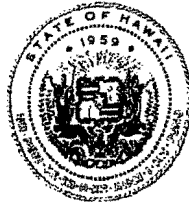
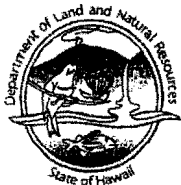


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GOVERNOR OF HAWAII



STATE OF HAWAII  
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LAND  
STATE PARKS

January 20, 2006

James S. Greenwell, President  
West Hawaii Business Park, LLC  
3465 Waialae Avenue, Suite 260  
Honolulu, HI 96816

Log No: 2006.0101  
Doc No: 0601KL03

RECEIVED  
JAN 25 2006

Dear Mr. Greenwell:

**SUBJECT: Approval of Final Preservation Plan  
Sites 18088, 18116, 18117, 18134 and 18197  
Honokohau I and II Ahupuaa, North Kona District, Hawaii Island  
TMK (3) 7-4-08:13, 30 and 74**

On October 20, 2005 the Hawaii Island Burial Council (HIBC) concurred with your proposal and voted to preserve in place the burials within Sites 18088, 18116, 18117, 18134 and 18197 located on the subject tax map key (TMK) parcels.

The HIBC's determination has been accepted and the Department of Land and Natural Resources (DLNR) has moved forward with a review of the final details of preservation for the five burial sites. Pursuant to §6E-43(d) of the Hawaii Revised Statutes (HRS), the department has ninety (90) days from the date of the HIBC's determination to approve a final preservation plan.

*"A Burial Treatment Plan for and Area in the Ahupua'a of Honokohau I (Nui) and II (Iki), Kona District, Island of Hawaii (TMK (3)-7-4-08:13, (3) 7-4-08:30, and (3) 7-4-08:74)"* which was submitted to the HIBC for review in order for a determination to be rendered, contains the details of preservation for the five burial sites. Your October 7, 2005 memo to the HIBC addressed concerns regarding buffer zones which were expressed at the September 15, 2005 HIBC meeting. The HIBC reviewed the proposed expansion of buffer zones around the sites at the October 20, 2005 HIBC meeting and voted to concur with the proposal. It is our understanding that the proposals detailed in your October 7, 2005 memo will be incorporated into the final preservation details for the five burial sites.

The burial treatment plan submitted to the DLNR and HIBC for review details the Kamanu Street Extension which is proposed to cross over the eastern portion of Site 18117 (a lava tube) on the surface.

Mr. James S. Greenwell  
January 20, 2006  
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Our review of archaeological maps depicting the location of the burials within this large lava tube indicates that the proposed surface crossing would occur well over 100-feet away from the identified burials within the lava tube. The opening to this tube is within the western portion of the tube, well removed from the proposed crossing.

County of Hawaii Ordinance Number 04 110, effective October 12, 2004, requires that West Hawaii Business Park, LLC complete the Kamanu Street Extension prior to the issuance of a Certificate of Occupancy of structures within the project area.

Concerns regarding the proposal for the Kamanu Street Extension to surface cross a lava tube burial site have been expressed to the DLNR by recognized cultural descendants to the burials in this project area, members of the HIBC and concerned community members. The DLNR has given careful consideration to these concerns and have asked for alternative alignments to be identified and reviewed. In response, your civil engineer, Akinaka & Associates LTD identified five (5) alternative alignments for the Kamanu Street Extension that avoided the surface crossing of the eastern portion of Site 18117. Designs for alternative alignments are somewhat restricted due to the fact that the Kamanu Street Extension is being engineered to connect two pre-existing points.

The County of Hawaii, Department of Public Works reviewed the five alternative alignments and determined that all five alternatives could not be used via a letter dated October 19, 2005. The County of Hawaii Director and Deputy Director of the Department of Public Works provided testimony at the October 2005 HIBC meeting that these alternatives were unacceptable due to National and County of Hawaii safety standards for road design.

It now appears that all design and engineering options which would provide an acceptable alternative alignment for the Kamanu Street Extension that avoided crossing the surface of Site 18117 have been exhausted. Therefore, the DLNR approves the surface crossing of the eastern portion of Site 18117 by the Kamanu Street Extension as proposed in the burial treatment plan submitted to our office for review.

The burial treatment plan details a proposal that will be submitted to the County of Hawaii, Department of Public Works. The proposal will present a plan to strengthen the Kamanu Street roadbed with a reinforced concrete section and to minimize the width of travel lanes in the area of the cave by eliminating the 10 foot center turn lane. This proposal is an effort to minimize the potential for collapse of the section of Site 18117 where the Kamanu Street Extension will cross.

We encourage these efforts and appreciate the opportunity to review these proposals. The County of Hawaii, Department of Public Works is rightfully charged with ensuring that the design of roads such as the Kamanu Street Extension meet National and County of Hawaii safety standards and the DLNR respectfully defers the review and approval of detailed construction plans to the County of Hawaii.

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In summary, the DLNR approves the short and long term measures for the five burial sites situated on the subject TMK parcels detailed in a burial treatment plan submitted to our office for review. We also agree with the proposed revisions to expand the buffer zones around these five sites detailed in your October 7, 2005 memo. We look forward to seeing the measures implemented, which will provide perpetual protection for the burials within these sites.

Thank you for your cooperation and patience throughout our review of this matter. Should you have any questions, please contact Keola Lindsey at (808) 327-3692.

Sincerely,



Melanie A. Chinen, Administrator  
State Historic Preservation Division

c: Recognized Cultural Descendants  
Members, Hawaii Island Burial Council  
Keola Lindsey, SHPD-Kona  
Sunny Greer, SHPD