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LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

April 17, 2019

Dr. Alan S. Downer, SHPD Administrator
DLNR—State Historic Preservation Division
Kākuhihewa Bldg., Suite 555
601 Kamōkila Boulevard
Kapolei, Hawai'i 96707

Subject: Docket No. A17-803/Keālia Properties, LLC
Keālia Mauka Homesites, Keālia Ahupua`a, Kawaihau District, Kaua`i
Tax Map Key: (4) 4-7-004: por. 001
*DRAFT Archaeological Inventory Survey Report for the Proposed Keālia
Mauka Homesites and Associated Sewer Line Project, Keālia and Kapa`a
Ahupua`a, Kawaihau District, Kaua`i, TMKs: [4] 4-6-014 por. Kūhiō
Highway and Mailihuna Road Right-of-Ways; 4-7-003:002 por. Keālia Road
and Kūhiō Highway Right-of-Ways; 4-7-004:001 por. (Kamai et al. 2019)
submitted for HRS 6E-8 review*

Dear Dr. Downer:

The State of Hawai'i Land Use Commission ("LUC") respectfully submits the above-referenced AIS report for State Historic Preservation Division ("SHPD") review and acceptance.

Project Background

On October 16, 2017, Keālia Properties, LLC ("Petitioner") filed a Petition for Land Use District Boundary Amendment ("Petition") to reclassify approximately 53.4 acres of land ("Petition Area") from the State Land Use Agricultural District to the State Land Use Urban District at Keālia Ahupua`a, Kawaihau District, Kaua`i. Petitioner is proposing to develop the Keālia Mauka Homesites, a 235-lot residential subdivision within the Petition Area.

In addition to construction of the subdivision, Petitioner proposes "off-site" infrastructure improvements to support the project. These off-site

improvements include widening and installation of sidewalk on Keālia Road; construction of a roundabout at the Keālia Road-Kūhiō Highway intersection; and the installation of a sewer main extension along Keālia Road and Kūhiō Highway. These improvements will be constructed outside of the Petition Area and are proposed within the roadway rights-of-way. The off-site improvement areas are not part of the Petition Area.

Prior LUC Correspondence with SHPD

On February 27, 2018, the LUC sent a letter to SHPD transmitting a Draft Archaeological Literature Review and Field Inspection Report that had been prepared for the project (Kamai and Hammatt 2017). In its letter, the LUC requested SHPD confirmation that the 53.4-acre Petition Area had been reasonably addressed in a prior AIS (Drennon et al. 2006), and that the requirements of Hawaii Revised Statutes Section 6E had been met.

In April 2018, a Draft Environmental Impact Statement ("DEIS") for the Keālia Mauka Homesites project was published in support of the Petition. At the time the DEIS was published, no response to the February 27, 2018, letter had been received from SHPD. The DEIS noted that a response from SHPD was still pending.

On May 29, 2018, after SHPD Archaeology Branch Chief Dr. Susan Lebo's review of the Petition Area, the LUC received a letter (Log No. 2018.00602; Doc No. 1805GC09) that provided the SHPD's, "... comments regarding (1) a *Petition for Land Use District Boundary amendment to reclassify approximately 53.361 acres of land* from agricultural district to urban district to support development of the Keālia Mauka Homesites, and (2) *confirmation that the proposed 53.361-acre Petition Area has been reasonably addressed in the prior AIS (Drennan et al. 2006), and that the requirements of Hawai'i Revised Statutes Section 6E have been met.*" SHPD's comments were as follows:

(1) **SHPD has no objection to the *Petition for Land Use District Boundary Amendment* to reclassify approximately 53.361 acres of land from agricultural district to urban district.**

(2) **SHPD requests** an AIS with a subsurface testing component be completed for the current 53.61-acre project area prior to permit issuance. (Log No. 2018.00602; Doc No. 1805GC09, Page 2)

SHPD also requested that the project proponent and archaeological firm consult with its office regarding an appropriate testing strategy prior to initiation of the AIS (Log No. 2018.00602; Doc No. 1805GC09, page 2). Meetings were conducted between SHPD, the project proponent, and the archaeological firm on September 26, 2018, and October 2, 2018, at SHPD's Kapolei office.

Preparation of Draft AIS

Following these meetings, AIS field work was conducted and the enclosed Draft AIS report was prepared. In addition to further recording of the features of SIHP #-07013 (Kumukumu Camp) in the Petition Area, the AIS expanded its survey area to include off-site project areas. Specifically, a pedestrian survey was conducted along the corridor of the proposed sewer line, running along Keālia Road from the Petition Area to Kūhiō Highway, and along the mauka side of Kūhiō Highway to the vicinity of the Kaiakea Fire Station. This was an area encompassing approximately 21.3 acres (in addition to the 53.4-acre Petition Area). Previously identified historic properties in the vicinity of the off-site areas were also reviewed and addressed in the report.

The attached *DRAFT Archaeological Inventory Survey Report for the Proposed Keālia Mauka Homesites and Associated Sewer Line Project, Keālia and Kapa`a Ahupua`a, Kawaihau District, Kaua`i, TMKs: [4] 4-6-014 por. Kūhiō Highway and Mailihuna Road Right-of-Ways; 4-7-003:002 por. Keālia Road and Kūhiō Highway Right-of-Ways; 4-7-004:001 por.* (Kamai et al. 2019) is submitted for SHPD review.

Request for SHPD Review, AIS Acceptance and Concurrence with Determination

The LUC hereby transmits the Draft AIS referenced above for SHPD review and acceptance. We are also requesting SHPD concurrence with the project's effect on historic properties with a determination of "effect, with agreed upon mitigation commitments," pursuant to HRS Chapter 6E-42 and HAR 13-284-7. Mitigation will include an archaeological monitoring plan to be submitted to SHPD for review/acceptance prior to any site work and construction.

Attached are the link to the Draft AIS as well as the PDF files of the HRS 6E Submittal Filing Fee Form and SHPD letter requesting the AIS. The HRS 6E Submittal Form was previously submitted to your office with the LRFI for

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the project. We understand that the archaeological consultant will be hand delivering the HRS 6E Submittal Filing Fee form and check to cover the filing fee once the consultant receives the log number. These materials are additional submittals associated with existing Log No. 2018.000722.

The project's point of contact at the LUC is:

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Please send copies of all correspondence to Petitioner's representative:

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If you have any questions or comments, please feel free to call our office at 587-3822.

Sincerely,

A handwritten signature in dark ink, consisting of several loops and a long horizontal stroke extending to the right.

Daniel E. Orodenker
Executive Officer

Att.