30592), as well as historic ranching or agricultural rock walls, terraces, other agricultural features, a plantation and enclosure, and a refuses dump. Historic period features dominate the landscape, with a smaller number assessed as pre-Contact to historic in age. Each of the 22 historic properties was assessed as significant pursuant to HAR 13-284-6, Criterion d (has yielded or has potential to yield information important in prehistory or history). Of these, 20 were assessed as

having been adequately documented (Sites 30591, and 30594 through 30612). Site 30592 (railroad remnant) was assessed as significant under Criteria a (events or broad pattern of history), c (characteristics of a type, period, or method of construction), and d (information). Site 30593 was assessed as significant under Criteria d (information) and e (important value to native Hawaiians or another ethnic group). Sites 30592 and 30593 were recommended for preservation.

As stipulated in HAR §13-284-7, when SHPD comments that a project will result in “effect, with agreed-upon mitigation commitments”, then detailed mitigation plans shall be developed for SHPD review and acceptance prior to project initiation. The agreed upon mitigation commitments are burial treatment plan for Site 30593, a preservation plan for Site 30592, and an archaeological monitoring plan for archaeological monitoring of ground disturbing activities in proximity to Site 30592 and the entrance of the Site 30593 lava tube containing human remains.

Based on available information, **SHPD has no objection to the requested amendment** to amend Rezone Ordinance No. 02-131 pertaining to the 68.8-acre subject property.

However, **SHPD stipulates** that the following be completed prior to issuance of any permits involving ground disturbing activities for the subject project:

- (1) Burial Treatment Plan (BTP) for Site 30593;
- (2) Preservation Plan (PP) for Site 30592;
- (3) Archaeological Monitoring Plan (AMP) for portion of 5-acre AIS project area in proximity to Sites 30592 and 30593;
- (4) Verification of installation of interim protection measures around Sites 30592 and 30593; and
- (5) Completion of an AIS for the 63.8-acre portion of the project area within the boundaries of the Hammatt et al. (1992) survey. Our records indicate that the Hammatt et al. (1992) survey report was never revised and accepted and does not meet current HAR §13-276 standards for archaeological inventory surveys. The AIS needs to include a 100% pedestrian survey, identification and update documentation of all archaeological historic properties present, an assessment of their integrity and site significance pursuant to HAR 13-284-6, criteria a-e, as well as site plans for each site, including site boundaries and areas impacted by bulldozing, and photographs of all sites and features. SHPD requests the selected archaeological firm consult with SHPD prior to initiation of the AIS regarding proposed documentation strategy.

SHPD shall notify the County when the above stipulations have been met.

Please contact Susan A. Lebo, Archaeology Branch Chief, at (808) 692-8019 or at Susan.A.Lebo@hawaii.gov for any questions or concerns regarding this letter.

Aloha,

Alan Downer

Alan S. Downer, PhD
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