

LINDA LINGLE
GOVERNOR



KATHRYN B. MATAYOSHI
INTERIM SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

January 28, 2010

Jon Wallenstrom, Senior Vice President
Forest City Hawaii Residential Inc.
5173 Nimitz Road
Honolulu, Hawaii 96818

Dear Mr. Wallenstrom:

Subject: Kamakana Villages at Keahuolu

I would like to respond to your November 10, 2009, letter to Heidi Meeker. Your letter raises two different issues concerning the payment of school impact fees by Kamakana Villages. The first issue is whether Kamakana Villages is exempt from school impact fees because it is being developed pursuant to Chapter 201H, Hawaii Revised Statutes. We would like to complete our consultation with our Attorney General before we respond to you on that issue.

The second issue raised in your letter is your plan to provide two school sites within Kamakana Villages. When we first met with you in the summer of 2009, we informed you that a four-acre school site and an eight-acre school site do not meet the Department of Education's (DOE) policy guidelines for school size. We left the meeting with the understanding that you were going to review your project plans and that you would consult with DOE staff knowledgeable about school design standards.

Your November 10th letter included a plan identical to the one we looked at in the summer. However, since receipt of your letter, we have looked at your plan again and asked that the Complex Area Superintendent of West Hawaii schools also review the plan. Our conclusion remains the same. We think there needs to be an elementary school site within Kamakana Villages with a minimum of 12 "usable" acres, with usable described in the policy as land free of unnecessary encumbrances, a slope of less than 5 percent, with no ravines or stream beds.

Attached to this letter is a template for the education contribution agreement. We will use the template as the basis for our future discussions on our agreement for Kamakana Villages. If you have any further questions, please call Heidi Meeker of the Facilities Development Branch at 377-8301.

Sincerely,

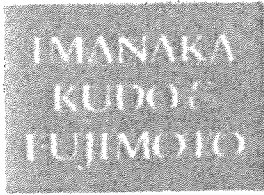
A handwritten signature in black ink that reads "Randolph G. Moore".

Randolph G. Moore
Assistant Superintendent

RGM:to

Attachment

c: Art Souza, CAS, Honokaa/Kealahou/Kohala/Konawaena Complex Areas



A Limited Liability Law Company

RECEIVED
FEB 10 2010

February 9, 2010

Mitchell A. Imanaka
Benjamin A. Kudo
Wesley M. Fujimoto
Jon M.H. Pang
Richard T. Asato, Jr.
Naomi U. Kuwaye

Steven S. C. Lim, Esq.
Carlsmith Ball LLP
121 Waianuenue Avenue
Hilo, Hawaii 96720

**Re: Hawaii Housing Finance and Development Corporation and
Forest City Hawaii Kona, LLC**

Dear Steve:

Nikki T. Senter
Ryan E. Sanada
Nina L. Takamori
Owen T. Iida
Yuko Funaki

Pursuant to our telephone conversation of this date, enclosed herewith are courtesy copies of the following documents regarding the acquisition of approximately 450 acres of Queen Liliuokalani Trust lands by the State of Hawaii:

- 1. Memorandum of Understanding; and
- 2. Purchase Agreement.

Should you have any questions concerning the above, please feel free to contact the undersigned.

Of Counsel

R. Brian Tsujimura

Perfecto R. Yasay, Jr. *

* admitted to practice only in
New York and Philippines.
Former Chairman
Securities and Exchange
Commission, Republic of the
Philippines

Hon. Mario R. Ramil

Former Associate Justice
Hawaii Supreme Court

Very truly yours,

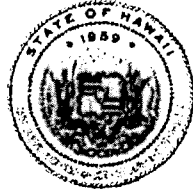
IMANAKA KUDO & FUJIMOTO

Benjamin A. Kudo

BAK:st
Enclosures

TOPA Financial Center
Fort Street Tower
745 Fort Street Mall, 17th Floor
Honolulu, Hawaii 96813
Phone: (808) 521-9500
Facsimile: (808) 541-9050
info@imanakakudo.com

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

LAURA H. THIRLEN
CHAIRPERSON
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RUSSELL Y. TSUJI
FIRST DEPUTY

KIEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCE
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LAND
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 11, 2010

Alan E. Haun, Ph.D., Principal Archaeologist
Haun & Associates
73-1168 Kahuna A'o Road
Kailua-Kona, Hawai'i 96740

LOG NO: 2009.4069
DOC NO: 1002TD07

Dear Dr. Haun:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
Archaeological Mitigation Plan Update for the Kamakana Villages at Keahuolu
Keahuolu Ahupua`a, North Kona District, Island of Hawai'i
TMK: (3) 7-4-21: 20**

Thank you for submitting the draft report entitled *Archaeological Mitigation Plan Update, Kamakana Villages at Keahuolu Project, Land of Keahuolu, North Kona District, TMK: 3-7-4-21:20 and Por. 06, Land of Hienaloli 1, North Kona District, Island of Hawai'i* (A.E. Haun and D. Henry, November 2009, Report 655-101909). We apologize for the delay in responding to this submittal, which was received November 9, 2009. The purpose of the update work is to a) assess the completeness and accuracy of a previous inventory survey; b) relocate historic properties originally designated for data recovery and preservation, so that a mitigation plan for the current project area can be completed; and c) document all agricultural features within the sample transects as a mitigation measure. The prior survey report (Donham 1990) and mitigation plan (Jensen et al 1992) were prepared for a larger 1,100-acre property which included the current project area. The prior survey identified 56 historic properties within the current project area, 25 of which included non-agricultural features.

The report describes the findings of systematic field survey of three 50 meter-wide sample transects within the 272-acre parcel. The transects ranged in length from 503 to 961 meters, with an overall surface area of 27.4 acres, or 10% of the project area. Survey of these transects resulted in the identification of 15 sites that could not be correlated with previously identified sites. These findings indicate that potentially, an additional 135 sites could be present within the project area that have not yet been identified and documented.

The report also documents attempts to relocate the 25 sites with non-agricultural features that were previously identified and designated for mitigation measures (data recovery and/or preservation). Seven of these sites could not be relocated. Among the relocated sites, the average map location error for the prior survey was 74.25 meters. Only one site location (a large complex surround by a stone wall) was found to be plotted accurately.

These findings clearly indicate that the 1989-1990 survey results are not acceptable for use in meaningful historic preservation planning for this project area. We concur with the recommendation that additional pedestrian survey fieldwork is needed to: 1) relocate all previously identified sites not found during the current update project; and 2) systematically inspect all areas not included in the sample transects or in the areas covered during the site relocation process. All previously and newly-identified sites that include

Dr. Alan Haun
Page 2

non-agricultural features should be documented with scaled plan maps, photographs and written descriptions; and test excavations should be conducted as needed to determine age and function of various features. Agricultural features should be identified by formal type and mapped using GPS technology.

Your report recommends that the site relocation fieldwork be conducted as part of data recovery mitigation, and that pedestrian survey of other areas be conducted as part of the monitoring phase. Given the extent and nature of new findings reported here, we believe that the pedestrian survey fieldwork should be conducted as an inventory survey addendum rather than as part of the mitigation program. We believe it is premature to begin the mitigation phase at this time; and that a more reliable base of information regarding the location and nature of historic properties within the project area is needed first. We therefore recommend that all areas not included in the sample transects be systematically surveyed and an addendum survey report be prepared which includes information for the previously identified and newly identified sites as specified in Hawai'i Administrative rule §13-276-5.

At this time, we concur with the significance assessments and recommended treatments for the 15 newly identified sites. These include data recovery at nine temporary habitation lava tubes (Sites 26896, 26898, 26899, 26901, 26903-26905, 26907 and 26908); two temporary habitation complexes (Sites 26897 and 26900); and two agricultural complexes comprising a total of 116 features (Site 26909 and 26910); and preservation of two lava tube burials (Site 26902 and 26906). We will review the revised significance assessments and recommend treatments for the previously identified sites after they have all been either relocated, confirmed to be outside the project area, or confirmed to be no longer present. In general, we anticipate concurring with the proposed assessment and treatment for the relocated sites, as presented in Table 8 of the report.

If you agree with our recommendations regarding the addendum inventory survey, you may submit the applicable pages with revisions (ii and 65). If you wish to further discuss the conclusions of this letter, please contact Theresa Donham at (808) 933-7653.

Aloha,

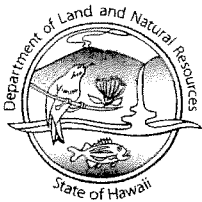
A handwritten signature in black ink that reads "Nancy A. McMahon". The signature is written in a cursive style with a large, sweeping initial "N".

Nancy McMahon, Deputy SHPO/State Archaeologist
and Historic Preservation Manager
State Historic Preservation Division

LINDA LINGLE
GOVERNOR OF HAWAII

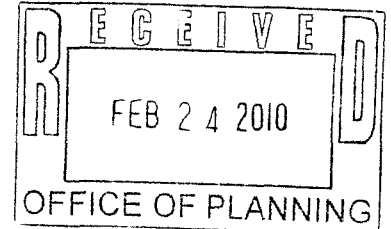


LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809



February 19, 2010

Mr. Orlando Davidson, Executive Officer
Land Use Commission
State Office Tower
235 South Beretania Street Room 406
Honolulu, Hawaii 96813

Dear Mr. Davidson:

Subject: Petition for Amendment to the State Land Use District Boundary from
Agricultural to Urban for the Proposed Kamakana Villages at Keahuolu (Forest City)

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR), Land Division distributed or made available a copy of the Petition pertaining to the subject matter to DLNR Divisions for their review and comment. They are as follows:

Division of Aquatic Resources: No comments
Land Division-Hawaii District: No comments

Engineering Division: The project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone X. The Flood Insurance Program does not have any regulations for developments within Zone X. The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

Should you have any questions, please feel free to call our office at 587-0433. Thank you.

Sincerely,

Morris M. Atta
Administrator

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/Morris M. Atta

REF: Petition For Amend To The State Land Use Dist Boundary For Proposed Kamakana Villages
Hawaii.001

COMMENTS

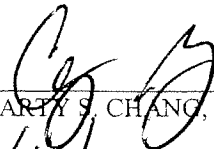
- () We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone ____.
- (X) **Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone X. The National Flood Insurance Program does not have any regulations for developments within Zone X.**
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

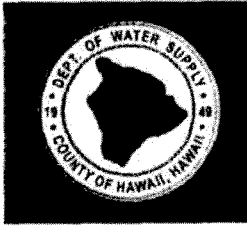
Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Robert Sumimoto at (808) 523-4254 or Mr. Mario Siu Li at (808) 523-4247 of the City and County of Honolulu, Department of Planning and Permitting.
 - () Mr. Frank DeMarco at (808) 961-8042 of the County of Hawaii, Department of Public Works.
 - () Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.
 - () Mr. Mario Antonio at (808) 241-6620 of the County of Kauai, Department of Public Works.
- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.
 - (X) **The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.**
 - () Additional Comments: _____

 - () Other: _____

Should you have any questions, please call Mr. Dennis Imada of the Planning Branch at 587-0257.

Signed: 
CARY S. CHANG, ACTING CHIEF ENGINEER
Date: 2/10/10



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

February 22, 2010

Mr. Race Randle
Forest City Hawaii, Kona LLC
5173 Nimitz Road
Honolulu, HI 96818

**COMMENTS ON THE REVISED WATER MASTER PLAN FOR
KAMAKANA VILLAGES AT KEAHUOLŪ
TAX MAP KEY 7-4-021:020**

We have reviewed the above-referenced December 22, 2009, revision of the water master plan for Kamakana Villages at Keahuolū and offer the following comments:

1. Proposed First Well - Based on the pump test record of Well No. 3957-05, the proposed installation of a 1050-GPM pump is acceptable to the Department of Water Supply (DWS). Its supply will be allocated as 1.0 MGD for the Kamakana Villages at Keahuolū project and 0.5 MGD to DWS.
2. Proposed Second Well - DWS agrees that a well drilled on or directly up-gradient from our Moeauoa tank site will likely develop high-level groundwater and that with proper casing, size, and well depth, is likely to produce a supply of at least 1.07 MGD (740 GPM). If this proves to be the case and subject to its actual development and dedication of one-third of its developed capacity to DWS, this will complete the necessary source development for the project.
3. High Elevation Storage Reservoirs - The water master plan proposes to install 0.5-MG storage tanks meeting all applicable DWS standards with 1703-foot overflow elevations next to or above each of the two supply wells. Actual reservoir capacity will depend on DWS' review of an ongoing study to determine the appropriate operating capacity for these reservoirs.
4. Transmission Pipelines - DWS approves the 16-inch pipeline size from the high-elevation storage tanks down to and north along Māmalahoa Highway to connect to DWS' existing 16-inch main.

If you have any questions, please contact Mr. Kurt Inaba of our staff at 961-8070, extension 238.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

LEB:dms



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122, Box 50088
Honolulu, Hawaii 96850

In Reply Refer To:
2010-TA-0162

MAR 12 2010

Ms. B. J. Leithhead Todd
County of Hawaii
Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Subject: Change of Zoning Application from A-5a to Project District, North Kona, Hawaii

Dear Ms. Leithhead Todd:

We are in receipt of your letter dated February 9, 2010, describing a proposed zoning change from A-5a to Project District on approximately 272.63 acres (110.07 hectares) [TMK 3 7-4-021;020] in South Kona, Hawaii. The applicant, Forest City Hawaii Kona, is proposing to develop a master-planned community of 1,020 to 2,330 single- and multi-family residences, commercial and retail space, a site reserved for a school, neighborhood parks, an archeological preserve, and open space. You requested our written comments regarding this proposed change in zoning.

We submitted a letter dated April 8, 2008, commenting on the Draft Environmental Impact Statement (DEIS) and we offered information and recommendations regarding listed species that occur in the vicinity of this project. The consultant, Lee W. Sichter of Belt Collins, addressed many of our concerns. However, we are still concerned about potential impacts to Hawaiian hoary bats (*Lasiurus cinereus semotus*). We note that on May 27, 2008, Phillip Bruner conducted one field survey utilizing an ultrasound device on the property and did not detect any Hawaiian hoary bats. However, Hawaiian hoary bats are known to be seasonally migratory on the island of Hawaii. Even though bats were not detected during Mr. Bruner's survey, Hawaiian hoary bats could be present when construction activities take place. Hawaiian hoary bats roost in both exotic and native woody vegetation and leave their young unattended in "nursery" trees and shrubs when they forage. If trees or shrubs suitable for bat roosting are cleared during the bat breeding season (May to August), there is a risk that young bats could inadvertently be harmed or killed. To minimize impacts to the endangered Hawaiian hoary bat, a condition of the Zoning change should include the following: woody plants greater than 15-feet (4.6-meters) tall should not be removed or trimmed during the bat birthing and pup rearing season (May 15 through August 15).

TAKE PRIDE
IN AMERICA 

We have another concern that has recently come to our attention due to other construction projects in the Kona area. According to the DEIS, *Bidens micrantha* ssp. *ctenophylla* (kookoolau), a candidate species for listing as endangered or threatened, was observed within the project parcel. *Bidens micrantha* ssp. *ctenophylla* has declined from more than 1,000 individuals in 2006 to the most recent estimate of 130 to 140 individuals (based on information in our files compiled in 2008). This species is only known from four wild and four outplanted populations, and is restricted to an area of less than 10 square miles (26 square kilometers) in the district of North Kona. Candidate species are plants and animals for which we have sufficient information on their biological status and threats to propose them as endangered or threatened under the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended (ESA). However, under the ESA, immediate protection or emergency listing (i.e., immediately listed as an endangered species) may be provided to a species when the threat is so great to a significant proportion of the total population that the expected losses during the normal listing process would risk the continued existence of the species or may result in the extinction of the species. In addition, once a species is listed under Federal law it is concurrently protected under State law (Hawaii Revised Statutes, Chapter 195 D). We believe, it is in the best interest of the applicant to evaluate potential impacts to this species before construction is initiated, to prevent possible delays in project implementation. The applicant should contact our office for further guidance regarding this extremely rare species prior to the requested zone change decision. We ask that the County of Hawaii delay the zone change until this issue has been addressed.

We are in receipt of a Notice of Intent to file a Land Use District Boundary Amendment Petition for this property, and will be submitting similar comments on that action. If you have questions regarding this letter, please contact Dr. Jeff Zimpfer, Fish and Wildlife Biologist, Consultation and Technical Assistance Program (phone: 808-792-9431; email: jeff_zimpfer@fws.gov).

Sincerely,



 Loyal Mehrhoff
Field Supervisor

cc: Steven S. C. Lim, Esq., Carlsmith Ball
Jennifer A. Benck, Esq., Carlsmith Ball
Forest City Hawaii Kona, LLC
Hawaii Housing Finance and Development Corporation
Paul Conry, Division of Forestry and Wildlife

LINDA LINGLE
GOVERNOR OF HAWAII



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MAR 17 2010



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

March 16, 2010

Mr. Orlando Davidson, Executive Officer
Land Use Commission
State Office Tower
235 South Beretania Street Room 406
Honolulu, Hawaii 96813

Dear Mr. Davidson:

Subject: Petition for Amendment to the State Land Use District Boundary from
Agricultural to Urban for the Proposed Kamakana Villages at Keahuolu

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR), Land Division distributed or made available a copy of the Petition pertaining to the subject matter to DLNR Divisions for their review and comment. They are as follows:

State Historic Preservation: We have recently reviewed a mitigation plan update for this project area (Haun and Henry 2009). The update fieldwork was designed to assess the completeness and accuracy of a prior inventory survey conducted of the project area in 1990. Based on the findings of the update work, we have recommended that additional fieldwork is needed to identify all previously located and unidentified historic properties, so that their documentation and significance can be assessed to current standards. We concur with the proposal to include two archaeological preserves in the development plan; however, we cannot at this time be certain that all preservation sites have been identified.

We have no objections to the change in land use, with the understanding that the applicant will follow through with the identification and documentation of historic properties within the project area; and will ensure the preservation of significant historic properties as deemed appropriate in consultation with our office. If you have any questions, please contact Theresa K. Donham at (808) 933-7653.

Should you have any questions, please feel free to call our office at 587-0433. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Morris M. Atta", with a long horizontal flourish extending to the right.

Morris M. Atta
Administrator

Cc: Steven S.C. Lim
Office of Planning
County of Hawaii, Planning Department

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

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AQUATIC RESOURCES
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LAND
STATE PARKS

March 8, 2010

Log No. 2010.0744
Doc No. 1003TD04

MEMORANDUM

TO: Morris M. Atta
Land Division

FROM: Nancy McMahon, Deputy SHPO/State Archaeologist and Historic Preservation Manager

SUBJECT: Chapter 6E-8 Historic Preservation Review -
Petition for Amendment to the Land Use District Boundary- Kamakana Villages
Keahuolu Ahupua'a, North Kona District, Island of Hawaii
TMK: 7-4-021: 020

Thank you for submitting a copy of this application, which was received February 9, 2010. The application requests a change from agriculture to urban zoning for 272 acres, to allow for the development of a HHFDC affordable housing project, mixed-use retail areas, park areas, and archaeological preservation areas.

We have recently reviewed a mitigation plan update for this project area (Haun and Henry 2009). The update fieldwork was designed to assess the completeness and accuracy of a prior inventory survey conducted of the project area in 1990. Based on the findings of the update work, we have recommended that additional fieldwork is needed to identify all previously located and unidentified historic properties, so that their documentation and significance can be assessed to current standards. We concur with the proposal to include two archaeological preserves in the development plan; however, we cannot at this time be certain that all preservation sites have been identified.

We have no objections to the change in land use, with the understanding that the applicant will follow through with the identification and documentation of historic properties within the project area; and will ensure the preservation of significant historic properties as deemed appropriate in consultation with our office. If you have any questions, please contact Theresa K. Donham at (808) 933-7649.

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LAND DIVISION
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DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

LAURA H. THELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL V. TSUJI
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LENORE N. OIYE
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AQUATIC RESOURCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

August 19, 2010

Alan E. Haun, Ph.D., Principal Archaeologist
Haun & Associates
73-1168 Kahuna A'ō Road
Kailua-Kona, Hawai'i 96740

LOG NO: 2010.2592
DOC NO: 1008TD13

Dear Dr. Haun:

**SUBJECT: Chapter 6E-8 Historic Preservation Review –
Draft Addendum Archaeological Inventory Survey Report for 272.063 Acres
Keahuolū Ahupua'a, North Kona District, Island of Hawai'i
TMK: (3) 7-4-021: 020, 024, 025, 026 and 027**

Thank you for submitting the draft report entitled *Addendum Archaeological Inventory Survey TMK: (3) 7-4-021: 020, 024, 025, 026 and 027, Land of Keahuolu, North Kona District, Island of Hawaii* (A.E. Haun, D. Berrigan and D. Henry, June 2010, Report 734-041510).

The report describes the findings of an intensive pedestrian survey of the Kamakana Villages development area, proposed for 2,320 residential units, three retail centers, three parks and two archaeological preserves. Hawaii Housing Finance and Development Corporation (HHFDC) and Forest City Hawaii Kona, LLC are the primary developers. The addendum survey follows an archaeological mitigation plan update, which was completed by your firm in November 2009 (Haun & Henry 2009). Fieldwork for the preceding study indicated that the findings of a prior inventory survey (Donham1990) of this area were not acceptable for use in preservation planning, and SHPD recommended that the entire project area be resurveyed (*Log 2010.4069, Doc 1002TD07*). Because the 1990 survey had been previously accepted by our office, the current submittal is considered an addendum report.

A total of 149 historic properties comprising 3,326 features were identified within the project area. These include 29 previously identified sites and 120 newly-identified sites. The majority of identified features (80%) are agricultural modified outcrops (n=2,655); agricultural mounds (n=116) and pahoehoe excavations (n=196) are also common. The remaining features include 58 lava tubes, 54 enclosures, 30 platforms, 25 walls, 21 cairns, 20 petroglyphs, 16 filled cracks, 15 trails, 9 lava blisters, 8 pavements, 4 C-shapes, 4 L-shapes, 2 cart paths, 2 walled terraces, and one each of a cupboard, road, upright, U-shape and walled platform.

Subsurface testing was conducted at 69 locations during the current survey; three locations during the mitigation plan update; and seven locations during the 1989-1990 survey. Tested features include 31 permanent habitation structures, 29 agricultural features, 10 temporary habitation features, a cart path and an historic habitation feature. The survey also included examination of 323 lava tubes/blisters, of which 67 were found to contain cultural materials and/or features. All of the examined non-cultural tubes, blisters and overhangs are located on a map of the project area, providing an excellent overview of the non-cultural geological features for comparison to the distribution of cultural features.

Dr. Alan Haun
August 19, 2010
Page 2

The report contains appropriate background information for an addendum survey; and documentation of the identified historic properties is adequate, pursuant to HAR §13-276.

The report recommends that all the identified sites are significant under HAR 13-284 Criterion "d", for important information relating to history or prehistory. We concur with these assessments. Eighteen sites are recommended for additional significance under Criterion "e" for their cultural value to Native Hawaiian people. These include six identified burial sites (13441, 13474, 26902, 26906, 28444 and 28400); eight possible burial sites located within the preservation area (13398, 28484, 28488, 28489, 28491, 28492, 28494, and 28497); two ceremonial sites (13463 and 28458); one ceremonial/burial site (13463); and a petroglyph site (13463). We concur with these assessments. Two sites are recommended for additional significance under Criterion "c" as excellent examples of site types (28423 and 13441). We concur with these assessments.

Twenty-four sites comprising approximately 90 features are recommended for preservation. These include all of the identified burial sites and possible burial sites, and all sites assessed under two or more significance criteria as listed above. In addition, numerous agricultural features associated with Site 26909 are located within the boundaries of the southwestern preservation area and will also be preserved. We concur with the recommendations for preservation and look forward to receiving a preservation plan and/or burial treatment plan for the twenty-four sites (28458, 13463, 28423, 13474, 26906, 28400, 13398, 13400, 13413, 28483, 28484, 28486-88, 28491-92, and 28494-98, 13441, 26902, and 28444).

Twenty-three sites are recommended for no further work. We concur with this recommendation regarding twenty-two of these sites. We request that Site 29090, the agricultural complex comprised of 2,725 features be included among the 102 sites recommended for further data collection. Please contact our office regarding the specifics of further work at this site. We look forward to receiving a data recovery plan addressing specific research questions and proposed fieldwork at the 103 sites recommended for data recovery.

We have a few comments regarding minor editorial corrections (see attachment). The subject addendum report will be approved in accordance with HAR §13-276, upon receipt of corrected relevant pages. If you have any questions, please contact Theresa Donham at 933-7653 or Theresa.K.Donham@hawaii.gov.

Aloha,



Theresa K. Donham
Acting Archaeology Branch Chief
Historic Preservation Division

cc: Mary Alice Evans, State Office of Planning

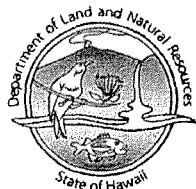
ATTACHMENT

Comments and Questions: *Addendum Archaeological Inventory Survey*

TMK: (3) 7-4-021: 020, 024, 025, 026 and 027, Land of Keahuolu, North Kona District, Island of Hawaii
A.E. Haun, D. Berrigan and D. Henry, June 2010, Report 734-041510

1. UTM coordinate information is provided for every feature, either as part of the feature description, or in tabulated format. We understand that this information was requested to be put in reports by a prior SHPD reviewer. Due to the fact that this report will be made available for public review, we request that UTM coordinates be removed from the report for burial features. In the future, we would prefer to have UTM coordinate data submitted in electronic format rather than printed as hard copy in reports.
2. Page 34, Site 13400 description: third paragraph begins with "Site 13440".
3. Site 13465, Feature C (page 67) is a roughly square paved terrace associated with a rectangular enclosure and a platform. The site is interpreted as a permanent habitation complex. Feature A was tested and no cultural material was found. Feature C has not been tested. Based on the appearance and dimensions of Feature C as presented in the report, we request that it be classified as a possible burial until such time that its function is verified.
4. Site 13471, Feature E (page 69) is an oval-shaped platform associated with an upright slab, a rectangular terrace, and a lava tube. The site is interpreted as a permanent habitation complex. The rectangular terrace (Feature C) was tested and no cultural materials were found. Feature E has not been tested. Based on the appearance and dimensions of Feature E as presented in the report, and absence of portable materials, we request that it be classified as a habitation/possible burial until such time that its function is verified.
5. Site 26909 (page 95) is described as a complex with 2,725 features. The fifth paragraph of the description states that there are 2,779 clearing piles. Please check to see if this figure should read 2,704.
6. Figure 68, page 122; the caption for this map (Site 1169...) should read "Site 26909, Feature 1169...".
7. Site 28405 (page 147) is described as a rectangular terrace with a surface area of 21.3 square meters. A 1 x 1 meter test unit was excavated near the center of the terrace and no cultural material was found. No cultural material was observed on the surface of the feature; however, the function is inferred as permanent habitation. Due to the small percentage of the terrace that has been tested; the appearance and dimensions as reported, and the absence of portable remains, we request that this feature be classified as habitation/possible burial until such time that its function is verified.
8. Site 28408, Features C and D (page 152) excavation results: 2.3 grams of charcoal was recovered from Layer II beneath Feature C, and 3.3 grams of charcoal were recovered from Layer II soil beneath platform fill of Feature D. Please indicate that this charcoal will be submitted for identification and age determination analysis during the data recovery phase of work.
9. Site 28415 (page 162) consists of three adjoining terraces within an area 13.5 by 13.0 meters. The site is interpreted as a permanent habitation complex. No testing was conducted during the survey. We request that the site be classified as permanent habitation/possible burial until such time that its function is verified.
10. Page 349, first paragraph, 8th line, the words "the project area" are repeated.
11. Page 352, recommended treatments, please include a discussion about the number and types of sites recommended for data recovery and a discussion of proposed research problems that will be addressed in the data recovery. Also, please correct this page to reflect addition of Site 26909 to the list for data recovery.

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

September 2, 2010

Alan E. Haun, Ph.D., Principal Archaeologist
Haun & Associates
73-1168 Kahuna A'o Road
Kailua-Kona, Hawai'i 96740

LOG NO: 2010.2965
DOC NO: 1009TD02

Dear Dr. Haun:

**SUBJECT: Chapter 6E-8 Historic Preservation Review –
Revised Addendum Archaeological Inventory Survey Report for 272.063 Acres
Keahuolū Ahupua'a, North Kona District, Island of Hawai'i
TMK: (3) 7-4-021: 020, 024, 025, 026 and 027**

Thank you for submitting the revised draft report entitled *Addendum Archaeological Inventory Survey TMK: (3) 7-4-021: 020, 024, 025, 026 and 027, Land of Keahuolu, North Kona District, Island of Hawaii* (A.E. Haun, D. Berrigan and D. Henry, June 2010, Report 734-082510). This revision was received August 30, 2010. We reviewed an earlier draft of this report and we requested some revisions for final acceptance (*Log 2010.2592, Doc 1008TD13*). The subject revised report contains all of the requested revisions.

As indicated in our prior review letter, the report contains appropriate background information for an addendum survey; and documentation of the identified historic properties is adequate, pursuant to HAR §13-276.

The revised report recommends that all the 149 identified historic properties are significant under HAR 13-284 Criterion "d", for important information relating to history or prehistory. Eighteen sites are recommended for additional significance under Criterion "e" for their cultural value to Native Hawaiian people. These include six identified burial sites (13441, 13474, 26902, 26906, 28444 and 28400); eight possible burial sites located within the preservation area (13398, 28484, 28488, 28489, 28491, 28492, 28494, and 28497); two ceremonial sites (13463 and 28458); one ceremonial/burial site (13463); and a petroglyph site (13463). Two sites are recommended for additional significance under Criterion "c" as excellent examples of site types (28423 and 13441). We concur with these recommended assessments.

Twenty-four sites comprising approximately 90 features are recommended for preservation. These include all of the identified burial sites and possible burial sites, and all sites assessed under two or more significance criteria as listed above. In addition, numerous agricultural features associated with Site 26909 are located within the boundaries of the southwestern preservation area and will also be preserved. We concur with the recommendations for preservation and look forward to receiving a preservation plan and/or burial treatment plan for the twenty-four sites (28458, 13463, 28423, 13474, 26906, 28400, 13398, 13400, 13413, 28483, 28484, 28486-88, 28491-92, and 28494-98, 13441, 26902, and 28444).

Four sites are recommended for possible preservation, based on findings during future testing (13465, 13471, 28405 and 28415).

Twenty-two sites are recommended for no further work, and 86 sites (and portions of three sites) are recommended for additional data recovery field work. We concur with these recommendations. Sites for which adequate information has been collected include 5011, 13395, 13426, 13436, 13450, 13452, 26910, 28401, 28402, 28404, 28409, 28410, 28411, 28412, 28432, 28435, 28446, 28450, 28455, 28457, 28472, and 28479.

We look forward to receiving a data recovery plan addressing specific research questions and proposed fieldwork at the 86 sites recommended for data recovery.

The subject report is approved in accordance with HAR §13-276. Please send one hardcopy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF file on CD to the Kapolei office, care of SHPD Library. If you have any questions regarding this sletter, please contact me at Theresa.K.Donham@hawaii.gov or (808) 933-7653.

Aloha,

A handwritten signature in black ink, appearing to read 'Theresa K. Donham', with a long horizontal line extending to the right.

Theresa K. Donham
Acting Archaeology Branch Chief
Historic Preservation Division

cc: Mary Alice Evans, Office of State Planning