

Appendix C

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

May 14, 2020

Aedward Los Banos, Executive Director
Hawaii Community Development Authority
547 Queen Street
Honolulu, Hawaii 96817

IN REPLY REFER TO:
Log No. 2020.00654
Doc. No. 2005SL02
Archaeology

Dear Mr. Los Banos:

SUBJECT: **Chapter 6E-42 Historic Preservation Review –
Kalaeloa Home Lands Solar Project
Request for Concurrence with Effect Determination of “No Historic Properties Affected”
Honouliuli Ahupua‘a, ‘Ewa District, Island of O‘ahu
TMK: (1) 9-1-013:029**

This letter provides the State Historic Preservation Division's (SHPD's) review of the subject project proposed by Arion Energy, LLC dba Kalaeloa Home Lands Solar, LLC (KHLS), an assignee under the Department of Hawaiian Home Lands' (DHHL's) General Lease No. 294, originally issued in October 2011, covering 29.853 acres. KHLS plans to construct and operate a solar photovoltaic farm on the subject property identified as TMK: (1) 9-1-013:029.

This proposed project is subject to HRS 6E-42 historic preservation review and its implementing regulations. Per HAR §13-284-1, the agency approving or issuing a permit, license, certificate, land use change, subdivision, or other entitlements to use, must afford the SHPD an opportunity to comment on any such approval or permit. Two agencies are identified in the project submittal, the DHHL and the Hawaii Community Development Authority (HCDA).

SHPD received KHLS' original project submittal on May 20, 2019 (SHPD Log No. 2019.01154). This submittal included a SHPD HRS 6E Submittal Form, a SHPD HRS 6E Submittal Fee Form, an archaeological field inspection report prepared by ASM Affiliates, a permit set, and an unsigned and undated HDCA form titled, *Project Authorization, Kalaeloa Community Development District*. The form identified the KHLS as the applicant and indicated the project area is a vacant lot.

The ASM Affiliates report (Gotay and Rechtman, February 28, 2019) is titled, *Archaeological Field Inspection of TMK: (1) 9-1-013:029, Honouliuli Ahupua‘a, ‘Ewa, Island of O‘ahu*. It was prepared in support of HAR §13-284-3, requiring an agency (1) to determine if historic properties are present in the project area and, if so, to identify and document (inventory) them, (2) to evaluate their significance, (3) to provide a project effect determination, and, if necessary, (4) to provide mitigation commitments, (5) develop necessary mitigation plans, and (6) implement mitigation plans.

The Gotay and Rechtman (2019) report states that no historic properties were identified within the proposed project area during a field inspection conducted in 2010, nor during the field inspection conducted on January 18, 2019. The project area is undeveloped and has been extensively modified by prior grading and clearing activities. Low potential exists for the project to encounter subsurface historic properties. However, pit caves may be present below the fill deposits, some of which have been documented elsewhere as containing fossil evidence or traditional Hawaiian cultural materials, including burials. The report also summarizes archival research and prior archaeological studies pertinent to the project area and vicinity.

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On January 13, 2020, SHPD received via email (David Robichaux [consultant for Arion Energy] to Susan Lebo [SHPD]) a letter dated January 9, 2020 from the HCDA in which the HCDA indicates it is submitting the ASM (2019) field inspection report and, based on the report findings, the HCDA requests the SHPD to indicate whether an archaeological inventory survey is needed to determine if historic properties are present (addition to SHPD Log No. 2019.01154).

In a letter dated March 10, 2020 (Ref No. PO-20-038), the DHHL notified the SHPD that DHHL authorizes KHLS to use the subject 29.853-acre property for the proposed solar photovoltaic farm. SHPD received this letter on March 18, 2020 (SHPD Log No. 2020.00654).

Subsequently, on March 13, 2020, the HCDA notified the SHPD via email (Tessa Malama [HCDA] to Susan Lebo [SHPD]) that the requirements of HAR 13-284-3 have been met. Specifically, ASM Affiliates completed archival research and an archaeological field inspection of the project area and, their report indicates that no significant historic properties were identified in the project area. Prior grading and other activities have extensively impacted the area and, thus, it is unlikely that buried intact cultural deposits remains, and no further archaeological work is recommended (addition to SHPD Log No. 2019.01154).

Based on these findings, HCDA requests the SHPD's concurrence with HCDA's HRS 6E project effect determination of "No historic properties affected" for the proposed solar photovoltaic project. No further archaeological work is required.

SHPD concurs with HCDA's project effect determination of "No historic properties affected" for the proposed project. Pursuant to HAR §13-284-7(e), when the SHPD agrees that the action will not affect any significant historic properties, this is the SHPD's written concurrence and historic preservation review ends.

Although the LRFI report does not fulfill the requirements of an archaeological inventory survey as specified in HAR §13-276, it serves to facilitate project planning and supports the historic preservation review process. **Please send** one hard copy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version of the report to the Kapolei SHPD office, attention SHPD Library. Additionally, please send a digital copy of the final LRFI report to lehua.k.soares@hawaii.gov.

SHPD hereby notifies DHHL and HCDA that the historic preservation review process is ended for the proposed Kalaeloa Home Lands Solar Project. The approval and permit issuance processes may proceed.

Please attach to construction plans: In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 692-8015.

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

Aloha,

Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
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