



BURIAL TREATMENT PLAN FOR KALOKO HEIGHTS

Kohanaiki and Kaloko Ahupua'a

TMK: 3-7-3-009:32

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INTRODUCTION

Kaloko Height Associates, LLC proposes to develop approximately 213 acres into residential and light commercial occupancy in portions of the *ahupua'a* of Kohanaiki and Kaloko (Figure 1) in TMK: 3-7-3-09:32 (Figure 2), North Kona, island of Hawai'i. The project area is an irregular polygon defined by Hina Lani Street on the south, an irregular line at the *makai* end of residential development on the east, the boundary between the *ahupua'a* of Kohanaiki and 'O'oma on the north, and a line perpendicular to the northern boundary at roughly the 720 foot elevation on the west.

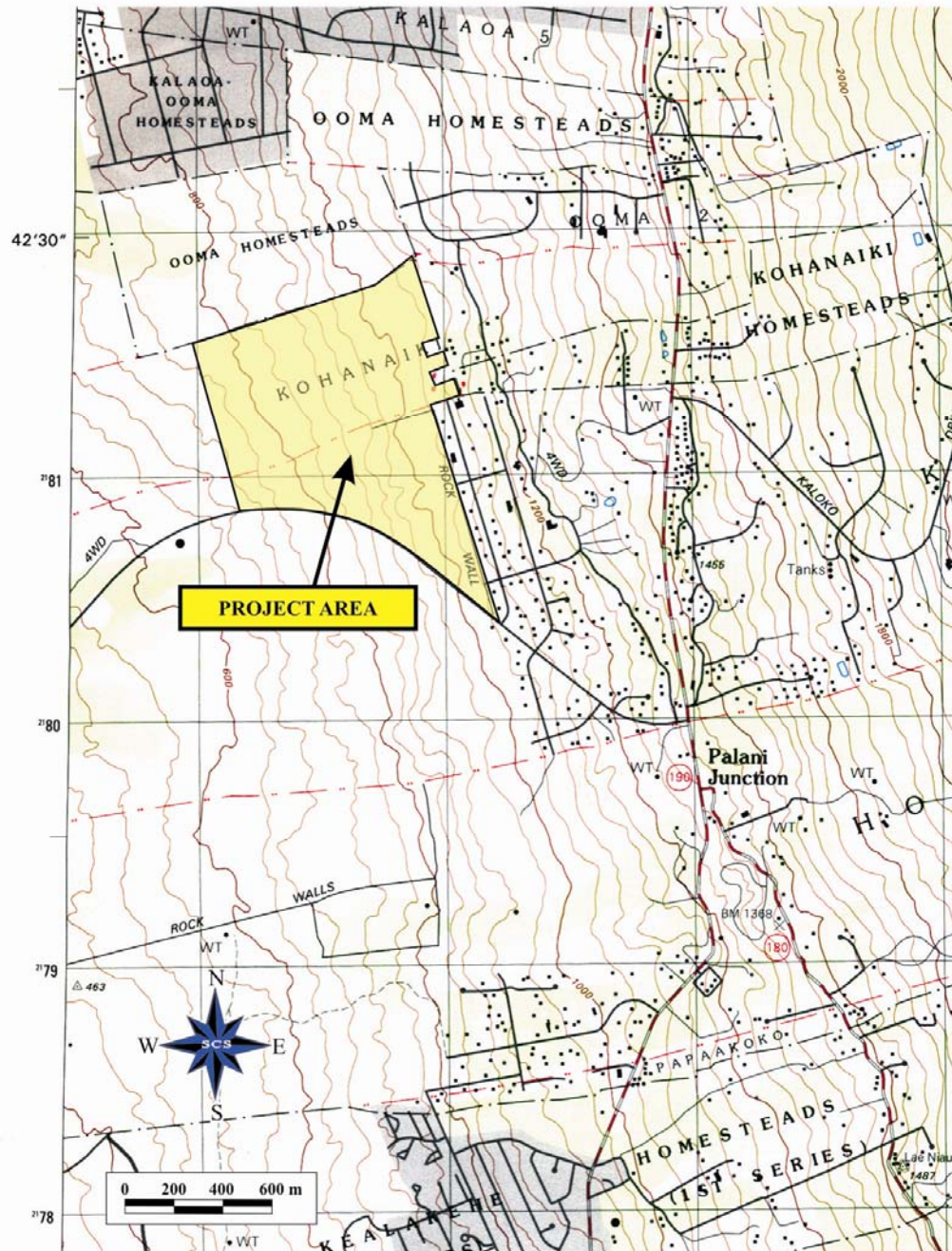


Figure 1. Project Location.

Scientific Consultant Services, Inc. (SCS) conducted archaeological inventory survey on this property, hereafter referred to as the Kaloko Heights project, to identify and evaluate historical properties pursuant to state cultural resource management regulations (HAR § 275 and 276). The Inventory Survey report was submitted to the State Historic Preservation Division (SHPD) on January 20, 2005. SHPD responded with comments in a letter dated July 13, 2005 (SHPD Log No. 2005.1457). A revised Inventory Survey was submitted to SHPD on October 13, 2005 (Wolforth *et al.* 2005). SHPD responded to that second submittal with a letter dated October 24, 2005 (SHPD Log No. 2005.2296) concurring with the results and recommendations for the project area.

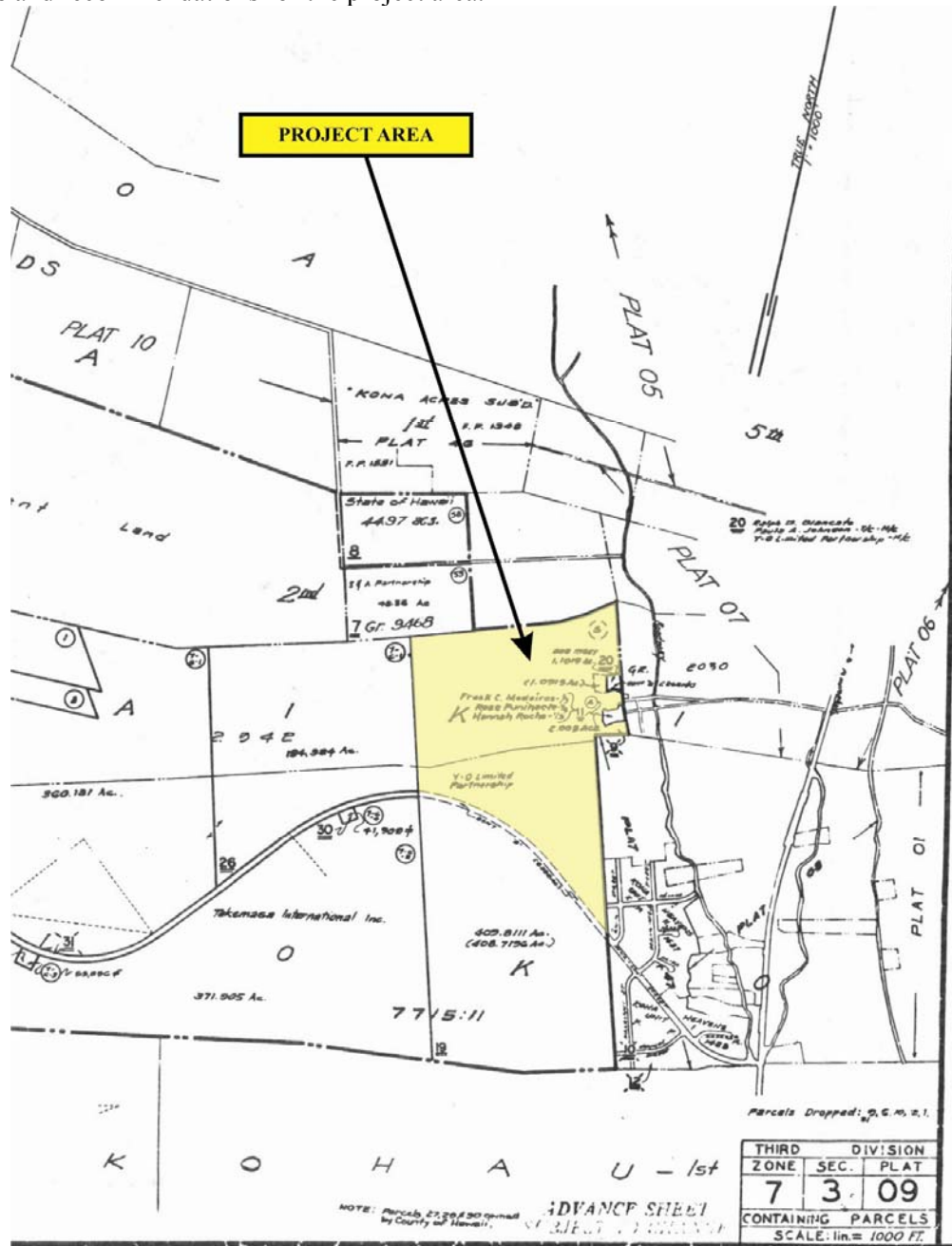


Figure 2. TMK.

GENERAL OVERVIEW OF RESULTS OF THE INVENTORY SURVEY

The inventory survey determined that approximately half of the project area has been bulldozed. The bulldozed portion is within Kaloko, and is south of the wall that marks the boundary between Kaloko and Kohanaiki. The Kohanaiki side has not been bulldozed. There are many prehistoric archaeological resources in Kohanaiki (Figure 3). Most are agricultural features. There are also habitation features, trails, *heiau*, caves for water collection, and burials. Although the Kaloko side has been bulldozed, there are a few resources that remain. There are also sites from the historical era (1800s and 1900s) in the project area, most prominently represented by the Kohanaiki Homesteads.

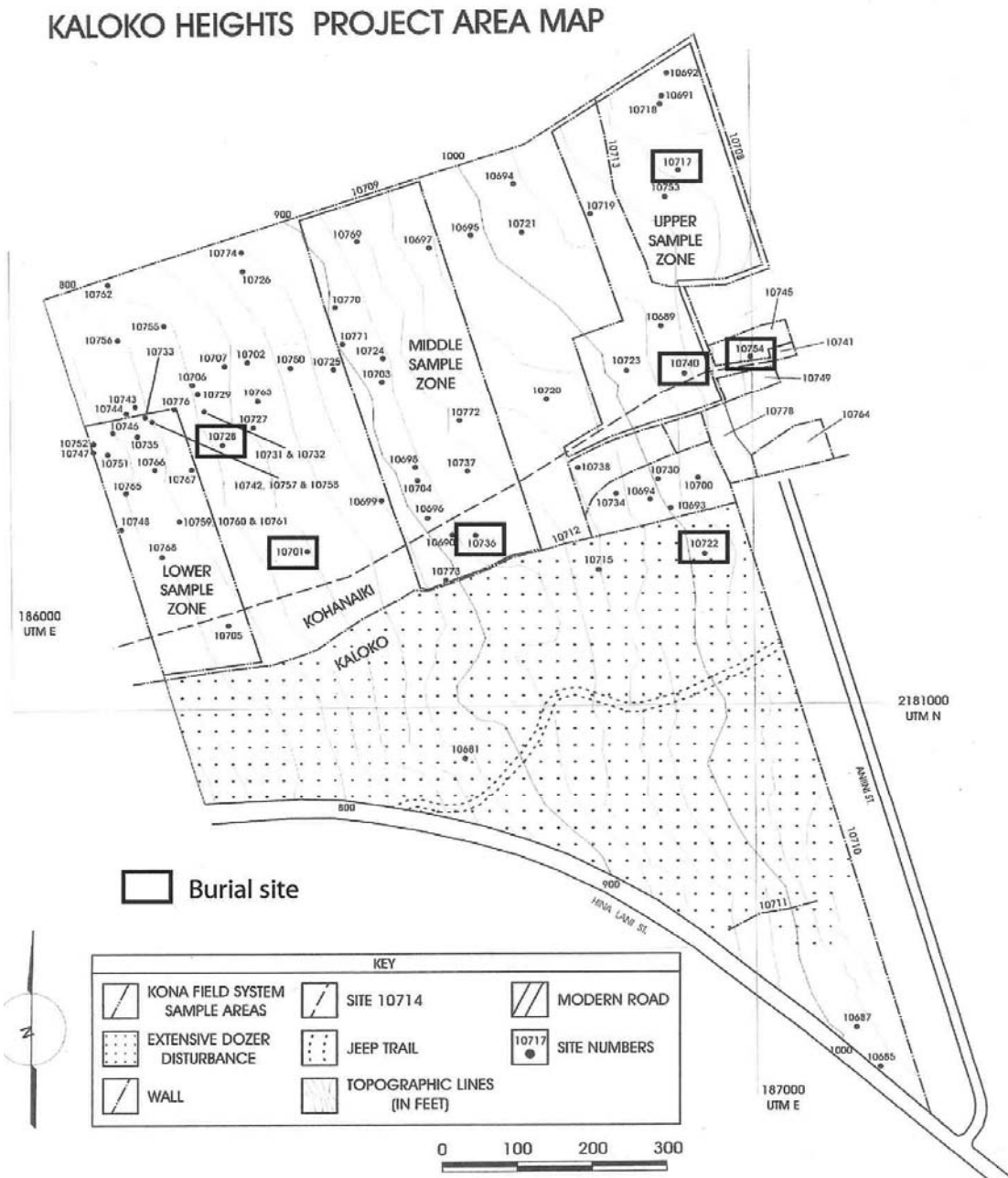


Figure 3. Archaeology Sites in the Project Area.

Kohanaiki Homesteads

4). In The Kohanaiki Homesteads is a small historical village that is partially within project area (Figure 4). In

Kohanaiki was a set of about 16 stone house enclosures and a protestant church, collectively called the Konanaiki Homesteads.... The church seems to be the one built in the 1879s (previous section). Interestingly, none of these enclosures or the homesteads are mentioned in the Mahele records or the grant (Gr. 2030), suggesting a post-1854 age [Cordy et al. 1991:418].

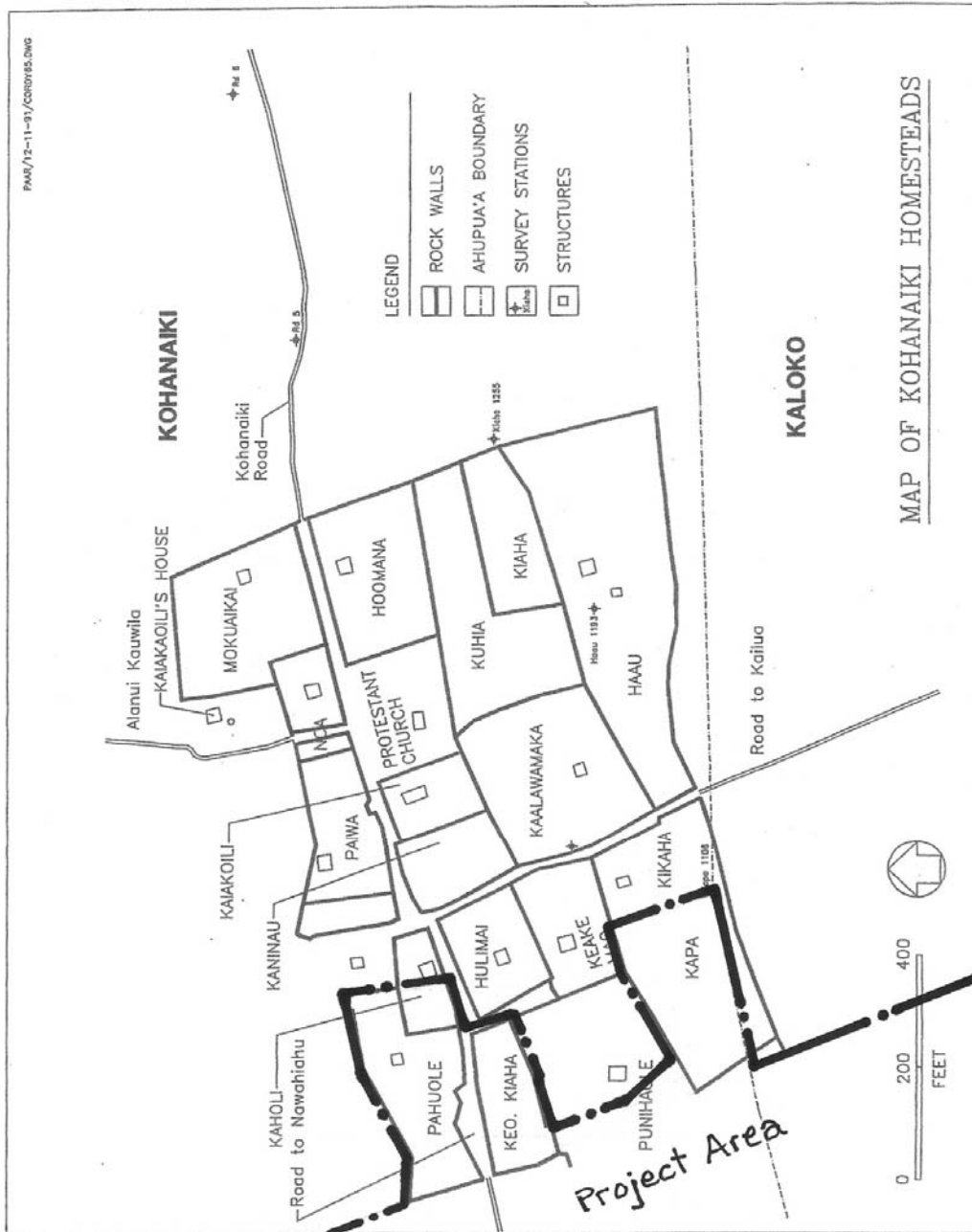


Figure 105. Map of the Kohanaiki Homesteads. (Adapted from Emerson 1888e).

Figure 4. Kohanaiki Homesteads (Adapted from Cordy et al. 1991 adaptation of Emerson 1888).

The formal designation of the Kohanaiki Homesteads is a relatively late affair. They are not mentioned in the Mahele, suggesting that they postdate the mid-1800s, and an investigation into the Surveys Division of the State of Hawai'i's Department of General Services indicates that the lots were purchased between 1895 and 1898 (Cordy *et al.* 1991:419). Only six homesteads are noted on a 1924 map (Figure 5), but, based on the limitations of USGS mapping, that should not be considered as an absolute indication of the number of houses or homesteads in operation.

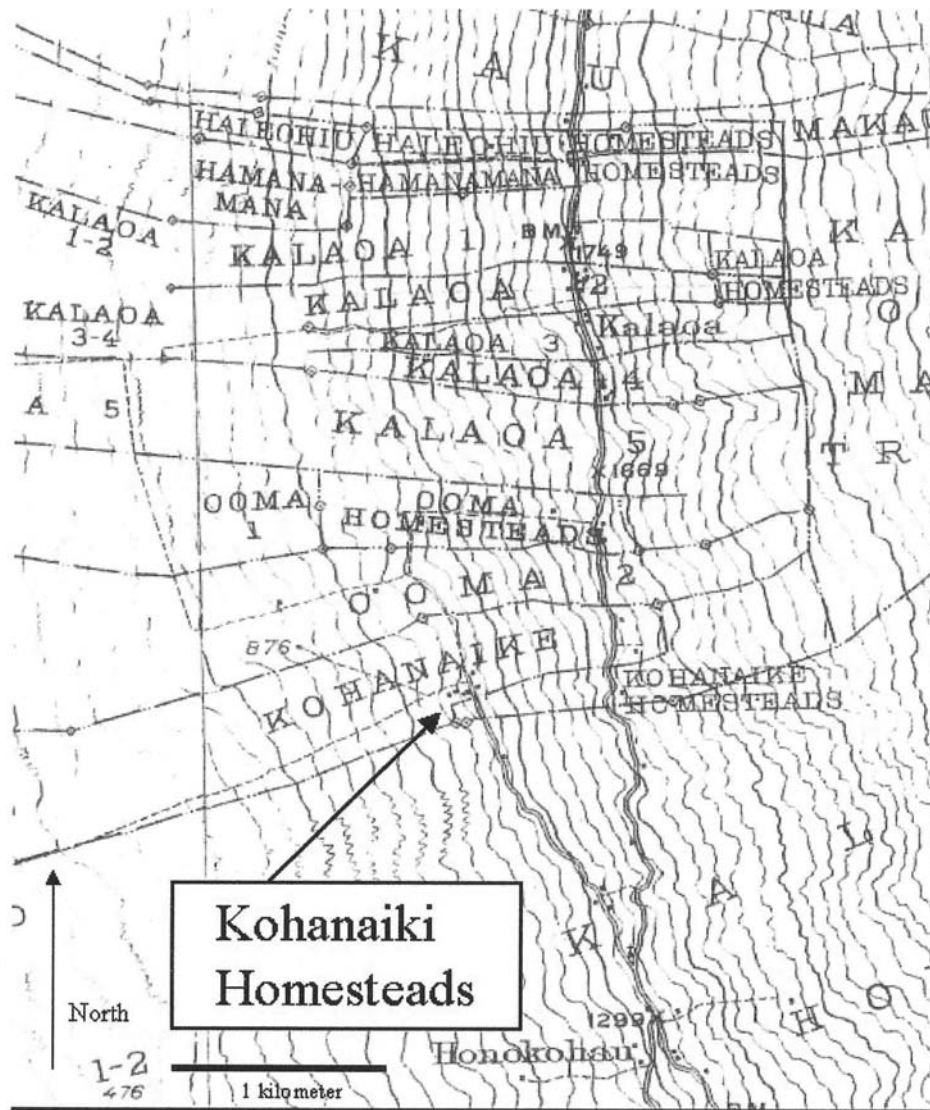


Figure 5. Close up of USGS Keahole and Kailua 15 Minute Quadrangles, 1924.

The population may have been reduced to one homestead in 1959 (Figure 6). Two empty squares on the map are USGS symbols for "ruins". The *mauka-makai* road has been removed from the USGS map, and replaced, in part, with "fence line". (No fence or fence remnants were identified in the area noted by the map during the inventory survey. It is conceivable that the "fence line" was not correctly identified in USGS aerial topographic mapping for the 1959 map.) A jeep road was constructed between 1924 and 1959. That road was probably built to facilitate motor vehicle traffic from the Hu'ehu'e ranch to the ocean.

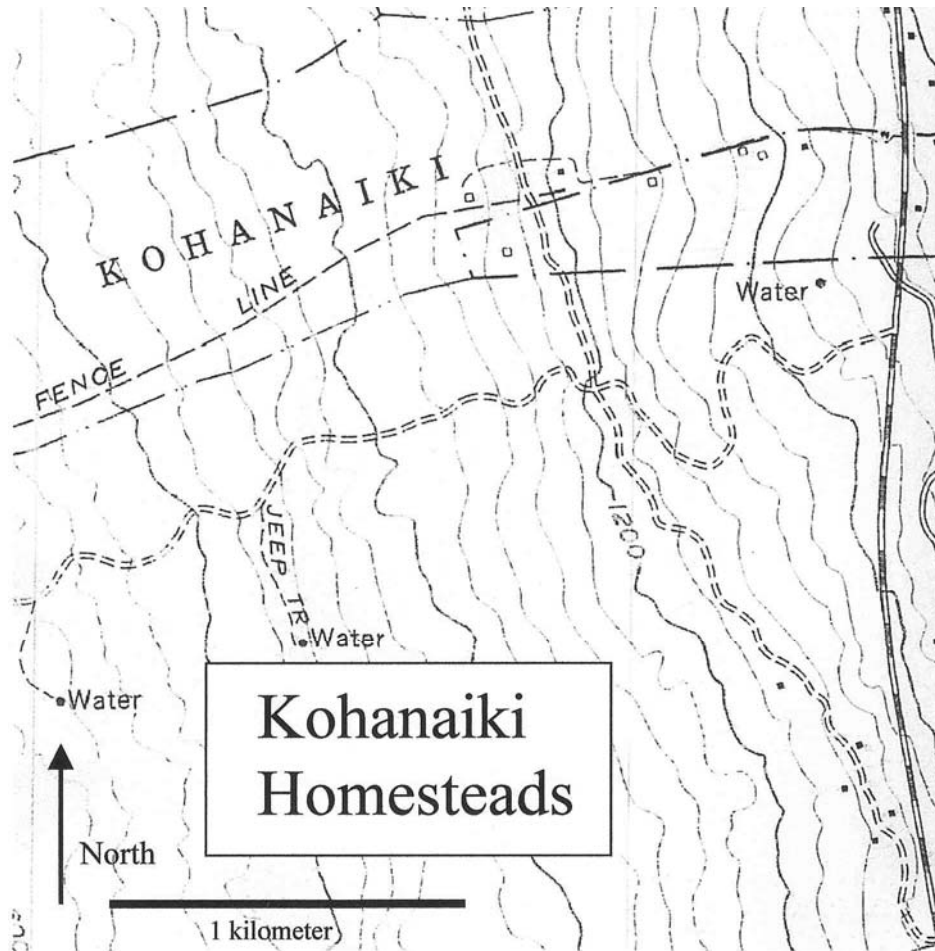


Figure 6. USGS Keahole and Kailua 15 Minute Quadrangles, 1959.

A portion of the Kohanaiki Homesteads is within the Kaloko Heights project area, represents approximately 25% of the incompletely defined Kohanaiki Homesteads (see Figure 4). The five named homesteads that are within the project area are: Kaholi, Kapa, Keo, Kiaha, Pahuole, and Punihaole.

SEARCH FOR LINEAL AND CULTURAL DESCENDANTS

Rules governing the search for lineal and cultural descendants in the burial treatment process (HAR §13-300-33(b)(1)) call for three things:

- (A) Research of relevant land conveyance documents including identification of land commission awardees located at or near the burial site;
- (B) An inquiry to any person who may have knowledge of families possibly affiliated with the Native Hawaiian remains;
- (C) Publication of notice in a newspaper of general circulation in the county in which the burial site is located and a newspaper of statewide circulation for a minimum of three days, including Sunday and Wednesday.

Research of Relevant Land Conveyance Documents

The *ahupua'a* of Kaloko passed from Ruth Ke'elikolani to her heir Bernice Pauahi Bishop in 1883. Ms. Bishop died the next year, and the land was sold by her executors Charles Bishop and Samuel Damon to C.H. Judd. John Maguire obtained the land from them in 1906 (Kelly 1971:29), and put the upper elevations into ranch at that time. He died in 1919, and the land was then managed by Arthur Stillman. Then William Keana'aina, Sr. leased the pond from Stillman in the mid 1930s. His son, William Keana'aina, Jr. cared for the pond after that until he died in 1940. After that the pond was not officially managed by anyone. Frances Foo held a lease that included the pond from 1943 to 1961. He stocked it with fish to sell at market in Kailua. He bulldozed a road from Kaloko pond to Kailua to facilitate that endeavor.

The project area within Kohanaiki was government lands that were sold to Hulikoa in 1855 (Cordy *et al.* 1991:403) in Grant 2942. The lands were surveyed by Fuller in 1855, and subsequently by Emerson in 1888. The research of Kelly (1971) and Cordy *et al.* (1991) regarding the inhabitants of the Kohanaiki Homesteads is valuable in identifying families that may be associated with burials on this property (Table 1). Although there were no LCA for this area (Kelly 1971), there were 17 or 18 family groups (depending on the relationship of "Keo. Kiaha" to "Kiaha") in the homestead in the late 1800s (Emerson 1888). Subsequent maps show the number of groups diminishing over time, down to only one group by 1959.

Table 1. Kohanaiki Homesteads.

Homestead name	Relationship to project area
Kapa	Entirely in
Keo. Kiaha	Entirely in
Punihaole	Partially in
Kaholi	Partially in
Pahuole	Partially in
Haau	Outside
Hoomana	Outside
Hulimai	Outside
Kaalawamaka	Outside
Kaiakoili	Outside
Kaninau	Outside
Keake Mao	Outside
Kiaha	Outside
Kikaha	Outside
Kuhia	Outside
Mokuaikai	Outside
Noa	Outside
Paiwa	Outside
Protestant Church	Outside

Inquiry to Persons Who May Have Knowledge of Affiliated Families

Kumu Pono Associates Kepā and Onaona Maly have conducted interviews with people that live, or have lived, in and around the Kaloko Heights project area. Those interviews have been transcribed in Maly and Maly (2002, 2003). While the interviews were conducted in association with projects in the lowlands of Kohanaiki, Kaloko, and neighboring *ahupua'a*, they contain much discussion of activities that took place in the higher elevations in and around the Kaloko Heights project area. Those interviews

were reviewed, and people mentioned in those interviews were contacted. Ruby MacDonald, OHA Kona Representative, was also contacted. Ms. MacDonald provided names of families that were likely to be related to the people that once lived in the Kohanaiki Homesteads. Keola Lindsey, SHPD Burials Program Hawai'i Island, also provided names of individuals to be consulted. Attempts were made to contact those individuals (Table 2). I met with 14 people, and visited portions of the project area with eight people.

Table 2. Consultation History.

Last Name	First Name	Related Family in Project Area	Called about Paper Notice	Unable to Contact	Met with	Visited Project Area	Sent Plan
Arakaki	Iwalani	Paiwa	X		X	X	X
Channels	Marian	Paiwa				A	X
Ching	Keala				X	X	
Cobb-Adams	Alexis	Hulikoa	X		X		X
Coelho	Annie	Punihaole			X		X
Kahananui	George, Jr.	Punihaole			X		X
Kaloko-Honokahau	National Historical Park						X
Kaninau	Mel	Kaninau					X
Kanuha	Junior	Kapa	X				X
Kanuhi	Kawehi	Kaholi			X	X	X
Keana'aina	Kahu Norman	Haau			X		X
Kunewa	Kane	Kapa		X			
Lee	Robert	Levi, Puli			X		X
Lilinoe	Karen	Paiwa					X
Lindsey	Keola	SHPD Kona Staff				A	X
Mahi	Arthur				X	X	X
Maigret	Mary Anne	SHPD Kona Staff				X	
Maluihi Ako	Elizabeth	Levi, Puli			X		X
Maly	Kepā						X
McDonald	Ruby	Haau, Kapa			X		X
Nenio	Olivia Janet	Paiwa					X
Pai	Mahealani					A	X
Punihaole	Cindy	Punihaole			X	X	X
Punihaole	Robert	Punihaole			X	X	X
Rapoza	Clarence	Ranch		X			X
Reeves	Hannah	Makuakane	X				X
Springer	Hannah	Maquire			X	X	X
Tyler	Curtis						X

A = visited during March 30, 2006 field visit.

Publication of Notice in Newspaper

Notice that the burial treatment process was being conducted for this project was published in three newspapers: the Hawai'i Tribune-Herald; West Hawai'i Today, and: the Honolulu Advertiser. The notice ran from Sunday March 20, 2005 through Wednesday March 23, 2005. Ms. MacDonald noticed that those notices lacked identification of names of families that are directly related to the project area. A revised notice that included all names that were identified through historical documentation to be

associated with the Kaloko Heights project was published in the Hawai‘i Tribune-Herald; West Hawai‘i Today, and: the Honolulu Advertiser on Sunday April 3, Tuesday April 5, and Wednesday April 6, 2005 (Appendix A).

BURIAL TREATMENT

Based on consultation with lineal and cultural descendents, and discussion with landowner/developer, the burial sites will be treated as outlined below. Details of how those will be applied to each site are provided in the subsequent section of this report.

- All *iwi kanaka* will be preserved in place.
- All *iwi kanaka* that were removed during earlier archaeological investigations at Sites 10736 and 10740 (during the 1980s) will be reinterred to their place of origin.
- All material remains that were excavated from the burial areas at Sites 10736 and 10740 will be put back into those sites during the reinterment process.
- Preservation easements will be established for each site.
- Preservation easements will include a minimum 20 foot buffer from the outer edge of each burial feature, including caves.
- The boundaries of the burial easements around Sites 10701, 10717, 10722, 10728, 10736 and 10740 will be delineated by low (approximately three feet high), concrete reinforced rock walls. Ideally, rocks from within the project area will be used for these rock walls. *Ti* plants will be incorporated into the landscaping within the burial easements. Burial Site 10754 is entirely within a larger preservation area known as the Kohanaiki Homestead Park. Because Kohanaiki Homestead Park incorporates Site 10754, there will be no rock wall around the individual Site 10754.
- Cave entrances will be sealed so no one can enter. Caves will be sealed with dry-stack technology. Experienced dry-stack technicians will be sought out, and employed for this task. All descendants that have participated in this process will be notified when the cave sealing is to take place, and will be invited to observe and possibly participate (contingent upon technicians’ concerns and protocols) during the sealing activity. Existing *ti* plants in cave openings will be left as is.
- There will be no signs within any burial preservation easement.
- Alien vegetation will be removed from the preservation easements, and native species will be retained. Additional native species may be added to the easement. Trees will be removed and placed only where it is assured that doing so will not disturb or alter preservation sites.
- There will be no permanent irrigation for new vegetation within the easements that have caves. Temporary irrigation will be allowed to assist in growth of new and transplanted trees into the easements. The area is currently forested, and tree roots do not grow into any of the caves currently. Consequently, it is unlikely that the roots of any introduced trees will grow down into preservation caves.

HAR §13-300-33, the statute that outlines how to proceed with Burial Treatment Plans, stipulates that

- (4) Maps clearly indicating the location of all identified Native Hawaiian burial sites located at the property, including where applicable, the spatial relationship between Native Hawaiian burial sites and any proposed construction activities, drawn to scale;

Maps that clearly indicate the location of all identified Native Hawaiian burial sites are located on the property are provided in this plan. The relationship of the burials and their preservation easements to the roads and lots is illustrated in Figure 7.

SITES WITH IWI KANAKA AND PRESERVATION DETAILS

The identification of burial locations is an extremely difficult task in Hawaiian archaeology. This is due in large part to the great variety of ways that people were traditionally laid to rest. People were laid out in caves, buried in the ground without markers, buried deep in sand dunes, cremated, placed in the floor of the family residence, had portions of their bodies distributed to loved ones, ceremoniously tossed in a volcano, had portions used to make fishhooks, placed in crevices, had stone features built over them, and were buried singly and in groups (Ellis 1969; Fornander 1996; Kamakau 1992, Malo 1951; Handy and Pukui 1958). Consequently, "(b)urials are one of the easiest site types to functionally identify" (Cordy *et al.* 1991) *only* when the bones of a person are actually observed. They are perhaps the hardest type of site to identify when no test excavations have been conducted to inspect for the presence of *iwi*.

The only way to ensure that all burials within any project area are found and identified is to excavate fully every feature. This is not possible, nor is it desirable. The only way to ensure that no undiscovered burial is damaged in construction is to not conduct any construction anywhere. Faced with this situation, the field methods were designed to maximize the opportunity to observe burial areas in the project area. The lack of sand dunes and significant areas of soil make it highly unlikely that burials were placed into the ground without stone features in this project area. In contrast, the likeliest places for burials in this part of the *ahupua'a* would seem to be within caves, habitation features, and stone features made especially for the placement of burials. All identified caves were fully explored using systematic methods that included pursuing chambers until they reach a size of only 1 foot high or wide. Many habitation sites were tested, and many stone platforms that were large enough for a burial, but seemingly too small for habitation were tested.

We used a specific kind of test when we were checking to see if a particular stone feature might contain a burial: a stratigraphic trench. Because the goal of the stratigraphic trench was to determine whether a burial was in the feature or not, it was more important to expose a larger area than it was to collect every little fragment of artifact and midden. Consequently, the stratigraphic trenches were not screened, and they cover larger areas than other test excavations. Stratigraphic trench excavation was conducted at 30 features that were suspected of containing *iwi kanaka*¹ in a burial context. *Iwi kanaka* were encountered in only one (or 3.3%) of these. Thirty-nine caves were fully explored, and *iwi kanaka* were observed in only five (or 12.8%) of those. Previous archaeological work (Barrera 1991) in the project area encountered *iwi kanaka* in one other feature (at Site 10736) and in only one cave (10740). Although not required by Chapter 6E, SCS notified SHPD of every *iwi kanaka* within 24 hours of the discovery. Also, pursuant to the pending Cave Protection Act, whenever we encountered *iwi kanaka* within a cave, we stopped advancement, left the cave, and phoned the Department of Land and Natural Resources to notify them of the finding, and to request permission to proceed with investigations further into the cave.

There are seven sites in the project area that have *iwi kanaka* (Table 3, Figure 7). Based on discussions with the landowner/developer, and lineal and cultural descendants consulted for this project, all *iwi kanaka* will be preserved in place. There are two instances where *iwi* had been removed, and these will be reinterred to their place of origin. These two special cases deserve additional discussion.

¹ Terms used to describe *iwi* observed in this investigation are provided in Appendix B.

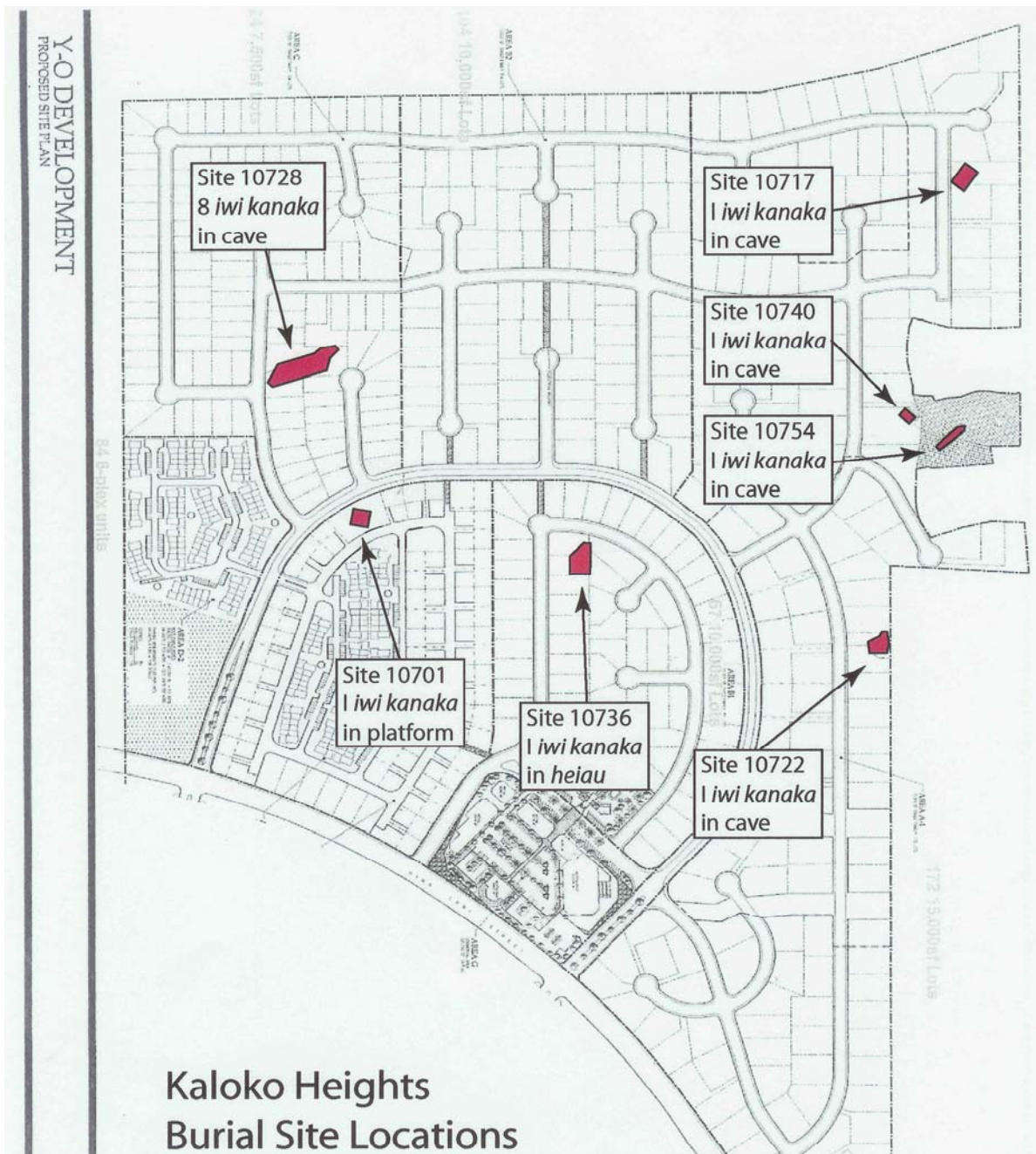


Figure 7. Burial Site Locations.

Table 3. Sites with *iwi kanaka*.

Site	Ahupua'a	Context	<i>Iwi kanaka</i>	Other nearby activity
10701	Kohanaiki	Platform	1	Agriculture
10717	Kohanaiki	Cave	1	Tools and subsistence items
10722	Kaloko	Cave	2	Tools and subsistence items, <i>ahu</i>
10728	Kohanaiki	Cave	8	Water collection, habitation
10736	Kohanaiki	<i>Heiau</i>	1	Many artifacts and branch coral, <i>heiau</i>
10740	Kohanaiki	Cave	1	Tools, midden, glass and ceramics, animal bone
10754	Kohanaiki	Cave	1	Subsistence items

The Kaloko Heights project was previously inspected by other archaeologists for other clients in the 1980s (Barrera 1985, 1988, 1991; Hammatt 1980). Test excavations were conducted at some of the sites in the project area (Barrera 1988). Two burial sites were encountered (10736 and 10740) and reported on in those reports. The *iwi* were removed during those excavations and stored by Barrera. Scientific Consultant Services, Inc. (SCS) recovered those *iwi* from Barrera, and transferred those *iwi* to the State Historic Preservation Agency office in Kona, and that is where those *iwi* reside at the time of the writing of this plan. In contrast, all of the *iwi* that were encountered and observed by SCS during the more recent inventory survey process were not removed from their original resting place. They remain exactly as they were found in the ground and in the caves.

SITE 10701

Site 10701 is in the south-central portion of the project area, in Kohanaiki Ahupua‘a (see Figure 7). There are two features on a southwest facing slope, a platform and a wall with soil upslope (Figure 8). Excavation within Feature 1 determined that this platform is an *ilina* for one *iwi kanaka*.

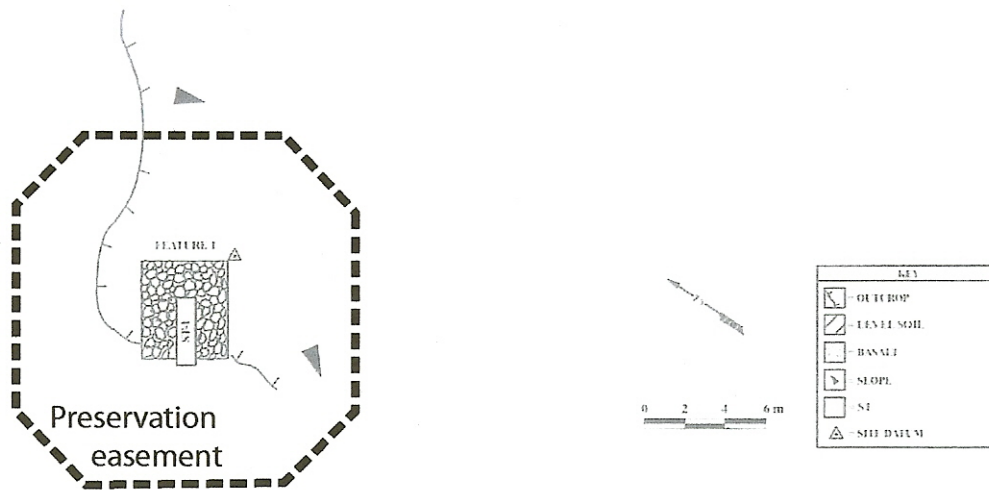


Figure 8. Site 10701 Plan View.

The excavation unit was 3.0 by 1.0 meters and was located on the southwest two thirds of the feature, in its center and perpendicular to its southeast and northwest sides. Excavation of this unit revealed the surface pavement to be a single thin course of rock (Layer I) over a uniform fill layer of medium sized cobbles with an occasional small boulder (Layer II) that is about 80 cm thick. Layer III is a soil layer 13 cm thick and directly on top of bedrock. There are both horizontal and vertically laid boulder sized slabs in Layer IV. These slabs created a crypt-like structure, which comprised the majority of the unexcavated portion of the trench and occurred directly underneath the depression noted on the surface. Subsequent to removal of several of these slabs it was found that the crypt extended beyond the trench to its northeast and that *iwi* lay directly upon the underlying bedrock at a depth of around 180 cm below the feature's surface. A single *Drupa* sp. shell was the only other item observed during excavation. Only a limited analysis of the *iwi* could be conducted before the feature was reconstructed with the remains left in place. *Iwi* observed within the unit include portions of the left and right maxilla with full dentition, a portion of the left parietal bone, the distal portion of the left femur, and the proximal portion of the right femur. Although the femur portions were in a very deteriorated state, it was noted that they were straight with closed epiphyses. The maxilla had complete dentition with no caries (cavities) or abscesses, and little wear. Based on these limited observations, the *iwi kanaka* are probably from one young adult.

SITE 10717

Site 10717 is a cave in Kohanaiki Ahupua‘a at 1070 foot elevation (see Figure 7)². A less than 2 meter diameter hole in the ground surface provides a vertical opening into the chamber (Figure 9). Stacked rock forms a line at the cave floor below the opening. This feature appears to divide the cave into a small northern chamber, and a larger southern chamber.

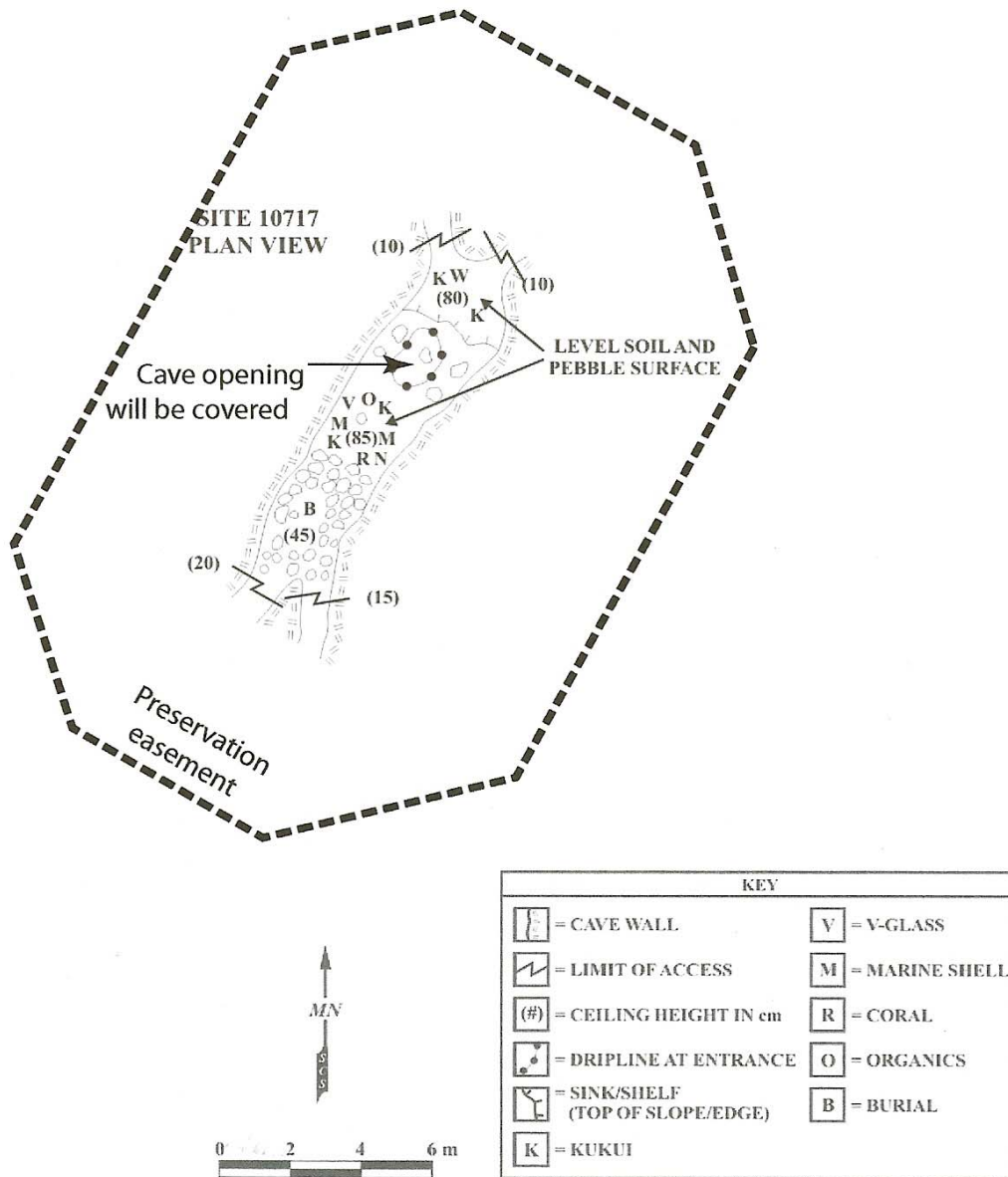


Figure 9. Site 10717 Plan View.

² A key for symbols used in cave figures is provided in Appendix C.

There is a small paving, many *kukui* nuts, and a broken waterworn stone in the soil and 'a 'ā in the northern chamber. The southern chamber has non-human bone, a piece of volcanic glass, *kukui* nut, an *opihi* shell, and a modified piece of coral near the opening. There is a man made "wall" of rocks beyond these artifacts, and beyond that wall there are *iwi kanaka*.

The *iwi* are partially buried in soil, so it is likely that more *iwi* are present beyond view. Identifiable *iwi* include a sacrum, left scapula, calcaneous, portions of 8 ribs, 5 cervical vertebra 2 digits, and 1 talus. Based on this limited field assessment, it appears that there is only one individual in this cave. The age and sex and ethnicity of the individual was not determined.

This is an *ilina* with one *iwi kanaka*. In addition, there are a diverse set of artifacts in the cave, and two internal partitions. One partition separates the burial from all other parts and contents of the cave. The other partition separates the paved area in the north, from the artifact filled area in the central portion. These partitions appear to create three separate activity areas within this small cave: 1) the burial area; 2) the food processing area (central portion with the artifacts), and; 3) the sleeping area (on the paving). Segregation of work areas, including burials, within a cave has been demonstrated with the large caves elsewhere on this island, but is an unusual concept within the confines of a small cave where each activity was conducted close to the other.

SITE 10722

Site 10722 is in Kaloko Ahupua'a at 1010 foot elevation (see Figure 7). The less than 1 meter diameter hole in the ground provides access to the cave with a soil floor and rocks placed around the perimeter (Figure 10). *Kukui*, branch coral, and marine shell are scattered about this chamber.

There is branch coral, basalt flake and marine shell on the 'a'a cave floor. The further reaches of the cave are nearly void of cultural material. Two *iwi kanaka* are situated deep within the cave in chambers with low ceilings. The diverse set of artifacts in this cave may indicate that distinctly different activities took place within this medium sized cave. Tools and subsistence items indicate routine activities took place near the front of the cave, and the back of the cave was used as two *ilina*.

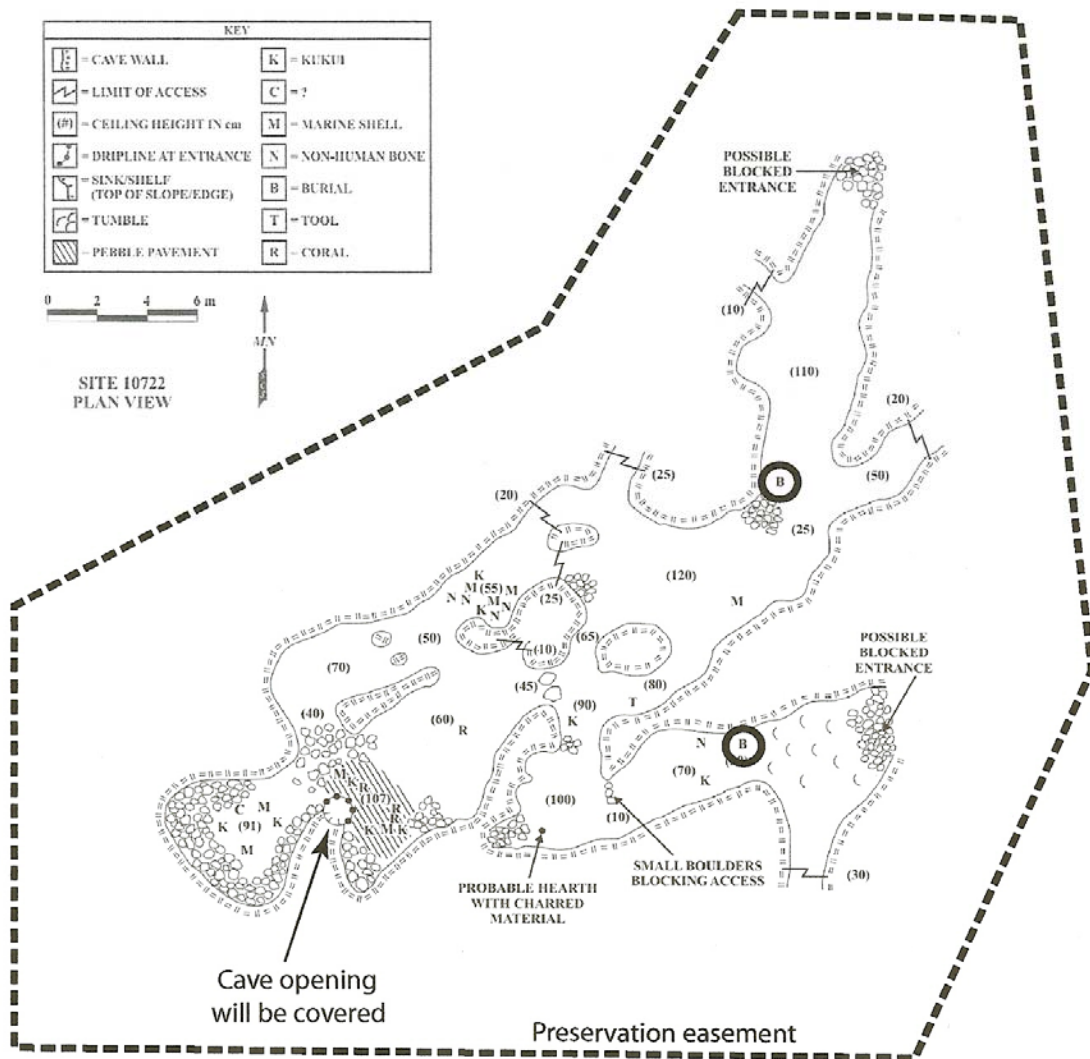


Figure 10. Site 10722 Plan View.

SITE 10728

Site 10728 is in Kohanaiki Ahupua'a at 830 foot elevation (see Figure 7). There is a short chamber that connects to the northwestern portion of the sink, but there is no indication that people used that portion of the cave (Figure 11). The sink has been modified with several terraces. A long and relatively complicated cave system connects to the southwestern portion of the sink.

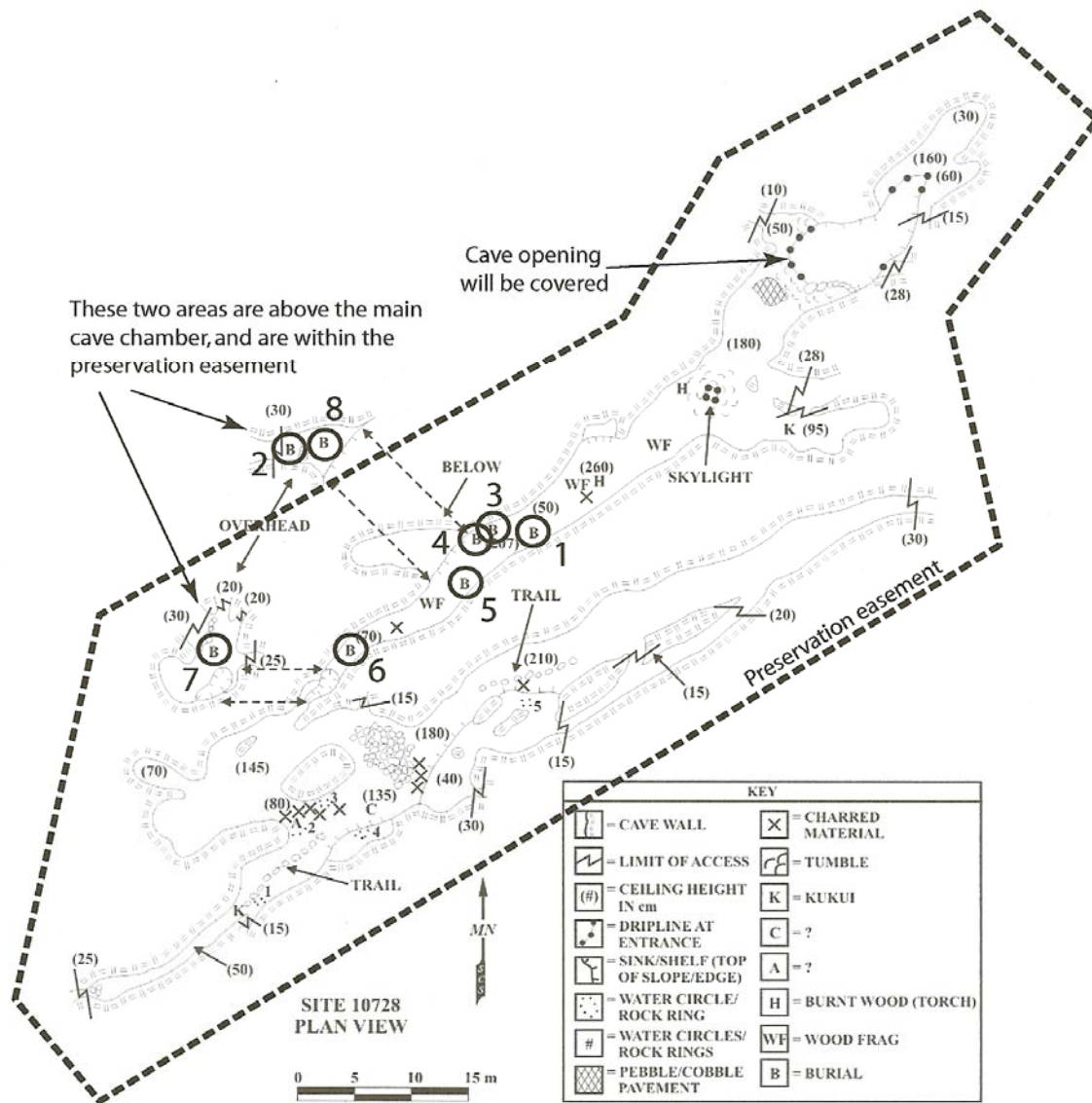


Figure 11. Site 10728 Plan View.

A 3 by 4 meter platform paved with 'ili 'ili is situated near the cave entrance at the base of the roof fall associated with the collapsing and opening to the ground surface at the sink. There is a skylight further in that has been mostly filled in (presumably during prehistory), but it still lets some light in to the cave. There is a set of architectural modifications below the skylight, with a paving along the northern cave edge being the largest of these. The small modifications occur over a 20 m long segment of cave. Two burnt torches are located at the distal end of the modifications.

There is a short empty space in the cave beyond the modified area, and then there is a set of eight *iwi kanaka* (Table 4). The *iwi kanaka* at location 1 is unlike the others, and may represent *iwi* that have been moved (by human or animal agent) from one of the other *iwi kanaka*. The *iwi kanaka* at location 2 are too far away from view to clearly assess. There may be 1 or 2 individuals there.

Table 4. Distribution of *iwi kanaka* in Site 10728.

<i>Iwi</i>	<i>Iwi present</i>	Coffin	Artifacts	Comment
1	Digits, vertebrae, patella	None	Charred wood	Scattered remains
2	Cranium, limb bones	None	Could not assess	1 or 2 individuals
3	<i>Pōpō iwi</i>	None	None	On shelf, some bones below shelf
4	Lower body complete	Yes	Ivory or bone buttons (n=2), woven fabric	
5	<i>Kino iwi</i>	Yes	Shoe parts, nails in wood, buttons (n=7)	Rock on chest
6	Limb, others decomposed	None	<i>Kukui</i> nut	
7	Teeth, others decomposed	None	Button (n=1), <i>kukui</i>	
8	<i>Iwi</i> covered by wood	Yes	Unknown	

The *iwi* at location 3 represent a nearly complete bundle burial of an adult gracile male. The assessment of male is based on sloping forehead, small brow ridge, broken but large mastoid process, and medium nose). All visible epiphyses are fused, and there is medium wear on teeth. The vertebrae are articulated, the head is oriented *makai*, and the limb bones were placed on the chest.

The *iwi* at location 4 represent the lower body of an extended burial in a coffin. The feet are oriented *makai*. The coffin has decomposed, but wood fragments are present under and on top of the *iwi*. Where the upper body *iwi* should be is a woven fabric, resembling burlap. The relationship of the missing *iwi* here and the fabric present here is not known. Water drips from the ceiling directly on the place where the upper body should be. It is likely that the water has expedited the decomposition of the *iwi* in this portion of the body. There are two ivory, or bone, buttons that are pure white and precisely circular.

The *iwi* at location 5 are a fully extended adult male of advanced age at death. The age at death is indicated by fully absorbed bone in the maxilla and mandible where teeth should be. A large mastoid and large brow ridge indicate that this was probably a male. A rock was placed on the chest of this man, and a possible pillow rested under his head. Portions of shoes and the buttons indicate that this man was buried in the historical era fully clothed.

The *iwi* at location 6 represent a fully extended adult. There are few identifiable bones, but the limb bones have fused epiphyses, indicating an adult. The *iwi* at location 7 are youth in extended position. The *iwi* are very decomposed, but the teeth show very little wear. There is one button, and some *kukui*. The *iwi* at location 8 were placed in a coffin. The coffin lid covers the *iwi*, and the lid was not moved during this investigation. Consequently, the *iwi* are covered precluding an assessment.

Based on the very limited investigation of the *iwi* in this cave, there are several observations and speculations that can be made. There are several indications that these *iwi* were placed in this cave during the historical era: there are buttons and shoes, coffins, and most are in an extended position. This is a wet cave, which increases the speed of decomposition. The fact that so much of the *iwi* is still present probably reflects a relatively recent time of placement of the *iwi kanaka* in this cave. Based on this assessment, all of the *iwi kanaka* here, even those that do not have historical artifacts, can be presumed to have been placed in this cave during the historical era.

No assessment of ethnicity was attempted in this field analysis. Preliminary field assessment does suggest that a wide range of ages at death are present in this group, ranging from young adult to aged. There are no indications of infant or teenaged individuals. *Kukui* nut, probably used for lighting, may have played a part in the process of interring the *iwi kanaka* here. Alternatively, the *kukui* nut may not be associated with the burial process. The other features in the cave are almost certainly prehistoric features, and the *kukui* may have been left behind in the cave decades or centuries before the *iwi kanaka* were placed here.

Iwi kanaka were treated in a couple different ways, although decomposition precludes a full assessment. Several *iwi kanaka* were placed in coffins in an extended position fully clothed. This kind of treatment is not consistent with traditional burial practices (Malo 1951; Handy and Pukui 1996). Rather, this treatment is associated with European, and probably Christian, burial practices (Purnell 1993), suggesting that these *iwi kanaka* were placed in the cave at least after 1820, and probably closer to, and after, the time that the Protestant church was built in Kohanaiki Homesteads in the mid-1870s (Kelly 1971:14).

There is at least one *iwi kanaka* (those at location 3), however, that was bundled prior to placement in the cave. If all of these were indeed placed in the cave during the historical era, then this *pōpō iwi* indicates that one of the traditional styles of bodily treatment was still being used, perhaps as late as the late 1800s. What this might mean with regard to religious practices, chronology of the burials, and other aspects of the social setting in this area is beyond the scope of this report.

The cave passage becomes narrow just beyond the *iwi kanaka* at location 6. It would have been very difficult to place an intact body beyond that spot. Consequently, the *iwi kanaka* was placed as far into the cave as the conditions of the cave and the manner of treatment allowed. With this in mind, it is conceivable that the *iwi kanaka* were not all placed in the cave at the same time. The first *iwi kanaka* may have been the two at locations 6 and 7, the furthest in to the cave that was possible. The other *iwi kanaka* may have been interred after that, with some sequence within that group that might be associated with coffins, or lack of coffins.

There is a variety of features representing a variety of activities conducted over different eras in this large cave. Rock circles deep within the cave indicate that water collection was performed, probably during the prehistoric and historical eras. The complex of pavings and platforms under the small skylight near the cave entrance is reminiscent of refuge activity, but the opening is lacking constrictions which would be expected for the refuge function. Consequently, it is possible that the feature complex is associated with prehistoric habitation activity. The final, or at least one of the most recent, activities conducted within this cave was the placement of *iwi kanaka* during the historical era. Eight or nine people of various ages were placed in the distal reaches of the main chamber.

SITE 10736

Site 10736 is near the center of the project area (see Figure 7). The main feature at the site is a large dry-stacked enclosure, with several auxiliary features, including several slab-lined cysts. The complex architecture suggests that this is a *heiau*. Excavations were conducted in a portion of this feature during earlier archaeological work (Barrera 1991) (Figure 12). Numerous traditional artifacts, including adzes, a bone fishhook blank, and several abraders (both coral and basalt) were encountered during that work. No historic artifacts were recovered. A large amount (7,942.1 g) of fragmentary branch coral was recovered from the paved surface and in excavation. Five hydration rind dates from this feature indicate that it was used between AD 1465 and 1628.

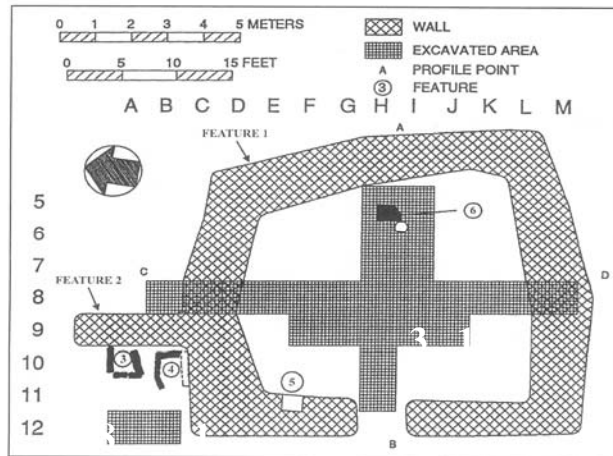


Figure 12. Site 10736 (from Barrera 1991). Showing only *Heiau* (Features 1 and 2)

In addition to the abundant artifacts recovered from the excavation within the feature interior, disarticulated *iwi* were also observed. Only teeth, toe, and finger *iwi* were observed, and these were in various locations within the feature.

The site is being preserved for its preservation value and because it contains *iwi kanaka*. In addition to the 20 foot minimum buffer, there is a 50 foot buffer on the “front” of the *heiau* (Figure 13). This is designed to maintain a vista from the front opening of the main enclosure feature to the ocean.

No matter the precise history of events that took place in this site. The presence of *iwi kanaka* here represents the final resting place of those *iwi kanaka*. Site 10736 will be treated like an *ilina* for those *iwi kanaka*, and they will be preserved in the place where they were found.

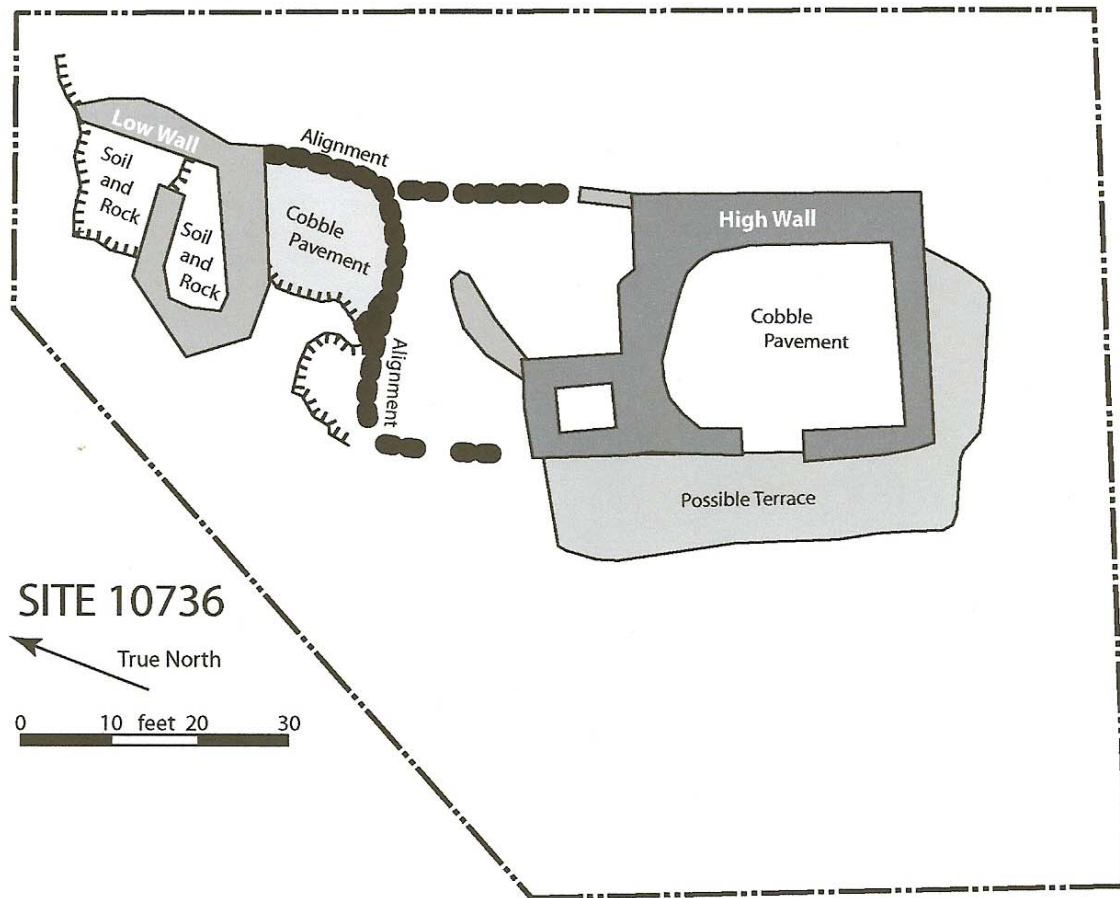


Figure 13. Site 10736. Showing all features at site.

SITE 10740

Site 10740 is a small cave in Kohanaiki Ahupua‘a at 1040 foot elevation (see Figure 7). There are two entrances to the cave (Figure 14). The western edge of the western entrance has been built up with a wall that partially hides the entrance. The eastern entrance is smaller. The floor is covered with soil, and non-human bone was recovered from the soil surface during previous investigations (Barrera 1991:40).

Two 1 by 1 meter test units were excavated in the cave during previous investigations by another archaeological consulting firm (Barrera 1991:40). A variety of items were recovered including many pieces of volcanic glass, shell midden, charcoal, historical glass and ceramic fragments, and bird, pig, and cat bone. Three hydration rind dates were generated from materials collected from Unit 1 indicating that some of this material is associated with activity conducted between AD 1696 and 1742.

Eleven *iwi* were identified by Alan Zeiglar as being certainly human (Barrera 1991:40). These were teeth, finger or toes, and one ankle bone. Seven other limb fragments were too fragmentary to distinguish between other mammal and human. All of the *iwi kanaka* were recovered from less than 20 centimeter below the surface in the soils in the cave.

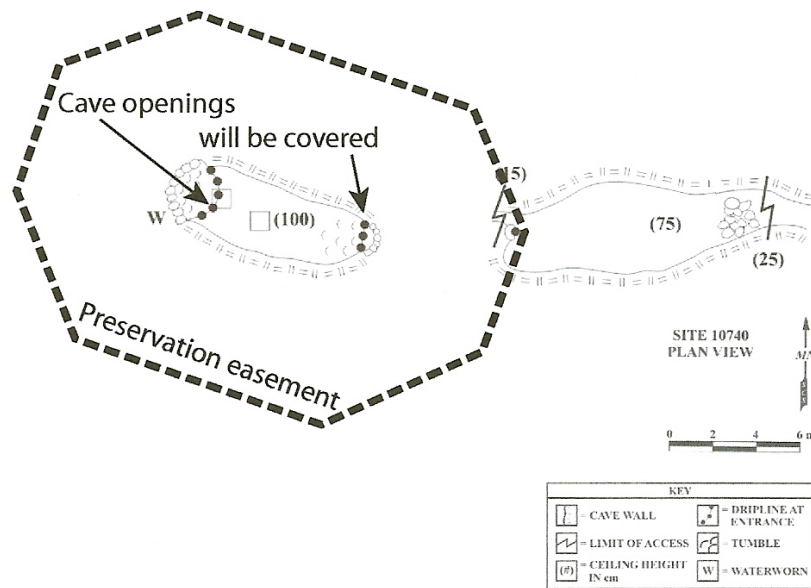


Figure 14. Site 10740 Plan View.

Based on the single shallow soil layer in the cave, the presence of cat, bird, and pig bone, and the kinds of *iwi kanaka* present (small), it is possible that animals moved bones from somewhere else to this cave. This proposition is bolstered by considering the small size of the cave, the location of the *iwi kanaka* in shallow soil, and easy access to this cave. Burials are not usually placed in caves that are so exposed. The basalt material itself was worked in the early 1700s, but that does not necessarily date the other materials in the cave to that time. It is more likely that tool manufacture took place in this small exposed cave, especially because there is a notable quantity of basalt in the assemblage, and that the non-human bone, and *iwi kanaka* were brought into the cave by non-human agents several centuries after that. The presence of historical items confuses the interpretation somewhat, but it is likely that the historical items represent their discard area, and not their primary use area.

It is suggested that the most parsimonious explanation for this set of artifacts and *iwi* within this particular cave involves multiple activities over several centuries. The cave was used during prehistory with activities that employed basalt tools and burning (perhaps food processing and cooking). The cave may have been used during prehistory for body defleshing to ready the deceased for burial elsewhere (Handy and Pukui 1996:151-152). After European contact imported materials such as glass and ceramics were used in the nearby homesteads, and cats were brought to the area. Debris may have been tossed into the cave during historical times. The few *iwi kanaka* may have been brought into the cave by cats that collected them from other locations.

Alternatively, this cave may be a special kind of cave that was used exclusively for preparing the *iwi kanaka* for interment at another location. Part of the process of preparing bodies for their final disposition in the ground, cave, dune, water, or volcano, included removing all of the flesh and organs. This was achieved either by using tools to take the flesh and organs off the bone, or by leaving the body in a protected place exposed to natural decomposing elements (Handy and Pukui 1996:151-152). In addition, portions of bodies were routinely taken away from burial areas to be kept in closer proximity to the people that had loved those that passed away.

Sometimes a person would secretly exhume the body of a beloved husband or wife, and remove the four leg bones and the skull, washing them in water until they were clean. They were then wrapped up and enclosed within the pillow, and the friend took them to bed with him and slept with them every night. The number of corpses treated in this way was considerable among those who were fond of each other (Malo 1951:98-99).

No matter the precise history of events that took place in this cave. The presence of *iwi kanaka* here represents the final resting place of those *iwi kanaka*. Site 10740 will be treated like an *ilina* for those *iwi kanaka*, and they will be preserved in the place where they were found.

SITE 10754

Site 10754 is in Kohanaiki Ahupua'a 1080 foot elevation (see Figure 7). The entrance to the cave is at a break in the wall that delineates the Pahuole homestead (Figure 15). The sink is filled to create a constricted opening that is also constricted inside the chamber near the opening. Sea urchin, marine shell, and *kukui* are present in the chamber.

Iwi kanaka in this small cave are resting on soil, so it is likely that there are more *iwi* below the soil that were not observed in this investigation. There is a cranium and several small *iwi*, and the distribution of *iwi* suggest that only one *iwi kanaka* is present in this cave. There are no historical artifacts in the cave.

The cave chamber passes beneath the Kiaha homestead. The *iwi kanaka* is beneath the Kiaha homestead, creating an interesting situation regarding the relationship of the burial to the homesteads. Is the burial associated with the Pahuole homestead, the Kiaha homestead, or some other family that had access to this cave via the trail between the two homesteads? The fact that the wall is discontinuous at the cave entrance suggests that the Pahuole homestead did not have complete control over the access to the cave and burial.

This cave site is entirely within the proposed preservation area for the Kohanaiki Homesteads. A large area around the cave is in a preservation easement where no construction will take place. Consequently, the buffer around this cave is very large.

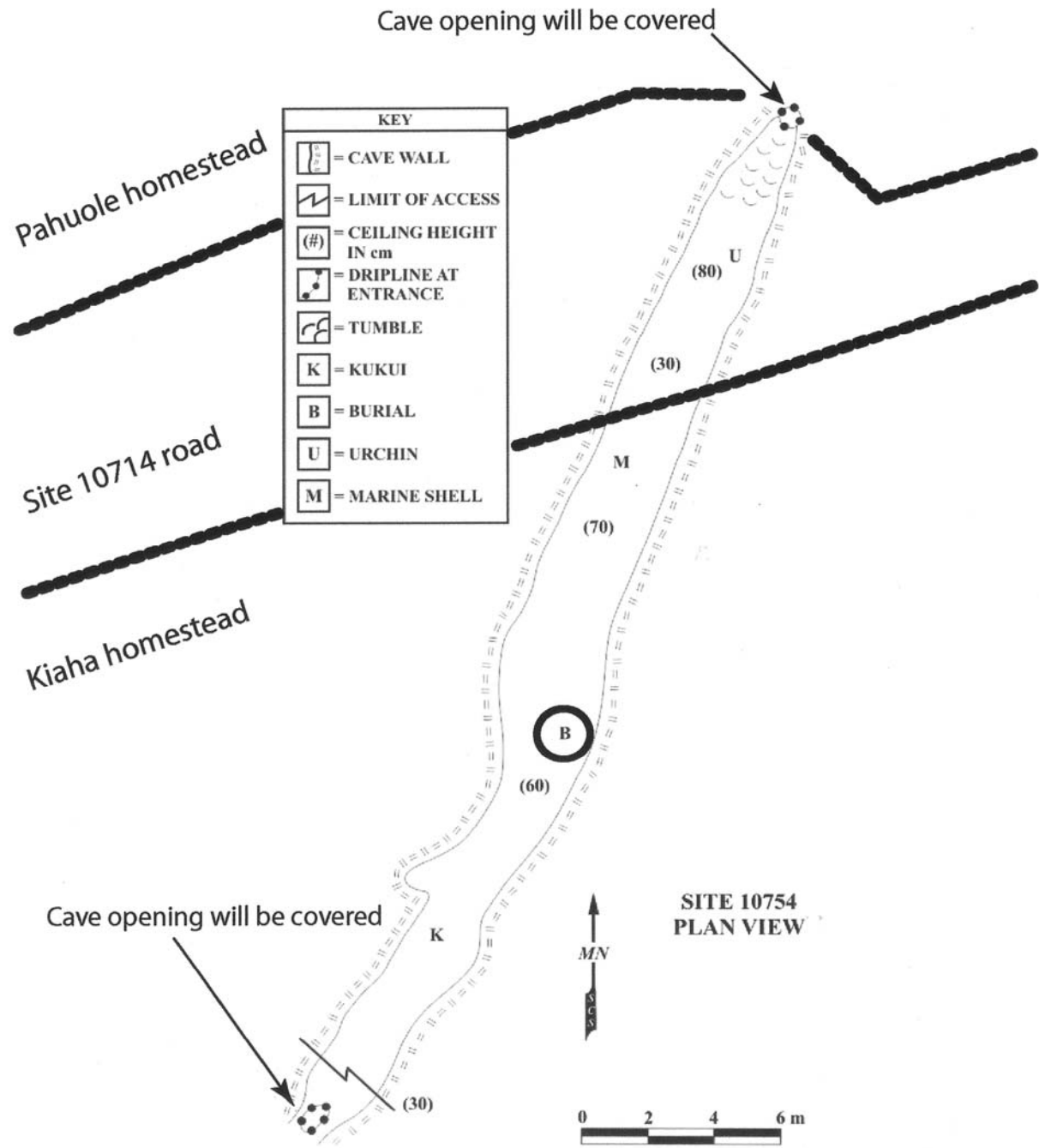


Figure 15. Site 10754 Plan View.

OTHER PRESERVATION ELEMENTS

REQUEST FOR INFORMATION FROM SHPD AND HIBC

HAR §13-300-33, the statute that outlines how to proceed with Burial Treatment Plans, stipulates that

(2) Names of any known lineal or cultural descendants recommended by the department and recognized by the council, and their respective positions regarding burial site treatment;

Copies of a draft Burial Treatment Plan was submitted to 18 consulting parties, including the SHPD office in Kona, between January 30, and February 7, 2006 via certified mail. A request for names of additional known descendents was made with that mailing. SHPD provided names of three people.

SHORT TERM PRESERVATION MEASURES

All burial sites will be surrounded with orange construction fencing that will be a minimum of 50 feet from the outer perimeter of the burial feature. For instances where burials are in stone features on the ground feature, that 50 feet will be measured from the outer edge of the stone feature. For those burials that are within caves, that 50 feet will be measured from the outer edge of the cultural perimeter of the cave as it is projected to the ground surface. Construction with heavy equipment will not be permitted within the 50 foot, short term preservation buffer at any time.

Construction with smaller machinery and equipment will be permitted outside the 20 final preservation easement, and within the 50 foot, short term preservation buffer after:

- The precise boundaries of the final preservation easement are established.
- The precise boundaries of the final preservation easement are delineated on the ground surface.
- The precise boundaries of the final preservation easement are mapped in by professional surveyors and incorporated on to detailed project maps.
- Representatives of SHPD and/or HIBC have been notified that the above items have been conducted.
- Representatives of SHPD and/or HIBC have provided written notice that construction with small machinery and equipment can proceed outside of the final 20 foot preservation easement.

In the event that it is determined in the course of grading construction that rock blasting is required within the project area, all standard management practices for this construction method will be employed, and additional protective measures for all adjacent burial preservation sites will be implemented where warranted. In addition, the Hawai'i Island office of State Historic Preservation Division will be provided advance written notification of the anticipated schedule for blasting

PROTOCOLS

Iwi kanaka will be reinterred at two sites (10736 and 10740). Protocols for reinterment will be determined in consultation with Kahu Norman Keana'aina, or his designee, and all descendants that have participated in this process. All descendants will be informed of reinterment process.

All material remains that were excavated from the burial areas at Sites 10736 and 10740 will be put back into those sites during the reinterment process. A list of those materials is provided in D.

Caves entrances with *iwi kanaka* will be permanently sealed. Appropriate *pule* will be performed in consultation with Kahu Norman Keana‘aina, or his designee just prior to sealing the caves.

INADVERTANTLY DISCOVERED IWI

Any *iwi* discovered subsequent to the completion of the Inventory Survey Report and review (completed on October 24, 2005) are considered inadvertent discoveries. HAR §13-300-40 provides detailed instructions on how to proceed should an inadvertent discovery of *iwi* occur, and those will be followed should any inadvertently discovered *iwi* be encountered with this project.

In the event that *iwi* are inadvertently discovered, Kaloko Heights Associates, LLC and its successors and assigns will make every effort to alter project design to facilitate preservation of the *iwi* in place. Depending upon design elements, and status of the development and construction elements, preservation in place may not be feasible. Should it ultimately be determined that inadvertently discovered *iwi* be moved, it is recommended that these alternatives be considered:

- Consult with the Hawai‘i Island Burial Council, and Kahu Norman Keana‘aina or his designee for appropriate reburial location.
- Inadvertantly discovered *iwi* from the *ahupua‘a* of Kaloko could be reinterred in cave Site 10722 that is in Kaloko and those from the *ahupua‘a* of Kohanaiki could be reinterred in cave Site 10728 that is in Kohanaiki.

ACCESS AND LOT OWNER DEEDS

Access to all burial locations will be made available to lineal and cultural descendants. All lot owners in this development will be made aware that access to burial locations is required per the agreements set forth in this Burial Treatment Plan. Deeds for lots that contain, or are adjacent to, burial locations will include a provision that explains to the owner that:

- A Native Hawaiian burial is located there.
- State law protects the burial, and that there are penalties for noncompliance.
- Lineal and cultural descendants have access to those burial places.
- They can obtain a copy of the Burial Treatment Plan from SHPD for the cost of reproduction.
- They should contact SHPD with any questions or concerns that they might have about the burial.

Any disputes over who has access to the burial areas will be handled in consultation with the HIBC, SHPD, and Kaloko Heights, LLC and its successors and assigns.

BUREAU OF CONVEYANCES

Subsequent to final approval by SHPD of this Burial Treatment Plan, and prior to the final approval of the further subdivision of the parcel of land on which a burial preservation site is located, a metes and bounds description of each such burial preservation site shall be recorded with the State of Hawai‘i Bureau of Conveyances and otherwise in conformance with HAR 13-300-38(g). Burial Site 10754 is entirely within another, larger, archaeological easement, the Kohanaiki Homestead Park, so 10754 will not have a separate easement.

MAINTENANCE

Kaloko Heights Associates, LLC and its successors and assigns will establish procedures for maintaining the cleanliness and appropriate vegetation at the burial locations, and for monitoring the status of the burial easements. Any harm observed at any burial location that may arise from intentional

or unintentional acts, including neglect, will be immediately reported to SHPD. SHPD will consult with HIBC, and lineal and cultural descendants associated with these *iwi kanaka*, and implement remedies based on that consultation.

The entity responsible for maintenance will be the Kaloko Heights Master Association or related sub-association or special-purpose entity, with obligations that run with the land to preserve and protect burial sites in accordance with the Burial Treatment Plan, and perform maintenance activities not less than quarterly, with assessment powers to accomplish these responsibilities. This entity will include provisions to restrict the homeowners association's ability to amend these obligations.

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2003 *Appendix A – Oral History Interviews: Kohanaiki Ma Kekaha Wai 'Ole O Nā Kona (Kohanaiki on the Arid Shores of Kona).* Prepared for Paul H. Rosendahl, Phd., Inc. Kumu Pono Associates Report HiKohana76(070503), Hilo.
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APPENDIX A: EXAMPLES OF PUBLISHED NOTIFICATION

	<p>LEGAL ADVERTISING RECEIPT</p> <p>Printed by: 132Theresa at: 1:31 pm on: Tuesday, Mar 29, 2005</p> <p>Ad #: 25017</p>	<p>605 Kapiolani Blvd. Honolulu, HI 96813 1-808-525-7420 FAX 808-525-5448</p>
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**Please Note: Proof your ad carefully and call in any corrections or OK by 10:00 a.m.,
The Honolulu Advertiser will not be responsible for errors after the first insertion of any advertisement.**

<p>Account Information</p> <p>Phone #: (808) 666-6666 Name: Scientific Consultant Svcs. Address: Attn: Suarra Baker 711 Kapiolani Blvd, #975 Honolulu HI 96813</p> <p>Acct #: 000045 Client: Placed By: 597-1182/F93 / Pd MC Fax #: (808)</p>	<p>Ad Information</p> <p>Classification: Legal Ads Publications: Sunday Advertiser Only</p> <p>Start Date: 04-03-05 Stop Date: 04-06-05 Insertions: 3 Rate Code: Lgl Open-LO</p> <p>Size: 1 x 10.520 Bill Size: 148.00 Lines Ad #: 25017 Ad Type: Liner</p>
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Ad Copy:

PUBLIC NOTICE
Notice is hereby given that there are *iwi kanaka* (human skeletal remains) in unmarked graves documented at TMK: 3-7-3-009:32, in portions of the *ahupua'a* of Kohanaiki and Kalo-ko, North Kona, island of Hawai'i. The area of these finds is defined by Hina Lani Street on the south, by an irregular boundary at the *makai* end of residential development on the east, by the boundary between the *ahupua'a* of Kohanaiki and 'O'oma on the north, and by a line perpendicular to the northern boundary at roughly the 720 foot elevation on the west. A total of fifteen sets of *iwi kanaka* are documented from seven archaeological features.

Historical documents indicate that the following family names are associated with the land in the project area described above: Kapa, Kiaha, Punihaole, Kaholi, Pahuole, Hulikoa, Keelikolani, Bishop, and Maguire. These *iwi kanaka* are assumed to be Native Hawaiian individuals, and proper treatment shall occur in accordance with Chapter 6E, Revised Statutes, Section 43.5, regarding unmarked grave sites. The final disposition of these remains shall be made by the State Historic Preservation Divi-

sion Burial Sites Program in consultation with the Hawai'i Island Burial Council.

Interested persons please respond within 30 days of this notice to Mr. Kana'i Kapeliela, DLNR-SHPD Burial Sites Program, at (808) 692-8037, 601 Kamokila Boulevard, Room 555, Kapolei, HI 96707; or Mr. Benjamin (Keola) Lindsey, DLNR-SHPD Burial Sites Program, at (808) 327-3692, 74-383 Kealakehe Parkway, Kailua-Kona, HI 96740; and/or Mr. Thomas Wolforth, SCS, Inc., at (808) 959-5956, 1564 Leilehua Street, Hilo, HI 96720 to discuss appropriate treatment of these *iwi kanaka*. Individuals responding must be able to adequately demonstrate lineal and/or cultural connection to the burial(s) on the above referenced parcel in North Kona, Hawai'i. (Hon. Adv.: Apr. 3, 5, 6, 2005) (A-25017)

Payment Information

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FAXED RECEIPT

LEGAL NOTICE

Notice is hereby given that there are *iwi kanaka* (human skeletal remains) in unmarked graves documented at TMK: 2-7-3-009:32, in portions of the *ahupua'a* of Kohanaiki and Kaloka, North Kona, island of Hawai'i. The area of these finds is defined by Hina Lani Street on the south, by an irregular boundary at the *makai* end of residential development on the east, by the boundary between the *ahupua'a* of Kohanaiki and 'O'oma on the north, and by a line perpendicular to the northern boundary at roughly the 720 foot elevation on the west. A total of fifteen sets of *iwi kanaka* are documented from seven archaeological features.

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(No. 6431--West Hawaii Today: April 3, 5 and 6, 2005)

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APPENDIX B: DEFINITIONS

ilina. Grave, tomb, sepulcher, cemetery, mausoleum, plot in a cemetery (Pukui and Elbert 1986:98-99).

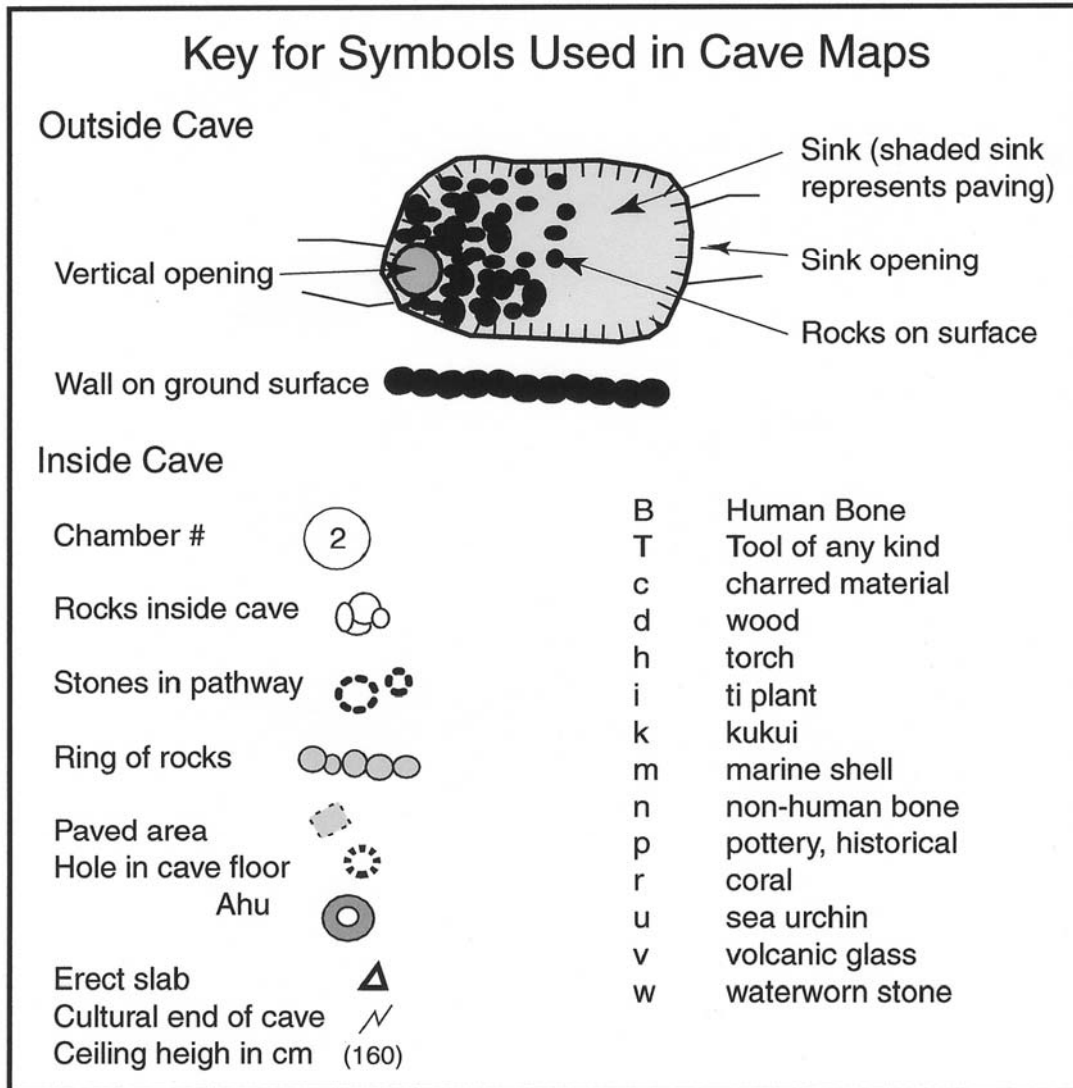
iwi kanaka. Human bone, skeleton (Pukui and Elbert 1986:105, 526). This term is used in this Burial Treatment Plan to represent the *iwi* from one individual.

kino iwi. Skeleton (Pukui and Elbert 1986:153, 526). This term is applied to instances where a complete, or nearly complete, body is represented by the *iwi* present.

'oloke 'a. Corpse bones in flexed position with knees tied to chest (Pukui and Elbert 1986:286, 404).

pōpō iwi. Bundle of bones, as preserved of beloved relatives (Pukui and Elbert 1986:342).

APPENDIX C: KEY FOR SYMBOLS USED IN CAVE MAPS IN THIS PLAN



APPENDIX D: MATERIALS FROM BURIAL SITES

	Site 10740		Site 10736		Total
	Unit1	Unit 2	Non-burial area	Burial area	
Shell Total (grams)	98.8	3.9	143.8	462.0	708.5
Cellana	0.2	0.0	52.6	11.4	64.2
Nerita	4.7	0.8	0.0	3.2	8.7
Theodoxus	4.2	1.0	0.0	32.2	37.4
Cypraea	48.9	0.4	55.6	291.7	396.6
Thaididae	7.8	0.8	10.1	21.0	39.7
Isognomon	0.6	0.1	4.9	41.6	47.2
Other	32.4	0.8	20.6	60.9	114.7
Marine fauna Total (grams)	12.9	0.0	847.4	6831.1	7691.4
Coral	11.2	0.0	821.1	6754.9	7587.2
Echinodermata	1.7	0.0	26.3	76.2	104.2
Vegetal matter Total (grams)	191.7	9.7	188.0	1914.4	2304
Charred material	184.4	9.7	177.5	1843.9	2216
Kukui	7.3	0.0	10.5	70.5	88
Bone (count)	44	64	4	10	122
Fish	0	0	0	3	3
Bird	0	2	0	3	5
Cat	3	7	0	0	10
Rat	0	0	0	0	0
Pig	6	11	1	3	21
Unknown ungulate	29	41	3	0	73
Unknown mammal	6	3	0	1	10
Tools (count)	23	0	13	69	105
Volcanic glass	20	0	11	39	70
Adze flake	0	0	0	23	23
Basalt flake	1	0	0	0	1
Basalt piece	2	0	0	6	8
Worked bone	0	0	0	1	1
Coral abrader	0	0	2	0	2
Historic era Total (count)	15	0	0	0	15
Bottle glass	13	0	0	0	13
Pottery	2	0	0	0	2