

**Queen Ka‘ahumanu Highway Widening Project  
106 Consultation Meeting  
November 23, 2019**

**Meeting Notes**

1. Pule

Kekoa Nazara opened the meeting with a Pule.

2. Welcome and Introductions

Marshall Ando (Marshall), Highways Administrator, introduced himself, describing his time at HDOT and his background having been born and raised in Hilo and shared his professional experience.

Marshall expressed appreciation for everyone’s participation on a Saturday. He went on to state that the way HDOT had done things in the past was not right. There needs to be better communication within HDOT. He expressed his hope that we (HDOT) get better going forward and apologized for being where we are at today. He stated that we are here today to rectify HDOT’s mistakes on this project and to come to some resolution. He asked everyone’s cooperation today and moving forward. Marshall expressed his goal to fix what we need to and to move forward.

Richelle Takara (Richelle), Acting Hawaii Division Administrator, offered her background, having been born and raised in Pearl City. Through her experience in Hawaii, Guam, Mariana Islands and American Samoa, she has learned about different cultures and beliefs. Richelle stated that this project has been a learning experience and our goal is always to do better. Her goals going forward are: (1) Get to an understanding of CP’s mitigation proposal during this meeting and then move to complete the mitigation measures, and (2) Complete this project by meeting as many expectations as possible with understanding, empathy and compromise.

Mandy Ranslow (Mandy), ACHP, stated that she was committed to help in any way she could, to amend the MOA and to do the mitigation. She stated that they are here to help all parties to be heard and was glad that the consulting parties were present to assist the DOTs through the process. She stressed the importance of consulting party involvement to make sure that deliverables are as originally intended in the MOA. Mandy said she was grateful to be allowed a part in this process.

Fred Cachola (Fred) expressed his appreciation for Mandy being there. ACHP has been helpful to see that the intent of mitigation is understood and implemented. “Thank you very much!”

The introductions then proceeded in a roundtable fashion with each attendee providing a brief description of their background and involvement in the Queen Ka‘ahumanu project.

In addition to describing personal background and involvement, the following feedback was shared on the consultation process to date and goals going forward:

Kekoa Nazara (Kekoa) previous involvement with the project was through his late wife Cynthia Nazara who was a cultural monitor on the project. He thinks it is important that responsibility is taken so as things continue down the line things can be better. He believes this can be taken care of fairly quickly. We all live in the same state of Hawaii so we can come together. As we see progress, we also see mistakes. The purpose of this meeting should be fixing mistakes.

Paka Harp (Paka) has been involved with this project for about 7-years. He expressed frustration with the mitigation being done and asked that the amendment to the MOA be clear and with guidelines: there needs to be clear processes for all stipulations, to have clarity in the language. For example, the terrain model and what the UHH will do for 5-years. There also needs to be training for HDOT personnel in the ACHP process to avoid what they were experiencing here; for the future. That would save time and money.

Paka offered his mahalo to Marshall for accepting responsibility.

Fred Cachola (Fred) was born and raised in the plantation town of Kohala, went to Iowa on a GI bill and was the Principal of Nānāikapono Elementary in Nānākuli. He also worked with Kamehameha Schools and helped Hawaiian communities. He was part of the 1970 renaissance of Kaho‘olawe. When ACHP created their Native American advisory board, he was asked to represent the native Hawaiian community. He served as chair of the board and helped to write guideline on dealing with Native Hawaiians in 106 consultation and also helped to write Department of Defense 106 protocols. He strongly suggests that FHWA write protocols for consulting with Native Hawaiians while doing 106.

Fred also led the movement to involve native Hawaiians in HDOT and FHWA projects because they were not involved in the beginning. He said that this project is a classic case of what not to do and is looking forward to making it better.

David Clark (David), Federal Preservation Officer oversees the FHWA 106 consultation process and was excited that “the right people” were at the table to appropriately address the MOA and mitigation package. FHWA is committed to the process and David offers a national perspective. He seeks to appropriately address impacts and has experience with these types of impacts before.

David asked that everyone speak openly and freely. He said that this is a challenge but FHWA is obligated to fix inadvertent effects through the 106 Process. David stressed he will stay engaged and will assist. He expressed appreciation for the opportunity.

Fred asked if Kiersten Faulkner (Historic Hawaii Foundation) was also on the phone. Lisa Powell (Lisa) explained that Kiersten was probably in the air (flying) at the moment and was not able to call in.

Refer to Sign-In Sheet, Attachment 1.

### 3. Meeting Protocols

- a. Faith Rex discussed the following protocol:
  - i. Respect for what is said, be open minded
  - ii. Focus on what the issue is, not the person
  - iii. Respect for everyone's time, speak in allocated time and during discussions
  - iv. Cell phone in silent mode

Faith asked if everyone could agree to these protocols. No one disagreed.

- b. Fred offered another protocol, "Kapu Aloha" that he clarified as maintaining a sense of Aloha and resolving matters in a way of Aloha. Faith asked if everyone was okay to add this to the protocol list. No one disagreed.
- c. Faith asked everyone to follow the guidelines and described her role as: To keep the meeting productive for all participants.

### 1. Review of Agenda (Faith)

- a. Priorities for this Meeting
- b. Memorandum of Agreement that will extend the time for completion beyond March 2020
- c. Discussion of Stipulation #17 – Post-Review Discoveries
- d. Next Meeting Date

Mandy Johnson-Campbell asked that Item 5 – Mitigation Proposal (Fred Cachola), be changed from "Fred Cachola" to a "Coalition of MOA Consulting Parties"

Paka questioned why Pua would present Agenda Item 3.a – Discussion of the Post-review Discoveries Background, because she was not involved. Pua stated that she was involved beginning with the damage investigation and walked the sites. Additionally, HDOT's construction manager, Jason (RMT) was not present.

### 2. Memorandum of Agreement that will extend the time beyond March 2020

Lisa distributed copies of the draft MOA Amendment 1 (Attachment 2) and explained that the intention of Amendment 1 was to extend the duration of the MOA that would expire in March 2020. A second amendment, Amendment 2, would be a result of consultation and include:

- Acknowledgement of the damaged sites
- Mitigation of the breached sites
- Additional time extension for 5-years to allow for UH MOU

- Address the National Park Service (NPS) interpretive signs
- Expand the APE

Susan Lebo (Susan) stated the SHPO's opposition to two amendments and reported the SHPO wanted only one amendment because he did not want to delay mitigation. However, the SHPO understands the complexity of the issues to discuss and therefore the need for two amendments.

Susan further stated that the, "NOW AND THEREFORE..." paragraph not "kick the can down the road". The SHPO is looking for this time to be more like 6-9 months.

Fred reasoned that, based on the past, if there are 2-3 meetings a year, then in 2-years there would only be about 6-meetings. 2-years may not be enough time.

Fred stated that the next MOA Amendment (Amendment 1) needs to be specific:

- Have a very specific Action Plan of what will occur in the next 2-years
- Identify who is assigned to do what
- List what reports will be submitted

Susan described 3-types of Mitigation for the Amendments to address:

1. Overall Mitigation for the original adverse effects
2. Non-Compliance, such as no timely reports
3. Mitigation for damage to sites

Fred suggested that his complaint letter (about the implementation of the MOA Stipulations) be seriously considered.

Aric Arakaki (Aric) agreed with both Susan and Fred's comments. He asked that the "WHEREAS" clauses better define what will be in Amendment 2: deliverables and milestones. Aric was also concerned about the possibility that there would only be 2-meetings per year.

### 3. Discussion of the Post-review Discoveries

#### a. Background (Pua)

Pua Aiu (Pua) used a PowerPoint presentation (Attachment 3).

For the 2012 caption:

*Monahan 2012 found 76 sites versus 21 found in original survey*

Paka Questioned if there were 17-sites in the 1999 survey and not 21 sites. He also asked who found the additional sites, CSH or Monahan. Pua explained that the

additional sites were located with the help of the Makani Hou (O Kaloko-Honokōhau) together with CSH.

Both Fred and Paka asked that the caption be corrected for record purposes. As written, readers would think that Mohahan discovered all the sites. They felt it was very important that the written documents correctly state what occurred. Pua acknowledged their point and agreed to make the correction.

Paka also questioned why the Cultural Monitors were listed first when GBI went out relocated all of the sites and re-place the fences. Pua agreed to revise the order.

On the slide, Trial to the Sea, Site -10714, Feature C, Pua showed that the fence was in the wrong place. The pink ribbon indicates where the trail used to be, whereas the protective fence on the makai side can be seen at the edge of grading: the fence is in the wrong place.

Once this error was discovered, HDOT did a visual inspection of all sites and discovered that there may have been impact to Site -0002 at Kealakehe Parkway and at the entrance to the Kaloko-Honokōhau National Park. Damage to Site -0002 (Māmalahoa Trail) at the entrance to the National Park was a 4f violation since the 4(f) specifically stated that the only 90 feet of the Māmalahoa was allowed to be breached and that a retaining wall was to have been built to allow for the steeper slope to accommodate the trail. However, a retaining wall was never put into the plans and this is where an additional 70-feet of trail that was destroyed. Another 22 feet was destroyed at the Kealakehe site.

After Pua finished her presentation, Fred asked about accountability, “who”? He wanted names and stressed that we “cannot speak in vacuums”. He wanted to know the “who” to prevent this from happening again.

Marshall responded that HDOT is responsible. Accountability is also very important to HDOT. HDOT hired the contractor and the consultant. HDOT is responsible.

Fred asked that HDOT make sure this doesn’t happen again: we need to know exactly how it went wrong.

Susan accepted Marshall’s admission of responsibility. She reiterated the need for knowing the specific actions that went wrong to ensure these things get checked in the future. In other words, at the end of the day, we should know what went wrong.

Paka thought that the retaining walls should have been built before grading. He further stated that this project was in a rush. He recalls that there was a dispute about Contract Award, then 106 consultation for 2-years. This project was several years behind schedule so HDOT was in a rush. He believes that HDOT “cut corners” to do

the job more quickly. He stated that mitigation (for damage) is less costly than building the retaining wall would have been.

Mandy Johnson-Campbell asked if Site -10714 was the Road to the Sea, a mauka-makai trail. Pua confirmed.

In response to the question about, “what went wrong”, Pua explained that the site data on the locations was wrong and the plans were also not verified to discover the error. Paka asked if the cultural monitors and GBI (Goodfellow Brothers Inc.) went out to establish locations. Pua stated that the Cultural Surveys Hawaii, Fred La Chance was also with that group.

Mandy Johnson-Campbell read STIP 17 and noted the 72-hour notice requirement. Pua acknowledged that timely reporting of damage was not done which is one of the examples for Susan’s earlier mention of mitigation for non-compliance.

Paka asked if the culture monitors reports mentioned the later discovery that the protective fence was in the wrong place. Pua asked Julann Sonomura (Julann) to follow up on that. Paka also wanted to know who authorized GBI to install buffer fencing? After Pua’s clarification, Paka asked that the caption for the timeline (Aug-Sep 2016) be corrected to read, “GBI re-established fencing accompanied by the CM (Construction Manager) and CSH”. Pua agreed to correct the wording in the timeline.

Pua continued, stating that Site -0002 at Kealakehe Parkway was not in the APE and therefore there was never any discussion of damage to this part of the trail. Rick Gmerkin asked about the staging area. Pua said that it had been previously used by a water supply project. Rick Gmerkin stated that a 2006 aerial photograph shows the trail at the staging area and will forward it.

After the discussion of the timeline, Marshall assured everyone that HDOT will improve internal procedures, acknowledging that the “pass off” has not been great in the past. HDOT is working to improve transfer of information between the design where 106 is initiated and construction. Marshall also explained that improving this was a cultural change and it was going to take time.

Fred said, “bravo” and asked that everyone know what the kuleana is and who it is being passed to. For example, passing on the MOA when it is not clearly understood should not happen.

Kekoa Nazara (Kekoa) emphasized the importance of passing on information as the MOA moves from one part of the agency to another. Whether the damage was

inadvertent, intentional or just a mistake, we need to know what to do to avoid the mistake.

Susan shared upcoming changes at SHPD that will help prevent future damage to sites:

- DOCARE (Division of Conservation and Resources Enforcement) Enforcement Branch – In 2018, the DOCARE held an academy to train law enforcement staff on how to deal with cultural resources. They also trained personnel at SHPD and plan to do an academy on an annual basis.
- SHPD wants to “up” the clarity of activities. SHPD will work with and monitor HDOT activities. For example, SHPD wants to know who conducted the meeting, who attended the meeting, were there refresher briefings, who is the responsible party.
- SHPD will require more accurate GPS locations, 1-meter or less.

Paka refrained from commenting on how the damage occurred because RMT (RM Towill) was not present to defend themselves.

Paka asked for a cost estimate for the retaining walls that were not built. Pua asked Julann to get that cost.

Paka also requested full sized plans. (In a separate discussion after the meeting, Julann explained to Paka that HDOT and the contractor used half sized drawings and electronic files. She showed Paka the three sets: original design, redesign and final design sets. Julann offered to run full size drawings and asked what he was looking for. Paka said he was interested in the retaining walls and Julann provided him with an excerpt of the preliminary As-Built drawings that showed the deleted retaining walls.)

Paka stated that for him, if the buffer is encroached, then he considered that site to be damaged because the area surrounding the archaeological site was no longer in its original state.

The discussion of Post-Review Discoveries concluded at 10:55 a.m. at which time David (FHWA) and Mandy Ranslow (ACHP) concluded their call-in.

4. Break (15’)
5. Mitigation Proposal (~~Fred Cachola~~ Coalition of MOA Consulting Parties) (60’)

Fred introduced the group as a Coalition of MOA Consulting Parties (Coalition) consisting of: Makani Hou, Kona Hawaiian Civic Club, Ala Kahakai, OHA, and Hawaii Historic Foundation.

The Coalition's mission is to save as much of the culture and beliefs of the Hawaiian people as possible, to preserve the Hawaiian race, identity and knowledge. The UHH MOU was intended to preserve the knowledge they are losing. For example, the Terrain Model was supposed to show what was lost.

The Coalition's proposal is consistent with their mission, with deep respect to their ancestors and what they have accumulated here over hundreds of years. They do not want to minimize the adverse effects through their proposal. This mitigation proposal represents who they are and where they came from. Their proposal represents a cumulative loss; so much is being lost and so fast. This is almost like a desperate attempt to be Hawaiian. They feel they have nowhere to go to "visit" their ancestors unlike other people who can go to their native land. They are not just looking for physical restoration, but to restore who they are. When there is destruction that diminishes the significance of what it was, it hurts. They have a strong emotional identity to the aina: they want to preserve the trails, cumulatively. Their proposal addresses 3-trails, even though so many trails have been bisected between Kailua to Kawaihae.

Paka recalled that his original mitigation proposal (for the adverse project effect) was to narrow the median for the entire project. If the median was narrowed as proposed, then the consulting parties would have walked away, with mitigation complete. The Coalition's main goal is to preserve as many cultural sites as possible.

Aric provided the background for the Ala Kahakai National Historic Trail: The Ala Kahakai National Historic Trail was added to the National Trails system by Congress in 2000 under the leadership and vision of Senator Akaka. The legislation identifies an approximately 175-mile portion of the ala loa from Upolu point to the east boundary of the Volcanoes National Park. There is an Ala Kahakai comprehensive management plan which was developed in conjunction with the communities all along the trail. They wanted to hear what communities had to say and heard that they still use the trails and wanted to be a part of the management plan.

The Ala Kahakai National Historic Trail Corridor connects Upolu to HVNP is a historic trail for gathering, transportation fishing, trading and other cultural practices. This mitigation proposal is meant to foster an appreciation and preserve antiquities: all trails connect.

Trails are a metaphor for life. The trails are gateways to communities such as Hookena and Honaunau. The NPS has an MOU with the State (DLNR Na Ala Hele) and County for implementing a plan for trails. It proposes to sustain and manage trails through community effort, not grants. There are formal Management Plans. This trail proposal intersects with HDOT on many levels.

Rick Gmerkin presented 2-maps showing property owners (Attachment 4-NEED TO GET). He focused on Site -0002, the Māmalahoa Trail, and referred to it as the "crown jewel" of trails or an ancient day's Queen Ka'ahumanu Highway. Trails intersect and connect in such a way that they "acknowledge" one another. Many of the mauka-makai

trails that were disconnected served to perpetuate cultural practices. A pedestrian underpass is needed to maintain connectivity of the trails.

The Highway Act of 1892 was a “gift” from Queen Lili‘uokalani. In this act, any trail, road or pathway in existence at that time, was a Kingdom Asset that became property of the Territory and today is the property of the State.

The Kaloko to Makalawena Trail still needs to be documented. There is a desire for people to use this trail and the communities say they want to manage the trails. The NPS requires management planning and does not allow random access.

Mandy Johnson-Campbell provided a handout of their proposal (Attachment 5) and offered letters of support they received from the State and Royal Order of Kamehameha. Mandy Johnson-Campbell also referred to the Highways Act of 1892 whereby the trails are still owned by the State.

Since Mandy Johnson-Campbell provided a hard copy of her presentation, these notes will detail the discussion related to her proposal.

1. Reconcile historic trail documentation with an on-the-ground concurrent archaeological reconnaissance survey and metes and bounds survey (by certified land surveyor) of the Māmalahoa Trail, Road to the Sea and Trail to Honokōhau
  - Susan noted that the archaeological reconnaissance survey should be conducted by a SOI (Secretary of the Interior) qualified person with experience in trails.
  - Susan asked if there is a Preservation Plan for the trails that are within the State Right of Way (ROW) that includes a condition of the assessment.
  - Susan suggested that the recording with the Bureau of Conveyances include who maintains the trails, who has access to trails, and how to deal with future damage. Additionally, when recording, make sure all of this gets added to the land map (Plat), including the Preservation Easement, so that it is attached to any change in land ownership.
2. Documentation and condition/treatment assessments, stabilization and repair where necessary on Māmalahoa Trail south of the Queen Ka‘ahumanu Highway intersection (Honokōhau to Keahuolū ahupua‘a), at minimum, HDOT land to Hale Makai Place  
No discussion
3. Oral history survey/study for Māmalahoa Trail, Road to the Sea and Trail to Honokōhau through enhancement of the UHH MOU
  - Fred said that so much is on the minds of the kupuna: Aloha ‘āina the behavior on the trails that affect their values and goes to the human spirit. “Ike” for what the kupunas have, time is critical.

- Susan mentioned the UH Oral History Program. At SHPD, they have an ethnographer and are in the process of creating rules for ethnographic studies. SHPD can help guide the oral study. Susan suggested an interim review of reports between 30% and 100%, say 65%. Regarding social media, need to determine who will maintain and for how long.
  - Kekoa warned that kupuna may not give information to those who have “wrong intentions”.
  - Mandy Johnson-Campbell reminded that ethical standards should be honored.
  - Aric suggested traditional ecological knowledge be included to deal with climate changes.
  - Paka said, “kumu pono”. The Hawaiian people had a close relationship to trails. Trails were used for fish and vegetable trading. Lanihau (Greenwell) preserved the trails on their property.
  - Aric asked that trails be preserved in the future. People do use them. We need to make sure these trails continue to be available for the people.
  - Mandy Johnson-Campbell restated that their proposal was for the cumulative effect for damage to trails that should have been included in the original documents. The 106 for a Federal project should have considered the initial construction, widening, breaches and individual development effects.
4. Identify property owners and facilitate owner meeting for land upon which Māmalahoa Trail lies, from Onizuka Airport at Keahole to Kailua
- Mandy Johnson-Campbell said the community needs to join in this effort.
  - This is their vision: To walk the trail from Upolu to the Hawaii Volcanoes National Park. They have already discussed with resort owners and all are favorable to this larger vision and want people to feel welcome and safe.
  - Paka referred to the Highway Act of 1892 where the State can reassert its ownership of trails, even on private property.
  - Kekoa thinks more people will want to use trails.
  - Aric said trail use and even maintenance of the trails are cultural practices.
5. Comprehensive Community Trail Plan through additional funding through the enhancement of the MOU with UHH/Kohala Center
- No discussion
6. Plant and maintain small groves of loulou palms on mauka and makai sides for ROW to identify trail locations
- Kekoa reported that kupuna had once told him that specific plants were used to mark trails, much like highway signs are used today, but it wasn't loulou. He suggested that we could use the types of plants the kupuna had told him

about. He also wondered: there are trails around the island, why can't the highway system follow the old trails instead of cutting them off?

7. Māmalahoa trail scenic/historic overlook with parking Area; Silhouette sculptures
  - Fred noted that places like Jamestown has old Indian trails marked. Missouri is the gateway to the west and recognizes that trails are important. Why can't we recognize the trails?
8. Commission research/study for Hawaiian archaeologists to identify and map ahupua'a boundaries and mauka/makai trails that were bisected
  - Susan suggested we add, "in conjunction with kupuna". The Francis Ching Report shows the cumulative effect of the Queen Ka'ahumanu Highway.
9. Install underpass or overpass to provide continuous Trail to the Sea experience from 'Aimakapā to the cultural preservation area
  - Distribute the Underpass Study
  - Fred asked that HDOT just restore 1-trail without a traffic signal, a continuous path.

Mandy Johnson-Campbell said she would be happy to help see these points of the proposal to fruition.

Paka asked that there be proficiency in the 106 consultation process PRIOR to the actual planning: EARLY notification.

6. Lunch (30")
7. Additional proposals from meeting participants, if any  
None
8. Discussion on proposal(s) submitted

CPs proposal considered the following Evaluation Criteria

- Nexus
- Proportional
- Benefit to impacted parties
- Benefit to the larger public
- Consider Costs
- Develop measures to protect and preserve the unique history of the resources

Priorities

- Faith asked if any of the proposal parts could be prioritized.
- Fred said the proposal was a "package" and all parts are very important. This is not a selfish, Hawaiian thing, but something everyone can enjoy. The proposal is not just

about 2.5 miles or 200-ft: it's a part of a lot of damage. We cannot isolate this to mitigation of 2.5 miles in the ROW and cannot think in isolation. We are looking for mitigation for a cumulative effect.

- Mandy Johnson-Campbell added that it is mitigation for the effect on historic properties, which is a myriad of historic properties not one only resource.
- Aric clarified that the proposal was organized sequentially, in other words, by what needs to happen first.
- Paka said they have not considered cost yet and have not done priorities.

### Proportional

- Lisa questioned if the proposal was proportional to approximately 130-ft of damage.
- Mandy Johnson-Campbell responded that it was the historic site's integrity. Each breach affects the integrity of the trail.
- Fred asked, "how do you mitigate a broken spirit?" Proportional to what?
- Paka said that we cannot put a dollar value to the damage.
- Mandy Johnson-Campbell offered cost considerations of restoring the damaged trails to justify proportionality: site buffer cost, crew to restore trail, time for late reporting, monitors during work, curation, protocol preparation time for cultural restoration, repository.
- Paka asked, "How much are you willing to pay for damage that occurred? At minimum, the cost of the retaining walls that were not built."
- Paka suggested a cost comparison: consider the cost to restore the trail and build the (original) retaining wall. Paka also expressed his opinion that GBI should pay for mitigation because they didn't build the wall. When was it decided to not build the wall, after the damage? This seems to be a premeditated effort to not build the retaining wall. How did the damage occur? Marshall responded that the plans showed the wrong location.
- Kekoa restated that you cannot put a cost on spirit that brings peace.
- Fred asked, "What is the value of respect? To do what is the right attitude and trust. You cannot put a dollar value on that."

### Implementation

- Lisa asked if HDOT would be able to implement it.
- Fred said yes, they can get others who can (implement it) if they deem it important enough.

### UHH MOU

- Susan asked if the UHH MOU can be amended or if work can be done by a separate party and if doing so would be within a realistic time frame for the MOA extension.

- Paka inquired about the administrative cost for the UHH MOU. Administrative fees could add up to a lot.
- Pua noted that some parts of the proposal required Hawaiians or specific companies to do the work. She said that procurement doesn't allow this type of limitations, but it would help if the group could give qualifications that they wanted to see in a procurement proposal. For example, "speaks Hawaiian" or knowledge of Hawaiian genealogy."
- Mandy Johnson-Campbell said that this would be difficult to do
- Discussion ensued about possible ways to address this issue, but Richelle noted that procurement requires a set of qualifications and it is very difficult to get around that unless you are doing a government agency to government agency contract.

#### Underpass

- Rick suggested that the trail underpass be a part of a masterplan that gets considered for all future projects.
- Rick restated that people walk the trails all the time.
- There was discussion about using existing culvert as an underpass. Rick reported a huge culvert is near the Trail to Honokōhau. This trail connects the West Hawaii Business Park, the school and park.
- Marshall expressed concerns about the homeless and safety because the culvert is meant for drainage.
- Fred suggested an at grade crossing: declare a time and date for the crossing, mark the trails on the highway and close the road at that time. For example, Queen K is closed for the Ironman.

#### Trail Restoration

- Rick suggested restoring Māmalahoa Trail and pointed out that it is within the HDOT ROW at Kealakehe. We do not know the condition. There would need to be an archaeological survey, documentation, preservation plan, condition assessment. This trail could be restored, have a scenic lookout and have volunteers serve as docents. Adjacent property owners like Kaiser Medical have preserved trail sections.

#### Decision on the Proposal

- Fred asked who would make the final decision on the proposal? ACHP, FHWA and SHPD
- Mandy Johnson-Campbell pointed out that according to STIP 17, only the signatories of the MOA were to consult.
- If any party does not sign the MOA Amendment, then they cannot be forced to implement it, so HDOT's signature is required.

- Fred asked when will a decision be made? After some discussion on timing that considered reference to resolution in Amendment 1, the goal to respond to the coalition proposal would be February 2020.
- Rick asked if there would be a cap on funding and Richelle responded that it would need to be in the STP (State Transportation Plan)
- Fred said, “We put our guts on the table. If you have questions and concerns, we can talk about it today.”

#### 9. Break (15’)

#### 10. Continued discussion on Amendment 1 and the Coalition’s Proposal

##### Amendment 1

- Paka asked if anyone had objections to the 2-year extension
- Susan said that Amendment 2 would be a minimum of 6-years. How long would it take to agree on the mitigation?
- Paka requested Amendment 2 discussion would include addressing completion status of stipulations such as the Terrain Model and Ahupuaa Signs.
- Susan restated SHPO’s desire for 6-9-month extension in Amendment 1 but would take our concerns back to the SHPO

##### Proposal Discussion

- Marshall shared that, from what he sees in the proposal, HDOT cannot afford or commit. There are funding and resources that we cannot commit to. He also does not fully understand the proposal yet.
- Richelle said she loved the vision and appreciation, but this may not be the means to get funding. It may be hard to push through this proposal as a breach mitigation. It might be more on the planning issue.
- Richelle thinks some components of the proposal will be funded, but some will not.
- Fred said he understood.
- Fred acknowledged they were coming in with a lot (the proposal) but that’s only because it means a lot to them. He suggested that we all be creative and understanding that there may be different ways to accomplish what they were asking. This proposal was intended to create a process for thinking and we have done that.
- There may be other ways of funding the vision: NPS Grants, COPs (Certified Local Government Cultural Resource Commission), kokua from other people.
- Kekoa agreed that everything on the table is a lot. We can collaborate further.
- Fred asked if they should submit an additional proposal to restore the damaged trails. Marshall said he could not tell them not to so they could if they wanted to.

- In the meantime, all agreed that email communication would be acceptable or if necessary, we could do a conference call. Paka suggested “G-Suite” which is video conferencing.

11. Establish a mutually agreeable meeting date to discuss Amendment #2 (Faith)  
The next meeting will be scheduled for February 8, 2020.

Suggested Topics for the next meeting

- Discussion of the MOA Amendment 2
- Terrain Model
- Ensure language in Amendment 2 will be unambiguous and clearly understood.
- Include mitigation for damage
- Make sure work and deliverables will be clear

Fred and Paka will be meeting with UHH on 12/3/19. Peter Mills emailed them and asked for a meeting.

Paka asked if Palamanui Trails were still being considered. Pua responded that there has been no further discussion with Palamanui.

- ~~12. Review of Meeting (Faith)~~

13. Thank you (Marshall)

In closing, Marshall said he felt that a lot of progress was made and really appreciated everyone’s time. He appreciates everyone being honest and transparent. This is a difficult situation and there will be challenges down the road.

Fred added that if future meetings go as well as it did today, then he thinks it’ll work.

14. Pule

Kekoa offered the closing pule.

Mahalo and Aloha

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← VIA PHONE FROM 9<sup>am</sup> to 10<sup>55</sup>-am were:

Mandy Reston ACTHP  
David Clark FHWA

AMENDMENT TO THE  
MEMORANDUM OF AGREEMENT

Among the  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
FEDERAL HIGHWAY ADMINISTRATION  
AND THE  
HAWAII STATE HISTORIC PRESERVATION OFFICER

Regarding the projects in the vicinity of the  
District of North Kona, Island of Hawaii, State of Hawaii  
which are known as the Queen Ka‘ahumanu Highway Intersection  
Improvements for the Kaloko-Honokōhau National Historic Park  
and the Queen Ka‘ahumanu Highway Widening, Kailua to Ke‘āhole

WHEREAS, the Memorandum of Agreement for the Queen Kaahumanu widening project, Kailua to Ke‘āhole and the Queen Kaahumanu Highway Intersection Improvements for the Kaloko-Honokōhau National Park (Agreement) was executed on March 17, 2015; and

WHEREAS, the duration of the Agreement is for a period of five (5) years from the execution of the MOA unless amended pursuant to Stipulation 21 of the MOA; and

WHEREAS, several stipulations have not been completed; and

WHEREAS, two historic trails were breached during construction; and

WHEREAS, consultation is ongoing for mitigation for the breaches;

NOW, THEREFORE, in accordance with Stipulation 21, the signatories agree to extend the duration of the Agreement for a period of two (2) years from the execution of this Amendment.

# Queen Kaahumanu Widening Timeline

AIS (Monahan 2012) reported 76 sites versus 17 found in original survey. Makani Hou and KAHO played a significant role in identification of the additional sites



- 7/14 Layout of walls incorrect
- 7/19 Possible impact to Mamalahoa at Kealekehe Pkway and at entrance to KAHO.
- 7/19 ask GBI to verify grading limits, site locations and wall layout in relation to buffer fencing.
- 7/28 GBI notified of potential 4(f) violation



- Week of 8/29 GBI re-established protective fencing and site boundaries, accompanied by the CMs and a CSH archaeologist.
- 9/13-19 HWY-DE verifies protective fencing and site locations. Meets with SHPD and project team.
- 9/30 NHOs notified of site breaches.

2012

2015

July 2016

Aug 2016

Aug-Sep 2016



- 4f and MOA finalized.
- Protective fencing installed.
- Notice to proceed (August 11)



- 8/2 SHPD notified of possible site encroachments
- 8/4 CSH & GBI verify site locations, but using wrong data
- Field site visits to recalibrate GIS data on sites
- 8/24 HWY-DE (Nona & Pua) and SHPD do site investigation. Verify encroachments.



# Queen Kaahumanu Widening Timeline (continued)

12/6 Meeting with MOA signatories, consulting parties and contractors.

Visit to damaged sites



- 4/7 Consultation mtg held with NHOs, consulting parties, and signatories
- 4/8 SAIS distributed via e-mail. No comments received.



- 6/26 Mitigation meeting
- 11/23 Mitigation Meeting

**Dec 2016**

**Jan–Mar 2017**

**April 2017**

**May-Aug 2017**

**2019**



- 1/6 Expanded APE approved by SHPD
- 3/9 Supplemental AIS (SAIS) for expanded APE approved



- 5/5 Site visit to expanded APE
- 5/23 Mitigation consultation meeting.
- 8/3 formal notification to SHPD & request for concurrence with Adverse Effect determination.





# Trail to the Sea, Site 10714, Feature C

Trail to the Sea, Site  
10714  
Feature C

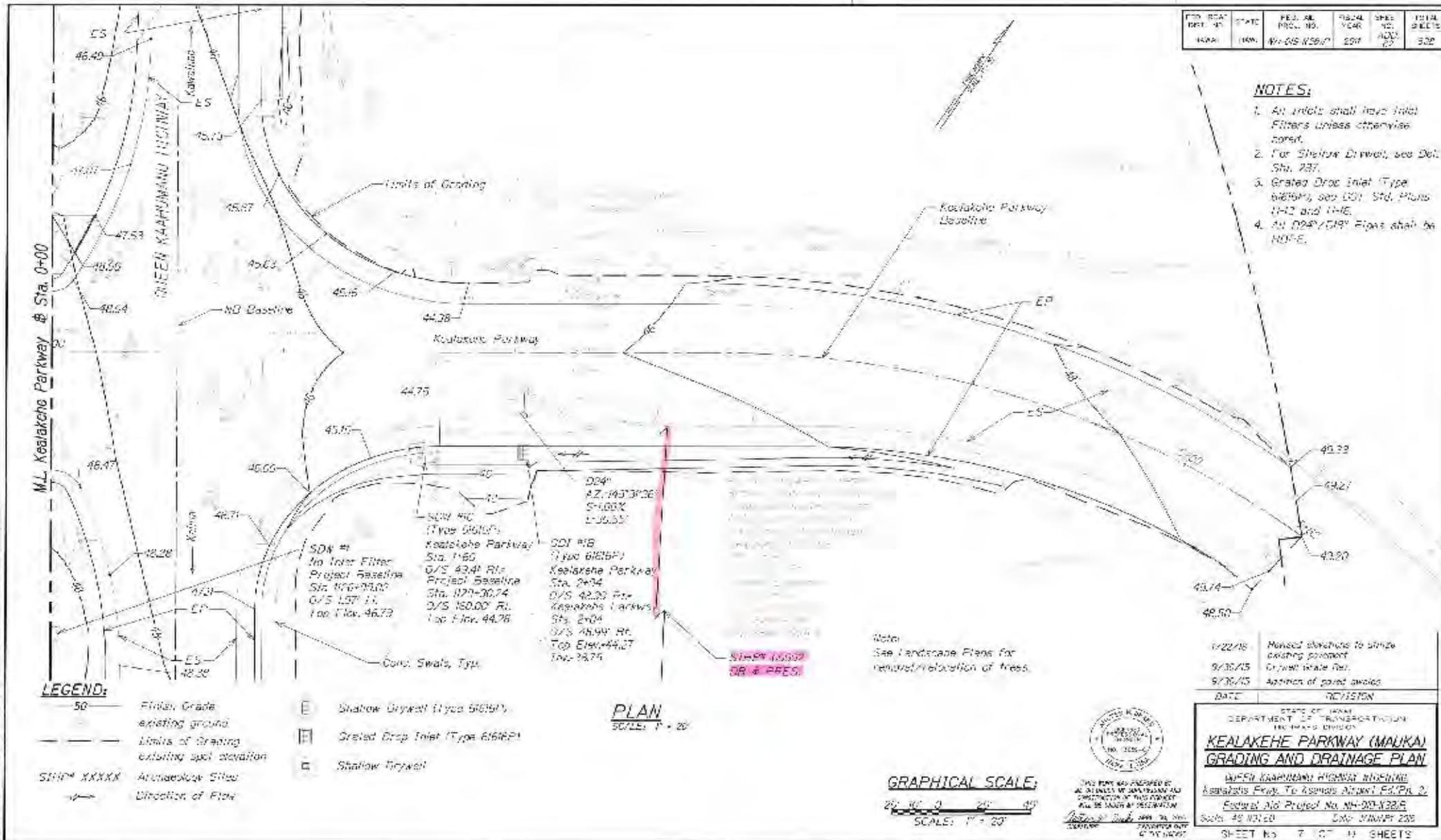




FED. ROAD DIST. NO.	STATE	FED. AID PROJ. NO.	FISCAL YEAR	SHEET NO. ADD.	TOTAL SHEETS
404A	HI	49-05-02617	2011	07	220

**NOTES:**

1. An inlet shall have Inlet Filters unless otherwise noted.
2. For Shallow Drains, see Det. Sta. 237.
3. Grated Drop Inlet (Type 6165P) see DOT Std. Plans 11-12 and 11-16.
4. All DRAINAGE Pipe shall be HDPE.

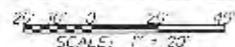


**LEGEND:**

- |            |   |   |                                |
|------------|---|---|--------------------------------|
| 50         | Filter, Grade existing ground             | □ | Shallow Drywell (Type 6165P)   |
| ---        | Limits of Grading existing spot elevation | ▣ | Grated Drop Inlet (Type 6165P) |
| SIN# XXXXX | Archie/Koala Silt                         | □ | Shallow Drywell                |
| →          | Direction of Flow                         |   |                                |

**PLAN**  
SCALE: 1" = 20'

**GRAPHICAL SCALE:**



Note:  
See Landscape Plans for removal/relocation of trees.

1/22/18	Revised drawings to include grading proposal
9/30/15	Original Issue Set
9/30/15	Approval of permit application

DATE: 10/15/18



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
ENGINEERING DIVISION

**KEALAKEHE PARKWAY (MAUKA)  
GRADING AND DRAINAGE PLAN**

WAI'OLE KAAPUNANI HIGHWAY IMPROVEMENT  
Kealahou Parkway To Kealahou Airport, Ed./Ph. 2  
Federal Aid Project No. HI-201-13215  
Scale: 48 X 36" 1/2" = 1' SHEET: 7 OF 10 SHEETS





Left to right: Hawaiian fishpond walls allow controlled mixing of ocean and spring water, key to traditional Hawaiian aquaculture; Aholehole, a favorite food fish. Photo: L. Kramer; Pāhoehoe trail with petroglyphs; An anchialine pool, housing the rare and endemic 'ōpae'ula shrimp; A beautifully intact coastal stepping-stone trail.



## Welina Mai! Greetings!

The National Park Service welcomes you to the Ala Kahakai National Historic Trail (NHT).

The Ala Kahakai NHT celebrates the ways ancient and indigenous peoples worldwide have created and used trails. From Eurasia's Silk Roads, to the trade trails of Mesoamerica and North America, to the great ocean roads sailed by Polynesians throughout the Pacific,

these ancient routes have brought people, cultures, traditions and knowledge together from across the world for millennia.

Located on one of the world's most remote island chains, the trails of the Ala Kahakai NHT are part of the Pacific trails of the human diaspora. The trails recount stories of oceanic migrations, settlement, and adaptation.

Established in 2000, Ala Kahakai (a modern name, meaning "trail by the sea") is a 175-mile coastal network of ancient, historic, and modern trails. The Ala Kahakai NHT corridor extends from the northern tip of the Island of Hawai'i, along its western and southern coasts, to the eastern boundary of Hawai'i Volcanoes National Park.

The Ala Kahakai NHT's mandate is to preserve, protect, interpret, reestablish as necessary, and maintain the trail system. Ala Kahakai NHT works with governmental and non-governmental partners to encourage descendant-led stewardship of trails and resources.

## Open Trail Segments

The trail segments below are open to the public.

### Pu'ukoholā Heiau National Historic Site

Pu'ukoholā Heiau was completed in 1791 by Kamehameha I and played a crucial role in his establishment of the Hawaiian Kingdom. A self-guided walking tour of the park begins at the Visitor Center and continues south as Nā Ala Hele's Ala Kahakai Trail.

**Amenities:** Parking, restrooms and water. Camping available by permit at the adjacent Spencer County Beach Park.

### Nā Ala Hele's Ala Kahakai Trail

This trail section is part of the State of Hawai'i's Nā Ala Hele Trail and Access Program. Extending from the southern boundary of Pu'ukoholā

### Ala Kahakai National Historic Trail Corridor

Heiau National Historic Site to 'Anaeho'omalu Bay, this section of trail passes through public and private lands and provides access to numerous beaches and resorts.

Check Nā Ala Hele's website for details: [www.hawaiitrails.org](http://www.hawaiitrails.org)

**Amenities:** Parking, restrooms, and water are available at most locations.

### Kaloko-Honokōhau National Historical Park

Kaloko-Honokōhau National Historical Park is an excellent example of Hawaiian ingenuity, culture, and natural resources. Traditional Hawaiian fishponds, a fishtrap, and dryland farming complexes were built here to feed their communities. A system of trails connect these extraordinary sites.

**Amenities:** Parking, restrooms, water, and picnic area.

### Pu'uhonua o Hōnaunau National Historic Park

A pu'uhonua is a safe place, a place of refuge for the sick, the despised, and for wrongdoers who broke the kapu (the system of sacred and forbidden behaviors) or kanawai (laws). The Pu'uhonua o Hōnaunau complex includes heiau (temples), a hale poki (mausoleum), and a royal kauhale (compound). A section of the Ala Nui Aupuni, or Hawaiian Kingdom Government Road runs through the park and continues to the south.

**Amenities:** Parking, restrooms, picnic area.



Hale o Keawe, a hale poki (mausoleum) that once housed selective bones of 23 esteemed chiefs, including its namesake, Keawe'īkekahiali'iokamoku.

### Ala loa

Ala loa is an ancient name for the long trail, highway, and/or main road around the island. In a given area, the ala loa often refers to both the most ancient alignment as well as a general pathway.



Left to right: Photo taken in the late 1800s of the Kiholo-Puako trail depicts its use by pack animals; Intergenerational learning along the Ala Kahakai, Photo: P. Andrade; Traditional 'oloke'a scaffolding used for trail stabilization work.



## Personal Safety

### Hiking Preparedness

Hawai'i's coast is generally sunny and hot. Please prepare and take precautions:

**Sun Protection:** Hat, reef-safe sunscreen, sunglasses, and long sleeves

**Water:** Minimum 2 liters of water per person per day for short hikes

**Weather:** Before you go, check weather forecasts and follow all warnings and advisories.

Hawai'i County Civil Defense: [www.hawaiicounty.gov/active-alerts](http://www.hawaiicounty.gov/active-alerts)  
National Weather Service Weather Forecast Office for Honolulu, HI: [www.prh.noaa.gov/hnl](http://www.prh.noaa.gov/hnl) or by phone: 808-935-8555

**For Emergencies**  
Call 911

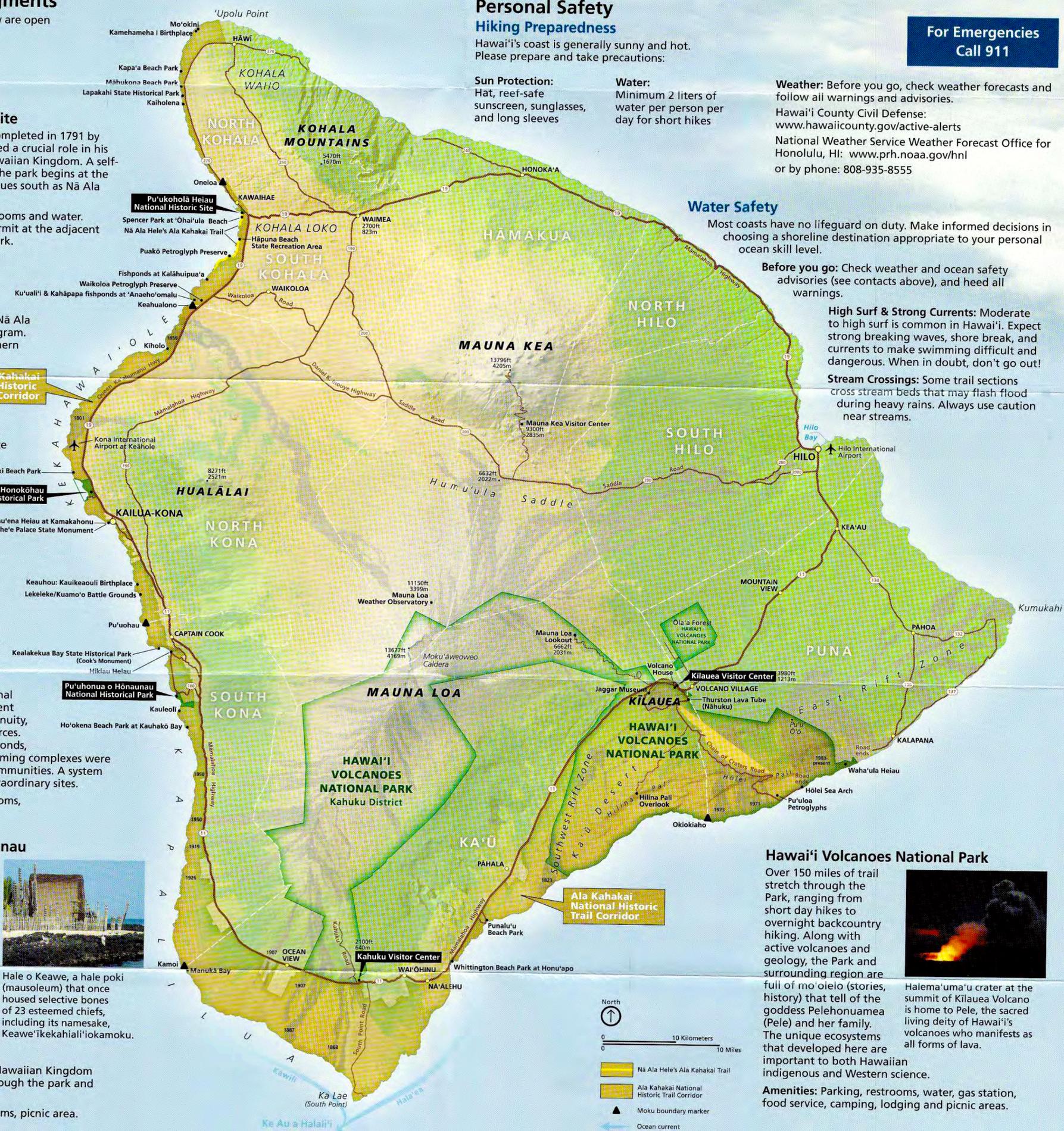
### Water Safety

Most coasts have no lifeguard on duty. Make informed decisions in choosing a shoreline destination appropriate to your personal ocean skill level.

**Before you go:** Check weather and ocean safety advisories (see contacts above), and heed all warnings.

**High Surf & Strong Currents:** Moderate to high surf is common in Hawai'i. Expect strong breaking waves, shore break, and currents to make swimming difficult and dangerous. When in doubt, don't go out!

**Stream Crossings:** Some trail sections cross stream beds that may flash flood during heavy rains. Always use caution near streams.



### Hawai'i Volcanoes National Park

Over 150 miles of trail stretch through the Park, ranging from short day hikes to overnight backcountry hiking. Along with active volcanoes and geology, the Park and surrounding region are full of mo'olelo (stories, history) that tell of the goddess Pelehonuamea (Pele) and her family. The unique ecosystems that developed here are important to both Hawaiian indigenous and Western science.

**Amenities:** Parking, restrooms, water, gas station, food service, camping, lodging and picnic areas.



Halema'uma'u crater at the summit of Kilauea Volcano is home to Pele, the sacred living deity of Hawai'i's volcanoes who manifests as all forms of lava.



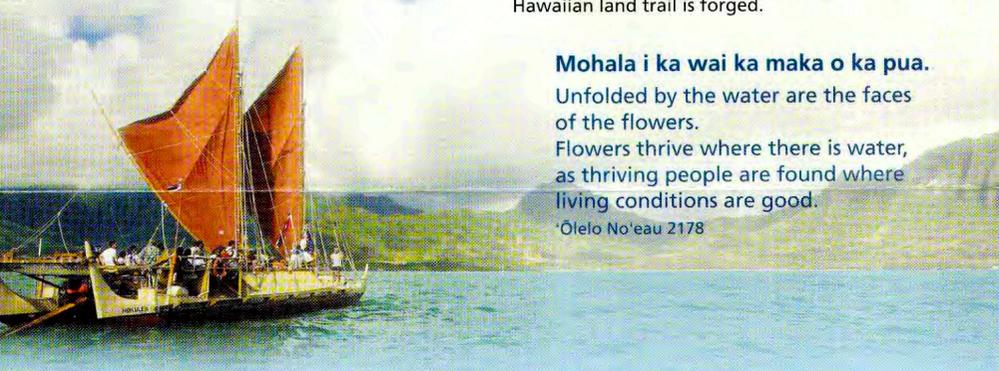
The sound of saltwater slapping the windward hull of the massive wa'a kaulua (double hulled voyaging canoe) eases as it sails into the deep bay. This protected beach sits at the foot of a long, sloping mountain, its flank streaked in black lava flows and top veiled in clouds. Shimmering black sand fractures,

softly giving way under the hull's weight. A person steps out, creating a single footprint. What fortune at finding this verdant island, this sheltered bay! In the distance, a ring of green foliage rising above a jagged 'a'a landscape, indicating life giving wai (fresh water). A new journey begins, and the first Hawaiian land trail is forged.

### Mohala i ka wai ka maka o ka pua.

Unfolded by the water are the faces of the flowers. Flowers thrive where there is water, as thriving people are found where living conditions are good.

'Ōlelo No'eau 2178



Early ancestors of today's Polynesians migrated out of Southeast Asia into the islands of the western Pacific Ocean. They ventured successively outward, into easterly trade winds, refining their vessels as they went.

Over 1,000 years ago voyaging canoe migrations departed the central South Pacific in search of what's known today as the Hawaiian archipelago. Their mastery in seafaring and navigation initiated an era of voyaging from 800 C.E. to 1300 C.E. between Hawai'i and other Pacific islands.

Polynesian settlers were well trained in assessing a landscape's habitability from their voyaging canoes.

Explorations throughout the archipelago found welcoming living conditions. Polynesians settled and spread, creating island-wide trail networks.

Just as arteries transport life-sustaining blood throughout the body, the trails sustain the movement of people, goods, and information throughout the land.

Fishermen exchanged i'a (fish and other seafood) and pa'akai (salt) with farmers for staples like kalo (taro) and 'uala (sweet potato) from the vast agricultural complexes of the valleys and uplands. Trail networks sustained economic and social interaction across the entire island.



Coastal fishermen's trails provide access to ocean resources and lifestyles. Photo above: Polynesian Voyaging Society & 'Ōiwi TV.

## Kānāwai o Māmalahoe (Law of the Splintered Paddle)

A e mālama ho'i  
Ke kānaka nui a me kānaka iki  
E hele ka 'elemakule  
Ka luahine, a me ke kama  
A moe i ke ala  
A'ohē mea nana e ho'opilikia  
Hewa no, make

Respect alike, the rights of  
All men great and humble  
See to it that our aged,  
Our women, and children  
Lie down to sleep by the roadside  
Without fear of harm  
Disobey, and die

Said by Kamehameha I (1797)  
Source: [www.huapala.org/Chants/Mamalahoe.html](http://www.huapala.org/Chants/Mamalahoe.html)

This law, enacted by Kamehameha I, provided protection for travelers. The law asserted the king's right and responsibility over Hawai'i's trails and roads and encouraged the connectivity of families and commerce through safe passage.

## Highways Act

One of the final acts passed by Hawai'i's last reigning monarch, Queen Lili'uokalani, prior to the overthrow of the Hawaiian Kingdom, was the Highways Act of 1892. It stated that "All roads, alleys, streets, ways, lanes, courts, places, trails and bridges in the Hawaiian Islands, whether now or hereafter opened, laid out or built by the Government, or by private parties, and dedicated or abandoned to the public as a highway, are hereby declared to be public highways." The Act, which provides for public ownership of "highways" was carried through into State of Hawai'i law (HRS 264-1(b)). This law applies even if the trail is not physically on the ground – as with instances where trail segments have been destroyed over time due to various land uses or natural processes.



Queen Lili'uokalani, Photo: Hawaii State Archives.

## It's a Kākou Thing

"Kākou" is the collective "we", inclusive of everyone. Trails pass through public and private property, although trails and access are protected by law, land surrounding the trail may be private property. A successful trail network requires us all to have mutual respect for that which belongs to the individual, and that which belongs to the public. Being good hosts and good guests is a "kākou thing".

## Historic Land Protection: Kauleoli

In 2016, at the request of the South Kona community, Ala Kahakai NHT acquired a 59-acre parcel in the ahupua'a of Kauleoli. The coastal parcel is adjacent to Pu'uohonua o Hōnaunau NHP, and includes a section of well preserved Ala Nui Aupuni (Hawaiian Kingdom Trail). Ala Kahakai NHT is working with descendants, community members, and others to manage the land.



## Hawai'i Island Trails

Hawai'i's first trails followed the natural contours of the land. Major prehistoric trails, or ala loa, connected networks of shorter coastal trails (ala hele or ala lihi kai), and intersected mauka-makai (mountain-ocean) trails known as ala pi'i mauna or ala pi'i uka. Some trails followed streams or cliff edges, and some were boundaries between neighboring ahupua'a (land divisions). Often, many trails radiated out of population centers, like the spokes of a wheel.

Trails exhibit a variety of construction methods and materials, based on terrain, intended use and mode of transportation. Trail names also varied by place and through time, based on specific location or community/family tradition. For instance, the Ala Nui Aupuni, is also the Māmalahoa, and the Kīholo-Puakō Trail. Hawaiian trail systems are, and will always remain dynamic.



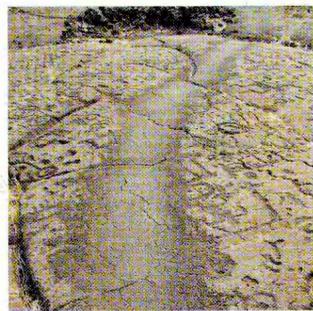
A pōhuehue (beach morning glory) adorned coastal trail.

### 'A'a



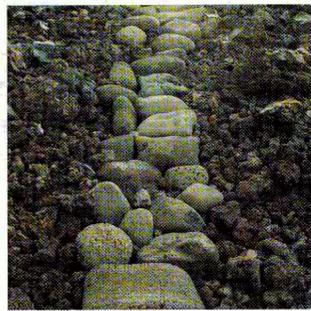
These lava flows are sharp, brittle and uneven. To travel through them is slow and treacherous. Building of trails made it possible to move much more easily through this harsh landscape. Walking on 'a'a trails, it is easy to have a sense of wonder and appreciation for their creators.

### Pāhoehoe



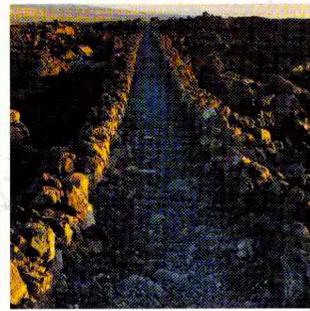
The smooth, rolling nature of pāhoehoe lava makes walking on them relatively easy. Even so, the continuous use of specific alignments created distinct paths on the land. Trails across pāhoehoe lava can be identified because they often have a smooth, shiny surface and subtle indentation caused by thousands of repetitive footfalls over time.

### Stepping Stones



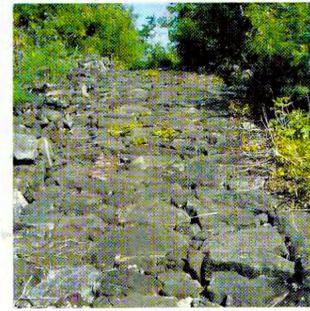
Smooth waterworn stones ('alā or pa'alā) were added along the center of a trail over rough terrain to make foot travel more comfortable. Pa'alā were often hand carried from miles away to their resting place along the trail. Starting in the late 1700s, horses, donkeys and cattle were driven along trails. The smooth stepping stones caused the animals to slip so they were often moved aside or removed.

### Curb-lined



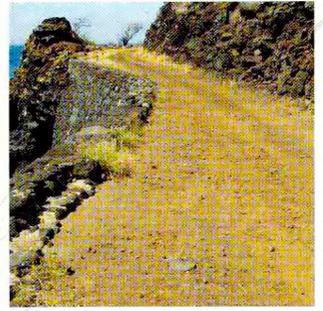
Historically built trails (after 1778 CE) incorporate the builder's expertise in engineering and artistic interpretation, and often include bridge-like causeways. The curbs lining the edges of the trail helped people and livestock travel these alignments with ease. Today, when trails are maintained or repaired, special care is taken to preserve the unique style of that particular trail section. Photo: K. Wallis.

### Paved Trails



Eventually, wider, straighter, and more level trails were built by the Hawaiian Kingdom to accommodate horse drawn carts. The foundation of paved trails are large, interlocking stones. Speed of travel was an important factor in the planning of these trails. Often they took more direct inland routes between population centers, bypassing or built over traditional trails.

### Jeep Trails & Modern Roads



With the arrival of automobiles, some trails were modified to accommodate them. In other instances completely new alignments were constructed. Ali'i drive in Kailua-Kona is an example of a coastal trail that has changed form through time and is now a popular modern roadway.

## Community-Based Stewardship

The purpose and vision for the trail were crafted through many meetings with community members, descendants, landowners, and other stakeholders. Their mana'o (thought, ideas) led to Ala Kahakai NHTs descendant-led, community-based approach to trail management. This means that the community plays an active role in Trail management, helping to develop Hawaiian values-based policies, creating management guidelines, and applying them in the day-to-day care of the Trail.

Community stewardship ensures

- families whose genealogies tie them to the trail are able to maintain and pass on those ties, and benefit directly from their stewardship
- everyone has the opportunity to create new or enhance existing relationships to place
- unique, place-based management plans are specific to local needs and responsive to local resources
- trails will be opened one section at a time, as management plans are in place
- management plans include ways to create local economy and livelihoods which support management activities

Check our website [www.nps.gov/alka](http://www.nps.gov/alka) for more information on current community-based management efforts along the Trail as well as links to our partner sites.

Ho'okahi ka 'ilau like ana  
Wield the paddles together  
Work together

'Ōlelo No'eau 1068

## Partnerships

Caring for trails and trail communities is successful when government and community organizations partner together. The expertise and the regulation provided by different entities means that trail actions are informed, lawful, and appropriate.



Commitment to collaboration. Repair of the historic Kīholo-Puakō trail was rooted in a strong partnership between lineal descendants, community members, and many departments within County, State, and Federal agencies.



The Ala Kahakai Trail Association (ATA) is a Hawai'i Island based 501(c)(3) non-profit organization with board members

consisting of descendants hailing from each moku (districts) of the island. ATA works in close partnership with the Ala Kahakai NHT to maintain the shared vision of cultural preservation and community engagement. [www.alakahakaitrail.org](http://www.alakahakaitrail.org)

E Mau Nā Ala Hele is a 501(c)(3) non-profit organization, established in 1979, devoted to preserving and perpetuating the historic trails of Hawai'i. Between 1980-2000, the organization was instrumental in the creation of both the State's Nā Ala Hele Trail and Access System, and the Ala Kahakai National Historic Trail. [www.emaunaalalehe.org](http://www.emaunaalalehe.org)



## National Trails System

Ala Kahakai NHT is one of 19 National Historic Trails in the network of scenic, historic, and recreation trails created by the National Trails System Act of 1968. For more information, visit [www.nps.gov/nts](http://www.nps.gov/nts)



Left to right: Pōhuehue, the beach morning glory; A pair of 'omilu, Photo: L. Kramer; Coastal trail in South Kohala; 'Ākulikuli, an indigenous coastal ground cover.



# MITIGATION PROPOSAL FOR THE POST-REVIEW DISCOVERY DAMAGE TO MULTIPLE SITES DURING QUEEN KA'AHUMANU HIGHWAY WIDENING PROJECT

November 23, 2019  
NELHA

Presented by MOA Signatories Makani Hou o Kaloko-Honokōhau, Office of Hawaiian Affairs, State Historic Preservation Department, Historic Hawaii Foundation, and National Park Service (Ala Kahakai National Historic Trail).

This proposal provides a comprehensive strategy to mitigate the post-review discovery damage (adverse effects) to sites SIHP 50-10-27-00002 (Māmalahoa Trail), SIHP 50-10-27-10714 (Road to the Sea), SIHP 50-10-2728783 (Agricultural Complex), SIHP 50-10-27-19947, and SIHP 50-10-27-28811 (Pāhoehoe Excavation) that occurred as a result of Queen Ka'ahumanu Highway Expansion construction activities.

The following proposed mitigations to resolve the adverse effects consider the following guidelines per 36 CFR 800:

- Have a nexus to the cause
- Are proportional to the adverse effect
- Have benefit to the impacted parties, i.e. by promoting cultural identity, and renewal among "Native" Hawaiians
- Have benefit to the larger public
- Consider costs
- Develop measures to protect and preserve the unique history of the resources

## Goals:

- Identify, protect and maintain the three major trails within the project area (2 of which are the subject sites of post-discovery adverse effects)
  - Create meaningful public education resources related to trails
1. Reconcile historic trail documentation with an on-the-ground concurrent archaeological reconnaissance survey and metes and bounds survey of the Māmalahoa Trail, Road to the Sea and the Trail to Honokōhau. Surveyor will be assisted by an archaeologist to identify trail and applicable buffers to be surveyed. Confirm that the three identified trails are in the same alignment that was originally in existence prior to 1892, to assist in the clarification that these trails fall under the Highways Act of 1892. Fund completion of abstract work to verify ownership of the trails. Deliverables will include GIS layer of mapped trail feature and applicable buffers. Record trails at Bureau of Conveyances.

Parameters of survey may include the following:

Māmalahoa Trail: Keāhole to Kailua-Kona (or within project area)

Trail to Honokōhau: 'Aimakapā Fishpond area to cultural preserve in Lanihau parcel mauka of highway

Road to the Sea: Kaloko Fishpond area to upper highway

2. Documentation (drone, and/or ground based LIDAR, plane table/tape and compass mapping, photogrammetry, photodocumentation) and condition/treatment assessments, stabilization and repair where necessary on the Māmalahoa Trail south of the Queen Ka'ahumanu Highway intersection (Honokōhau to Keahuolū ahupua'a), at a minimum this will include the HDOT land to Hale Makai Place. Any stabilization/rehabilitation/restoration will follow Secretary of the Interior Standards for Historic Preservation, and needs to include detailed archaeological documentation of the existing trail segments prior to any restoration/stabilization work. Data collected through documentation, especially drone footage of the trail will provide ADA (508 compliant) accessible resource for the public to learn about the trail.
3. Commission an Oral History survey/study for the three trails (Māmalahoa, Trail to Honokōhau and Road to the Sea) for graduate student(s) or other reputable agencies<sup>1</sup>. Project will compile existing pertinent oral history documentation and update technology of existing recordings. Complete additional oral histories with kama'aina/kūpuna and accompanying research of historical resources (Hawaiian newspapers, Kingdom/territory/State government records, historical accounts, and mo'olelo) to supplement existing information. The project will result in a Final Report and video clips that can be shared on social media, websites and other internet-based video outlets.

This component will be funded by enhancing existing agreement and funding through UH MOU. To be completed by the MOA expiration date. Deliverables will be stored in publically accessible venues such as university and Hawaiian trust libraries and websites, with other agencies and institutions able to link to the information. Process will include pre-project consultation meetings, 30% draft reviews, 100% draft reviews, and comments will be addressed.

4. Identify the property owners from the Onizuka Airport at Keāhole to Kailua town area who have portions of the Māmalahoa Trail on their properties and facilitate a meeting of trail landowners and stakeholders (State DOT, Queen Lili'uokalani, NHOs, descendants, Ala Kahakai NHT, Nā Ala Hele etc.) This component could be accomplished by providing funding for a term position with Nā Ala Hēle or similar organization to hold meeting, organize timeline, and develop outcomes and deliverables.
5. Provide additional funding under the (to be revised) MOU with the University of Hawaii Hilo/Kohala Center to support the creation of a comprehensive community trail plan. This will require physical meetings with interested members of the community requiring meeting venue fees, meeting refreshments, fuel cards

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<sup>1</sup> Kumu Pono Associates, Huliauapa'a, Nohopapa Hawai'i, Edith Kanaka'ole Foundation, The Kohala Center, or other party approved by MOA signatories

for volunteer participants, and staff, supplies and equipment necessary to carry out the objective including the production of trails maps and brochures, and to facilitate an online community trails website presence. The Kohala Center shall be responsible for carrying out this objective in consultation with Makani Hou and this coalition's organizations and agencies who shall provide guidance to meet this objective.

6. Plant and maintain small groves (3-4 trees) of Loulu palms on mauka and makai sides of ROW to identify the locations where the three trails have been bisected by the Highway (refer to attached map). Maintenance will be the responsibility of HDOT<sup>2</sup> or Study the feasibility of having appropriate markings/monuments on the highway which show the location of the trails where they were bisected and a brief historical description of the trails. This may include painting or marking trails on highway (similar to road at NELHA). AND Commission Hawaiian artists to design appropriate highway signs/markers to identify the bisected trails and install at bisection locations. Install and maintain road signs/markers within HDOT ROW. Consult with kama'aina and kūpuna of the ahupua'a where those trails are located to discuss this project and incorporate their mana'o (thoughts) in the plans and implementation of this project.
7. Construct a Māmalahoa Trail Scenic/Historic Overlook with parking area on HDOT property mauka side of highway near Honokōhau Harbor intersection-similar to what is at the Kīholo Scenic overlook. Include educational/information signage/monuments which briefly describe the history of the Trail and a summary of the Highways Act of 1892 (see attached map for proposed location of the overlook).

Silhouette Sculptures depicting traditional use of trails could be incorporated here (see attached examples). This overlook will also provide a convenient Trailhead to access Māmalahoa for trail users. Planned in conjunction with county parks to be included in Kona Regional Park.

8. Commission a research/study project for Hawaiian archaeologists to identify and map all the ahupua'a boundaries and mauka/makai trails that were bisected by the Queen Ka'ahumanu Project and the locations where bisections occurred. Some of this data may be recovered from the report of Francis Ching's archaeology survey completed prior to the construction of the highway, and other information from the data currently being compiled for the Terrain Model project.

This component can be accomplished by contributing/extending time/funding to current ongoing islandwide historic resource studies (ALKA, NAH, County Plan).

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<sup>2</sup> Jill Wagner is a resource with expertise on slow release irrigation along roadways for native species.

9. Install an underpass or overpass to provide a continuous Trail to the Sea experience from 'Aimakapā to the cultural preservation area, or in most appropriate location between the three trails.

In order to avoid issues encountered thus far in this project, future FWHA/HDOT highway projects need to hire a cultural expert coordinator with historic preservation expertise to head these projects for HDOT. Candidate must have:

- Hawaiian and other local cultural expertise
- Expertise in coordinating with multiple agencies, NHO's, descendant 'ohana
- Knowledge of Hawaiian trails
- Proficiency in Section 106 compliance process including consultation and MOAs
- Must be exempt from procurement and have the ability to operate independently
- Position needs to be located on Hawai'i Island, in Kona (or if another locale, closest to the project site)
- Support from local Hawaiian organizations and local community recognized cultural experts

Attachment 1:  
Trail Commemorative Silhouettes (example from Santa Fe Trail)



