

STATE OF HAWAII
HAWAII COMMUNITY DEVELOPMENT AUTHORITY
Kalaeloa Community Development District
Honolulu, Hawaii, 96813

March 1, 2017

Chairperson and Members
Hawaii Community Development Authority
State of Hawaii
Honolulu, Hawaii

HCDA Board Members:

SUBJECT:

Shall the Authority Authorize the Executive Director to Enter Into Lease Negotiations with Aloha Solar Energy Fund II (ASEF II)/ECC Energy Solutions, LLC (ECC) to Develop a 5 Megawatt Photovoltaic Solar Farm (Project) on Parcel 13073-E, Tax Map Key (TMK) (1) 9-1-013: 070 at Kalaeloa, Oahu, Hawaii?

SUMMARY:

The Authority is being asked to authorize the Executive Director to enter into lease negotiations with ASEF II /ECC to develop a 5 megawatt photovoltaic (PV) solar farm (Project) on Parcel 13073-E, TMK (1) 9-1-013: 070 at Kalaeloa, Oahu, Hawaii. At its August 16, 2012 meeting, the Authority authorized the Executive Director to accept the ASEF mitigation plan (Mitigation) and to cease lease negotiations until the Mitigation is executed. The August 16, 2012 staff report, summary minutes, and related transcript excerpts are attached as Exhibit A.

The August 16, 2012 HCDA-approved Mitigation and related Hawaii State Historic Preservation Division (SHPD) consultation letters are attached as Exhibit B.

Materials Related to Negotiations Exhibits C – D -CONFIDENTIAL.

AUTHORITIES:

Hawaii Revised Statutes (HRS) § 206E-194, Kalaeloa Community Development District; development guidance policies.

- (3) Development shall seek to promote economic development and employment opportunities by fostering diverse land uses and encouraging private sector investments that utilize the opportunities presented by the receipt of property from the base closure consistent with the needs of the public;
- (4) The authority may engage in planning, design, and construction activities within and outside of the district; provided that activities outside of the district shall relate to infrastructure development, area-wide drainage improvements, roadways realignments and improvements, business and industrial relocation, and other activities the authority deems necessary to carry out redevelopment of the district and implement this chapter.

Studies or coordinating activities may be undertaken by the authority in conjunction with the county and appropriate state agencies and may address facility systems, industrial relocation, and other activities;

- (5) Planning, replanning, rehabilitation, development, redevelopment, and other preparation for reuse of Barbers Point Naval Air Station under this chapter are public uses and purposes for which public money may be spent and private property acquired;
- (6) Hawaiian archaeological, historic, and cultural sites shall be preserved and protected. Endangered species of flora and fauna and significant military facilities shall be preserved to the extent feasible;
- (7) Land use and redevelopment activities within the district shall be coordinated with and to the extent possible complement existing county and state policies, plans, and programs affecting the district; and
- (8) Public facilities within the district shall be planned, located, and developed to support the redevelopment policies established by this chapter for the district, the reuse plan approved by the governor, and rules adopted pursuant to this chapter. [L 2002, c 184, pt of §2]

BACKGROUND:

In 2010, the U.S. Navy conveyed Parcel 13073-E and five other land parcels to the HCDA through federal special legislation titled *National Defense Authorization Act for Fiscal Year 2010*. The following section applies to Kalaeloa Community Development District (Kalaeloa):

Section 2855, Land conveyances, Naval Air Station, Barbers Point, Hawaii. (a) CONVEYANCES AUTHORIZED. —The Secretary of the Navy may convey all right, title, and interest of the United States in and to the parcels of real property, including buildings, any improvements and right-of-ways thereon, described in subsection (b) and located at former Naval Air Station, Barbers Point, Oahu, Hawaii.

In 2011, ASEF/Sunetric, proposed to enter into negotiations with HCDA regarding a 20-year lease to establish a 5 megawatt PV solar farm project on 35 acres of the 44.28 acres on Parcel 13073-E. (See Materials relating to Negotiations, Exhibit C – CONFIDENTIAL.)

On April 16, 2012, members of the Ahahui Siwila Hawaii o Kapolei, also known as the Kapolei Hawaiian Civic Club, notified HCDA staff about their observations of unauthorized bulldozing activities which had occurred on Parcel 13073-E, Tax Map Key: (1)-9-1-013: 070. HCDA staff conducted a site inspection and discovered wooden stakes in the bulldozed areas that were marked with the word “GeoLabs.” HCDA staff contacted Mr. Clayton Miura, president of GeoLabs, who confirmed that his company was a subcontractor of ASEF/Sunetric and that his staff had entered onto the parcel to conduct work. Both GeoLabs and ASEF/Sunetric took responsibility for the unauthorized bulldozing activities, which had occurred without a Right-of-Entry permit from the HCDA.

On April 24, 2012, the HCDA, SHPD, ASEF/Sunetric and their consultant, Group 70, conducted a site investigation. At its August 16, 2012 meeting, the Authority authorized the Executive

Director to accept the mitigation measures proposed. The following table provides a status of the mitigation measures:

MITIGATION PLAN MEASURES:	STATUS:
1. Hire an archaeologist to conduct a project resource inventory and damage assessment for Sites 5119 and 5120. The report should include previous documented and undocumented sites on Parcel 13073-E.	Archaeological Inventory Survey completed.
2. Hire the Civic Club ‘Ahahui Siwila o Hawaii O Kapolei as a consultant.	Completed.
3. Erect perimeter fencing to prevent unauthorized entry onto Parcel 13073-E and the Kalaeloa Heritage Park site. Erect interim fencing for sensitive cultural and/or archaeological resources, as applicable.	Permanent and interim fencing is pending.
4. Provide mitigation measures to SHPD for their concurrence and notify HCDA of SHPD’s response.	Completed.
5. Provide HCDA with written status reports every 30 days on the status of mitigation.	HCDA began receiving status reports in 2016.

- ASEF/Sunetric was subsequently purchased by ASEF II, which is currently a wholly-owned subsidiary of ECC. ECC intends to satisfy all of the Mitigation measures
- ASEF II/ECC has secured agreements with Hawaiian Electric Company (HECO) for the Project
- ASEF II/ECC is in good standing and has executed similar projects in Hawaii and across the United States
- Parcel 13073-E is zoned for Transect 2, Rural/Open Space Zoning
- The Project is a permitted use for Parcel 13073-E
- The Project also includes a HECO-standard 12 kilovolt (kV) interconnection line extension along Coral Sea Road from HECO’s Kapolei Parkway substation to the intersection of Coral Sea and Tripoli Roads.

ANALYSIS:

Based on ASEF II/ECC proposal and the statutory mission of HCDA for Kalaeloa, the following are potential benefits of the proposed Project:

- The 12-kV line extension will provide the opportunity for the City and County of Honolulu Department of Parks and Recreation (DPR), State of Hawaii Department of Hawaiian Home Lands (DHHL), HCDA’s current and future tenants, United States Coast Guards (USCG) and the U.S. Navy to request electrical service directly from HECO and

facilitate the transition of electrical service involving the current U.S. Navy-owned electrical grid.

- Since the existing electrical system is substandard, the DPR currently uses portable toilet facilities at the Kalaeloa campgrounds, the DHHL and the HCDA do not have any electrical service for their respective parcels located along Coral Sea Road, and the USCG and the U.S. Navy parcels experience frequent power outages.,
- If negotiations result in the Project moving forward, the ECC would be required to complete additional SHPD requirements for an environmental assessment, preservation plan and data recovery prior to the lease execution.
- The lease will generate revenue for the Kalaeloa Revolving Fund and such revenue would be directed toward future infrastructure and preservation efforts in the Kalaeloa community development district.
- The Project would constitute a further step forward for Kalaeloa toward achieving its goal of developing reliable electrical power for its stakeholders in the community development district.
- The Project would also be beneficial in supporting and furthering the State of Hawaii's ongoing effort toward its renewable energy goals.

RECOMMENDATION:

Staff recommends that the Authority authorize the Executive Director to enter into lease negotiations with ASEF II/ECC to develop a 5 megawatt PV solar farm project on Parcel 13073-E, TMK (1) 9-1-013: 070 at Kalaeloa, Oahu, Hawaii.

Respectfully submitted,



Tesha H. Malama,
Kalaeloa Director of Planning and Development

APPROVED FOR SUBMITTAL:

Jesse K. Souki, Executive Director
Hawaii Community Development Authority

Attachments:

- Exhibit A: August 16, 2012 Staff Report, Summary Minutes and Related Transcript Pages
Exhibit B: Mitigation Plan and SHPD letters
Exhibit C: CONFIDENTIAL – Previous Materials Relating to Negotiations
Exhibit D: CONFIDENTIAL – Current Materials Relating to Negotiations

**Shall the Authority Authorize the Executive Director to Accept the
Remediation Measures Proposed by Aloha Solar Energy/Sunetric to
Address the Damages Resulting from Unauthorized Activities on Parcel
13073-E in the Kalaeloa Community Development District?**

Staff Report
August 16, 2012

Background: The Hawaii Community Development Authority (“HCDA”) has received several requests to establish photovoltaic (“PV”) facilities on HCDA-owned properties in the eastern portion of the Kalaeloa Community Development District. The developer, Aloha Solar Energy/Sunetric (“ASE”), has proposed to enter into a 20-year lease to establish a 5 megawatt (“MW”) PV farm on 35 acres of the 44.28 acres on Parcel 13073-E. Since the U.S. Navy (“Navy”) already conducted the Environmental Impact Statement (“EIS”) in 1999 prior to the lease being granted, Chapter 343, Hawaii Revised Statutes (“HRS”), requires that an Environmental Assessment (“EA”) should be conducted to study the impacts of which the PV farm projects may have on the area and surrounding community. In order to conduct the EA and other related activities, ASE requested for a Right-of-Entry (“ROE”) to Parcel 13073-E. Prior to the HCDA issuing a Right-of-Entry to ASE, a subcontractor, GeoLabs Inc., conducted unauthorized activities on Parcel 13073-E.

Discussion: In preliminary discussions with ASE, Group 70 and GeoLabs, HCDA staff was informed that all three companies had preliminary discussions about doing work on Parcel 13073-E, but nothing was established officially or in writing. Before work commenced, a ROE should have been secured. All three companies took responsibility for the unauthorized activities and agreed that mitigation measures are necessary to rectify the damages.

Staff’s investigation report confirms damages to Site 5119 documented in the Navy’s 1999 Final EIS. Section 6E-11, HRS, allows the State Historic Preservation Division (“SHPD”) to fine up to \$10,000.00 for each separate offense. The fines collected would remain with SHPD.

In addition to documentation, photos and measurements, HCDA staff held discussions with the developer, subcontractors, SHPD staff and Kapolei Civic Club Association/‘Ahahui Siwila Hawai‘i O Kapōlei members of which the details are all described in its completed investigation report as attached as Exhibit A.

Recommendation: HCDA staff recommends that the Authority authorize the Executive Director to order the following mitigation measures in order to rectify the damages resulting from the unauthorized activities on Parcel 13073-E and include as part of the conditions for the issuance of the ROE that ASE is seeking:

Exhibit A

1. Hire an archaeologist to conduct an EA that includes a resource inventory and damage report for documented Sites 5119 and 5120. Also include in the report any undocumented sites that may be discovered on Parcel 13073-E.
2. Erect perimeter fencing to ensure no unauthorized entry into Parcel 13073-E and also into the Kalaeloa Heritage Park located north of Parcels 13073-B and 13073-D.

Attachments: Exhibit A – Investigation Report

Investigation Report
Kalaeloa, Coral Sea Lot Tax Map Key: (1)9-1-013: 70, Parcel No. 13073-E

April 24, 2012

The HCDA staff conducted a site visit to investigate the above-stated report on Tuesday, April 24, 2012. The following evidence of six bulldozer pushes or cuts with GeoLabs markers were found:

1. The first cut is 45'-135' wide by 1,070' long:



2. The second cut is 20'-75' wide by 745' long:



3. The third cut is 20'-40' wide by 610' long:



4. The fourth cut is 20'-30' wide by 446' long:



5. The fifth cut is 20' wide by 140' long:



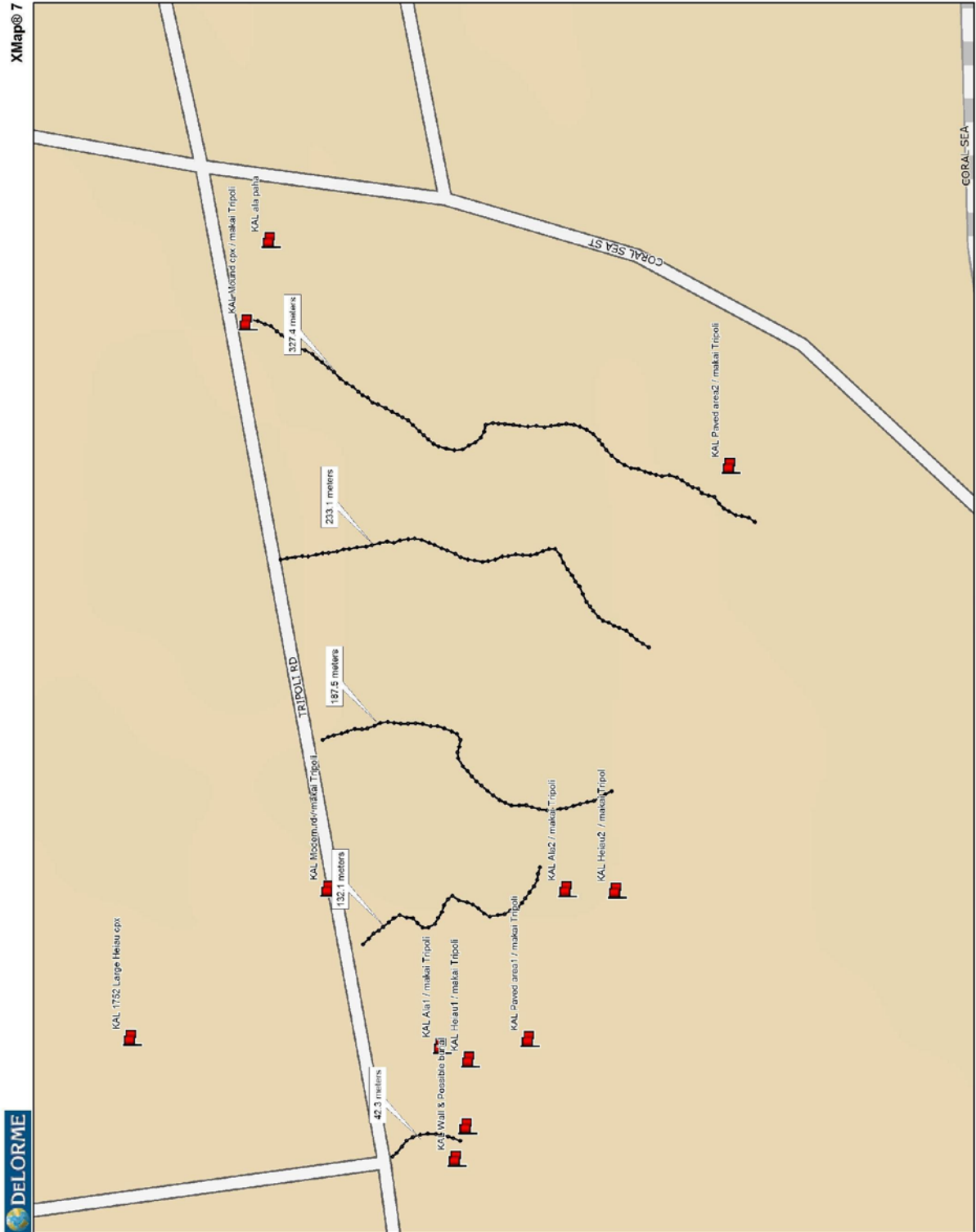
6. The sixth cut had an established dirt road and appears to have bulldozer cuts along the road:



7. Parcel 13073-E aerial photos of bulldozer cuts:







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GEOLABS, INC.

Geotechnical Engineering and Drilling Services

May 21, 2012
W.O. 6655-00

Mr. Anthony J.H. Ching, Executive Director
Hawaii Community Development Authority
461 Cooke Street
Honolulu, HI 96813

RECEIVED
2012 MAY 24 AM 8 55
HAWAII COMMUNITY
DEVELOPMENT
AUTHORITY

Request for Information
Trail Clearing at Parcel 13073-E Kalaeloa
Kalaeloa Community Development District
Ref. No.: PL Kalaeloa 17.6.4

14991

Dear **Mr. Ching:**

This letter is in response to the Notice to Cease and Desist All Entry and Activities on Parcel 13073-E in the Kalaeloa Community Development District, Oahu, Hawaii, and Request for Information, dated May 7, 2012. As requested, an explanation of our entry onto the property is furnished below.

Geolabs, Inc. was retained by Sunetric to perform a geotechnical exploration for a solar power project at the above parcel in accordance with our proposal dated March 8, 2012. Our proposed exploration included the drilling of 20 borings at various locations at the site. Due to the existing vegetative cover at the site, trail clearing with mechanical equipment to provide access for our truck-mounted drill was required.

At a progress meeting on April 4th with Sunetric and Group 70, the planners and engineers for the project, we reported that trail clearing would commence shortly. Sunetric mentioned that they had applied for a Right-of-Entry earlier and that they should get it "at anytime now". I understood that they did not expect any problems getting the ROE, and it was just a formality. Based on this, I mentioned that we would continue to coordinate the trail clearing unless I heard otherwise.

We hired a contractor and cleared the trails on April 10, 11 and 12, 2012. The trails were cleared with a loader and primarily consisted of knocking down the brush and smoothing out a path for the truck-mounted drill. The approximate locations of the trails are attached. On April 18th, I received a call from Melissa Lyman who informed me that our trails may have damaged historic or archaeological sites. We immediately canceled the drilling planned and notified our clients. I then received a call from Tesha Malama of HCDA confirming what Ms. Lyman had told me the day before.

GEOLABS, INC.
Hawaii • California

We sincerely regret any damages we may have caused at the site. Our actions were not due to disrespect for the cultural significance of the sites but simply due to ignorance. The Geolabs geologist coordinating the trail clearing did not see flagging or ribbons, indicative of sites to be preserved. Please accept our apology and let me know how we can assist in resolving this matter.

Respectfully submitted,

GEOLABS, INC.

By 
Clayton S. Mimura, P.E.
President

CSM:mj 

Attachments: Trail Location Map (1 Sheet)
Signed Acknowledgement of Notice to Cease and Desist All Entry (3 Sheets)

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GEOLABS, INC.
Hawaii • California



HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



Neil Abercrombie
Governor

Joseph L. Dwight, IV
Chairperson

Anthony J. H. Ching
Executive Director

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E-Mail
contact@hcdaweb.org

Web site
www.hcdaweb.org

Ref. No.: PL KALAELOA 17.6.4

May 7, 2012

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Clayton S. Mimura
President
GeoLabs, Inc.
2006 Kalihi Street
Honolulu, Hawaii 96819

Dear Mr. Mimura:

Re: Notice to Cease and Desist All Entry and Activities on Parcel 13073-E
in the Kalaeloa Community Development District, Oahu, Hawaii, and
Request for Information

This is to follow up on your April 19, 2012 telephone call with Tesha Malama, Kalaeloa Director of Planning and Development, for the Hawaii Community Development Authority ("HCDA").

I understand that during that telephone call, you acknowledged to Ms. Malama that in the month of April 2012, GeoLabs, Inc. ("GeoLabs") entered upon Parcel 13073-E, Tax Map Key No.: (1) 9-1-013: 70, located in the Kalaeloa Community Development District, Oahu, Hawaii, (hereinafter, "Premises") and performed bulldozing activities because GeoLabs has a pending contract with Aloha Solar Energy, LLC aka Sunetric ("Sunetric") to perform such work should Sunetric secure a lease for the Premises. Ms. Malama confirmed that, although Sunetric is currently seeking a right-of-entry to the Parcel, the HCDA has not issued a lease or right-of-entry for the Premises to any entity, including Sunetric. Ms. Malama then directed you to immediately cease and desist all entry and activities, including the ground drilling work you were planning to conduct on the Premises. While it is my understanding that you agreed to cease and desist all entry and bulldozing activities on the Premises, this letter is to formally place you on notice that GeoLabs is to immediately cease and desist any and all entry and activities, including bulldozing, on the Premises.

Mr. Clayton S. Mimura
Page Two
May 7, 2012

It is also my understanding that you are taking responsibility for GeoLabs' unauthorized entry and activities on the Premises and that you appreciate the gravity of this situation. As you may already know, there may have been archaeological, cultural, historic and/or natural resource sites on the Premises. Accordingly, this is to notify you that the HCDA has initiated an investigation into the impact that GeoLabs' activities has had on the Premises, including but not limited to, possible damage to such sites. HCDA's investigation will be conducted in accordance with Chapter 6E, Hawaii Revised Statutes, governing Historic Preservation.

To assist the HCDA in completing its investigation, we ask that you furnish a detailed explanation as to GeoLabs' entry upon the Premises and any and all accounting of activities performed while on the Premises. Your explanation should include a description of the activities performed, as well as the approximate locations and areas within the Premises that such activities were performed. We ask that you furnish such information no later than 15 days from the date of this letter.

Please affix your signature below to acknowledge receipt of this letter and to confirm that GeoLabs has ceased all bulldozing or any other unauthorized activities on the Premises. Please mail the signed original letter back to the HCDA in the

Space intentionally left blank.

Mr. Clayton S. Mimura
Page Three
May 7, 2012

enclosed envelope. If you have any questions or require additional information, please feel free to contact Ms. Malama, at 692-7245 or email at tesha@hcdaweb.org.

Sincerely,


Anthony J. H. Ching
Executive Director

RECEIPT ACKNOWLEDGMENT:


Clayton Mimura, President
GeoLabs, Inc. Date: 5/21/12

AJHC/PF:ak

c: Lori Tanigawa, Esq., Deputy Attorney General
 (State of Hawaii, Department of the Attorney General)
 Ms. Pua Aiu, Administrator
 (State Historic Preservation Division, Department of Land and Natural
 Resources)
 Ms. Deona Naboa, Historic Preservation Archaeologist
 (State Historic Preservation Division, Department of Land and Natural
 Resources)
 Ms. Rona Rodenhurst, President
 ('Ahahui Siwila Hawai'i O Kapōlei)
 Mr. Sean Mullen, President
 (Aloha Energy Solar, LLC, aka Sunetric)
 Mr. Jeff Overton, Principal/Chief Environmental Planner
 (Group 70 International, Inc.)
 Mr. Kawika McKeague, Senior Planner
 (Group 70 International, Inc.)

Minutes of a Regular Meeting
of the Members of the
Hawaii Community Development Authority,
State of Hawaii

MEETING NO. 376
Thursday, August 16, 2012

KALAELOA

I. CALL TO ORDER/ROLL CALL

A regular meeting of the Members of the Hawaii Community Development Authority (“Authority”), a body corporate and public instrumentality of the State of Hawaii, was called to order by Mr. Brian Lee, Chairperson of the Authority, at 10:19 a.m. on Thursday, August 16, 2012, at the Department of Hawaiian Home Lands, Hale Pono’i conference center, 91-5420 Kapolei Parkway, Kapolei, Hawaii 96707, pursuant to Article IV, Section 1 of the Authority’s Bylaws.

Members Present: Linda Chinn (DHHL)
Grady Chun
Miles Kamimura
Kamaki Kanahele
Ralph Morita (DAGS)
Luis Salaveria (DBF)

Members Absent: Randy Grune (DOT)
Richard Lim (DBEDT)

Others Present: Brian Lee, Chairperson of the Authority
Anthony Ching, Executive Director
Lori Tanigawa, Deputy Attorney General
Deepak Neupane, Director of Planning and Development, Kakaako
Shelby Hoota, Program Specialist
Patricia Yoshino, Secretary
Holly Hackett, Court Reporter

MATERIALS DISTRIBUTED:

1. Report of the Executive Director;
2. Decision Making: Shall the Authority Authorize the Executive Director to Accept Ownership of Enterprise Avenue in the Kalaeloa Community Development District from the State Department of Transportation;
3. Decision Making: Shall the Authority Authorize the Executive Director to Expend Up to \$3,500,000 in Capital Improvement Projects Funds to Design and Construct

- the Kalaeloa East Energy Corridor Project in the Kalaeloa Community Development District;
4. Decision Making: Shall the Authority Authorize the Executive Director to Accept the Remediation Measures Proposed by Aloha Solar Energy/Sunetric to Address the Damages Resulting from Unauthorized Activities on Parcel 13073-E in the Kalaeloa Community Development District.

II. REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Ching summarized the report in the packet distributed to Members. He also provided a report on the new Authority structure and financial statement via a PowerPoint presentation (see Exhibit A).

There were no questions from Members on the report.

Chairperson Lee asked whether any members of the audience wished to comment on the report.

Public Testimony:

Mr. Glenn Oamilda, president of the Ewa Beach Community Association, asked whether any location had been considered for the biosafety lab.

Chairperson Lee reminded the public that the time was for public comment and not to ask questions of the Authority. Questions could be addressed to the Executive Director after the meeting.

Mr. Ching stated that the Hawaii Community Development Authority (“HCDA”) had no jurisdiction to address the biosafety lab until the zoning rules were established. Once established, then any application for activity would be subject to the rules.

Mr. Oamilda stated that the Authority of Kakaako and Kalaeloa seemed to rest on the premise that there shall be no transparency and moved from one site to another site which they directly control. The Authority had not considered other sites than what was under its purview.

Mr. Michael Kumukauoha Lee stated he was a native Hawaiian cultural practitioner, recognized in First Circuit Court as native Hawaiian cultural expert for the area in the Ho’opili Case in 2012, and recognized by State Historic Preservation Division (“SHPD”) and Office of Environmental Quality Control as a cultural descendant. He stated the importance of the limu picked in the area. He noted that the Malden maps showed clearly the Hawaiian trails that were in the area and the water karst systems which the limu needs to grow. He wanted to keep the historical context front and center because it is protected under Article XII, section 7 and the Federal Clean Water Act.

Ms. Polly Grace stated she wanted assurance that the iwi kai kapu was going to be preserved.

III. KALELOA MATTERS

1. Decision Making: Shall the Authority Authorize the Executive Director to Accept Ownership of Enterprise Avenue in the Kalaeloa Community Development District from the State Department of Transportation?

Mr. Ching summarized the report in the packet distributed to Members.

Member Kanahele asked whether it would be necessary to have legislative action to make a legal transfer.

Mr. Ching explained that the HCDA is a corporate instrumentality of the state and has the statutory ability to hold title to land. The transfer of ownership in this case would not require legislative authorization.

Deputy Attorney General Tanigawa advised that §171-64.7, HRS governs the conveyances of state owned lands. A conveyance between state agencies does not require a concurrent resolution.

Mr. Ching explained that while there was no transfer of funding, the Department of Transportation (“DOT”) would assist and help solicit if federal or state funds were available. State funding would have to come from the Legislature.

Member Kami noted that the Memorandum of Understanding did not include assignability provisions. He asked HCDA staff to work with the City and County of Honolulu (“City”) on what actions are being taken. Regarding the acceptance of infrastructure by the City, he felt it would be helpful to have City inspectors present when the improvements were done to help make the process go much faster.

Chairperson Lee asked whether any members of the audience wished to comment on the report.

Public Testimony:

Mr. Michael Kumukauoha Lee stated he was a consulting party in the 106 process for the Hunt Development and the Kalaeloa Energy Process Farm which recognized the importance of the karst and the iwi in the area. In lieu of an Environmental Impact Statement (“EIS”) for the transfer and building a road, he strongly urged that the historical Hawaiian cultural boundary markers be assessed before the process is started. If the karst is broken, it would destroy the limu he uses for medicine and would be a violation of the Clean Water Act.

Mr. Glenn Oamilda state he did not have a clear vision of the proposal. The 3

parties were the HCDA, the DOT and the Hawaiian Electric Company (“HECO”). He felt every process had to go through a height variance. The DOT and HECO had yielded power to the HCDA in order to side step the permitting process and public oversight.

Ms. Celeste Lacuesta stated she had contacted both the Department of Hawaiian Home Lands (“DHHL”) and the Department of Land and Natural Resources (“DLNR”) to save historic sites and Ordy Pond because there were things living and growing there. However, the sites today are destroyed. Her grandfather was a kupuna and a spiritual healer, who did things with what we think are weeds, but is actually medicine. She asked the Authority not to be pro-development or pro-rail.

Chairperson Lee entertained a motion to authorize the Executive Director to accept ownership of Enterprise Avenue in the Kalaeloa Community Development District from the State Department of Transportation.

A motion was made by Member Chun and seconded by Member Kamimura.

Chairperson Lee asked whether there was any discussion on the motion.

Member Kanahele whether the motion should be an open one and whether the transfer was instant or had a timetable for the responsibility.

Mr. Ching replied that the motions would authorize the Executive Director to finalize the transfer and conveyance document.

A roll call vote was conducted.

Ayes: Members Chinn, Chun, Kami, Kamimura, Kanahele and Morita.

Nays: None.

The motion passed 6 to 0 with 3 excused (Members Grune, Lim, and 1 Kalaeloa member not yet appointed).

2. Decision Making: Shall the Authority Authorize the Executive Director to Expend Up to \$3,500,000 in Capital Improvement Projects Funds to Design and Construct the Kalaeloa East Energy Corridor Project in the Kalaeloa Community Development District?

Mr. Ching summarized the report in the packet distributed to Members.

Member Chun asked what would happen if cost overruns could go beyond the \$3.5 million allocated.

Mr. Ching explained that the project would provide alternate service to the U.S. Coast Guard, who have agreed to fund a portion of the project. When a user desires power, the furthest one from the HECO power line is required to cover the cost of bringing power to their project. The U.S. Coast Guard is preparing budget submittals such that they can augment and pay a share to participate in the particular section of the project that would bring power to their base.

Member Kanahele asked if the HCDA would be going into the utility business.

Mr. Ching replied in the negative. The agency would only facilitate and utilize the legislative appropriation given to ensure that the necessary interconnection is constructed. The facilities will ultimately be turned to HECO who would operate, maintain and provide the power.

Chairperson Lee asked whether any members of the audience wished to comment on the report.

Public Testimony:

Mr. Michael Kumukauoha Lee stated that the cable lines would be going through 3 waterholes which were the egress for the karst system. It was where the fresh water feeds the limu and makes it regenerate. The EIS would be of high priority under Article XII section 7 and was a concern for him.

Mr. Glenn Oamilda stated that the HCDA had sidestepped the process since the whole idea was in a 106 process with the U.S. Navy. They had complied with Hunt Development to move the photovoltaic field to the makai end of the runway and wanted to preserve the Ewa field. The State gave Hunt tax credits and is now giving \$3.5 million for the project. He wanted an EIS to determine what was underneath the ground due to his concerns with the karst, heiaus, estuaries, and historic stables. The process should not be approved until the 106 process is completed.

Ms. Polly Grace stated her concern about the arsenals found inside the sink holes. She felt an environmentalist should check the water before anyone eats anything from there or swims in it.

Member Kanahele stated that as it was his first meeting as the cultural specialist on the board, he wanted to know how cultural concerns have been addressed in the past.

Mr. Ching explained that since 2002, there had been a range of community meetings with groups and organizations, including culturally sensitive organizations, convened to collect information with respect to a Master Plan for the area. A prime consideration which was present in the current Master Plan is sensitivity to cultural issues. Ordy Pond and many other areas throughout the district were covered in the Master Plan and have been given recognition for their cultural, environmental and

archaeological importance. A cultural heritage park has been envisioned to be established on some lands conveyed to the HCDA because of the presence of a significant mauka-makai trail and other resources.

The HCDA has accepted the stewardship responsibility to preserve the resources present on the identified sites. With respect to identification of other sites not documented, it is a continuing requirement from both constitutional and state law. The EIS conducted by the U.S. Navy to convey lands has an inventory of historical, cultural and archaeological sites in the district. Any action taken on lands within the district will require an assessment as to whether there are documented or undocumented sites and what are the appropriate procedures to take.

There are ongoing advisory stakeholder groups which the agency consults in particular areas. One is a cultural and archaeological group from whom we solicit general analysis and concerns. The HCDA has a commitment and responsibility to steward resources, both known and unknown.

Member Kanahele asked whether the same positions are applicable to Heeia and Kakaako.

Mr. Ching responded in the affirmative.

Public Testimony:

Mr. Craig McGinnis, with Hunt Companies and Kalaeloa Ventures, stated that there was some discussion on the federal section 106 process. He clarified for the board some of the activities that have gone on. A solar field has been proposed to be built on the east side of Kalaeloa on Navy federal property. A section 106 process was initiated on the solar field and transmission line that will interconnect with the HECO grid due to the proximity to the 1941 Ewa Marine Corps Air Station and some identified Hawaiian cultural resources. After 6-7 meetings, including a public hearing, the section 106 consultation process resulted in a programmatic agreement signed by the signatories including the SHPD. Pending HCDA's finalization of the design, there is a possibility that a small section of the proposed east energy corridor may share some right-of-way at the mauka end with the transmission line for the proposed solar field. That right-of-way is currently an existing state road and state right-of-way.

Mr. Henry Chang Wo was concerned that the runoff was going to affect the ocean and the community. It was the last rural area and whatever happens to the land affects the ocean. It was a shame that agricultural land was being lost to Ho'opili.

Member Morita asked how urgent the approval was for the east corridor project.

Mr. Ching explained that Navy facilities provide distribution of power purchased

from HECO to users in the district. There is currently no HECO facility in the district. The U.S. Coast Guard has indicated its long-term commitment to the base location and its need for HECO power versus Navy power which wants to go away. It has been cited in both the Enterprise Road project and this project that replacement of the antiquated Navy power and circuits is necessary to transition to HECO power as soon as practical.

Member Morita asked if the 106 process would impact the design.

Mr. Ching replied that the 106 process and agreement are on lands which are controlled by the Navy to be leased to Hunt. The interconnection project was outside of those lands and within existing roadways and easements which currently contain utility connections.

Member Kanahele asked if one of the testifiers had an association with the Navy from their cultural committee.

Mr. Oamilda stated that he sits on a 106 consulting party as a community representative.

Member Kanahele asked if it was helpful to the Navy.

Mr. Oamilda replied that it was. The 106 process was concerned first with historical and then with cultural. He represented the community on the cultural and historical levels which go arm-in-arm together. For over a hundred years, the underground has not been mitigated and they were concerned with what was underground considering the sensitivity of the cultural aspect of the area. They recommend an EIS above ground and underground. He was from the area and knows the area.

Chairperson Lee entertained a motion to authorize the Executive Director to expend up to \$3,500,000 in Capital Improvement Projects Funds to design and construct the Kalaeloa East Energy Corridor Project in the Kalaeloa Community Development District.

A motion was made by Member Chun and seconded by Member Kami.

A roll call vote was conducted.

Ayes: Members Chinn, Chun, Kami, Kamimura and Morita.

Nays: None.

Abstentions: Member Kanahele.

The motion passed 5 to 0 with 1 abstention and 3 excused (Members Grune, Lim, and

1 Kalaeloa member not yet appointed).

Mr. Ching asked Member Kanahele to clarify that his vote was indeed an abstention.

Member Kanahele answered in the affirmative.

Member Morita asked whether the rules would allow him to retract his vote and also abstain.

Chairperson Lee called for a recess to examine the issue.

A recess was taken at 11:38 a.m.

The meeting was reconvened at 11:47 a.m.

Chairperson Lee asked Member Morita to clarify his question.

Member Morita stated he was withdrawing his concern and would stick with his vote. He was originally concerned that if the money is released it would not be limited to doing only a Finding of No Significant Impact ("FONSI"). He was satisfied that if an EIS was needed, an EIS would be conducted.

3. Decision Making: Shall the Authority Authorize the Executive Director to Accept the Remediation Measures Proposed by Aloha Solar Energy/Sunetric to Address the Damages Resulting from Unauthorized Activities on Parcel 13073-E in the Kalaeloa Community Development District?

Mr. Ching summarized the report in the packet distributed to Members.

Member Chun asked if the subcontractor had cleared out the paths in the cultural and archaeological areas.

Mr. Ching explained that the paths were not in the Kalaeloa Heritage Park area, but within the parcel just makai of the park. However, it did affect 2 documented sites.

Member Chun asked whether the solutions proposed by Aloha Solar Energy ("AES") were sufficient.

Mr. Ching responded that the Hawaiian civic club group has expertise in that particular area. They currently have a right of entry to help steward resources within the Heritage Park and have a vested interest in ensuring that there is no intrusion into the park as well as remediation to the damaged sites. The cooperative efforts and expertise of SHPD would also be used to guide us towards the appropriate remediation.

Member Chinn requested that AES provide a mitigation plan for the Authority to review and that the archaeological studies include a resources inventory and damage report.

Public Testimony:

Mr. Michael Kumukauoha Lee stated that he was the only cultural descendent recognized by SHPD and OIBC April 14, 2010 for this area. Mr. Shad Kane and the Civic Club were not cultural descendants recognized under state law. He stated that he represented the iwi and was a lineal descendant recognized for this area. Mikahela Kekauonohi was his 4th great grand-aunt and holder of the royal patent of 42,000 acres in the area. John Meek was his 5th great grandfather and the Campbell Estate derived the lands after his death. The Meek Estate held the leases on Pu'uloa 'Ewa with the Wilcox family and he had all the deeds. He questioned under what rules or statutes could the civic club take precedence over him and wanted the Authority to be aware that the civic club was the wrong party.

Mr. Ching stated that the HCDA has the position of landowner and did not currently have zoning rules which would give any jurisdiction. In this particular case where there has been fault found by a prospective tenant, the HCDA has sought to investigate the impact to historical cultural resources. In the course of the investigation, the HCDA consulted with SHPD, who has more expertise in the particular area and conducted its own analysis and research. Recognizing Mr. Lee's comments as to the status of and appropriateness of the Civic Club and SHPD, he would take under advisement and involve other appropriate parties in the development of a remediation plan.

Public Testimony:

Mr. Glenn Oamilda stated that SHPD and DLNR were out of the loop as far as Hawaiians are concerned and should not undertake any kind of historic or cultural investigation. SHPD has never followed through on projects because of their lack of resources and manpower. He wondered if the perpetrator who destroyed the property has been fined to the extreme. He stated that since there was only one Hawaiian on the Authority, a group of Hawaiians should be convened to make a proper assessment and not rely on the Civic Club's determination.

Mr. Kawika McKeague stated he is the senior environmental planner with Group 70 International and his ohana has been in the Honouliuli district for about 47 years. He was also the former Ewa Moku representative and vice-chair and chair of the Oahu Island Burial Council and was familiar with the recognition provided to Mr. Lee. He was brought on board after the incident occurred.

There was a gross miscommunication between Group 70, AES and Geolabs in terms of maximizing the mobilization and efficiency to get work done in 2 potential projects areas where AES was looking to do solar work. From a Hawaiian perspective, it is recognized that a haunia, defilement of sorts, was created and needs to be addressed in a way deemed appropriate, and not

necessarily by a consensus of those that are the ku'aina, kupa'aina of these lands. The most appropriate start was with the Kalaeloa Cultural Heritage Park Advisory Group, whose members are also members of the Hawaiian Civic Club. Since he has a working and personal relationship with Mr. Shad Kane, he was the first person that was called. He recognized Mr. Lee's contribution and role in this community, but had not had a chance to talk with him.

Out of the Navy BRAC decommission report, the Civic Club was the only entity identified at the time that must be consulted as a recognized cultural descendant and the level of effort that was done through the documenting of historic sites was done with bare threshold. We know there are more sites than was actually documented and this unfortunate incident has now brought up those needs. The archaeological inventory survey would have been done as part of the due diligence environmental assessment. What is needed now is to assess the inventory of what is there, the level of significance of that inventory and the assessment of damage that was done to those sites. The Civic Club is an entity that is a potential resource and they will move forward on that. They also want to ensure the security and protection of the Heritage Park because what was done potentially opens up unauthorized access to that area. There may be fines and penalties. As a long-term commitment to the 'aina and entities that are taking care of places, they would definitely continue the conversation with Mr. Lee and include him as much as possible in the process.

Member Kamimura asked the witness if he was still in agreement with the 3 recommendations in the report after hearing the testimony of the other witnesses.

Mr. McKeague replied in the affirmative in terms of moving forward with an archaeological inventory and damage report and addressing the remediation plan. Because of the nature of what was in the Navy decommission report, the Hawaiian Civic Club is one entity that is appropriate to lend an understanding of the ethno history of the area, and they have been retained on a consultant basis. There is a need for perimeter fencing to secure the park from potential unauthorized entry because of the damage that was done.

Member Kamimura asked whether he would amend the plan or was comfortable with it as proposed.

Mr. McKeague replied that he was comfortable with it. However, if there were recommendations specific to the details in the proposed plan of action, amendments could be made.

Chairperson Lee entertained a motion to authorize the Executive Director to accept the remediation measures proposed by Aloha Solar Energy/Sunetric to address the damages resulting from unauthorized activities on Parcel 13073-E in the Kalaeloa Community Development District.

A motion was made by Member Chun and seconded by Member Morita.

Member Kami asked whether the motion would preclude the HCDA from including others in the discussion of the remediation process.

Mr. Ching replied that an amendment or clarification to the motion could be made. However, the motion did not preclude having discussion with others.

A roll call vote was conducted.

Ayes: Members Chinn, Chun, Kami, Kamimura, Kanahele and Morita.

Nays: None.

The motion passed 6 to 0 with 3 excused (Members Grune, Lim, and 1 Kalaeloa member not yet appointed).

IV. ADJOURNMENT

There being no further business, a motion was made by Member Chun and seconded by Member Kamimura to adjourn the meeting. By a show of hands vote, the motion carried unanimously.

The meeting adjourned at 12:15 p.m.

Respectfully submitted,

/s/

Miles Kamimura
Secretary

Attachments: Exhibit A - Report of the Executive Director PowerPoint Presentation

Note: The transcript of this meeting contains a verbatim record and should be consulted if additional detail is desired.

1 MEMBER MORITA: Yes. I was considering
2 abstaining because I had some reservations, but my
3 concerns would mean that clarification.

4 PRESIDING OFFICER LEE: Thank you. So
5 you're not withdrawing your...

6 MEMBER MORITA: I'm withdrawing my --

7 PRESIDING OFFICER LEE: Concern.

8 MEMBER MORITA: Yeah. I'm still sticking
9 with my vote.

10 PRESIDING OFFICER LEE: Okay.

11 MEMBER MORITA: Basically what I understand
12 is if the monies is released it is not going to be
13 limited to doing a FONSI. If it's needed it will go
14 to whatever it's got to go. If it's EIS it's EIS.
15 And that's all I was concerned about.

16 PRESIDING OFFICER LEE: Okay. Thank you.
17 Let's move on to the next item for decision making
18 No. 3. Shall the Authority authorize the Executive
19 Director to accept the remediation measures proposed
20 by Aloha Solar Energy, Sunetric, to address the
21 damages resulting from unauthorized activities on
22 Parcel 13073-E in the Kalaeloa Community Development
23 District?

24 The next item is presented before you. Our
25 executive director will provide his report.

1 MR. CHING: Members, I'll provide my report
2 in a geographic orientation. The parcel in questions
3 is located here roughly at the eastern terminus of the
4 makai runway. For your information this is Coral Seas
5 Road in orange. It goes around the base of the runway
6 and ends up at the Coast Guard base.

7 Again, these four parcels here, the two in
8 brown are the site of the Kalaeloa Cultural Heritage
9 Park. And these two sites in green were also conveyed
10 to the HCDA and are, again, this particular parcel is
11 subject to a lease that's being negotiated to develop
12 five megawatts of photovoltaic energy generating power
13 here.

14 So, Members, you had previously authorized
15 your executive director to issue up to four Letters of
16 Intent to lease lands controlled by the Hawaii
17 Community Development Authority within Kalaeloa
18 Community Development District for the development of
19 PV photovoltaic power generating facilities on HCDA
20 lands.

21 Pursuant to one such Letter of Intent staff
22 was developing a 20-year lease agreement to establish
23 a five megawatt PV farm on 35 acres of the 44.28 acres
24 on parcel 13073-E with Aloha Solar Energy.

25 Prior to the execution of any such lease

1 being granted by the HCDA, Chapter 343 or our
2 environmental review process requires than an
3 environmental assessment be conducted to study the
4 impacts of this PV power-generating facility may have
5 on the area and surrounding community.

6 In order to conduct the EA and other related
7 activities, ASE, Aloha Solar Energy, requested a
8 right-of-entry to that parcel. However, prior to our
9 issuance of any such right-of-entry an ASE
10 sub-contractor, Geolabs, Inc. conducted unauthorized
11 activities on that parcel. And attached to this
12 report are photos of the damage sustained at the
13 subject parcel.

14 In essence Geolabs did some clearing as well
15 as -- basically clearing and marking in the subject
16 parcel. So in discussions and our investigation that
17 we conducted with Aloha Solar Energy and their
18 consultants, which is Group 70 and Geolabs, it was
19 determined that while preliminary discussions about
20 doing work in the parcel had been conducted, no
21 approval or right of entry had ever been issued by
22 HCDA.

23 ASE and their consultants have since taken
24 responsibility for the unauthorized activities and
25 agreed that certain mitigation measures to be

1 conducted at their sole expense are necessary to
2 rectify the damages. There were damage to sites 5119,
3 and site 5120 identified in the Navy's 1990 Final EIS.
4 And that damages to those sites have been confirmed.

5 In addition, trails were bulldozed in the
6 area. So, therefore, this site has sustained
7 significant damage that should be remediated.

8 In addition to documentation, photos and
9 measurements on our own we've held discussions with
10 the developer, sub-contractors, State Historic
11 Preservation Division staff and the Kapolei Civic Club
12 Association, Ahahui siwila Hawai'i o Kapolei to which
13 details were and description of our report were
14 provided to that group.

15 At this point we would recommend that the
16 Authority authorize the executive director to accept
17 the remediation measures proposed by ASE as developed
18 in concert with staff from the State Historic
19 Preservation Division and members of the Kapolei Civic
20 Club.

21 This consortium or this group appears
22 confident that the damages resulting from the
23 unauthorized activities by ASE and their consultant on
24 parcel 13073-E will therefore be appropriately
25 addressed.

1 The remediation actions proposed by ASE to
2 be conducted at their expense include the hiring of an
3 archaeologist to conduct an environmental assessment
4 that includes a resource inventory, and damage report
5 for documented sties 5119 and 5120.

6 Also included in the report would be any
7 other undocumented sites that may be discovered on
8 that parcel. They also note their proposal, and this
9 is the group's proposal, that the Civic Club be
10 retained to serve as a cultural consultants and note
11 that the members of this Civic Club have expertise in
12 and knowledge that will assist and enhance the effects
13 of the correcting actions.

14 Finally, that perimeter fencing be
15 constructed to ensure no unauthorized entry into this
16 parcel and also into the Heritage Park, which is
17 located just north of this particular parcel. I would
18 note for the Authority that any work on the lease,
19 potential lease with ASE, has been suspended until
20 this matter has been addressed. Thank you.

21 PRESIDING OFFICER LEE: Thank you, Tony.
22 Members, are there any questions on this report?
23 Okay. Member Chun.

24 MEMBER CHUN: Basically what it sounded like
25 they cleared out a whole couple paths in this cultural

1 archaeological area, is that correct?

2 MR. CHING: Well, actually the paths that
3 they cleared were not in the Heritage Park area but
4 rather within the parcel just makai or south of the
5 Heritage Park. However, in the course of doing that
6 clearing they did affect two documented sites as well
7 as did unauthorized clearing.

8 MEMBER CHUN: I notice it says -- sorry.
9 One more question. I notice it says "the group
10 appears confident that damage resulting from the
11 unauthorized activity by ASE, their consultants, would
12 therefore be appropriately addressed by the solutions
13 that are listed." Is that sufficient for what has
14 been done?

15 MR. CHING: Again, the group that -- the
16 Civic Club group that we are working with does have
17 expertise in this particular area. They currently
18 have a right of entry to help us steward resources
19 within the Heritage Park which is just mauka of or
20 north of this particular parcel.

21 So they have somewhat of a vested interest
22 in ensuring that one, there be prevention of any
23 intrusion into the heritage park as well as
24 remediation to those particular sites.

25 They don't specify what the remediation is,

1 but the notion is that there's work to be done. In
2 any case, we believe that given the cooperative
3 efforts of both State Historic Preservation Division
4 staff and the discussions, that we should let them
5 work towards that remediation.

6 This is an area which we do not have
7 expertise and we would be dependent upon State
8 Historic Preservation Division staff to guide us
9 towards the appropriate remediation.

10 PRESIDING OFFICER LEE: Members, are there
11 any other questions on this report? Member Chinn.

12 MEMBER CHINN: You know, on the same issue
13 brought up by Member Chun. When they hire
14 archaeological studies to include resource inventory
15 and damage report, do we have them include a
16 mitigation plan in their report that we can review?

17 MR. CHING: Certainly.

18 PRESIDING OFFICER LEE: Okay. Any other
19 members with questions? Hearing none, is there anyone
20 in the audience who would like to comment on this
21 agenda item?

22 MR. LEE: Yes. Michael Kumukauoha Lee. I'm
23 by law the only cultural descendant recognized for
24 this area by SHPD and OIBC April 14, 2010. Chad Kane
25 and the Civic Club (a) are not cultural descendants

1 recognized by under the state laws which give me
2 priority by the state laws. The attorney general
3 should advise you what those laws are.

4 I represent the iwi but for having a lineal
5 descendant that has been recognized to this area which
6 I'm in process. That's one.

7 No. 2. Mikahela Kekauonohi was my fourth
8 great grand-aunt, the holder of the royal patent of
9 42,000 acres in this area. My fifth great
10 grandfather, John Meek, from which the Campbell Estate
11 derives the lands from after his death in January of
12 1875.

13 The Meek Estate, which was the Big Tree
14 Ranch, was my fifth great-grandfather's estate. He
15 held the leases on Pu'uloa 'Ewa with the Wilcox family
16 in 1865, all deeds which I have. I don't know how a
17 civic club trumps me under your laws and your statutes
18 of section 6E.

19 And SHPD, the State Historic Preservation
20 Division, that you're giving a civic club when I'm the
21 recognized cultural descendant, that's rules for a
22 lawsuit. So I'm just making you aware that you've got
23 the wrong party.

24 I was recognized in the Ho'opili Case of
25 March as the cultural expert of this area by D.R.

1 Horton's attorney in a \$4 billion case, Ho'opili.
2 Again, I do not understand where you derive under
3 statutes, Hawai'i Revised Statutes, that they take
4 precedent over me.

5 I'm the only recognized cultural descendant
6 to mitigate this. And I'm bringing it to your
7 attention in front of the attorney general's
8 representative. This is totally hewa. And it does
9 not comport to the law.

10 PRESIDING OFFICER LEE: Tony, I think that
11 we maybe should respond a little bit to this.

12 MR. CHING: Chair and Members, in this
13 particular case -- (mic falling off witness table) --
14 in this particular instance HCDA has a position of a
15 landowner. We do not currently have zoning rules in
16 effect which would give us any other jurisdiction.

17 In this particular case as a landowner where
18 there has been fault found with an activity by a
19 prospective tenant or their consultant, we've sought
20 to, 1. Investigate as a landowner should what the
21 impact to our responsibility's, again, to historical
22 cultural resources.

23 We in the course of our investigation
24 consulted with State Historic Preservation Division
25 staff who we acknowledge to have more expertise in

1 this particular area. It's our understanding they
2 conducted their own analysis and research into this
3 particular matter.

4 Recognizing the comments as to whether the
5 status of and the appropriateness of a Civic Club and
6 members of the Civic Club's being a part of a group to
7 develop a remediation program for the event that
8 happened, that was a conversation and a proposal that
9 was generated by and in concert with, again, Historic
10 Preservation staff as well as the people who alerted
11 us to the situation, which was the Civic Club people.

12 So while I'll certainly take under
13 advisement that there may be other appropriate parties
14 to involve in the development of a remediation plan,
15 and we will certainly bring that up to the parties
16 that have been discussing this to date, again, it's
17 our desire to have the -- be lead by Historic
18 Preservation and the volunteer efforts at this point
19 of the perpetrator for the unfortunate situation of
20 the activity to fix it.

21 So we will certainly encourage that in the
22 process of a fixing that all appropriate entities that
23 have been brought to our attention are included in
24 that discussion.

25 In addition, it would also be prudent to

1 include this Authority as from a landowner's
2 standpoint to receive reports as to what remediation
3 is going to be proposed such that we again might have
4 knowledge of those efforts.

5 PRESIDING OFFICER LEE: Thank you. Is there
6 anyone else in the audience -- (witness approaching
7 chair)

8 MR. OAMILDA: Thank you, Mr. Chair. Glenn
9 Oamilda again. My mic on? Thank you. You guys won
10 two and this is the third one. We don't know if the
11 community is going win the third one. But so far
12 we've got two strikes on us, the community, and the
13 Hawaiians.

14 And I might say in regards to Hawaiians,
15 SHPD and DLNR is in no shape to undertake any kind of
16 historic or cultural investigations. They're simply
17 out of the loop as far as the Hawaiians are concerned.

18 SHPD, we had asked them in this area to do
19 certain projects. They never followed through because
20 of a lack of money and the lack of resources,
21 manpower. So I gotta question their integrity in this
22 whole process.

23 I'm not anti- you know, state, political
24 department or, you know, I just want to see that
25 things are done right. And I don't know if this

1 perpetrator who had sacrilegiously destroyed the
2 property has paid their dues or have been fined to the
3 extreme that what's the pay back? What's the pay
4 back?

5 And I think my last comment -- and this is
6 my recommendation -- there's only one Hawaiian on this
7 group. There's only one. And I suggest by his
8 leadership that we convene, we convene a group of
9 Hawaiians that can make proper assessment on this
10 3600 acres of property not relying on a Civic Club to
11 determine by an assessment that, yeah, this is
12 Hawaiian. This is not.

13 This whole area, Mr. Chair and Secretary, is
14 culturally sensitive. It's not a loose word. It's a
15 word that has impacts, impacts, sensitive, sensitive.
16 And I don't think you guys not from here are
17 sensitive, are sensitive except for one of the members
18 that I know they come from this area.

19 I know well, a great Hawaiian. And I think
20 there should be a committee of this board that can go
21 into the community and have the insight and
22 recognition from other Hawaiians and say, "Yeah, we
23 doing the right process."

24 This process is determinate upon how we
25 envision culturally and sensitivity-wise how we gonna

1 proceed and protect historic and cultural areas in
2 this 3600 acres of prime, prime sensitive, historic
3 and culturally area. Thank you. (beeper sounding)

4 PRESIDING OFFICER LEE: Thank you. Is there
5 anyone else in the audience who would like to comment
6 on this agenda item? Right, hearing none -- please
7 state your name and your affiliation.

8 MR. McCABE: Aloha mai kakou. My name is
9 Kawika McCabe. I wear a couple hats I guess today.
10 But the first hat is I'm the senior environmental
11 planner with Group 70 International. My ohana has
12 been here in the Honouliuli district for about 47
13 years.

14 The beaches that we're talking about are
15 places I learned to fish and gather limu that no
16 longer exist and some of beginnings of cultural
17 training.

18 I also am the former 'Ewa Moku
19 representative and vice-chair and chair of the O'ahu
20 Island Burial Council, so I'm familiar with the
21 recognition status that we provided to Mr. Lee.

22 And so just in response to a couple things.
23 I was brought onboard as an individual after the fact
24 of this incident. And I don't need to go into details
25 unless you guys are so interested.

1 But to the fact of the matter there was a
2 gross miscommunication between Group 70, Aloha Solar
3 Energy and Geolabs in terms of trying to maximize the
4 mobilization and efficiency of trying to get work done
5 in two potential project areas Aloha Solar was looking
6 to do solar work.

7 It was misunderstood by Geolabs that there
8 was a green light to move forward in Kalaeloa. And
9 that was the case. And thereby the series of events
10 that transpired.

11 From an Hawaiian perspective we recognize
12 this as we've created a haunia, defilement of sorts,
13 that needs to now be addressed in a way that's deemed
14 appropriate, and not necessarily appropriate by Kawika
15 McCabe or a consensus of those that are the ku'aina,
16 kupa'aina of these lands.

17 So when we first started to have
18 conversations with HCDA, the most appropriate start
19 was with the Kalaeloa Heritage Park Advisory Group
20 which a lot of their members are members of the
21 Hawaiian Civic Club. And, yes, I have a working
22 relationship and personal relationship with Uncle
23 Chad. He's the first person I called.

24 I do recognize Mr. Lee's contribution as
25 well, role in this community. Although I have not had

1 a chance to talk with him. The long and short, we
2 want to try to get to a place that we could assess
3 what was done in terms of damage. And to do so we
4 have to go through these certain steps working with
5 Tony and his staff.

6 A side note, I really want to malama and
7 mahalo Teshima Malama and the staff therefore working
8 with us, being patient with us and helping us looking
9 to this point of remediation process that we're sort
10 of outlining.

11 So one of the first things I think we
12 understand, and I could be corrected here, but out of
13 the Navy BRAC decommission report the Civic Club is
14 the only entity that was identified at the time that
15 was a must consult or shall be consulted party as a
16 recognized cultural descendant recognizing in the Navy
17 BRAC decommissioning; that the level of effort that
18 was done through the documenting of the historic sites
19 was done with bare threshold for them to get through
20 their documentation.

21 So what does that mean? Well, we know
22 there's more sites than was actually documented. This
23 unfortunate incident has now brought up the need. We
24 would have done our archaeological inventory survey
25 anyway as part of our due diligence in the

1 environmental assessment.

2 What we need to do now is to assess the
3 inventory of what's there in regards to the activities
4 that have been documented in terms of the bulldozing
5 activities, to assess the inventory and the level of
6 significance of that inventory and then the assessment
7 of damage that were done --

8 MR. CHING: 15 seconds.

9 -- the damage that was done to those sites.
10 Anyway, so we do have a plan of action put forward.
11 The Civic Club's an entity we see as a potential
12 resource. We'd like to move forward on that. We want
13 to ensure the security and protection of the Heritage
14 Park because we know what we did, now potentially
15 opens up access for unauthorized access to that area.
16 So we're trying to do everything in our power now in
17 the funding to set the course right.

18 These three items itself in my belief do not
19 necessarily solve the deal. So the response to some
20 of the concerns for the mitigation. There may be some
21 fines and penalties that have been negotiated.

22 I always think of a long-term commitment to
23 the 'aina, to the entities that are taking care of
24 places and to the individuals. So definitely would
25 like to continue the conversation with Mr. Lee after

1 this meeting as well to include him as much as
2 possible in the process. Mahalo.

3 PRESIDING OFFICER LEE: Thank you. Is there
4 any questions for the speaker? Member Kamimura.

5 MEMBER KAMIMURA: I have a question. Am I
6 correct to assume that you were part of creating these
7 three recommendations that we're looking at right now?

8 THE WITNESS: I was one of the active
9 members, yes.

10 MEMBER KAMIMURA: And after hearing the
11 testimony today are you still in agreement with these
12 three items?

13 THE WITNESS: In terms of the means to move
14 forward on doing an archaeological inventory and
15 damage report, address the remediation plan, yes. We
16 still believe because of the nature of what was in the
17 Navy decommission report that the Hawaiian Civic Club
18 is one entity that we feel appropriate that can lend
19 to an understanding of ethno history of the area.

20 So to that end to have them retained on a
21 hired consultant basis we still believe in as well.
22 And the need for perimeter fencing again because of
23 the damage that was done, we've inadvertently opened
24 up potential unauthorized opportunities for others in
25 the Heritage Park. So we need to secure that as well.

1 MEMBER KAMIMURA: Can I ask one more
2 question? Based on what you've heard today would you
3 amend this plan at all? Or are you comfortable with
4 it as it's proposed?

5 THE WITNESS: I'm comfortable with it. But
6 I mean if there's recommendations specific to the
7 details in the plan of action we're proposing at this
8 time, I mean we're in a place of making amendments to
9 our proposal sure.

10 MEMBER KAMIMURA: Thank you.

11 PRESIDING OFFICER LEE: Members, any other
12 questions for the speaker? Okay. Thank you.

13 THE WITNESS: Mahalo.

14 PRESIDING OFFICER LEE: Is there anyone else
15 in the audience who would like to comment on this
16 agenda item? Okay, seeing none, Members, is there a
17 motion to authorize the executive director to accept
18 the remediation measures proposed by Aloha Solar
19 Energy, Sunetric, and to request a remediation plan to
20 address the damages resulting from unauthorized
21 activities on parcel 13073-E in the Kalaeloa Community
22 Development District?

23 MEMBER CHUN: So moved.

24 PRESIDING OFFICER LEE: Been moved by Member
25 Chun.

1 MEMBER MORITA: Second.

2 PRESIDING OFFICER LEE: Seconded by Member
3 Morita to take the action just read. Members, is
4 there any discussion on the motion?

5 MEMBER KAMI: Chair, may I ask a question?

6 PRESIDING OFFICER LEE: Board Member Kami.

7 MEMBER KAMI: So if the motion is passed
8 would this preclude the HCDA from including others in
9 the discussion in this remediation process?

10 MR. CHING: Certainly any clarification on
11 the record for members for us to be further inclusive
12 as an amendment or clarification to the motion could
13 be made and we would be so instructed.

14 MEMBER KAMI: But the motion as is would not
15 preclude you from having discussions with others.

16 MR. CHING: No, I don't believe so.

17 MEMBER KAMI: Thank you.

18 PRESIDING OFFICER LEE: Okay. Any other
19 Members, discussion? Hearing none, if you're ready
20 for the question on the approval of the authorization
21 last read I will now have the executive director
22 conduct the roll call vote.

23 MR. CHING: Members, a motion has been made
24 and seconded to authorize the executive director to
25 accept remediation measures and to request a

1 remediation plan and report to address the damages
2 resulting from the unauthorized activities on parcel
3 13073-E in the Kalaeloa Community Development
4 District.

5 On that motion, Member Chun?

6 MEMBER CHUN: Aye.

7 MR. CHING: Member Morita?

8 MEMBER MORITA: Aye.

9 MR. CHING: Member Kamimura?

10 MEMBER KAMIMURA: Yes.

11 MR. CHING: Member Kami?

12 MEMBER KAMI: Yes.

13 MR. CHING: Member Chinn?

14 MEMBER CHINN: Yes.

15 MR. CHING: Member Kanahele?

16 MEMBER KANAHELE: Yes.

17 MR. CHING: The motion passes with six for
18 the motion and three excused.

19 PRESIDING OFFICER LEE: Thank you, Tony.
20 The next item is adjournment. Are there any other
21 matters that should be brought up at this time? If
22 not, I'll entertain a motion for adjournment.

23 MEMBER CHUN: So moved.

24 PRESIDING OFFICER LEE: Is there a second?

25 MEMBER KAMIMURA: Second.

1 PRESIDING OFFICER LEE: It's been moved by
2 Member Chun and seconded by Member Kamimura or Member
3 Kanahele. Let's say Member Kamimura. All in favor
4 please raise your hand. (unanimous) Opposed? The
5 meeting is adjourned. Thank you, everybody.

6
7 (The proceedings were adjourned at 12:15 p.m.)

8 --oo00oo--
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C E R T I F I C A T E

I, HOLLY HACKETT, CSR, RPR, in and for the State
of Hawai'i, do hereby certify;

That I was acting as court reporter in the
foregoing HCDA Regular Meeting on the 16th day of
August 2012;

That the proceedings were taken down in
computerized machine shorthand by me and were
thereafter reduced to print by me;

That the foregoing represents, to the best
of my ability, a true and correct transcript of the
proceedings had in the foregoing matter.

DATED: This _____ day of _____ 2012

HOLLY M. HACKETT, HI CSR #130, RPR
Certified Shorthand Reporter

Aloha Solar Energy Fund - Kalaeloa

Kalaeloa, O'ahu, Hawai'i

Mitigation Plan

Submitted to:



State of Hawai'i
Hawai'i Community Development Authority

Prepared by:



Architecture • Planning & Environmental • Civil Engineering • Interior Design • Technology
Honolulu, Hawai'i

October 2012

Exhibit B

Mitigation Plan

1. PROJECT INFORMATION SUMMARY

Project Proponent: Aloha Solar Energy Fund I LLC (ASEF)
905 Kalanianaʻole Highway, #21
Kailua, HI 96734
Contact: Sean Mullen, President
Phone: (808) 262-6600

Name of Action: Aloha Solar Energy Fund - Kalaeloa

Civil Design/Environmental
Planning Consultant: Group 70 International, Inc.
925 Bethel Street, 5th Floor
Honolulu, HI 96813
Contact: Jeff Overton, AICP, LEED AP
Phone: 808-523-5866

Project Location: TMK (1) 9-1-013:070; Kalaeloa, Oʻahu

2. BACKGROUND

Aloha Solar Energy Fund I LLC (ASEF) is proposing to develop two 6 megawatt (MW) solar power generating facilities to be built on approximately 44.28 acres of lands currently managed by the State of Hawaiʻi, Hawaii Community Development Authority (HCDA) in Kalaeloa, Oʻahu, Hawaiʻi as part of the Kalaeloa Community Development District (KCDD). In April 2012, prior to formal issuance of right-of-entry from HCDA, Geolabs, Inc. started the geotechnical investigation and conducted unauthorized site work on Parcel 13073-E. Upon completion of HCDA's investigation of unauthorized activities on Parcel 13073, HCDA concluded that documented archaeological Sites 5119 and 5120 may have been inadvertently damaged.

3. MITIGATION PLAN

As approved by the HCDA Authority at its August 16, 2012 meeting, ASEF was asked to prepare a mitigation plan to address specific requests of the HCDA. ASEF proposes the following remediation measures in accordance with HCDA recommendations to address the damages resulting from the unauthorized site work conducted by GeoLabs, Inc. in April 2012.

Aloha Solar Energy Fund - Kalaeloa

Mitigation Plan

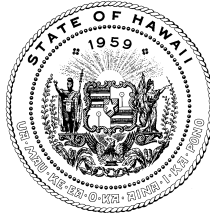
Table 1: Mitigation Plan

	Mitigation Measure	Action Items	Status Update	Completed
1	Hire an archaeologist to conduct a project resource inventory and damage assessment for Sites 5119 and 5120. The report should include previous documented and undocumented sites on Parcel 13073-E.	A. Contract Scientific Consulting Services, Inc. (SCS) to conduct an Archaeological Inventory Survey Plan (AISP) and Archaeological Inventory Survey (AIS), inclusive of resource inventory and damage assessment.	AIS contract Completed. AISP contract Pending.	4/18/12
		B. Provide AISP and AIS reports to HCDA and SHPD.	Pending.	
2	Hire the Civic Club 'Ahahui Siwila Hawai'i O Kapolei (ASHOK) as a consultant.	A. Execute agreement with ASHOK.	Pending.	
		B. Coordinate site visit with SCS and ASHOK.	Pending.	
3	Erect perimeter fencing to prevent unauthorized entry onto Parcel 13073-E and the Kalaeloa Heritage Park site 13073-B.	A. ASEF to meet with HCDA and discuss exact locations and specifications for perimeter fencing. Per SHPD's request, ASEF will coordinate with SHPD to determine appropriate locations for interim fencing for sensitive cultural and/or archaeological resources, if applicable.	Pending.	
		B. Installation of interim and long-term fencing.	Pending.	
4	Provide mitigation measures to State Historic Preservation Division (SHPD) for their concurrence and notify HCDA of SHPD's response.	A. Obtain HCDA approval of draft Mitigation Plan.	Completed via phone call with Tesha Malama.	9/27/12
		B. Send final Mitigation Plan to SHPD for their review, recommendations and concurrence.	Pending.	
		C. Provide SHPD concurrence to HCDA.	Pending.	
5	Provide HCDA with written status reports every 30 days on the status of mitigation	Provide monthly Status Reports to HCDA, until all mitigation measures are deemed complete	Pending.	

Aloha Solar Energy Fund - Kalaeloa

Mitigation Plan

	measures.	by HCDA and SHPD.		
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**HISTORIC PRESERVATION DIVISION
DEPARTMENT OF LAND AND NATURAL RESOURCES**

601 Kamokila Boulevard, Suite 555
Kapolei, HI 96806

October 31, 2012

Kawika McKeague, Senior Planner
Group 70 International
925 Bethel Street, 5th Floor
Honolulu, HI 96813
kmckeague@group70int.com

LOG NO: 2012.2842
DOC NO: 1210SL42
Archaeology

Dear Mr. McKeague:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
HCDA Mitigation Plan, Aloha Solar Energy Fund (ASEF) - Kalaeloa (Project No. 212)
Honouliuli Ahupuaa, Ewa District, Island of O‘ahu
TMK: (1) 9-1-013:070**

Thank you for the opportunity to review your document titled *Aloha Solar Energy Fund – Kalaeloa, Kalaeloa, Oahu, Hawaii, Mitigation Plan* (Group 70 International, September 2012) received by our office on October 3, 2012. This mitigation plan was prepared for SHPD review and approval at the request of the Hawaii Community Development Authority (HCDA). The proposed mitigation plan specifies the remediation efforts that will be undertaken to address the unauthorized disturbance on Parcel 13073-E, resulting in possible damage to historic properties (SIHP Sites 5119 and 5120).

In April 2012, prior to formal issuance of right-of-entry from HCDA, Geolabs, Inc. conducted unauthorized work on Parcel 13073-E. On April 16, 2012, ‘Ahahui Siwila Hawai‘i o Kapōlei, also known as the Kapolei Hawaiian Civic Club officially notified HCDA and SHPD of the violation and that Site 5119 may have been destroyed (April 16, 2012, Log. No. 2012.1092). In August 2012, HCDA authorized its Executive Director to accept remediation measures proposed by ASEF and requested ASEF submit a mitigation plan to SHPD for concurrence.

The mitigation plan specifies that an archaeological inventory survey plan (AISP) will be prepared for HCDA and SHPD review and approval. The AIS will comprise the entire parcel and include an inventory and assessment of damage to individual features associated with Sites 5119, 5120, or any newly-identified sites. ASEF will coordinate with SHPD, as needed, to address concerns about interim fencing for sensitive cultural and/or archaeological resources. SHPD will conduct at least one site visit prior to completion of the AIS fieldwork and will review the AIS report. Upon HCDA and SHPD approval of the AIS report, SHPD will receive a final copy for inclusion in the SHPD library.

SHPD concurs with the mitigation measures specified in the mitigation plan. We look forward to receiving the AISP for review and approval. Please contact Susan A. Lebo at (808) 692-8019 or Susan.A.Lebo@hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,

A handwritten signature in black ink, appearing to read "Theresa K. Donham".

Theresa K. Donham
Archaeology Branch Chief

cc: Rachel Shaak, rshaak@group70int.com



**HISTORIC PRESERVATION DIVISION
DEPARTMENT OF LAND AND NATURAL RESOURCES**

601 Kamokila Boulevard, Suite 555
Kapolei, HI 96806

October 18, 2013

Dr. Michael Dega
Scientific Consultant Services, Inc.
1347 Kapiolani Boulevard, Suite 408
Honolulu, Hawaii 96814

LOG NO: 2013.4819
DOC NO: 1310SL16
Archaeology

Dear Dr. Dega:

**SUBJECT: Chapter 6E-8 Historic Preservation Review–
Archaeological Inventory Survey Report for a Proposed Solar Farm in Kalaeloa
Honouliuli Ahupua'a, 'Ewa District, O'ahu Island, Hawai'i
TMK: (1) 9-1-013:070**

Thank you for the opportunity to review this report titled *Archaeological Inventory Survey Report for a Proposed Solar Farm in Kalaeloa, Honouliuli Ahupua'a, 'Ewa District, O'ahu Island, Hawai'i* [TMK: (1) 9-1-013:070] (Medrano et al., August 2013). We received this submittal on August 12, 2013.

The archaeological inventory survey (AIS) was conducted by Scientific Consultant Services, Inc. (SCS) of 44 acres of undeveloped land in support of a proposed solar farm. The property owner is Hawai'i Community Development Authority (HCDA). The AIS identified 23 historic properties, of which two were previously identified (Sites 5199 and 5120). Although site descriptions are not provided, the AIS report indicates Sites 7482 through 7504 consist mainly of complexes of Traditional Hawaiian habitation and/or agricultural features, along with three probable burial features (Site 7483, Feature 4; Site 7486, Feature 7; and Site 7490, Feature 1). Also identified were two sites containing military structural remnants (Site 7487, Feature 3; Site 7495, Features 3-9).

The report introduction requires extensive revision to provide a detailed narrative description of the project, including that the AIS was conducted both in support of the proposed solar farm project and in order to assess impacts of the 2012 bulldozing on sites within the project area. In addition, the previous archaeology section needs to be revised to include recent studies and findings, and appropriate figures showing study locations; Figures 4 and 5 are not readable and do not provide a current overview of prior archaeological studies. This section also needs a table summarizing prior studies and findings, including a synthetic discussion of known site types, not simply feature types, followed by integration of this new synthesis into specific anticipated site and feature types within the project area.

The report also needs a background section providing figures related to important places within Honouliuli Ahupua'a and a summary of documents and materials reviewed during the research and the research repositories visited, pursuant to HAR §13-275(b)(1)(B) and §13-275(b)(2). In addition, references need to be inserted to support many of the summary and/or interpretative statements provided in the historic background section.

The report field methods section requires revising to include a discussion of the methods used to identify and document the bulldozer cuts, including their locations and impacts. This section also must include information on the methods used to plot site location and to determine site boundaries in accordance with Hawaii Administrative Rule (HAR) §13-275(c)(6-8), along with a discussion indicating the following were generated: maps for all historic properties (sites) showing site boundaries and all features; site overview photographs; plan views and photographs for each significant feature; and summary data and representative plan views and photographs for redundant features such as agricultural mounds, and that these are presented in the results section.

The laboratory methods section needs revising to indicate quantitative analysis has been completed and results are included in report, and not still pending. In addition, this section needs a discussion regarding whether the charcoal samples selected for radiocarbon dating were subjected to wood identification, and if not, why not as professional “best practices” require such identifications prior to accepting radiocarbon results as reliable.

The archaeological inventory survey results section needs revision to present findings at the scale of historic property (site) using SIHP numbers, not temporary site designations as shown in Figure 6. The site descriptions must comply with HAR §13-275(d)(4), including a map showing the site boundaries, distribution of all features, and descriptions of all features; it is not sufficient to present selected features in the text and to itemize the remainder in an appendix table. Each site description also must include discussion of any prior documentation (e.g., Sites 5199 and 5120).

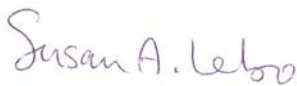
In addition, the report summary sections must include a synthetic discussion of all sites identified in the project area. Pursuant to HAR §13-275(f), this section should include a table presenting the sites by site number, formal type, and function, and a map showing the distribution of all sites and maps showing distributions of significant site types and/or feature types. In addition, this section needs to re-evaluate our understanding of the history and land use of this area, including how the current AIS contributes to this understanding.

The above report section needs to be followed by significance assessments at the scale of historic property (site), pursuant to HAR §13-275-6; a “project effect” recommendation, pursuant to HAR §13-275-7; and mitigation recommendations at the scale of historic property (site) in accordance with HAR §13-276-8. Pursuant to HAR §13-276-7, significant assessments shall be included both at the end of each site description and in a separate section at the end of the report, the latter of which needs to include a summary table listing all sites and their significance. In accordance with HAR §13-275-6, the significance assessment of each historic property (or site) shall involve criteria “a” through “e” and “justification for classifying the property within these criteria.” This justification should state not just that historic property is significant under criterion “d” because it has, or may, contribute to our understanding of prehistory or history, but how it contributes. Please include this justification in your assessment of each site. These revisions are needed before we can concur with the significance assessments, project effect, and/or mitigation recommendations.

We have included an attachment that identifies the issues and concerns that are in need of revision prior to the acceptance of this report pursuant to HAR §13-276-5. To aid in rapid review of the subsequent revision please include a cover letter that specifies the changes made to this document and their page numbers.

Please contact me at (808) 692-8019 or at Susan.A.Lebo@hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,



Susan A. Lebo, PhD
O‘ahu Lead Archaeologist

Attachment

Comments and Questions: *Archaeological Inventory Survey Report for a Proposed Solar Farm in Kalaeloa, Honouliuli Ahupua‘a, Ewa District, O‘ahu Island, Hawai‘i [TMK: (1) 9-1-013:070]*
(Medrano et al., August 2013).

1. Identify the project, project proponent(s), prior SHPD reviews and discussion regarding this project, and provide history of why this project is being done; isn't it in response to a violation? Without this background information it is not possible to evaluate the AIS, both with respect to HAR §13-276-5 and to the “agreed upon mitigation measures” reached through SHPD review and consultation with designated parties. This section should include photos and a map showing the violation damage that precipitated this AIS study (e.g., use Fig 26, label each of the bulldozer cuts, describe them, and indicate part of AIS purpose was to identify, map, and assess each site, including assessment of bulldozer damage (with photos, maps, and text descriptions)).

2. Throughout document, revise to indicate purpose of AIS projects is to identify and document historic properties, to assess their historical significance for eligibility for listing on the Hawaii and/or National Register, to make project effect recommendations, and to make mitigation recommendations. The focus is not on sites, it is historic properties.
3. Beginning with abstract, you mention Sites 5199 and 5120 were renumbered. Why? Sites should have only one site designation. Please contact SHPD regarding revising site numbers back to original.
4. Revise document to indicate Traditional Hawaiian sites are considered pre- and/or early post-contact in age in the absence of radiocarbon dates indicating a tighter date range. There is no such thing as "Traditional period" or "Traditional times."
5. Beginning with abstract, revise mitigation recommendations to indicate Data Recovery Plan is for the following site(s). DRP are prepared for sites, not specific features. Also beginning with abstract, indicate the following site(s) are recommended for preservation and that a Preservation Plan will be prepared. You cannot say "Of the Traditional sites not recommend for Preservation are the ubiquitous agricultural mounds." First, they aren't sites, they are components of sites. Second, the Preservation Plan will indicate whether entire sites are recommended for preservation or only specific features. Likewise, the Burial Treatment Plan should start at the scale of site and then indicate the specific features that will be preserved because of their identification of possible burials.
6. Beginning with the abstract, provide a section describing the consultation conducted in association with this project, including consultation associated with sites assessed as eligible for the Hawaii Register under criterion "e." Consultation is required in advance of preparing the DRP, BTP, and PP.
7. Beginning with the abstract, fix page numbers to be located in bottom right corner not against the binding edge.
8. Throughout document, be consistent in proper spelling of all Hawaiian place names, including consistency in use of diacritics and in the style of okina.
9. Revise text to address all grammatical errors, typos, missing references, punctuation issues (e.g., use "." instead of ";"; use 1700s instead of 1700's as ' is possessive) Insert page numbers for all references to quotes; provide reference citations, etc. (see marked text).
10. Where is traditional history involving myths, legends, mo'olelo, etc?
11. Pursuant to §13-276-5(b)(1)(B), provide a summary of documents and materials reviewed during the research (e.g., maps at Bishop Museum Archives and Hawaii State Archives, reports and correspondence documents at SHPD office).
12. Pursuant to §13-276-5(2), provide a review of "relevant prior archaeological studies in the project area and in either the ahupua'a in which the project is located or other relevant areas as determined in consultation with SHPD." In addition "(A) The areal extent of the prior survey coverage indicated on a map;" and "(B) A synthesis and analysis of information on the project area and its related lands' chronology, function and land use patterns..." You do not provide these data for the ahupua'a, nor did you consult SHPD regarding a smaller "relevant area." Figures 4 and 5 do not meet this requirement; they are not readable, do not identify the various studies clearly, and do not reflect studies conducted after the mid 1990s. See the HART Section 3, Airport AIS for updated tables, figures, and text descriptions of relevant studies for the NAS Barber's Point area. We recommend you insert a table and figures showing previous studies, including site numbers.
13. Revise the previous archaeology studies blurbs to include site numbers; note §13-276-5(2) indicates you will provide a synthesis, which requires knowing what sites have been identified, where, of what type, etc., as well as what radiocarbon dates have been obtained and where that provide information about settlement patterns and chronology.
14. Revise (page 22, last paragraph) to clarify if 35 sites were newly identified, including the burial, or 35 plus burial. Also, does burial have a site number?
15. Revise (page 23), if you haven't obtained the O'Hare et al. 1996 report, contact me and I'll provide you a copy.
16. Revise (page 23) previous archaeology section to include all relevant studies dating after 2002.
17. Revise (pages 23-24) to indicate you are looking at Feature Types, not Site Types, as everything you identify is a component of various sites. Also, you make no mention of fire pits, postmolds, and so forth, also these feature types have been found in the area.
18. Revise (page 25) chronology to provide a summary of radiocarbon dating for area. You mention that Tuggle and Tomonari-Tuggle (1997:78) note over 142 samples have been processed and settlement periods, but do not note if any of these samples are from within or near current project area or are from feature types present in current project area.
19. Revise (page 26) Field Methods section to include discussion of the field methods used to map, describe, and assess the impact of the 2012 bulldozing violation within the project area. Include whether mapping was done

- with garmin, with tape and compass, or... Also photographs and kinds of assessment information that was recorded.
20. Revise (page 27) Laboratory Methodology to indicate analysis and tabulations were completed, not in progress. All results should be presented in the AIS report. Revise radiocarbon section. If you sent samples off for radiocarbon dating, indicate this. If you didn't, then indicate that. Also revise discussion about "Representative plan view sketches" of sites. Pursuant to §13-276-5(c), revise field methods section to include a discussion of methods used to plot site locations (e.g., GPS), to identify site boundaries, to plot all features within each site, and to plot disturbances (e.g., bulldozing impacts).
 21. Revise Fig 6 to show site locations using SIHP #s, not temporary site numbers.
 22. Revise (page 27) Archaeological Inventory Survey Results section to provide an overview of the sites and features. This should include a table with site numbers, feature #s by site, level of work (e.g., survey, survey and TU 7), a map showing distribution of all sites (using SIHP numbers), location of sites relative to bulldozed areas....Also, agricultural mounds and karst features should not be presented only in appendices.
 23. Revise (page 27) Archaeological Inventory Survey Results section to indicate that you will be presenting results in several sections. The first needs to focus on the result of the identification, mapping, and assessment of the 2012 bulldozer violation. This will set the stage for describing and evaluating sites that have been impacted and where they are relative to bulldozer cuts, what features in specific sites were impacted, and so forth. The bulldozer cuts need to be assigned numbers, described, and supplemented with maps and photos. The second section needs to focus on sites, not individual features (see #24 below).
 24. Revise Site Descriptions section to provide overview that ___ # sites were found and will be presented in Site # order, that structure/format being used to present each site description, that each will include a site map showing entire site, site boundaries, all features, and all 2012 bulldozer impacts (if present), a feature table, that all features will be described, and that photos will include site overviews, all major features, representative examples of particular feature types (e.g., agricultural mounds); all figure captions need to include site # and appropriate feature #s. The site descriptions must also include information about all previous investigations conducted at the site.
 25. Revise feature descriptions to include measurements for different components, e.g., max. L, W, range of H, then wall thickness, and dimensions of any interior level space; also record whether interior level space within U-, C-, L-shaped features, enclosures, etc., are natural, are level, are modified, and so forth. Also revise to ensure measurements in text match figures (e.g., Feature 3 text says max height is 40 cm above surface but figure 7 indicates 60 cm above surface); also figures should show more than one height figure, allowing researchers/readers to know something about variability in feature dimensions across the feature. Also indicate, where appropriate, features or feature sections that are collapsed, scattered, or were damaged by bulldozer activity.
 26. Revise Fig 7 to include GPS point.
 27. Revise Fig 8 to show opening. Photo does not show entire feature and orientation does not match Fig 7; is this photo intended as a detail of one wall?
 28. If you are assuming all C-, U-, and L-shaped features, and semi-walled features are habitation in function, state this in Site Description introduction so reader is not left wondering why specific features are interpreted as habitation when no data are presented.
 29. Revise to clarify piled construction versus stacked construction. All the features are described as "piled" although they have multiple courses.
 30. Revise degree symbol (e.g., 140o/320o, magnetic) to be larger so it is visible.
 31. Revise Fig 11 to match text. At present you have a single feature height of 52; height of 0 means what? the wall rock is buried? if so, indicate that upper courses are missing, feature is deflated... Need multiple heights to show variability across feature, including variability in condition; Also where is the interior space identified in text as 2.1 x 1.8 m? Is this interior space a "leveled" space or naturally level? Delete weeds as photo indicates this feature is surrounded by trees and weeds and grass did not displace the walls.
 32. Revise Fig 12 to indicate opening/level area.
 33. Revise (page 37) to provide dimensions of interior level(?) space in Feature 24; Also how can Feature 24 has a constructed height of 0? Are you trying to say this area of the feature is deflated, collapsed??? In addition, provide wall thickness dimensions (i.e., range from x to x) for each of the segments.
 34. Revise (page 37) Feature 30 to include wall thickness dimensions. Also revise to include a plan view of Feature 30.
 35. Revise (page 43) discussion of Site 7482, Feature 34 to include discussion of the limestone outcrops, including where they are located and where and how they are incorporated into Feature 34. Also show these outcrops in the site map and plan view of Feature 34 (Fig 16). Note they are not visible in Fig 17; if present, please label.

36. Revise throughout, your discussion of weeds and grass roots wedging the features, are you saying that the grass roots displaced limestone cobbles and boulders? what about cattle? none of the features are described as deflated or collapsed or partially collapsed. Is this really the case?
37. Revise Site 7482, Feature 37 to indicate it includes at least one upright. Please also provide its location and dimensions.
38. Revise Site 7483, Feature 4 to indicate it includes boulder uprights. Please indicate #, location, and dimensions and also label them in Fig 22.
39. Revise identification of two traditional artifacts found at Site 7484, Feature 3. Text (page 48) indicates a micro adze and a volcanic glass flake, but Fig 24 indicates a basalt chisel. Also where was volcanic glass flake found? Why isn't it shown on Fig 24?
40. Revise Site 7484, Feature 3. You indicate it is a midden scatter. You also indicate it was mechanically altered. It actually appears that Feature 3 was a midden deposit. Its original spatial (vertical and horizontal) extent remains unknown. Feature 3 is best described as a modern scatter of faunal remains and lithic artifacts displaced by bulldozing activity in 2012. Data obtained from shovel probe testing revealed minimal to modest in situ midden remains in Layer I (0-10 cmbs).
41. Revise Site 7484, Feature 3 text and Fig 24 to address discrepancy between the two regarding shovel probe testing. The text indicates 2 shovel probes were excavated within Feature 3, namely SP-4 and SP-7. In contrast, Fig 24 indicates 8 shovel probes within Feature 3, namely SP-1 through SP-8. These can't both be correct. Were SP-1 through SP-3, SP-5, SP-6, and SP-8 excavated? If so, what were the excavation results? They all have to be discussed.
42. Revise Fig 28 to include GPS point; to clarify all questions marked on fig including what hashed lines mean, is the bench inside or outside of karst, which measurements are above surface and which are below, SP-1 versus SP-9, "P" partition is not visible in figure, limestone boulders versus roof fall, what does 3Q0 mean? what is the unlabeled arrow for? Why two symbols/entries in legend for cm below karst surface?
43. Revise Site 7486, SP-9 discussion to indicate depth at which the partition was founded.
44. Revise Site 7486, Feature 2 text to indicate that this feature contains several uprights, including #, location, and dimensions, and possible importance.
45. Revise Fig 31 to address in legend – limestone (not architectural) versus feature architecture, as these cannot be distinguished in plan view; also clarify "vertically protruding limestone" – does this mean upright?
46. Revise Site 7486, Feature 5 text to clarify limits of trail, i.e., does the trail start or end at the road because this is where it terminated or because it have been truncated by the road? Did any survey work extend to the other side of the road to determine if it continues? This effects interpretation. What do the ends of the trail look like? Is there evidence of formal construction? Have either ends been damaged by modern activity?
47. Revise Site 7487, Features 2A-C to provide photos, a map showing their distribution, and any additional pertinent documentation.
48. Revise Fig 33 to clarify Koa trees? In legend not shown in plan view; no mention either in text; also the plan view doesn't correlate with text which says Fea 5 is 78.35 m in length; what portion is shown here? Where is rest of feature? Where are photos providing overview of feature and details showing construction materials and methods? Also is there variability along length of trail? Also revise text to indicate how this trail is similar or different from Site 7491, Feature 1 trail in construction materials, etc.
49. Revise Site 7487, Feature 3 text to provide a clearer description of tiers 1 and 2, including a plan view or photo with labels identifying tiers 1 and 2; Also revise text to include information from historic maps of base concerning possible building identification and use; photos should be provided of the main structure.
50. Revise Fig 36 to remove incorrect N arrow (currently two arrows in fig); revise legend to indicate Tier 2 is a poured concrete surface, not merely smoothed
51. Revise Site 7487 to include a map showing the spatial relationship of all features, including where bulldozer cut #5 impacted the site; also revise Site 7487, Feature 4 to indicate it is a J-shaped wall.
52. Revise Site 7487, Feature 4 text to indicate how much of the wall was damaged by the bulldozer violation? How large is the scatter; what data suggests this feature functioned as a boundary wall?
53. Revise Site 7487, Feature 5 text to indicate why you believe it may represent a "dump pile" associated with military activity; clarify # of walls, also clarify construction sequence and components. Based on the description and Fig 39, it appears that the wall pre-dates the remainder of the feature. In addition, while excavation indicated tiers 1-3 are post-contact in age, you did not do any testing of the wall, and therefore it's age is undetermined, but earlier based on tiers 1-3 abutting it.
54. Revise Fig 39 to clarify if the "area mostly cleared of limestone rocks" is interpreted as being related to construction of Feature 5 or is related to later bulldozing, or to something else.
55. Revise Site 7487, TU 1 to indicate where the base of the architecture was founded; Do same for TU 2.

56. Revise Site 7490, Feature 1 to correct discrepancy with respect to long axis orientation. Also provide information about whether infilling of pit is natural or cultural.
57. Revise 7491, Feature 1 to provide a map of trail, to show each of the breaches. You need to provide dimensions for each breach, as well as photos of the trail, including overview, each segment, and each breach. In addition, provide information about the terminus of the trail, are these ends original or were they truncated by modern activities. If natural, please provide photos and descriptions of how they finished the beginning and end of the trail.
58. Revise Fig 43 to identify where the “exposed karst skylight” mentioned in legend is located. Also revise text to include description.
59. Revise Site 7491, Feature 1 to provide supportive data indicating coastal trails were not part of a regional system. Why couldn’t there have been a regional system of coastal trails?
60. Revise Site 7492, Feature 1 to provide width of walls. Revise TU 3 info about base of Feature 1.
61. Revise Fig 45 to include GPS point for Site 7492, Feature 1.
62. Revise Site 7492, Feature 5 to provide width of walls; do same for Feature 7; Revise Site 7492, Feature 7 to include information about how and where the limestone outcrop was incorporated into the constructed architecture. Also include information about the large boulders in the stacked courses. In addition, provide a photo of Feature 5.
63. Revise Fig 49 to indicate where the limestone outcrop is located and incorporated into the constructed architecture.
64. Revise Site 7492, Feature 8 to provide width of walls; Revise TU 4 to indicate depth of architecture and to clarify that architecture is not “above Layer I” but that some of the rocks must extend into the sediment of Layer I.
65. Revise Fig 51 to include N arrow; also fix legend.
66. Revise Fig 52 legend that indicates architecture is cobble construction when profile shows at least 1 boulder on surface.
67. Revise Site 7492, Feature 9 to include width of walls; to indicate where and how the limestone outcrop is incorporated into the constructed architecture, and to include a photo of this U-shaped structure.
68. Revise Site 7492, Feature 10 to include width of walls; to indicate where and how the limestone outcrop is incorporated into the constructed architecture. Also revise TU 5 to indicate depth of Feature 10 architecture.
69. Revise fig 53 to indicate where and how limestone outcrop is incorporated into U-shaped structure; Also reduce figure size so figure is less fuzzy.
70. Revise Fig 54 to include location of TU-6 and location of GPS point.
71. Revise TU-6 text to indicate depth of Site 7492, Feature 10.
72. Revise Site 7492, Feature 11 to identify shape of enclosure; to indicate where the interior section is (not clear in Figures 58 and 59); also what are the dimensions of the interior section? What is thickness of walls? Was the interior section modified to be leveled? In addition, indicate where and how the limestone outcrop was incorporated into the constructed architecture. Also label this outcrop in Figure 58.
73. Revise Fig 57 and text to clarify why the large “white” rock in Layer I is not considered part of the architecture. Profile indicates like a 2cm gap between it and overlying rock.
74. Revise Fig 58 to place height info atop rocks not on ground surface; Also Fig 58 plan view doesn’t look like Fig 59 photo which shows a well-defined interior area. Where is wall at east end of structure visible in Fig 59; also please label interior area.
75. Revise Fig 59 to show terminus of east end of feature.
76. Revise Site 7492, Feature 12 to provide LxWxH information for each of the two segments of the wall. Also provide criteria for interpretation of T-shaped structure as a habitation feature. What kind and where would the habitation area be. Also indicate where and how the limestone outcrop was incorporated into the constructed architecture. In addition, you indicate a possible “anthropogenic two-holed stone” sitting atop the T intersection. Please clarify what this stone is and represents/significance; Also please label this stone and the limestone outcrop in Fig 60. In addition, add photo for this feature.
77. Revise Site 7492, Feature 13 to provide interior space dimensions; also is this area naturally level or has it been modified? Indicate where and how limestone outcrop was incorporated; In addition, what is shape of enclosure? It appears to be a U-shaped structure.
78. Revise Fig 61 to place arrows atop rocks and not on ground surface; Is area labeled [33] a large boulder with smaller cobbles on top or is this limestone outcrop; is this also the case adjacent to TU-6? If so, shade and label as such; also insert N arrow; fix legend. Add photo of feature.
79. Revise Site 7492, Feature 14 to include dimensions of habitation area? Is surface level? Has it been modified? You indicate “several small boulders” surround the outer perimeter, please label in Fig 62. You mention a kiawe tree but none is shown in Fig 62.

80. Revise Site 7492, Feature 15 to indicate whether habitation interior surface is level. Has it been modified? Also address inconsistency re: opening of enclosure facing northeast in text but west in Fig 63.
81. Revise Fig 62 to identify habitation interior area; remove extra arrow atop structure; fix legend; add photo of feature. Same comments for Fig 63.
82. Revise Site 7492, Feature 16 to indicate dimensions of interior habitation surface, whether level, whether modified; also insert photo. Same comments for Site 7492, Feature 17.
83. Revise Site 7494, Feature 1 to clarify interpretation. On page 108, Layer I is identified as a cultural layer. It doesn't include refuse or any data indicating agriculture. If agriculture, why was wall constructed? Revise SP-10 to indicate basis for interpreting presence of cultural layer. If this is a cultural layer, why no feature number? Also, please indicate whether you sent the charcoal sample for wood identification prior to submittal for radiocarbon dating. All radiocarbon dates without wood identifications are being discarded as unreliable.
84. Revise Fig 66 to insert 1 into circle to indicate koa haole tree; why is black stone not part of feature? Fix legend.
85. Revise Site 7495 to Site 5120; revise site documentation provided to SHPD to have Site 7495 removed from database.
86. Revise Site 7495, Feature 2 to indicate where and how limestone outcrop was incorporated into architecture, revise Fig 69 to show location of outcrop; revise text and Fig 69 to match re: location of some boulders on east side; Please indicate location of mechanical disturbance and impact, including whether this disturbance is related to 2012 bulldozing or earlier; Also where is habitation living area? Please label and describe, including dimensions and data to support interpretation of habitation for a wall and _ for a living area.
87. Revise Site 7495, Feature 3 to insert "quote" marks around all information inscribed on concrete pad.
88. Revise Fig 69 and text to clarify, is this a core-filled wall.
89. Revise Site 7495, Feature 4 to include photos.
90. Revise Site 7495, Feature 5 to include age dates; to include information about the building having posts (see Fig 71).
91. Revise Fig 72 to label the various components of Site 7495, Feature 5 (see notes marked on figure); Also, text says walls are 30-45 cm thick but this doesn't match Fig 72; Also wall is shown as both [38] and [136] in height, is this correct? Insert N arrow.
92. Revise Site 7495, Feature 5 to include photos and drawings that illustrate and are labeled with respect to tiers 1, 2, etc.; also provide dimensions for tiers 1 and 2.
93. Revise Site 7495, Feature 6 to include plan view and photos; provide measurements for all components.
94. Revise Site 7495, Feature 7 to clarify what is meant by "is a vertical threaded bolt to which a machine may be placed." Do you mean a bolt that may be used for mechanically lifting and moving the pill box?
95. Revise Site 7495, Feature 8 to indicate how many structures are in the cluster; provide plan view and photos; cannot evaluate without the plan view and photos as insufficient data presented.
96. Revise Site 7495, Feature 9 to clarify how the concrete foundation height is 0 cm above surface and at another location it is 18 cm below surface. Feature 9 is described as a concrete slab on edge and the plan view suggests that it extends above surface; please provide elevations above surface for length of feature; provide photos. Also clarify what you mean that Feature 9 is a "three-sided polygon" when Fig 74 indicates it is a zig-zag shape, and what you mean that the surface of the feature is flat. It Feature 9 a poured concrete slab/ What are the dimensions?
97. Revise Fig 74 to clarify what appears to be two holes, one at 4cmbs and another at 18cmbs?
98. Revise Site 7496, Feature 1 to describe the nature and extent of the pre-2012 bulldozing damage on southeast side of feature. Also clarify whether you mean it damaged the SE side of the feature or it occurred SE of the feature. In either case, please show this damaged area in Fig 75.
99. Revise Site 7496, Feature 1 to clarify statement re: kiawe tree damage, as no kiawe tree is shown in Fig 75; Clarify mechanical alteration, including where and how much damage, as none is shown in Fig 75.
100. Revise TU 7 to clarify if unit was placed in southern or in central portion of feature; indicate feature was constructed during deposition of Layer II; clarify axis description as unit is a square and doesn't have a long axis.
101. Revise Fig 75 to clarify location of GPS point; no point visible for GPS arrow; revise legend to indicate that "flat limestone" is part of feature.
102. Revise Fig 77 to address "I" label and gap in profile side; is this sediment? Also "dots" in Layer II legend not visible and thus legend doesn't match profile.
103. Revise TU-7 to indicate Feature 1 architecture includes boulders (page 126); revise Layers II and III to indicate whether you have a few charcoal flecks, minimal charcoal, etc. to interpret a cultural layer. If so, why don't cultural layers have feature designations? If they are cultural layers, add feature numbers and provide feature descriptions to be consistent with all other features having #s and feature descriptions. Also,

- clarify how having charcoal equates with being Traditional cultural material. Non-Hawaiians produced charcoal also; perhaps rephrase.
104. Revise Site 7496, Feature 2 to clarify nature of platform surface; also revise feature description to indicate the feature either is a platform or it is a mound, not both. You mention the interior has an area defined by 8 vertical slabs; do you mean upright slabs or slabs placed on edge? If so, Fig 78 only shows 2 uprights in this lined area; also Fig 78 shows multiple uprights elsewhere within Feature 2, why aren't these described? Also feature does not appear to be a mound.
 105. Revise Fig 78 to clarify what are "arbitrarily mechanically affected areas;" what is meant by "area of scattered limestone cobble." Is this area the result of natural or cultural processes, recent mechanical bulldozing??
 106. Revise Site 7499, Feature 3 description (2nd paragraph) as it does not correlate with Fig 79. Where is wall? Where is pit opening? No pit is visible in Fig 79. Is the wall the white stones? What do the black upright stones represent? Where are they relative to the pit? Is the [38] in Fig 79 supposed to be the top of a rock? Same with [50]? What is the height of the uprights? What is the height of the white rocks (possible wall)? What is depth of the pit? Is pit partially filled? Completely filled? Where and what is extent of natural limestone outcrop? How was it incorporated into feature construction? Revise Fig 79 to show its location and extent. Insert photos of feature. Also provide data to support interpretation of agricultural/refuse area. What refuse was identified? None mentioned in text.
 107. Revise Site 7503, Feature 1 to include photos. Clarify if "exposed soil" area is the habitation area, whether it is natural or has been modified. So feature was constructed atop a limestone bench?
 108. Revise Discussion and Conclusions – see notes in text. You need to provide a detailed summary with table of all sites, features, test units, and provide an overview of site types! Your discussion says "Traditional Site Types" yet your data is "Feature Types." The reader needs to know which sites are isolated features and which are complexes comprised of multiple features, including both habitation and agricultural, etc.
 109. Revise (page 131) you indicate "most of the sites" are composed of limestone. Please clarify. Are there any sites that are not composed of limestone features? You indicate the house features include....., "among other classes." Please identify all classes represented. You mention "modest quantities of artifacts and midden" were recovered "as well as previous projects in the area." Do you actually mean minimal? Also if you are going to compare to previous projects, you need to identify those projects, their data findings, etc. In addition, you indicate the modest artifact and midden results indicates limited feature occupation duration, but you did minimal excavation in habitation features, particularly in living areas, therefore you have insufficient data to support this interpretation.
 110. Revise (page 131) your discussion about "most researchers prescribing an agricultural function" to the mounds when you don't provide any citations as to who these researchers are, how the mounds they've looked at compare in size, shape, construction method, etc., with mounds in the current project area. Also did you test any of the mounds?
 111. Revise (page 132) your discussion of the trails. You have a system or network of coastal trails. This network may not be connected to the network of trails that extend across different ahupua'a, but the coastal trails are part of a network and the two in the project area are part of that network. Please clarify text. Also provide information about this network of coastal trails, including references to maps and previous studies where these trails have been identified in archaeological contexts.
 112. Revise (page 132) discussion of military sites. Site 7495, Features 4 through 8 are discussed here for the first time as being remnants of an anti-aircraft complex. Provide information about this complex, historical and maps, as well as any previously-recorded archaeological data.
 113. Revise (page 132) discussion of semi-permanent versus temporary habitation, as I don't believe these terms are synonymous.
 114. Revise (page 134) clarify chronology for Site 7496, Feature 1. You need to indicate base of architecture = _ depth; top of midden = _ depth; thus midden post-dates base of architecture, or not. If you don't have a depth for top of midden, you cannot make this statement. In addition, you need to be able to state there is a clear break in deposition between the midden and the architecture. Revise 2nd paragraph to insert reference citation in place of (ibid) as no reference citation appears elsewhere on page to link to (ibid).
 115. Revise (page 135) discussion of short-term habitation as you have no really habitation data other than the disturbed midden scatter which isn't associated with a constructed architectural habitation feature. Also revise discussion that "Analysis for artifacts and midden samples identified is in final preparation." For the AIS to be complete, all analysis data must be included in the AIS report.
 116. Revise (page 135) landscape modification discussion to prove more detailed discussion of nature, extent, impacts, and implications. So only landscape modification is modern, WWII and 2012 violation? No modification during pre- and/or early post-contact or during mid-late 19th century?

117. Revise (page 135) previous site designations and current project site designations. You need to provide appropriate documentation to SHPD to delete Sites 5119 and 7482. These sites already have designations (Sites 5119 and 5120) and there is no valid justification to delete original numbers. Also sites cannot have two site numbers as this inflates our site number system and creates confusion. Also, when you revise to include site descriptions in the report, incorporate all earlier description/documentation for Sites 5119 and 7482 into that site description. The site description also should include all appropriate maps and photos from previous studies, along with any stratigraphy and/or test excavations.
118. Revise Significance Assessments, Recommendations, and Project Effect. Significance assessments and recommendations must be made at the scale of SITE. The project effect recommendation must be made at the scale of PROJECT. You need to state Site X is assessed as significant under criterion _ because. The project effect recommendation needs to indicate either historic properties will be adversely affected or no historic properties will be adversely affected with proposed mitigation commitments... requiring you to specify the proposed mitigation recommendations. The recommendations need to be first at the scale of site and then if individual features are not going to be preserved, indicate which and what mitigation measures are proposed to mitigate their loss.
119. Revise Table 1, Site 7487 Features 2A-2C to provide a significance assessment. "Modern" is not a significance assessment. You must have decided "d" otherwise you don't have justification for recommending "data recovery."
120. Revise (page 138) your discussion of the mounds. You state "Of the Traditional sites not recommended for Preservation are the ubiquitous agricultural mounds noted in the appendices." First, the mounds are features, not sites. Second, they are parts of sites, and the preservation recommendations need to be at scale of site.
121. Revise (page 138) to explain why you recommend data recovery for Sites 7484, Feature; Site 7487, Features 2A-2C; and Site 7495, Feature 7. This needs to include what research potential they have and in terms of Features 2A-2C and Feature 7, also discuss what data you are planning to collect beyond what was collected during the AIS.
122. Revise entire text and References Cited section for typos, inconsistencies, etc. (see concerns and issues marked in text and provided in pdf copy of text pages).
123. Revise Appendix A to distinguish between Temporary Site Number and Feature Number; also revise report text to indicate Site 7492 includes a "limestone mound complex" and to clarify why some of the agricultural mounds at this site area considered part of this complex and others are not. Also revise Site 7501, Feature 1 description to indicate why this feature which is a possible push pile and why it is included in the table which is clearly labeled "Agricultural Mounds" if it isn't an agricultural mound.
124. Revise Appendix B to include a map of project area showing the distribution of the karsts.
125. Revise Appendix C to provide footnote explaining what "Accuracy" means, e.g., 3 m? 3 feet?



**HISTORIC PRESERVATION DIVISION
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February 25, 2014

Dr. Robert Spear
Scientific Consultant Services, Inc.
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LOG NO: 2013.6641, 2014.00823,
2014.00528
DOC NO: 1402SL27
Archaeology

Dear Dr. Spear:

**SUBJECT: Chapter 6E-8 Historic Preservation Review–
Archaeological Inventory Survey Report for a Proposed Solar Farm in Kalaeloa
Honouliuli Ahupua'a, 'Ewa District, O'ahu Island, Hawai'i
TMK: (1) 9-1-013:070**

Thank you for the opportunity to review this revised report titled *Archaeological Inventory Survey Report for a Proposed Solar Farm in Kalaeloa, Honouliuli Ahupua'a, 'Ewa District, O'ahu Island, Hawai'i* [TMK: (1) 9-1-013:070] (Medrano et al., February 2014). We received this submittal on February 25, 2014.

The archaeological inventory survey (AIS) was conducted by Scientific Consultant Services, Inc. (SCS) of 44 acres of undeveloped land in support of a proposed solar farm. The property owner is Hawai'i Community Development Authority (HCDA). The AIS identified 23 historic properties (Table 1), of which two were previously identified (Sites 5119 and 5120). The sites mainly consist of complexes of Traditional Hawaiian habitation and/or agricultural, refuse, and storage features. Also present are two probable burial features (Site 7483, Feature 4, and Site 7486, Feature 2), one site containing a military airplane wreckage (Site 7487) and one site containing military structural remnants (Site 5120).

Data recovery is recommended for Site 7487, Features 2A-2C and for Site 7502, Feature 1, while all other sites and/or features are recommended for preservation. Site 7487, Features 2A-2C (airplane crash wreckage) were recommended for data recovery because the Pacific Aviation Museum expressed interest in having the site further documented and having all materials collected for possible display. Site 7502, Feature 1 (agricultural rock mound) was recommended for data recovery because it will be impacted during installation of the solar farm structures. All of the sites are recommended as significant pursuant to Hawai'i Administrative Rules (HAR) §13-275-6 under Criterion d (have yielded, or has potential to yield, information important to prehistory or history). Sites 7483 and 7486 also are recommended as significant under Criterion e (importance to Native Hawaiians) because of the probable presence of Native Hawaiian burials. Four mitigation measures are recommended to address potential for construction of the solar farm to adversely affect historic properties. These consist of (1) a preservation plan for all historic properties recommended for preservation (see Table 1); (2) a burial treatment plan for Site 7483, Feature 4 and for Site 7486, Feature 2 which have been identified as probable burial features; (3) a data recovery plan for Site 7487, Features 2A-2C and for Site 7502, Feature 1; and (4) an archaeological monitoring plan for on-site monitoring during all project-related ground disturbing activities to address any potential subsurface historic properties that may be encountered and to ensure that the sites recommended for preservation are not adversely impacted during construction. We concur with the site assessments and mitigation recommendations.

The report provides adequate discussion of the project environs, cultural and historical background, previous archaeological investigations, field and laboratory methods and results, and the site assessment and mitigation recommendations. The revisions adequately address the issues and concerns raised in our earlier review correspondence (October 18, 2013; Log No. 2013.4819, Doc. No. 1310SL16), and in our project meetings and email correspondence pertaining to several interim drafts (November 22, 2013; February 5, 21, and 25, 2014).

Exhibit B

The archaeological inventory survey report meets the requirements specified in HAR §13-276-5. It is accepted by SHPD. Please send one hardcopy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office.

Please contact me at (808) 692-8019 or at Susan.A.Lebo@hawaii.gov if you have any questions regarding this letter.

Aloha,



Susan A. Lebo, PhD
Oahu Lead Archaeologist

Table 1. Archaeological Historic Properties Identified During AIS.

SIHP	Total Features	Feature Types	Function	Significance Recommendation	Mitigation Recommendation
7483	10	Karst pits, mounds (possible burial), mounds (agriculture)	Ag/refuse, w/possible burial component	d, e (Feature 4)	Preservation
7484	3	Karst pits, midden scatter	Ag/refuse, habitation complex	d	Preservation
7485	2	Karst pit, mound	Ag/refuse	d	Preservation
7486	5	Karst pits, linear path, and rock mound	Ag/refuse, ranching, transportation, w/possible burial component	d, e (Feature 2)	Preservation
7487	12	Karst pits, airplane crash remnants, concrete pads, L-shaped structure, and platform/wall	Ag/refuse, storage, military, and boundary	d	Preservation, Data Recovery (Features 2A-2C)
7488	1	Karst pit	Ag/refuse	d	Preservation
7489	2	Karst pits	Ag/refuse	d	Preservation
7490	3	Karst pits, walled karst pit	Ag/refuse	d	Preservation
7491	1	Path	Transportation	d	Preservation
7492	45	Rock mounds, enclosures, and C-, reverse J-, L-, T-, and U-shaped structures	Ag/habitation complex	d	Preservation
7493	1	Karst pit	Storage/refuse	d	Preservation
7494	1	Walled karst pit	Ag/storage	d	Preservation
7496	2	Platform, platform/mound	Ag/habitation and storage complex	d	Preservation
7497	1	Rock mound	Ag	d	Preservation
7498	3	Karst pits	Ag/refuse, storage complex	d	Preservation
7499	3	Karst pits, walled karst pit	Ag/storage and refuse complex	d	Preservation
5119	37	Karst pits, and C-, L-, and U-shaped structures	Ag/refuse, storage, habitation complex	d	Preservation
5120	9	Karst pit, wall, concrete pad, guard shack, and concrete enclosure, foundations, and pillbox	Ag/refuse, military, boundary	d	Preservation
7500	1	Karst pit	Ag/refuse	d	Preservation
7501	1	Mound	Dozer push pile	d	Preservation
7502	1	Mound	Ag	d	Data Recovery (Feature 1)
7503	1	C-shaped structure	Habitation	d	Preservation
7504	2	Karst pit, mound	Ag/refuse	d	Preservation

EXHIBIT C – CONFIDENTIAL
PREVIOUS MATERIALS RELATING TO NEGOTIATIONS

EXHIBIT D – CONFIDENTIAL
CURRENT MATERIALS RELATING TO NEGOTIATIONS