

QUEEN KAAHUMANU HIGHWAY, WIDENING, PHASE II  
KEALAKEHE PARKWAY TO KEAHOE AIRPORT ACCESS ROAD  
PROJECT NO. NH-019-1(38)R

CLOSEOUT MEMO  
MEMORANDUM OF AGREEMENT  
STIPULATION 15

Stipulation 15 - Terrain Model of the MOA executed on March 17, 2015 reads:

*TERRAIN MODEL. The HDOT shall commission the construction of a terrain model depicting the lands of Kekaha (between Kailua and Anaehoomalu) in consultation with Makani Hou o Kaloko-Honokohau. The model shall incorporate topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined. The model may be housed at the Kaloko-Honokohau National Historical Park under the auspices of the Hawai'i Pacific Parks Association. The model shall be of such scale that it can be transported to other locations and be used as a teaching tool. A second digital model will also be developed and include similar information as the terrain model.*

Actions Taken to Complete Stipulation 15 – Terrain Model:

The Hawaii Department of Transportation (HDOT) commissioned RM Towill Corporation (RMT) to manage the the development and construction of the terrain model. RMT began by meeting with Consulting Parties that included Makani Hou o Kaloko-Honokōhau, the National Park Service and various representatives from Native Hawaiian Organizations.

The first meeting was held on 02/10/17 [01] and focused entirely on the development of the terrain model. As a result of the consultation, it was agreed that Kekaha region would serve as the boundary for the model and the Lava Flow of 1859 would be used for topographic detail. Additional features not listed in the Stipulation were added: anchaline ponds, plant communities and historic trails. The Consulting Parties also requested that the model show the relationship of the highway to the surrounding region to illustrate how the highway affected cultural resources.

A second meeting was held on a weekday, 02/21/17, as previously requested [02]. However, representatives from Makani Hou o Kaloko-Honokōhau were not present. During this meeting, RMT demonstrated a draft terrain model using Google Earth as a workable solution for the GIS model that Makani Hou o Kaloko-Honokōhau requested. The Google Earth platform would enable everyone to access the GIS based model without requiring special computer software, hardware or specialized training [02a].

On 04/06/17 [03], a link to the digital terrain model was sent to the Consulting Parties. During the MOA Status Meeting on 04/07/17, when Makani Hou o Kaloko-Honokōhau suggested that the digital terrain model be completed before the physical terrain model, RMT responded that the digital model was already sent to them for review [03a]. The link to the digital terrain model was resent via email on 07/03/17 [05].

RMT also conducted historic and archaeological research, seeking information from the National Park Service and archaeologists at Cultural Surveys Hawai'i and Haun and Associates. Then, in response to a request to consolidate consultation meetings, a third Terrain Model Consultation Meeting was held on 12/07/17 [17]. During this meeting, Makani Hou o Kaloko-Honokōhau reported that the Hawai'i Pacific Parks Association could not house the terrain model due to

space limitations. HDOT agreed to begin discussions with the Hawaii Community College Pālanui Campus to explore acceptance of the terrain model [17a].

On 02/22/18 [18] and 03/09/18 [19], HDOT emailed a link for a revised draft of the digital terrain model and offered 24”x36” paper copies of the terrain model [18a]. Nā Ala Hele and the National Park Service were the only groups to comment on the draft. HDOT was able to address to Nā Ala Hele’s comments: to include the Queen Ka’ahumanu Highway to show how it affected cultural resources, to correct trail names, and to use diacriticals [20]. HDOT was unable to reach NPS despite outreach through 09/25/18 [24] [25].

On 07/02/18, Makani Hou o Kaloko-Honokōhau’s expressed concern about the terrain model after their review of the MOA 1st Quarter 2018 Report [23a]. FHWA responded by noting that Makani Hou o Kaloko-Honokōhau attend two of the three terrain model consultation meetings and noted that HDOT had offered evening or weekend meetings [23]. The same email provided a convenient link to the previous final draft of the digital terrain model.

HDOT did not receive comments on the digital terrain model that were not addressed. On 09/28/18, HDOT released the physical terrain model for production [26]. Photographs of the completed model were taken prior to shipment on 2/21/18 [27].

On 06/22/19, HDOT notified Consulting Parties by email [28] that the final digital terrain model could be downloaded from the RMT shared site until 05/15/20 [28a] [28b] [28c]. During a consultation meeting held on 06/26/19 [30c], HDOT presented the completed physical terrain model to the Consulting Parties [030d]. Feedback on the terrain model was mixed with one consulting party noting, “the terrain model is beautiful” [29a], while another thought it was unacceptable [29].

The physical terrain model is stored in its original packing at HDOT and the link to the digital terrain model remains on the RMT shared site, beyond the 05/15/20 download deadline. HDOT will continue to consult on the final location of the physical terrain model, although the model is available, upon request, for use as a teaching tool. In the meantime, the Google Earth GIS model is functional and readily available as a teaching tool for everyone to use.

Memorandum of Agreement (MOA) Stipulation 15 – Terrain Model  
Queen Ka‘ahumanu Highway Phase 2  
Kailua-Kona, Hawai‘i

Friday, February 10, 2017

RMTC Kailua-Kona Field Office  
Kalepa Business Center, 73-5574 Maiau Street, Suite 11-B

10:00 am – 12:30 am

Attendees (See Attached Sign-In List)

**Hawai‘i Department of Transportation (HDOT)**

Sterling Chow, P.E., Assistant District Engineer  
Hawai‘i District  
Natasha Soriano, P.E., Project Manager

**Federal Highway Administration (FHWA)**

By Teleconference  
Lisa Powell, P.E., Engineer  
Meesa Otani, Planner

**Advisory Council on Historic Preservation (ACHP)**

By Teleconference  
Mary Ann Naber, Senior Program Analyst/  
FHWA Liaison

**Project Consultant, R. M. Towill Corp. (RMTC)**

Jason Tateishi, P.E., Project Coordinator  
Stacy Armstrong, P.E., Project Coordinator  
James Yamamoto, P.E., Vice-President  
Brian Takeda, Planning Project Coordinator

**Native Hawaiian Organizations (NHOs)**

Fred Cachola  
Isaac "Paka" Harp  
Hannah Kihalani Springer  
Cynthia Nazara  
Maurice Kahawaii  
Luana Keana‘aina  
Nainoa Perry  
Russell Paio

**Office of Hawaiian Affairs (OHA)**

By Teleconference  
Lauren Morawski

**National Park Service (NPS)**

Rae Godden, Chief of Interpretation  
Jeff Zimpfer  
Jon Jokiel  
Rick Gmirkin  
Mandy Johnson-Campbell

Agenda

1. Review MOA Stipulation 15, Terrain Model
2. Incorporation of topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined
3. Review of area of inclusion: Lands of Kekaha (between Kailua and Anaeho‘omalu). Scale and transportability of the model
4. Custodianship of the Terrain Model

Handouts

See Attachments

## Meeting Summary

1. Prior to the start of the meeting Fred Cachola requested and offered a pule to help guide the proceeding. Fred next reminded everyone that there are still outstanding and important issues that need to be addressed, and that while the day's meeting to discuss the Terrain Model is a step in the right direction, that progress on HDOT updating the NHOs on the destruction of sacred sites has been too slow, and that the group still does not know what is going to be done to address it.
2. Sterling Chow acknowledged this and noted that there were several tasks that needed to be completed since the group last met in December 2016. The tasks included getting the project archaeologists to complete surveys of the area damaged and to extend the survey to investigate if there are any new sites not previously identified, due to work occurring in new areas. This resulted in the preparation of new archaeological site work that when completed, needed to be reviewed by FHWA, along with HDOT's Site Assessment. The archaeological information was since completed and has now been transmitted to the State Historic Preservation Division (SHPD) for review and to render a determination of effect. When SHPD completes its review, HDOT will report this to the NHOs and participants who requested this update.
3. Mary Ann Naber noted that the FHWA and HDOT are not in conformance with the MOA and asked that FHWA and HDOT convene a special meeting to describe the status of the MOA stipulations to all consulting parties. This should be done as soon as possible. Mary Ann added that she does not want to derail the process, but that this information should be provided. Fred agreed with Mary Ann and stated that since October 2016, he has reminded HDOT that a number of the stipulations were still not completed and asked for the status.
4. Paka asked that when FHWA and HDOT have this separate meeting with the Queen Ka'ahumanu Highway consulting parties that a plan of action be identified so everyone knows what to expect in the future. He asked for deadlines and goals. Sterling acknowledged that he will consult with the administration for the meeting so HDOT can provide the status of several of the MOA stipulations.
5. Sterling asked the group on what day the meeting should be held; maybe Saturday? The group indicated their preference for a weekday as some of them already work on a Saturday. Mary Ann further indicated that if a meeting is not possible that at least a conference call should be done. Lisa Powell noted her agreement.
6. Fred added that the Section 106 MOA began over four years ago and the Terrain Model was proposed because the NHOs were concerned that the knowledge of the region would be diminished by the Queen Ka'ahumanu Highway, Phase 2 project. The Terrain Model is supposed to show how the physical and cultural landscape was before it was destroyed by modern construction. It is a part of our Hawaiian Legacy.
7. Question – How far away from the highway will the Terrain Model show? Stacy Armstrong responded that it shows the entire Kekaha Region, from the sea to the



mauka boundaries of the ahupua'a. Members of the group added that they want those looking at the model to know the history and culture of the region before it was disturbed over a hundred years ago. Stacy responded that the model will incorporate and show all ahupua'a within the Kekaha Region. Sterling added that this is the purpose of today's meeting to discuss the scale of the model and how the features identified by the group would be provided.

8. Stacy next provided photographs of model examples to show what could be done. She asked the group to consider the size of the model, details of the content, and portability. Fred said that size is very important in order that the model can be taken to schools or other location events to serve as an educational tool and added that the custodianship of the model would be with the Hawai'i Pacific Parks Association (HPPA).
9. Paka added that he does not want the size of the model reduced with a loss of detail. Stacy acknowledged that the size of the model would be consistent with what the group agrees to.
10. A comment was made that the details of how the model is produced should be discussed and that a digital or 3D model help with this understanding.
11. Fred suggested that the model be similar to the Kaloko-Honokōhau National Historical Park example provided in the photograph showing a terrain model on a map table. The table appeared to have room for additional space that could be used for materials or documents.
12. A comment was made that the map should include Honokōhau, which is missing on the working map copy provided by Stacy. Another comment was that the map should show a marine component and the extent of land up to the summit lands. Stacy confirmed that the Honokōhau area will be included in the map's geographic area, which will contain the boundaries of all ahupua'a in the Kekaha Region.
13. Fred stated that he wants to show the relationship of the highway to the surrounding region to illustrate how the highway has affected cultural resources such as access between the marine and mountain areas of ahupua'a. He also wants to have shown the traditional transportation pathways through the region such as the trails. Fred next asked the group what timeline should be shown. Responses from the group indicated: that lava flows that have occurred over time should be shown; the political jurisdiction of land from the time of Kamehameha IV might be included although western influences would have already been in evidence; and that crown lands should be shown during the period of the Māhele.
14. Comment – Consider coordinating or checking with The Nature Conservancy for information they might have. Also, consider adding natural resource information since that information would lead one to know how the land was used. Anchialine ponds should also be shown if they are of a certain size.

15. Comment – The boundary of the area showing the Kekaha Region are agreed on as depicted by a dotted line. The timeframe to be shown also be up to the Lava Flow of 1859. Rick Gmerkin added that most of the trail system known today comes from the era of 1840 through 1859. It was added that the different eras associated with the trails be distinguished by different colors.
16. Sterling asked the group to describe how the model is intended to be used. Fred stated that the audience for the Terrain Model is broad and feels that the product will be an excellent resource for Hawaiians. He wants the model to convey as much information as possible. Paka added that this should include the historic trails. Hannah Springer said that ahupua'a names should be included. Stacy responded that the trails and ahupua'a boundaries and names will be included.
17. Hannah noted that Chad Wiggins (SIC?) at the The Nature Conservancy should be consulted for ocean contour information and the names for nearshore and offshore water features.
18. Sterling asked for clarification; you want to show the historical boundaries/names of ahupua'a? Rick indicated that he (NPS) has this information. Someone commented that the UH Hilo could also be used as a resource for this project. Fred added that a Francis Choy had done some prior survey work of the area/region before construction in the area and so should also be used for research in the area.
19. Stacy noted that from the group's input that would be enough information to describe the surface features of the terrain and that the addition of text to identify the surface features would need to be developed.
20. After further discussion, the group felt that a digital model should be developed for sharing and review by the group to establish content now that the boundaries of the model are defined. Once the basic shape of the model is established, the group could next move to having other information added to the model.
21. Comment – As the complexity of information is added to the model, the more the portability of the model is challenged. While the size of the physical terrain model is limited, more potential exists with a 3D model. However, it is essential that the boundary of Kekaha shown on the Terrain Model be preserved.
22. Fred agreed to Kekaha as the boundary for the model. The size of the model and the timeframe for its completion is not set, but there is progress being made. After further discussion by the group, it was decided that the Lava Flow of 1859 should be used for the topographic detail.
23. Stacy noted the group comments and performed a preliminary calculation that indicated the dimensions of the model to include the Kekaha Region could be approximately 5 feet by 3.5 feet.

24. Stacy next discussed the how the group process could be focused to incorporate all content items, and how the content becomes a part of the final product. The short list of these features included:
- Topography based on the Lava Flow of 1859
  - Geological features such as terrain and pu'u
  - Plant communities
  - Historical trails that are color coded according to era
25. The group asked for more information about the process for how the model is produced and how the different features are built onto the model. Stacy responded that this would be collected and information such as format, materials, and process would be brought back to the group.
26. Fred added that he wants the use of the model to be maximized in order to be able to take it to testimonies and other events. Taking a physical model to these would be better and more effective than looking at a computer screen. He added that he wants the physical terrain model to have several different sections created depicting all the different features and information that is desired. Sterling said that the objective should be one model. Paka added that the group should remember the content of the model should be based on the language of the stipulation. The NPS noted that they still want to see what is possible.
27. At the request of Stacy, the terrain modeler, Craig Martin, called into the meeting via conference call. Craig indicated that in order to build a historical model, that depending on the era selected, that any changed terrain would have to be digitally redrawn using a computer design program such as AutoCAD, and further that the modification should be based on a topographic map prepared by a land surveyor. NPS noted that the last major land changing event was the Lava Flow of 1859 and that the terrain contours do not appear to have changed by very much so this step might not be needed.
28. A question was raised about how text is added to the model. Craig indicated that the text would be vinyl lettering protected by a spray finish. Fred asked if the finish could be touched, the response was yes. Other information provided by Craig:
- The model would be fabricated in a high density material
  - The model can be cut into sections to make it more portable
  - The model and base would be composed of 30 lbs/ft<sup>3</sup> foam and heavy board, and would have an estimated weight of about 60 pounds.
  - The time for construction of the model would be about four weeks.
29. The group discussed the data required to produce the Terrain Model. Fred noted that the group will need more time to think about how the model is intended to be used. It was commented that the HDOT will have its own homework to do and that if the NHOs and NPS find the data layers are too many, then it could be reduced to make the model usable.

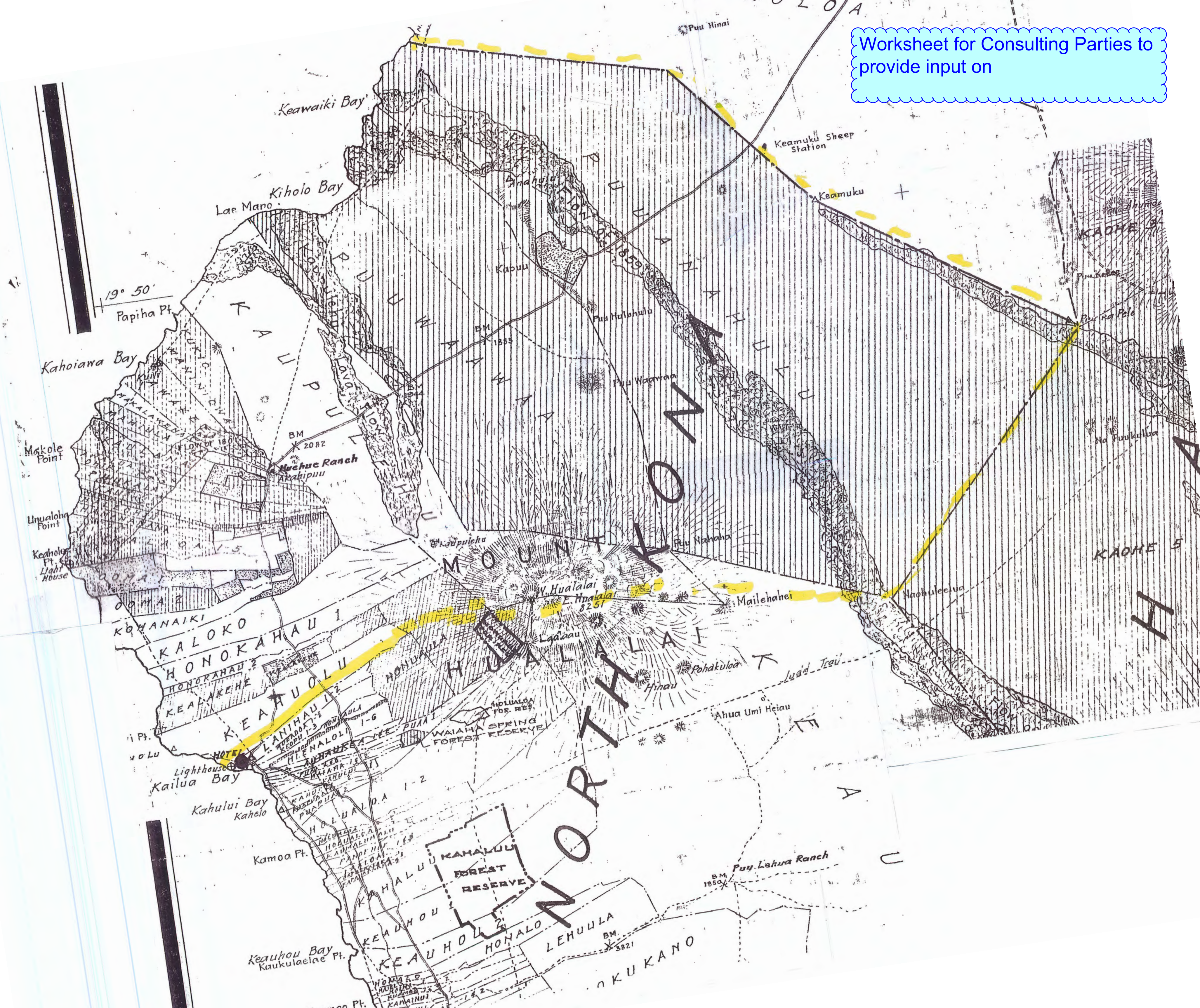
30. The group was in general agreement that the maps as provided for the day's meeting are sufficient to serve as a starting point. Fred noted that he wanted to get back to the model builder by the first week in March 2017, if that is possible. This means that as of today the maps provided to the group would need to be used when the group next meets on February 21, Tuesday, at 10:00 am. Fred asked that the meeting venue be changed to accommodate a larger group. NPS offered to help find a larger facility.
31. Additional paper copies of maps were distributed to those present to use and to mark up to show features that should be included.
32. Adjournment: The meeting concluded about 1:07 pm.

#### Attachments

1. Sign in List (February 10, 2017)
2. Agenda
3. MOA Stipulation 15 – Terrain Model
4. Sample Photograph of Terrain Model: Kaloko-Honokōhau National Historical Park



Worksheet for Consulting Parties to  
provide input on





# Attendance Log

Queen Ka'ahumanu Highway Widening, Phase 2

MOA Stipulation 15, Terrain Model

Friday, February 10, 2017

10:00 - 12:30 pm

RMTC Field Office

No.	PRINT Name	Signature	Contact Info.	Notes
1	Jon Jokiell	[Signature]	(808) 329 6881 ext. 1329	Jon-Jokiell emp@hawaii.gov
2	RAE GODDEN	[Signature]	640-8330	Rae-Godd emp@hawaii.gov
3	JEFF ZIMPFER	[Signature]	Jeff-Zimpre	emp@hawaii.gov
4	Hannah Kihalani Springer	[Signature]	ohiwai@gmail.com	
5	Brian Takeda, RMTC	[Signature]	808-842-1133	
6	Isaac "Paka" Harp	[Signature]	808-756-7379	Paka@SandwichIsle.net rick-guerkin@hawaii.gov
7	Rick Guerkin	[Signature]	808 326 6012	
8	MANDY JOHNSON-CAMPBELL	[Signature]	808-326-6012 x104	
9	FRED CASHOWA Fred Cashola	[Signature]	808 753-8896	
10	MAURICE KAHAWAII	[Signature]	325-1913	
11	Natasha Soriano	[Signature]	933-2644	
12	Luana Keanaaine	[Signature]	989-5227	
13	Cynthia Nazara	[Signature]	156-0105	
14	(cynazara@gmail.com)			
15	STERLING CHAN	[Signature]	933-8486	
16	Jason Tateishi	[Signature]	329-4494	
17	Jimmy Yamamoto	[Signature]	842-1123	
18				
19				

Phone: OHA-Lauren  
DEHP-Mary Ann Klaber  
FHWA-Lisa Powell



## **Agenda**

MOA Stipulation 15 – Terrain Model  
Queen Kaʻahumanu Highway Widening, Phase 2  
Kailua-Kona, Hawaiʻi

RMTC Kailua-Kona Field Office  
Kalepa Business Center, 73-5574 Maiau Street, Suite 11-B  
Kailua-Kona, HI 96740  
Friday, February 10, 2017, 10:00 am – 12:30 pm

- |   |                  |
|---|------------------|
| 1. Review MOA Stipulation 15, Terrain Model   | 10:00 – 10:10 am |
| 2. Incorporation of topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined | 10:10 – 11:00 am |
| 3. Review of area of inclusion: Lands of Kekaha (between Kailua and Anaehoomalu). Scale and transportability of the model   | 11:00 – 11:40 am |
| 4. Custodianship of the Terrain Model   | 11:40 – 12:15 pm |
| 5. Digital Model  | 12:15 – 12:30 pm |



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 Hawai'i, State of Hawai'i  
which are known as the Queen Ka'ahumanu Highway Intersection  
Improvements for the Kaloko-Honokōhau National Historical Park  
and the Queen Ka'ahumanu Highway Widening, Kailua to Ke'āhole

STIPULATION 15:

*"TERRAIN MODEL. The HDOT shall commission the construction of a terrain model depicting the lands of Kekaha (between Kailua and Anaehoomalu) in consultation with Makani Hou o Kaloko-Honokōhau. The model shall incorporate topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined. The model may be housed at the Kaloko-Honokōhau National Historical Park under the auspices of the Hawai'i Pacific Parks Association. The model shall be of such scale that it can be transported to other locations and be used as a teaching tool. A second digital model will also be developed and include similar information as the terrain model."*







Memorandum of Agreement (MOA) Stipulation 15 – Terrain Model Meeting  
 Queen Ka‘ahumanu Highway Phase 2  
 Kailua-Kona, Hawai‘i

Tuesday, February 21, 2017

West Hawai‘i Civic Center  
 74-5044 Ane Keohokalole Highway, Kailua-Kona, HI 96740

10:00 am – 12:30 pm

#### Attendees

**Hawai‘i Department of Transportation (HDOT)**

Sterling Chow, P.E., Assistant District Engineer  
 Hawai‘i District  
 Natasha Soriano, P.E., Project Manager

**Native Hawaiian Organizations (NHOs)**

Hannah Kihalani Springer  
 Cynthia Nazara

**Project Consultant, R. M. Towill Corp. (RMTC)**

Jason Tateishi, P.E., Project Manager  
 Stacy Armstrong, P.E., Project Manager  
 Brian Takeda, Planning Project Coordinator

**National Park Service (NPS)**

Rae Godden  
 Jeff Zimpfer  
 Jon Jokiel

#### Agenda

1. Review of major meeting points: February 10, 2017
  - ACHP request for special meeting to review and report on status of MOA Stipulations
  - Request for map mark-ups depicting features to be added to the Terrain Model
  - Draft Meeting Notes of February 10, 2017
2. Construction of Terrain Model and Digital Model
3. Review of area of inclusion: Lands of Kekaha
4. Review and confirm features for inclusion
5. Tasks prior to next meeting and other business

Handouts – Copy of Stipulation 15, Terrain Model (previously distributed)

#### Meeting Summary

1. Sterling Chow, HDOT, indicated the HDOT will be proceeding with the recommendation of Mary Ann Naber, Advisory Council on Historic Preservation (ACHP), to present an update on the status of the MOA Stipulations. The planned meeting will be announced at a later date but will use Herb Lee and Dawn Chang as community facilitators to assist with the process.

2. It was noted that at the last meeting of February 10<sup>th</sup> that the group indicated its desire to use a GIS based model to serve as the basis for the terrain model. Stacy Armstrong, RMTC, pointed out that a workable solution might be to show the GIS model using Google Earth. Otherwise there would be a problem of individual group members not having either the software or the necessary computer hardware and training needed to manipulate and properly view the image.

3. Hannah Springer provided a marked up version of the map distributed at the previous meeting and added comments:

- Boundaries associated with the different landscapes are shown based on what we know from young lava flows. Vegetation types can be added to the markup showing the higher elevation mountain lands with open, alpine scrubland, and other vegetation types and uses. The group should indicate what it wants.
- The color palette used can be anything the group feels is appropriate. The colors can range from reds/browns to greens, showing drier, more arid terrain to wetter, greener terrain that depicts how the landforms are used.
- The vegetation on the landforms depict how the land was used, thereby representing the cultural aspects that formed the boundaries of ahupua'a.
- A number of other kinds of information can be depicted depending on what is of interest. Some of the trails can show how the Hawaiians used them to collect water, or obtain important materials, or to provide access to other points of departure such as Kawaihae Harbor. Many stories can be told about the land through generations and over time.
- Geographically, need to show the mauka of the ahupua'a and the makai lands as historically uninterrupted.
- There are a number of corrections to make to place names. Some errors are of historical note as they may have occurred going back to when maps were reproduced by the use of linen overlaid and traced from the original map.

A summary of the effort provided by Hannah on the maps included: corrections to place names; information on locations considered to be important; and discussion on features that should be included on the terrain model.

4. Hannah added that it may be possible to show the locations of old fishponds that have since been covered by lava flows. She also marked some locations of trails that would need to be verified by others to help properly identify them. However, the priority should be to get the place names correct.
5. Rae Godden, NPS, provided copies of a guide depicting the correct use of Hawaiian language diacriticals to help with proper spelling on the terrain model.

6. The construction and storage of the terrain model was next discussed. Cynthia Nazara noted that the map should not be cut into pieces and that it should be stored in a safe location, such as at a University of Hawai'i facility. This would allow the model to reside at a safe location and then use the digital graphic for presentation purposes.
7. A recommendation was made that Leina'ala from the Kukio Interpretive Center should also be contacted to help review the work that is underway.
8. Rae added that due to space limitations that it is impractical for the terrain model to be placed at Honokohau. Another comment was that the group consider Palama Nui at the UH.
9. Stacy next provided an overview and demonstration of a draft terrain model using google earth on a laptop PC. The model shown can be updated as new information comes in from the group and distributed to indicate what could be done. New information in the form of layers can be added, but with increasing data there would be slowing down of some of the computers. Stacy asked for input about the model image as shown on-screen. One comment recognized that while Makani Hou could not be present at this meeting that there were at least members of the Kona Hawaiian Civic Club present.

10. Sterling and Brian helped to summarize the types of information collected at today's meeting:

- Place names must be correctly spelled
- Hawaiian trails have a hierarchy: Trails of the kingdom followed by regional trails
- Ahupua'a boundaries should include Ali'i, Crown, and government land
- Lava flows should be depicted (younger)
- Vegetation and xenolith zones should be depicted
- Other - Land uses across the terrain includes:
  - Fishponds
  - Agriculture
  - Forest lands
  - Sheep/goat ranching
  - Kukui groves
  - Caves used for the storage and collection of water

11. Summary of Tasks

- Collect data provided by the group and revise the digital terrain model to include the information. When the map is ready, submit to the participants.
- The final map of the current effort will be posted to record the group's current effort.
- The input of Makani Hou is requested at the next Terrain Model meeting.

12. Adjournment: The meeting concluded at about 12:15 pm.

**[EXTERNAL] FW: Queen Kaahumanu Hwy - Next Terrain Model Meeting 021717**

Powell, Lisa (FHWA) &lt;lisa.powell@dot.gov&gt;

Mon 5/18/2020 10:26 AM

**To:** Sonomura, Julann M <julann.m.sonomura@hawaii.gov> 3 attachments (8 MB)

9-2016 HPPA to DOT .pdf; QK Ph2 Terrain Model Mtg 022117.pdf; Queen K PDF\_2017-03-17.kmz;

**From:** Brian Takeda [mailto:BrianT@rmtowill.com]**Sent:** Thursday, April 6, 2017 9:02 PM

**To:** Sterling.Chow@hawaii.gov; fredcachola@gmail.com; Alan S. Downer <Alan.S.Downer@hawaii.gov>; Cynthia Nazara <cynazara@gmail.com>; Jason Tateishi <JasonT@rmtowill.com>; jeff\_zimpfer@nps.gov; jon\_jokiel@nps.gov; keolal@oha.org; kiersten@historichawaii.org; laurenm@oha.org; Powell, Lisa (FHWA) <lisa.powell@dot.gov>; Maurice Kahawaii <mkahawaii@hawaii.rr.com>; mnaber@achp.gov; nainoaperry@yahoo.com; Sean Naleimaile <naleimaile@gmail.com>; Natasha.A.Soriano@hawaii.gov; ohiwai@gmail.com; Paka <paka@sandwichisles.net>; rae\_godden@nps.gov; rick\_gmirkin@nps.gov; Ruth Aloua <ruthaloua@gmail.com>; tammy\_duchesne@nps.gov

**Cc:** Laura Mau <lauram@rmtowill.com>; Roy Tsutsui <RoyT@rmtowill.com>; David Tanoue <DavidT@rmtowill.com>; James Yamamoto <JimmyY@rmtowill.com>

**Subject:** Queen Kaahumanu Hwy - Next Terrain Model Meeting 021717**Importance:** High

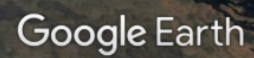
Dear Terrain Model Participants,

We are providing you with a “kmz” file for the Kekaha region specific to the terrain model that can be viewed in Google Earth. To use the attached file please place in a secure location of your computer. To open this file, open Google Earth first and select “open” from the “file” menu bar and select this file from its location on your computer. Please be advised that this document is a work in progress and we wish to thank everyone who provided the information that is being used to update this model.

At this time:

1. Please see the attached previous meeting notes of February 21st. To all who attended this meeting please help us by noting any clarifications, errors or omissions in order that it may be finalized.
2. We note that there is a record letter from this project dated 9/12/2013 that indicates that the Hawai'i Pacific Parks Association had agreed to accept responsibility for the care of the terrain model for the Kekaha region of Kona affected by the Queen Ka'ahumanu Highway Widening Project Phase II. See attached. Please be advised that this is provided for your information only for the group's further discussion.





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Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Project and Construction Management

**Project:** Queen Ka'ahumanu Highway Widening, Phase 2 Project  
National Historic Preservation Act Section 106 Consultation Meeting

**Date/Time:** Friday, April 7, 2017, 9:00 am – 3:00 pm

**Location:** Natural Energy Laboratory of Hawaii Authority (NELHA)  
Hale Iako Building, Room 119,  
73-987 Makako Bay Drive, Kailua-Kona, Hawaii 96740

**Attendees:** See Attached Sign-In List

**Hawaii Department of Transportation (HDOT)**

Scot Urada  
Sterling Chow  
Natasha Soriano

**Makani Hou O Kaloko-Honokohau**

Fred Cachola  
(Also representing Royal Order of Kamehameha)  
Isaac "Paka" Harp

**Federal Highway Administration (FHWA)**

Richelle Takara  
Lisa Powell  
Meesa Otani

**Kona Hawaiian Civic Club**

Cynthia Nazara

**R. M. Towill Corp. (RMTC)**

Jason Tateishi  
Laura Mau  
Michelle Wong

**Office of Hawaiian Affairs (OHA)**

Shane Nelsen  
Lauren Morawski

**National Park Service (NPS)**

Jeff Zimpfer  
Rick Gmirkin

**Facilitators**

Dawn Chang (Kuiwalu)  
Herb Lee (Malama Waiwai)

**A. Welcome and Statement of the Purpose of the Meeting (facilitated by Herb Lee)**

1. Memorandum of Agreement Annual Report dated Feb. 24, 2017 (Distributed on Feb. 24, 2017 and Apr. 4, 2017).
2. Construction Updates.
3. Stipulation 17 of the MOA – Consultation on Post Review Discoveries Related to recent breaches at the Mamalahoa and Road to the Sea Trails.

**B. Opening Pule – Cynthia Nazara (NHO)**

**C. Introductions and meeting protocols (facilitated by Herb)**

It was announced that the meeting would be recorded for note taking purposes and shared with the meeting attendees along with the notes. Fred Cachola requested the meeting notes be drafted similarly to those prepared by Brian Takeda.

**D. Welcoming Remarks (Scot Urada, HDOT Highways Administrator)**

Scot Urada thanked everyone for attending the meeting, and for everyone's continued participation in the project. He acknowledged the oversight and mistakes that occurred on the project last year and explained that the HDOT takes responsibility for what happened. The primary purpose of the meeting is to consult with the NHOs on their thoughts and suggestions for: 1) Mitigation related to the damage to the trails, 2) How best to overcome what has happened and move forward; and 3) Other information pertaining to the construction status. The Annual Report will also be covered.

**E. Remarks by FHWA (Richelle Takara, Assistant Hawaii Division Administrator)**

Richelle Takara expressed FHWA's interest in what the NHOs have to say regarding the breaches and would like to see the project succeed.

**F. Discussion of the MOA Annual Report (facilitated by Dawn Chang)**

1. Each NHO provided a brief background on themselves and their interest in the Project:
  - a. Fred explained that NHOs understand the need for growth and development as well as to protect the sites and practices that are important to Native Hawaiians. He hopes there is an understanding with the HDOT that Hawaiians will always be here and hold a significant importance and meaning to cultural sites and practices. Fred is from Kohala, but has an interest in the project from a preservation point of view of the Native Hawaiian culture and beliefs as very important in his life.
  - b. Paka Harp explained that while he focused on marine resources earlier in his life, he has become involved with the Hawaii Patriotic League. His ohana has ancestral ties to Honokohau and his ohana is buried within the NPS.
  - c. Cynthia Nazara explained that she has a personal connection with the project and would like things done in the right way. She explained that there is no transparency in communication between groups in the project and would like to see that changed.
  - d. While Shane Nelsen from OHA also wanted to make sure all interested parties of the project understand each other he also has cultural and ancestral ties to the Kona (Napoopoo) district.
  - e. Jeff Zimpfer stated that NPS is a signatory for the project.
  - f. Rick Gmirkin stated that NPS was participating in the meeting to provide technical expertise on the trails. Lauren Morawski mentioned the involvement of OHA from the beginning of the project.
2. NHO General comments about the MOA Annual Report
  - a. Dawn iterated that this meeting is not open to the public and only parties named in the MOA were invited. At this point, she asked if there were any questions regarding the MOA annual report.
  - b. Fred stated his disappointment in the 10-month gap in 2015 where no annual report was released and nothing seemed to be done regarding the MOA stipulations. He noted that the 2016 annual report dated February 24, 2017 did not highlight tasks completed in 2015 and requested two separate documents for 2015 and 2016. He believes that if there was careful monitoring and reporting of construction activities including the completion of the MOA stipulations, that the site breaches would have been avoided. He added that there wouldn't have been any consequences if the MOA was followed.

- c. Sterling explained that in 2015, HDOT was focused on hiring cultural monitors and planning for the construction, such as lighting, drainage and landscaping stipulations. The coordination of the relationship building workshop and ahupua`a signage is currently being worked on.
  - d. Fred added that on Page 2, Stipulation 5B, line 2 that HDOT and the University of Hawaii at Hilo (UHH) have entered an agreement that the NHOs have not reviewed and was not provided. He requested to review this agreement. He further explained that he and Paka were shocked and surprised to receive a phone call from Peter Mills at UHH thanking them for their assistance in creating the programs stated in the stipulation as they had no knowledge of any agreement.
  - e. Natasha confirmed that no money has been transferred from HDOT to UHH since the finalization of the 2016 annual report. Arrangements are currently being worked on. A status report will be drafted for review by the NHOs. Fred requested and was provided a copy of the Memorandum of Understanding between HDOT and UHH.
  - f. Fred mentioned that an Archaeological Monitoring Plan (AMP) should have been implemented prior to the start of construction. He believes that if the AMP was implemented and reported as such, the breaches may not have occurred. He mentioned not getting any of the AMP reports. Jason confirmed that as he receives the archaeological monitoring reports, he distributes them via email to the designated points of contact (POC) for the consulted parties. Paka did not receive the report that was sent to Makani Hou. Paka suggested that future documents also be sent to an alternate representative of the group in case the primary POC is unavailable to receive updates. Dawn asked that the consulted parties provide an alternate email address, if available.
  - g. Dawn clarified that Stipulation 4 requires an SHPD-approved data recovery end of fieldwork report be submitted to parties of the MOA and consulted NHOs. HDOT confirmed that Stipulation 1 requires sending of the archaeological and cultural monitoring reports.
  - h. Paka was concerned about the results of the data recovery efforts from the damaged sites. He requested to see the reports once finalized. He would like to be able to update members of the community, using a website, when asked about progress status.
  - i. Stipulations 1, 4, and 19 pertain to archaeological reporting. Stipulation 4 requires that a data recovery end of fieldwork report be distributed to parties of the MOA and NHOs who participated in the consultation process. Stipulations 1 and 19 also pertain to the monitoring and reporting. Jason confirmed that the data recovery field work is complete and the acceptance letter was sent to the MOA contact list. He was not sure if the actual end of fieldwork report was sent but will check if it was. He will confirm who received the data recovery end of fieldwork report and, if needed, he will re-distribute to the appropriate parties. The data recovery report will be distributed once it is complete.
  - j. Lauren asked in regards to Stipulation 5b whether the funds will be extended beyond the five-year period since no UHH programs have been funded in the past two years. HDOT replied that it would.
3. NHO Specific Comments on each stipulation
- a. Stipulation 1 related to On Site Point of Contact (POC). Fred requested that HDOT update the POC list.
  - b. Stipulation 2 related to Area of Potential Effect (APE). The NHOs requested a copy of the Supplemental Archaeological Inventory Survey (SAIS) for review. OHA was unaware of the SAIS and would have recommended a follow-up consultation with the NHOs. NHOs requested confirmation that the side roads were incorporated into the expanded APE and a walkthrough with Cultural Surveys of

Hawaii (CSH). Historical sites that are significant to Native Hawaiians should be included in the SAIS not what is important to others.

- c. Stipulation 3 related to Professional Standards. NHOs disagreed with the “no further action required” determination. As an example, they had concerns about the ability of the archaeological firm to properly identify all the historic properties based upon the previous AIS.
- d. Stipulation 4 related to Archaeological documentation. NHOs requested to review the mitigation plan and questioned if the trails were part of the original AIS. Paka asked for an update on the status of the Burial Treatment Plan. Hawaii District has been asking Burial Council but have not received a response. Paka offered to help on his end to complete the Burial Treatment Amendment.
- e. Stipulation 5A – Fred asked how would NHOs know if plans are done and available?
- f. Stipulation 5B related to Native Hawaiian Cultural Outreach and Education. NHOs asked about the status of the contract with University of Hawaii at Hilo (UHH) because they suggested that The Kohala Center (TKC) may be more appropriate to do some of the work since they are from the district and may be able to do it more cost effectively. FHWA expressed possible procurement restrictions and asked if TKC could be a subcontractor to UHH who is another government entity. However, the NHO felt that it would be appropriate to have UHH pursue the scholarship portion of this stipulation. Fred said that he would follow up with TKC and UHH on this matter.
- g. Stipulation 6 related to Cultural Monitors. Cynthia suggested doing cultural sensitivity training for all employees on the project. NHOs asked how cultural monitoring has been expanded since the breaches. Sterling said that as added measures, a monitor is present for activities within 100 feet from a site.
- h. Stipulation 7 related to Street Lighting. NPS agreed with the lighting plans.
- i. Stipulation 8 related to Noise Study. NHOs explained why they were asking for additional noise studies because some of their cultural ceremonies require silence. They further suggested doing the additional noise study after the project is completed.
- j. Stipulation 9 related to Highway drainage. NPS was satisfied with the drainage plans. Fred and Paka suggested installing additional dry wells north and south of the project to ensure pollution doesn’t enter the ocean because of the important marine resources. Paka suggested frequency of the reports should be increased maybe for the first 5 years.
- k. Stipulation 10A related to Pedestrian Crossings. The question of a pedestrian refuge area in the median was raised and HDOT was not sure if a median refuge area was designed into the plans since the median was narrowed.
- l. Stipulation 10B related to Pedestrian Crossings and Underpass Feasibility Study. The NHOs would like to work with HDOT to provide safe crossings for use of historic trails that intersect the highway. Ala Kahakai raised the importance of safe pedestrian crossings to connect the mauka-makai trail, including the use of existing culverts. Solutions such as creating an overpass or underpass so future generations can walk in the footsteps of their ancestors will allow for cultural preservation of the trails. NHOs raised the issue that for overpass structures, the State has responsibility. The MOA states a third party is to maintain the underpass and the NHO questioned this requirement. NHO felt that the study should not only look at an underpass structure, but an overpass structure as well.



- m. Stipulation 11 related to Interpretive Signs. NPS is working with HDOT on the interpretive signs. The interpretive signs have not been fully vetted but may present the opportunity to tell the history of the trails. NPS holding an internal meeting next week for these signs. The NHOs request to be consulted during this process for both the interpretive and ahupua'a signs. The NHOs suggested the website would be a good way to let the other NHOs know of the progress of this stipulation.
- n. Stipulation 12 related to Ahupua'a Signs. The ahupua'a signs will need to abide by HDOT and county standards. The State clarified that for signs inside the highway right of way, it needs to comply with traffic control standards (MUTCD), which is different from signs outside the right-of-way (as in the NPS area). When the ahupua'a program report is finalized, it will be sent to the NHOs. There are local communities that are currently being consulted on not only content of the signs but also the proper placement of the ahupua'a signs. The work currently being done with NHOs on the terrain model relating to ahupua'a boundaries will help this effort.
- o. Stipulation 13 related to Highway Landscaping. The NHOs have been impressed with the landscaping plan and would like to see the landscaping plan applied to the rest of the project beyond the NPS boundaries and not just at the intersections. They also suggested planting Loulu Palm at trail crossings (where trails were bisected) as a visible way of identifying the trails. Paka also suggested other plantings to mark the boundaries of the ahupua'a.
- p. Stipulation 14 related to Relationship Building Workshop. Dawn asked if the NHOs could hold their discussion on this stipulation because it will be the subject of further consultation. NHOs suggested a series of meetings that will make up the relationship building workshop. The NHOs should send comments and suggestions to HDOT about what they want to see in the workshop.
- q. Stipulation 15 related to the Terrain Model. Fred explained that the terrain model is a way of preserving the landscape of the area and the legacy of the culture. NHOs also suggested finding a higher trafficked location such as the airport or Palama Nui Campus instead of at the NPS Visitor Center to display the terrain model. Paka suggested focusing on the digital model first rather than the physical model, then possibly more than one physical model could be made from the same mold. Laura confirmed that the digital model was sent out to the NHOs for their review.
- r. Stipulation 16 related to Archaeological Materials and Records. NHOs requested the location of historical artifacts that were uncovered, the entity that is curating them, and the possibility of viewing the artifacts. OHA would also like to know if HDOT will take possession of the artifacts once the project is completed. Sterling explained that the artifacts are currently being curated by CSH on the Big Island. HDOT doesn't have the capacity to curate the artifacts and the plan is to have CSH continue to curate them. NPS suggested housing the artifacts with the physical terrain model.
- s. Stipulation 17 related to Post-Review Discoveries, specifically the recent breaches of the two trails. Dawn asked if the NHOs could hold comment on this discussion until we have completed all the stipulations to permit more dedicated time to discuss the breaches, identification of the historic properties, adverse effect and mitigation. All agreed.
- t. Stipulation 18 related to Dispute Resolution. Fred felt frustrated that he has not received a response to his October 8, 2016 email sent to HDOT and FHWA. He has consulted with the Native Hawaiian Legal Corporation and feels the NHOs are not being consulted to address the issues at hand and has considered filing a dispute resolution. OHA requested a copy of the report explaining the breaches and would like to see quarterly progress reporting. Paka suggested giving HDOT 30 days to response to Fred's email. HDOT has agreed to be timelier in their responses and information dissemination.

- u. Stipulation 21 related to Amendments to the MOA. Paka felt that the MOA should be amended and the NHOs want to be consulted on any amendments.

#### **G. Construction Updates**

1. Sterling provided a brief overview of the construction updates. Maps highlighting the breached sites were also presented (see attached). He stated that none of the areas near the airport have been disturbed. Paving has occurred at the Hulikoa Intersection and the contractor plans to pave towards the airport.
2. Rick asked if the fencing has been installed at the Mamalahoa Trail. Sterling responded that fencing has been installed.
3. Paka asked if the retaining walls will still be built where the encroached sites are located. Sterling confirmed that there will be no retaining walls in these areas.

#### **H. Stipulation 17 Related to Post-Review Discoveries (specifically the site breaches to the historic trails)**

1. The NHOs questioned what the protocol for notification is and why there wasn't any notification made 72 hours after the breaches occurred. Initially, HDOT did not consider the breaches to be an adverse effect. However, after the detailed investigation was completed, evidence indicated an adverse effect to the historic sites (layout of retaining wall footprint did not logically match with previously graded limits). It was then discovered that the protective fencing was installed in the wrong location due to many different reasons including two different coordinate systems that were used. The discovery of the breaches was a realization of failure on all levels and among different parties.
2. HDOT shared that the action plan is an internal document between HDOT and the contractors as mitigation measure to ensure that this would not happen in the future. An action plan was developed and distributed on April 4, 2017 and is an agreement between the HDOT and the contractor to prevent any future incidents. This action plan is intended to help to prevent mistakes like this from happening on this project and may possibly be used for future highway projects. The action plan dictates procedures for future construction projects to enhance the communication between the contractor and the archaeologists and increase monitoring requirements.
3. The NHOs feel the breaches was a conspiracy and felt it was HDOT's opinion that asking for forgiveness after the work was done was easier than asking for permission.
4. Fred asked how the breaches were discovered. Sterling stated that Jason discovered a discrepancy when reviewing the construction layout of the walls. It was not until the detailed investigation that the fences were determined to be in the wrong location. Further inspection of the sites was completed to make sure no other sites were disturbed. Paka asked why the barrier locations were checked after grading occurred. Fred asked how the breaches occurred when the monitoring plan required protective barriers at the sites. Jason clarified that the fence was installed, just not in the right place.
5. Fred felt that HDOT was trivializing their accountability on the project. Sterling responded that HDOT will be responsible and will move forward towards mitigation. Fred asked how one would mitigate for spiritual hurt.
6. Shane inquired if both archaeological and cultural monitors were present during grading work near the breached areas. Jason responded that cultural and archaeological monitors were present, as well as contractor and RMTC personnel. Shane commented on how the group could work together make the mitigation plan work. Scot responded that the action plan would help to make sure all parties would be on the same page and prevent future incidences.



7. The NHOs asked FHWA what they thought of as potential mitigation. From FHWA's perspective, they were there to listen to NHOs suggestions not to offer potential mitigation suggestions. By listening to the NHOs perspective of the spiritual connection to their ancestors through the historical sites, it would be difficult for FHWA to offer mitigation suggestions since they would be missing that ancestral connection.
8. As additional mitigation, HDOT installed barriers that are more visible and implemented weekly checks to ensure that they remain intact. Furthermore, an archaeological monitor will be present when within 100 ft. of a site and there will be a clear chain of command.
9. Paka suggested as a show of good faith towards mitigation, HDOT will explore the possibility to put the physical terrain model in a central, high-trafficked location like the Kona Airport. Fred suggested using funds to assist Heritage Partnerships Program (HPP) to build a new structure at the Hawaii Visitor Center to accommodate the physical terrain model and artifacts. HDOT expressed some concern about accessibility of the physical terrain model to the non-flying public if it is located in the airport terminal.
10. As potential mitigation for the breaches to the trails, Fred suggested that HDOT consider a "like-like" mitigation for length of adverse impact to the trails, preserve and restore the same amount of trails at the other end of the trail system. Additionally, a scenic point area could be made where interpretive signs could be displayed to educate and inform the public about the trails. Part of the trail by Kealahou High School could also be incorporated into the proposed park plans.
11. Given that the scheduled meeting time was close upon us, Dawn asked the NHOs if they would like to continue this consultation process on mitigation. All agreed that consultation needs to continue to discuss in greater detail the breaches and appropriate mitigation.

#### **I. Next Steps**

1. HDOT committed to preparing and distributing the meeting notes within two weeks.
2. HDOT will coordinate a site visit with the NHOs on the expanded APE, specifically the area of the breaches.
3. HDOT will coordinate a follow up consultation with the NHOs to discuss mitigation of the adverse effects to the historic properties.

#### **J. Closing – Hawaii Aloha led by Fred.**

#### **Items requested by CPs for HDOT consideration:**

1. Draft separate annual report for fiscal year 2015 per the MOA requirements.
2. Provide copy of the agreement and send status report sent to NHOs for Stipulation 5B regarding Native Hawaiian Outreach and Education with the UHH.
3. Update POC list to provide a primary and secondary POC for each organization, and redistribute new POC list to all parties.
4. Send Data Recovery Report to all MOA parties, once finalized.
5. Research the possibility of creating a website to distribute information in a timely manner.
6. Coordinate a time for the NHOs to do a follow-up site visit.

7. Consult with the NHOs regarding the expanded APE and SAIS. Provide SAIS for review.
8. Conduct additional noise studies.
9. Consider feasibility of installing dry wells along the coastline.
10. Consider feasibility of safe highway crossings such as overpasses or underpasses.
11. Distribute ahupua'a program report to the NHOs, once finalized.
12. Consider using native Hawaiian plants as markers for historic trails and ahupua'a boundaries.
13. Update NHOs on the curation of artifacts by CSH.
14. Respond to Fred's email in 30 days.
15. Consider quarterly reporting instead of annual reporting.
16. Install barriers that are more visible and conduct weekly checks. Provide archaeological monitor on-site when construction will occur within 100 ft. of a site.
17. Research the feasibility of building a new structure at the NPS Visitor Center to accommodate the physical terrain model and artifacts.

**Attachments:**

1. Attendance Log
2. Agenda
3. Construction Updates
4. Figure 1: Queen Ka'ahumanu Highway Widening, Ph. 2 project Location and Disturbance Locations (SIHP #s 50-10-27-00002, Mamalahoa Trail; 10714 (Features A and C), Road to the Sea; -28783 (Features A-F), Agricultural Complex; -19947, (Features A, B, & C), Stacked Rocks; and -28811, Pahoehoe Excavation;
5. Figure 2: SIHP #50-10-27-00002, Mamalahoa Trail, Site Locations
6. Figure 3: SIHP #50-10-27-00002, Mamalahoa Trail, Approximate Disturbance Locations
7. Figure 4: SIHP #50-10-27-10714, Features A & C, Road to the Sea Trail System, and Feature A & C, Approximate Disturbance Locations
8. Figure 5: SIHP #50-10-27-28783, Features A – F, Agricultural Complex, Buffer Disturbance Site
9. Figure 6: SIHP #50-10-27-19947, Features A, B, & C, Stacked Rocks, Buffer Disturbance Site
10. Figure 7: SIHP #50-10-27-28811, Pahoehoe Excavation, Buffer Disturbance Site

The above represents R. M. Towill Corporation's understanding of the discussions held. Notifications of any clarifications or discrepancies would be appreciated within 14 calendar days.

Prepared by: Laura Mau and Michelle Wong

**Queen Ka'ahumanu Highway Widening, Phase 2**  
**National Historic Preservation Act Section 106 Consultation Meeting**  
 Date and Time: Friday, April 7, 2017, 9:00 am to 3:00 pm  
 Location: Natural Energy Laboratory of Hawaii Authority, Hale Iako Training Room #119  
 73-987 Makako Bay Dr., Kailua-Kona, HI 96740

Name	Organization	Phone	Mailing Address and Email
Lisa Powell	FHWA	541-2305	300 Ala Moana Blvd. #3-306 lisa.powell@dot.gov
Meesa Otani	FHWA	541-2316	300 Ala Moana Blvd, Box 50206 meesa.otani@dot.gov
Richelle Takara	FHWA	541-2311	300 Ala Moana Blvd. Rm 3-306 Box 50206 Hon HI 96850 richelle.takara@dot.gov
Cynthia Nazara	KICC	156-0105	POB 8284 K.I.C. cynthia@kicmail.ky
STERLING CHOW	DOT - HIGHWAYS	933-8866	50 Makawala St., Hilo, HI 96728 sterling.chow@hawaii.gov
Scott Under	DOT	581-2220	869 Punchbowl St Honolulu HI 96813
Rick Gmirkov	NPS	430 5213	73-4786 KANALANI St #14 KAILUA-KONA HI 96740
Fred LaHole	Makani Hoku Kaloko-Honokohau	953-8896	P.O. Box 190725 Hilo 96719 fredla@hawaii.gov
JEFF ZIMMER	NPS		
Shane Nelsen	OHA	327-9525	shanen@oha.org
Lauren Morawski	OHA	938-2030	laurenm@oha.org
Natasha Soriano	DOT	933 2044	natasha.a.soriano@hawaii.gov
Jason Tateishi	KM Tamii		

**Queen Ka'ahumanu Highway Widening, Phase 2**  
**National Historic Preservation Act Section 106 Consultation Meeting**  
 Date and Time: Friday, April 7, 2017, 9:00 am to 3:00 pm  
 Location: Natural Energy Laboratory of Hawaii Authority, Hale Iako Training Room #119  
 73-987 Makako Bay Dr., Kailua-Kona, HI 96740

Name	Organization	Phone	Mailing Address and Email
Dawn Chang	Kuiwaka	539-3583	dnschang@kuiwaka.com
Herb Lee	Mulama Waiwai	927-5646	herblee@yahoo.com
Laura Mau	RM Tonill Corp	842-1133	lauram@rmtonill.com
Michelle Wong	RM Tonill Corp	842-1133	richellew@rmtonill.com
Isaac Harp - Paka	Makani Hou	756-7379	paka@sandwichisles.net



QUEEN KA'AHUMANU WIDENING PROJECT, PHASE 2  
NATIONAL HISTORIC PRESERVATION ACT SECTION 106  
CONSULTATION MEETING

Date & Time: Friday, April 7, 2017, 9:00 am to 3:00 pm  
Location: Natural Energy Laboratory of Hawaii Authority  
Hale Iako Training Room #119  
73-987 Makako Bay Dr., Kailua-Kona, HI 96740

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AGENDA

- A. Welcome and Introductions
- B. Opening Pule
- C. Introductions
- D. Welcoming Remarks
- E. FHWA Introduction
- F. Memorandum of Agreement Annual Report – Questions?
- G. Construction Updates
- H. Stipulation 17 of the MOA  
Consultation on Post Review Discoveries Related to recent  
breaches at the Mamalahoa and Road to the Sea Trails
  - 1. Identification of Historic Properties
  - 2. Adverse Effect
  - 3. Mitigation
- I. Next Steps
- J. Closing Remarks
- K. Closing Pule

**Queen Ka‘ahumanu Highway Widening, Phase 2**

**Memorandum of Agreement**

**Annual Report Calendar Year 2016**

**February 24, 2017**

## ANNUAL REPORT Calendar Year 2016

### Queen Kaahumanu Highway Widening Phase 2 Memorandum of Agreement

February 24, 2017

No.	Stipulation	STATUS AS OF 2016	CURRENT ACTION ITEMS
1	ON SITE POINT OF CONTACT. The FHWA in coordination with the HDOT shall designate an on-site point of contact (POC) within fourteen days of the execution of this MOA. This on-site POC shall maintain hard copies of all documents relative to this MOA and provide electronic copies of them upon request by any consulting party to this MOA. The on-site POC shall be responsible for receiving and distributing any daily archaeological or cultural monitoring reports related to the construction of the Project to the other consulting parties to this MOA via email on a weekly basis. All signatories, concurring parties, and consulting parties to this MOA shall identify a POC for their respective organizations and transmit contact information to the FHWA and HDOT who shall maintain a current POC list.	Contact list is prepared and maintained by HDOT. The FHWA and HDOT has designed their on-site POC as Sterling Chow, Assistant District Engineer, Hawaii Island. The signatories and concurring parties have identified the POCs from their respective organizations, as provided on the HDOT Contact list.	See attached <a href="#">Exhibit 1-MOA Contact List</a> . Will update as required.
2	AREA OF POTENTIAL EFFECT (APE). The Project's Area of Potential Effect (APE) includes the right-of-way (ROW) of the Queen Ka'ahumanu Highway, the Honokohau Settlement National Historic Landmark, the Kaloko-Honokohau National Historical Park, and trails that are immediately adjacent to and traverse the Project area that have been identified as significant to the Ala Kahakai National Historic Trail corridor (Attachment 2), most notably the Mamalahoa Trail.	During investigation of site breaches which occurred in Summer 2016, it was determined the APE did not include work on side roads, outside the 300-ft. HDOT ROW. The expanded APE including side roads was approved by SHPD on 1/6/2017. HDOT presently seeking SHPD concurrence on a Supplemental Arch. Inventory Survey (SAIS) reporting on expanded areas. Comments have been received from SHPD and are being addressed.	Late February 2017, HDOT to submit revised SAIS to SHPD addressing initial comments.
3	PROFESSIONAL STANDARDS. The HDOT shall ensure that all work carried out and documents prepared under this MOA are consistent with the recommendations of the August 2012 AIS cited above and conform to the Secretary of the Interior's Standards and Guidelines for Archeological Documentation, the ACHP's Section 106 "Archaeological Guidance" and the SHPO's requirements for data recovery and preservation. Further, all work pertaining to the identification and treatment of archaeological resources, including sites and objects, will be carried out by, or under the direct supervision of, a person or persons meeting the professional qualification for archaeology as found in "The Secretary of the Interior (SOI) Historic Preservation Professional Qualification Standards" (SOI Qualification Standards), per 36 CFR Part §61, Appendix A (Volume 48, No 190 dated September 29, 1983), and Title 13, Chapter 300, Hawai'i Administrative Rules (HAR). The HDOT shall provide, upon request, the documents identified in this MOA in either digital or paper copy to the requestor, subject to the confidentiality provisions of Section 304 of the NHPA.	HDOT affirms the AIS recommendations conform to the Archaeological Guidance of ACHP and that personnel undertaking such work meets the SOI Professional Qualifications Standards. Copies of documents identified in this MOA are available from HDOT-Hawaii District Office. No further action required.	N/A



## ANNUAL REPORT Calendar Year 2016

### Queen Kaahumanu Highway Widening Phase 2 Memorandum of Agreement

February 24, 2017

No.	Stipulation	STATUS AS OF 2016	CURRENT ACTION ITEMS
4	<p>ARCHAEOLOGICAL PRESERVATION AND MITIGATION PLAN (APMP, APRIL 2014), DATA RECOVERY AND PRESERVATION PLAN (DRPP, OCTOBER 2012), ARCHAEOLOGICAL MONITORING PLAN (AMP OCTOBER 2012) and BURIAL TREATMENT PLAN (BTP, OCTOBER 2012).</p> <p>FHWA will ensure that HDOT complies with the implementation of the APMP, AMP, DRPP, and BTP and its compliance with the conditions of approval stipulated by SHPD. The HDOT shall provide the parties to this MOA a copy of the findings of the APMP, AMP and DRPP activities.</p> <p>Further, construction, including ground-disturbing activities will not commence until the data recovery fieldwork has been completed and a data recovery end of fieldwork report has been drafted and approved by SHPD. The end of fieldwork report shall be submitted to all parties of this MOA and NHOs who participated in the consultation process. The Data Recovery Final Report shall be submitted to SHPD for their approval.</p>	<p>(1) Copies of the subject plans are available for review at the office of HDOT, Hawai'i District;</p> <p>(2) Data Recovery Plan (DR) completed June 2015 with 'end of field work' report filed with SHPD (Vitousek).</p> <p>(3) The Final DR report will be completed by Cultural Surveys Hawaii (CSH) after construction of the project is complete.</p> <p>(4) Due to the narrowing of the hwy median, the retaining wall shown in the BTP is no longer required. An Amendment dated Sept 2015 was submitted for approval.</p>	<p>- HDOT to submit the End of Fieldwork Report after construction of the project is complete.</p> <p>- HDOT to follow-up on the BTP Amendment.</p>
5A	<p>A. PROJECT REDESIGN. The FHWA shall ensure that HDOT completes the redesign of the southern portions (between Kealakehe Parkway and Hinalani Street) of the proposed improvements, to minimize the impacts of the highway widening. The objective of the redesign is to avoid, where feasible, historic properties and to propose mitigation action to minimize potential impacts. The revised plans shall be made available for review by the consulting parties of this MOA upon receipt of a timely request to the HDOT.</p>	<p>Project Design - Construction plans for the area between Kealakehe Parkway and Hinalani Street are complete and construction is ongoing.</p>	
5B	<p>B. NATIVE HAWAIIAN CULTURAL OUTREACH AND EDUCATION. The HDOT and the University of Hawai'i at Hilo (UHH) have entered into a Memorandum of Understanding (MOU) to provide cultural programs and education to support Native Hawaiian studies. The HDOT shall ensure that the MOU between HDOT and UHH to provide cultural programs is fully implemented over the five year duration of the agreement. Annual reports documenting the activities of the past calendar year will be made available to all consulting parties.</p>	<p>POC S. Chow, HDOT in consultation with UH-Hilo as of December 2016 to discuss action plan.</p> <p>HDOT held initial meeting with UHH to determine steps to implement UHH outreach and educational programs.</p>	<p>Follow-up ongoing to set the program schedule and budget.</p>
6	<p>CULTURAL MONITORS. HDOT prepared a Cultural Monitoring Scope of Work that describes the minimum qualifications and requirements for cultural monitor positions. The tasks of the cultural monitor(s) include: (a) serve as a liaison with the community to assist in the interpretation of cultural resources, (b) provide cultural education for construction workers, (c) prevent and minimize impacts to historic and cultural resources, (d) monitor the activities of the project archaeologist, and e) prepare daily reports. HDOT will engage a pool of cultural monitors to insure that whenever data recovery activities or construction activities disturb previously undisturbed areas a monitor is present. HDOT provided signatories and concurring parties to the MOA an opportunity to review and comment on the draft Cultural Monitoring scope of work. The FHWA approved the Final Cultural Monitoring Scope of Work on October 22, 2012. The HDOT shall select a cultural monitor(s) from a list of qualified applicants based on the objectives identified above. Participating NHOs were afforded the opportunity to identify and evaluate the potential cultural monitor candidates.</p>	<p>Cultural monitors hired by RMTC as part of the construction inspection program. Daily reports by the monitors are on file with HDOT - Hawai'i District Office.</p>	<p>Will continue cultural monitoring with construction.</p>

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7	STREET LIGHTING. Street lighting shall only be provided at signalized intersections (Kealakehe Parkway, Lanihau, Hina Lani (also known as Hina-Lani or Hinalani), Hulikoa, Ka'iminani, and Ke'āhole Airport Road). Luminaire will be a CWES KS04-100 with SF-7 filter that will be "full cut-off" with no up light directed skyward other than incidental reflections. HDOT shall provide confirmation to the NPS that lights are level and properly installed. All lighting will use a "blue-cut" filter (yellow tinted) to prevent shorter wavelength light emission, which is known to disproportionately degrade the appearance of the night sky and disproportionately impact nocturnal wildlife species, and to reduce the perceived glare as seen from the National Parks. The intensity of the installed lighting shall not exceed 10,000 initial (at installation) lumens after filtering, nor exceed the minimum necessary for the task. For those intersections adjacent to the National Park (Kealakehe Parkway, Lanihau, and Hina Lani), the outer streetlights (those first and last encountered by drivers) shall be of lower intensity (at minimum 20% less intense than the other installed lights) to provide improved transition between lit and dark areas and to provide an incremental reduction in total lumen footprint. HDOT may modify the specifications contained herein if new technology becomes available that would better meet the intent of this stipulation, provided the NPS agrees to such change in writing.	Project plans have been completed by the project contractor and reviewed and approved by HDOT. Contractor will install per plan.	N/A
8	NOISE STUDY. The HDOT conducted a noise impact study in March 2014 to determine if the roadway improvements planned has the potential for impacting the activities within the National Park. The study was conducted in accordance with 23 CFR 774. The final report is pending. The findings will be made available to consulting parties in this MOA.	Noise Study Final Report completed on February 2015. On file with HDOT-Hawai'i District Office. No further action required.	N/A
9	HIGHWAY DRAINAGE. The HDOT shall install drainage control (drywells) equipped with oil/water separators to prevent polluted runoff from entering groundwater below the National Parks from a point 1,000 feet north of Hinalani Street to immediately south of the Kealakehe Parkway Intersection. HDOT shall construct the roadway and site the drywells to capture 90+% of storm runoff flows from both northbound and southbound lanes of highway in accordance with the HDOT standard specifications for stormwater treatment. Products utilized by the contractor shall provide that oil/water separators shall meet a minimum removal efficiency of 95%, and removal efficiencies of metals shall meet 95% of copper, 93% of lead, and 95% of zinc. The HDOT shall maintain drywell oil/water separators pursuant to the manufacturer's specifications to provide maximum protection of groundwater from polluted runoff. Annually, the HDOT shall provide NPS with reports of the actual maintenance of the drywells no later than 30 days after the anniversary of the installation of the drywells is completed. The reports shall include drywell location, date filters replaced, condition of filter replaced, and comments. This report shall be also made available to parties of this MOA and NHOs participating in the consultation process.	Incorporation of filtering devices into the construction plans has been done, the drywells shall be constructed per plan with filtering devices. Reporting requirements will become effective after installation as required.	N/A
10A	PEDESTRIAN CROSSINGS. A. The HDOT shall provide at-grade pedestrian crossing at the following three locations: at the intersections of Hinalani Street, Lanihau Street/Park Entrance, and Kealakehe Parkway. These crossings shall incorporate pedestrian refuges (where feasible) in the highway median where there is adequate space available for the pedestrian refuge, and will accommodate bicycle users.	Pedestrian crossings have been designed as required and will be open at the completion of the project, or sooner if feasible from a safety standpoint.	N/A

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No.	Stipulation	STATUS AS OF 2016	CURRENT ACTION ITEMS
10B	PEDESTRIAN CROSSINGS. B. UNDERPASS FEASIBILITY STUDY. The HDOT shall conduct a feasibility study with the objective of facilitating safe pedestrian access across the Queen Ka'ahumanu Highway at the "Trail to Honokōhau." The study will examine at-grade crossing locations, the installation of a pedestrian tunnel crossing, and the modification of existing culverts for pedestrian-bicycle use. The study shall seek examples and policies regarding use of existing pedestrian tunnels and modified culverts in Hawai'i and other States. Subsurface crossing(s) shall include provisions for a third party organization to take responsibility for maintenance, security and liability for the crossing(s) as has been the policy of HDOT for more than a decade. The HDOT shall identify and select a qualified independent third party to conduct the study. As part of the study, HDOT shall consult with NPS to identify community organizations who may be invited to participate in the feasibility study. Organizations that may be invited to participate include: signatories to this MOA, NHOs, Peoples Advocacy Trails Hawai'i (PATH), County of Hawai'i, local primary and secondary school officials, universities, community groups, the Royal Order of Kamehameha, and the Association of Hawaiian Civic Clubs. As part of the feasibility study the HDOT shall convene a community meeting that has as its objective the development of design guidelines for future Queen Ka'ahumanu Highway expansion projects that includes provisions for trail connectivity and pedestrian crossings under the Queen Ka'ahumanu Highway as well as paralleling the highway. The HDOT shall transmit the findings of the feasibility study (inclusive of any documents or written testimony from the community meeting above) to parties participating in the feasibility study prior to the expiration of this MOA.	- HDOT requested RMTC to perform the underpass feasibility study. The design concept is completed. - Consultation with the NPS occurred on 1/30/2017 to identify community organizations to participate.	- Anticipated completion of remaining tasks with HDOT in Spring to Mid 2017. - Anticipate community meeting for Spring-Mid 2017 using identified NHOs by NPS. - Feasibility Study to be completed following Spring-Mid 2017 community meeting with NHOs to provide recommendation for the Study.
11	INTERPRETIVE SIGN(S). The HDOT shall research, design, and produce mutually agreed upon interpretive sign(s) in consultation with NPS and NHOs relating to the history of the trails identified in the Project ROW near the Kaloko-Honokōhau National Historical Park and how the trails relate to the surrounding community. The sign(s) shall be (1) designed to meet NPS sign standards, (2) produced by HDOT, and (3) installed by the NPS within the boundaries of the Kaloko-Honokōhau National Historical Park.	HDOT met with NPS on 2/10/2017 to review interpretive signage and applicability to project.	Follow-up with NPS planned for early March 2017 to identify: (1) location of trail signage; and (2) type and information required for signage based on AIS/SAIS and location of historic trails.
12	AHUPUA'A SIGNS. The HDOT shall install ahupua'a markers within the project limits following the guidelines of the HDOT's Ahupua'a Marker Program. The markers (ahu or sign on posts) shall be designed and installed in consultation with community groups and NHOs as prescribed by the Ahupua'a Marker Program. A notice of the proposed installation shall be published in the West Hawai'i Today newspaper. The markers shall be installed as part of the highway widening project.	The current draft of the HDOT Ahupua'a Marker Program will serve as the basis for the planned development of the ahupua'a markers.	HDOT to develop conceptual signage including preliminary specifications and locations for placement within the HDOT ROW. Following this step, HDOT will consult with NHOs.
13	HIGHWAY LANDSCAPING. The HDOT shall coordinate landscaping plans with the NPS in areas within the ROW fronting the Kaloko-Honokōhau National Historical Park; including intersections. The criteria for landscaping material include: native plant species or appropriate Polynesian-introduced species that require low maintenance and are drought tolerant. The plant species to be planted shall be decided upon jointly between HDOT and the NPS in consultation with the NHOs.	- HDOT selected designer & discussed landscaping requirements with NPS. Landscaping plans submitted to and approved by NPS. Plans submitted to NHOs and comments on plant species received.	HDOT to work with landscape designer to address comments on plant species by NHOs

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14	RELATIONSHIP BUILDING WORKSHOP. The FHWA and HDOT acknowledge the need to build upon existing and develop new relationships with NHO and communities statewide. The FHWA and HDOT shall commit to sponsoring an initial statewide (one day) relationship building workshop to provide a forum where discussion and knowledge exchange can occur between the FHWA, HDOT, NHOs, concurring parties, and community representatives in a non-project specific context. Other agencies may be invited to participate in this forum as deemed appropriate by a consensus decision between FHWA, HDOT, and OHA, advocating on behalf of NHO interests. This workshop shall be held within 24 months following the execution of this MOA. The subject of the workshop may cover five (5) major areas: (1) identification of issues, challenges or problems that NHOs and HDOT/FHWA have experienced in consultation with each other; (2) a technical training about National Historic Preservation Act Section 106, U.S. Department of Transportation Act Section 4(f), National Environmental Policy Act (NEPA), NHO protocols, relevant Hawaiian history or cultural practices, or other relevant laws and practices (mutually sharing information); (3) a problem-solving session to share knowledge about best practices that would assist NHOs, HDOT and FHWA to have productive and effective consultation; (4) to identify NHO and community representatives interested in participating in the next stage of relationship building that may involve a training course sponsored by the FHWA/HDOT that integrates the NEPA/NHPA/U.S. Department of Transportation Act, Section 4(f) decision making processes for transportation projects in Hawai'i; and (5) explore the development of agreement documents that guide NEPA/NHPA consultation for transportation projects in Hawai'i. The FHWA and HDOT may sponsor additional phases of the relationship building process and will decide within one year after the conclusion of the first workshop as appropriate and/or necessary.	<ul style="list-style-type: none"> <li>- Preliminary planning for workshop undertaken. Completed: Draft Agenda, identified meeting participants; location; and meeting facilitators identified. All subject to change as coordination with NHOs continues.</li> <li>- Workshop temporarily delayed due to archaeological breaches that need to be addressed prior to scheduling.</li> </ul>	<ul style="list-style-type: none"> <li>- Continue meetings for workshop planning. Meeting tentatively planned for May/June 2017</li> <li>- Previously identified March 11, 2017 or alternative meeting date is planned with NHOs for coordination on breaches to archaeological sites, and to address the Agenda and steps required for the Relationship Building Workshop.</li> <li>- Continue to consult and coordinate with NHOs, agencies, and others to develop the Agenda.- Continue to consult and coordinate with NHOs, agencies, and others to develop the Agenda.</li> </ul>
15	TERRAIN MODEL. The HDOT shall commission the construction of a terrain model depicting the lands of Kekaha (between Kailua and Anaehoomalu) in consultation with Makani Hou o Kaloko-Honokōhau. The model shall incorporate topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined. The model may be housed at the Kaloko-Honokōhau National Historical Park under the auspices of the Hawai'i Pacific Parks Association. The model shall be of such scale that it can be transported to other locations and be used as a teaching tool. A second digital model will also be developed and include similar information as the terrain model.	<ul style="list-style-type: none"> <li>- Consultation with NPS and Makani Hou for development of the Terrain Model is ongoing with the first and second meetings with NPS and NHOs completed on 2/10/2017 and 2/21/2017.</li> <li>- Modelmaker is advised that consultation with NHOs may extend beyond his schedule. HDOT will revisit selection of modelmaker as needed.</li> <li>- Concept planning underway with NPS and NHOs.</li> </ul>	<ul style="list-style-type: none"> <li>- Follow-up with NPS and Makani Hou/NHOs is ongoing.</li> <li>- Continue work with NHOs to develop the Terrain Model.</li> <li>- Development of planning process and selection of required terrain data, and physical and digital model layout expected in March/April 2017.</li> </ul>
16	ARCHAEOLOGICAL MATERIALS AND RECORDS. All archaeological materials and records discovered as a result of the subject project shall be housed and curated by the HDOT. The location and methods used shall be subject to review and consultation with SHPD and shall be open for review and inspection by the public upon request to HDOT. If at some future date the NPS has space, personnel, and resources to take on this responsibility, the HDOT shall consult with NPS.	Archaeological materials under curation by HDOT and are available for viewing by the public upon request.	HDOT to continue monitoring and management of archaeological materials.

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17	<p><b>POST-REVIEW DISCOVERIES.</b> If previously unknown potential historic properties are discovered or unanticipated effects on identified historic properties are found during project construction, the HDOT shall take the actions identified below. The HDOT will immediately notify the SHPO, and immediately stop work at the site of the find until appropriate final mitigation measures are implemented.</p> <p>A. If the discovery or unanticipated adverse effect is located within the ROW, the HDOT will notify SHPO and the signatories, invited signatories, concurring parties, and consulting NHOs to this MOA of the findings within 72 hours. If the finding is adjacent to the Park boundary, then the HDOT will also notify the NPS at the same time that the SHPO is notified. All signatories, invited signatories and concurring parties to this MOA shall designate a "point of contact" and contact information for the representative who shall be notified pursuant to this provision or the inadvertent discovery of human skeletal remains as described at 17(C) below.</p> <p>B. The FHWA, the SHPO, and the signatories, invited signatories, concurring parties, and consulting NHOs to this MOA shall consult on the potential significance of the discovered property, National Register of Historic Places eligibility and any proposed treatment. Comments on the significance, of the discovered property, National Register of Historic Places eligibility and any proposed treatment or a request for additional time to provide comments shall be provided by the SHPO, signatories, invited signatories, and concurring parties to the FHWA within 48 hours of any notification as described in 17(A) in order to be considered. HDOT to ensure that any recommended treatment measures are implemented; and HDOT shall provide a final report to the SHPO and all signatories, invited signatories, and concurring parties on these actions when they are completed.</p> <p>C. In the event human skeletal remains are inadvertently discovered during project construction, the requirements of Chapter §6E-43.6, HRS, and Chapter 13-300, HAR, shall determine appropriate treatment. In addition to the parties who are notified of inadvertent discoveries pursuant to Chapter 13-300-40(b), HAR, and (c), the FHWA shall ensure all signatories, invited signatories and concurring parties to this MOA are notified of the inadvertent discovery and afforded a reasonable opportunity to comment on appropriate treatment. Comments shall be directed to the SHPD.</p>	No new post-review discoveries.	N/A
18	<p><b>DISPUTE RESOLUTION.</b> Should any signatory, invited signatory, or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:</p> <p>A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the ACHP. The ACHP shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision.</p> <p>B. Make a final decision on the dispute and proceed accordingly if the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period. Prior to reaching such a final decision, the FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.</p> <p>C. Be responsible to carry out all other actions, subject to the terms of this MOA that are not the subject of the dispute.</p>	No action(s) required and none taken to date.	N/A



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19	MONITORING AND REPORTING. At the end of each calendar year following the execution of this MOA, or until it expires or is terminated, the FHWA, with the assistance of HDOT, shall provide all parties to this MOA and NHOs that participated a summary report (report) detailing work undertaken pursuant to its terms. This report shall summarize the implementation of the plans identified in Stipulation 4 and any other agreed upon mitigation measures detailed in this MOA. Such a report shall also include any scheduling changes proposed, any problems encountered, and any disputes and objections received in HDOT's and the FHWA's efforts to carry out the terms of this MOA. A review meeting may be called by the FHWA or HDOT upon request of a signatory, invited signatory or concurring party to this MOA. A Final Report shall be prepared and transmitted to the parties to this MOA, and NHOs that participated in consultation at the expiration of the MOA.	Report completed February 24, 2017	Next report to be sent out January 2018
20	DURATION. The term of this MOA shall apply for a period of five (5) years from the execution of the MOA, unless amended pursuant to Stipulation 21 of this MOA below.	MOA execution date March 2015.	N/A
21	AMENDMENTS. Any signatory, invited signatory, or concurring party to this MOA may request that it be amended, whereupon the parties shall consult in accordance with 36 CFR Part 800 to consider such amendment. The authority to execute any final amendments shall be with the signatories of this MOA. The amendment will be effective on the last date a copy of it is signed by all of the signatories. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate consultation on the proposed amendment in accordance with Stipulation 22 below. To address minor changes in the projects or the treatment of historic properties affected by the projects, FHWA may propose revisions to the APMP, DRPP, AMP, BTP or Cultural Monitoring Scope of work to the other parties to this MOA. Upon the written concurrence of the signatories and invited signatories, FHWA may revise the plans(s) to incorporate the agreed upon changes without executing a formal amendment to this MOA	No amendments proposed to date.	N/A
22	TERMINATION. If any signatory or invited signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation 21, above. If within thirty (30) days or another time period agreed to by the approving signatories an amendment cannot be reached, any approving signatory may terminate consultation on the proposed amendment to the MOA upon written notification to the other signatories. Other provisions of the MOA shall remain in effect.	No amendments proposed to date.	N/A
23	COUNTERPART SIGNATURES. This MOA may be executed in counterparts. Each signature page shall be incorporated into the MOA and considered a part of this MOA.	Executed in final signed MOA.	N/A
24	This Agreement supersedes in its entirety the MOA dated March 5, 1999, as well as the 1999 Final Archaeological Treatment Plan.	No further action required.	N/A

EXHIBIT 1 - MOA CONTACT LIST

E-mail Notification List

Queen Ka'ahumanu Highway Widening, Phase 2

List Derived from Notification of Site Breaches, Meeting 1 (12/6/17) and Terrain Model Mtg 1 (2/10/17)

As of: 23-Feb-17

No.	Organization	Name	Email
1	HDOT	Ford Fuchigami	<a href="mailto:ford.n.fuchigami@hawaii.gov">ford.n.fuchigami@hawaii.gov</a>
2		Ed Sniffen	<a href="mailto:Edwin.H.Sniffen@hawaii.gov">Edwin.H.Sniffen@hawaii.gov</a>
3		Sterling Chow	<a href="mailto:Sterling.Chow@hawaii.gov">Sterling.Chow@hawaii.gov</a>
4		Julann Sonomura	<a href="mailto:Julann.M.Sonomura@hawaii.gov">Julann.M.Sonomura@hawaii.gov</a>
5		Henry Kennedy	<a href="mailto:Henry.Kennedy@hawaii.gov">Henry.Kennedy@hawaii.gov</a>
6		Doena Naboa	<a href="mailto:Deona.Naboa@hawaii.gov">Deona.Naboa@hawaii.gov</a>
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8		Ken Tatsuguchi	<a href="mailto:Ken.Tatsuguchi@hawaii.gov">Ken.Tatsuguchi@hawaii.gov</a>
9	Federal Highway Administration	Ralph Rizzo	<a href="mailto:ralph.j.rizzo@dot.gov">ralph.j.rizzo@dot.gov</a>
10		Lisa Powell	<a href="mailto:Lisa.Powell@dot.gov">Lisa.Powell@dot.gov</a>
11		Meesa Otani	<a href="mailto:meesa.otani@dot.gov">meesa.otani@dot.gov</a>
12	State Historic Preservation Division	Dr. Susan Lebo	<a href="mailto:Susan.A.Lebo@hawaii.gov">Susan.A.Lebo@hawaii.gov</a>
13		Sean Naleimaile	<a href="mailto:Sean.P.Naleimaile@hawaii.gov">Sean.P.Naleimaile@hawaii.gov</a>
14	Office of Hawaiian Affairs	Keola Lindsey	<a href="mailto:keolal@oha.org">keolal@oha.org</a>
15		Lauren Morawski	<a href="mailto:laurenm@oha.org">laurenm@oha.org</a>
16	Historic Hawaii Foundation	Kiersten Faulkner	<a href="mailto:Kiersten@historichawaii.org">Kiersten@historichawaii.org</a>
17	Kaloko-Honokōhau National Historical Park	Tammy Duchesne	<a href="mailto:tammy_duchesne@nps.gov">tammy_duchesne@nps.gov</a>
18		Tyler Paikuli-Campbell	<a href="mailto:Tyler_Paikuli-Campbell@nps.gov">Tyler_Paikuli-Campbell@nps.gov</a>
19		Jeff Zimpfer	<a href="mailto:jeff_zimpfer@nps.gov">jeff_zimpfer@nps.gov</a>
20	Ala Kahakai National Historic Trail	Aric Arakaki	<a href="mailto:aric_arakaki@nps.gov">aric_arakaki@nps.gov</a>
21		Rick Gmirkin	<a href="mailto:rick_gmirkin@nps.gov">rick_gmirkin@nps.gov</a>
22		Mandy Johnson-Campbell	<a href="mailto:amanda_johnson@nps.gov">amanda_johnson@nps.gov</a>
23	National Park Service-Interpretation	Jon Jokiel	<a href="mailto:jon_jokiel@nps.gov">jon_jokiel@nps.gov</a>
24		Rae Godden	<a href="mailto:rae_godden@nps.gov">rae_godden@nps.gov</a>
25		Chris Wilson	<a href="mailto:cwilson@achp.gov">cwilson@achp.gov</a>
26	Advisory Council on Historic Preservation	Mary Ann Nabor	<a href="mailto:mnaber@achp.gov">mnaber@achp.gov</a>
27		Isaac Harp	<a href="mailto:paka@sandwichisles.net">paka@sandwichisles.net</a>
28		Fred Cachola	<a href="mailto:fredcachola@gmail.com">fredcachola@gmail.com</a>
29	Kona Hawaiian Civic Club	Cynthia Nazara	<a href="mailto:cynazara@gmail.com">cynazara@gmail.com</a>
30		Hannah Springer	<a href="mailto:ohiwai@gmail.com">ohiwai@gmail.com</a>
30	Royal Order of Kamehameha - Kona	Kuauhau Russ Paio	<a href="mailto:konakuahau@hotmail.com">konakuahau@hotmail.com</a>
31		Nainoa Perry	<a href="mailto:nainoaperry@yahoo.com">nainoaperry@yahoo.com</a>
32	Nakoa Foundation	Kalani Nakoa	<a href="mailto:nakoafoundation@hotmail.com">nakoafoundation@hotmail.com</a>
33	LaiOpua 2020	Bo Kahui	<a href="mailto:bokahui@laiopua.org">bokahui@laiopua.org</a>
34	Others	Luana Keanaaina	
35	R.M. Towill Corporation	Brian Takeda	<a href="mailto:BrianT@rmtowill.com">BrianT@rmtowill.com</a>
36		Jason Tateishi	<a href="mailto:jasont@rmtowill.com">jasont@rmtowill.com</a>
37		Stacy Armstrong	<a href="mailto:stacya@rmtowill.com">stacya@rmtowill.com</a>
38		Jimmy Yamamoto	<a href="mailto:JimmyY@rmtowill.com">JimmyY@rmtowill.com</a>
39		Roy Tsutsui	<a href="mailto:RoyT@rmtowill.com">RoyT@rmtowill.com</a>
40	Cultural Surveys Hawaii	William Folk	<a href="mailto:WFolk@culturalsurveys.com">WFolk@culturalsurveys.com</a>
41	Goodfellow Bros., Inc.	Jon Henning	<a href="mailto:jonh@goodfellowbros.com">jonh@goodfellowbros.com</a>
42	SSFM International	Austin Drake	<a href="mailto:adrake@ssfm.com">adrake@ssfm.com</a>

**Queen Ka'ahumanu Highway Widening, Phase 2**

**Construction Status**

**April 4, 2017**

## Queen Kaahumanu Highway Widening Phase 2

### Construction Update

April 4, 2017

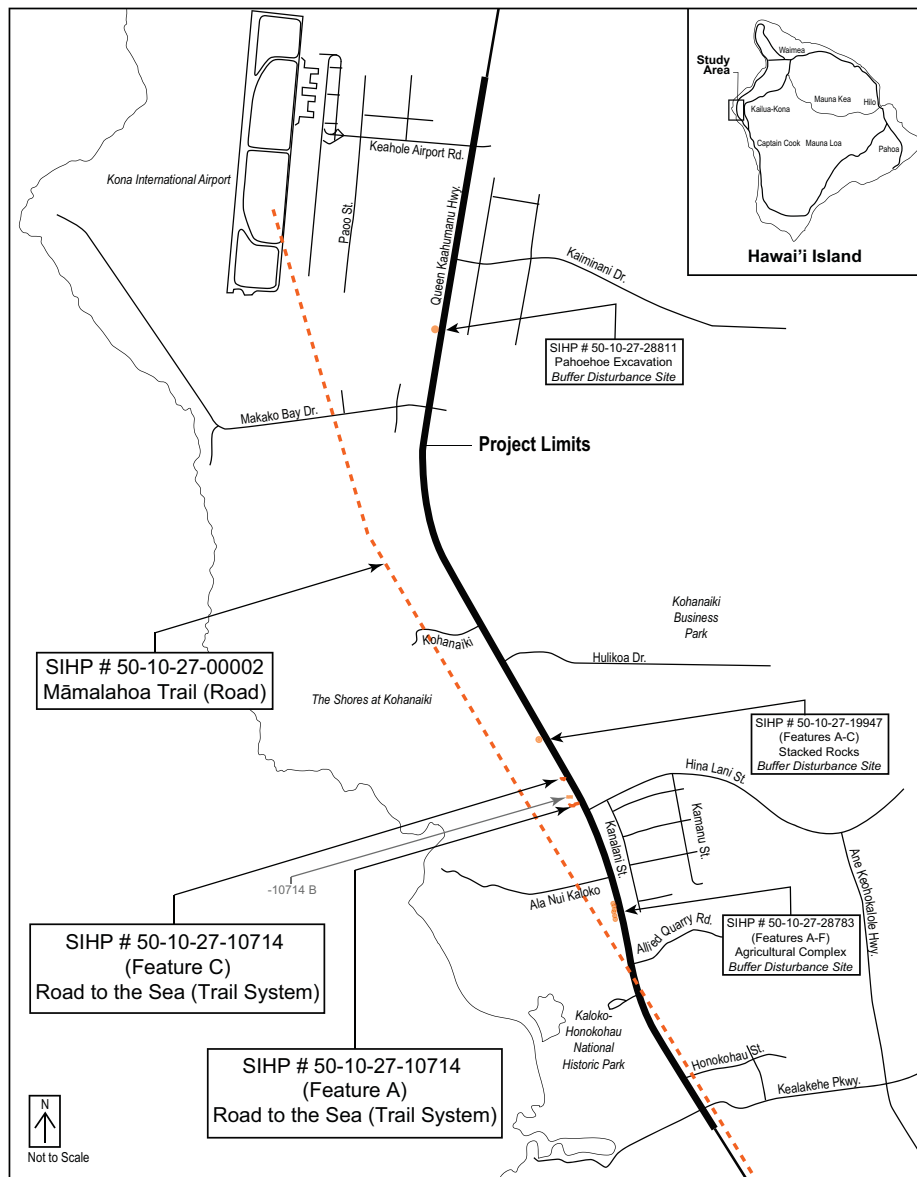
Retaining Walls	<p>Pouring of Retaining Wall A-1, located between the NPS entrance and teh Kaloko Fishpond Road, is completed. Remaining work on Wall A-1 is stripping of forms, waterproofing, and backfilling.</p> <p>Retaining Wall A, located south of the NPS entrance, footing is poured. Reinforcing steel and wall forms are being installed for the main portion of the wall. Remaining work on Wall A is pouring of the wall, stripping of forms, waterproofing, and backfilling.</p> <p>Retaining Wall E, located between Hulikoa Street and Hina Lani Street, footing has been poured. Reinforcing steel and wall forms are being installed for the main portion of the wall. Remaining work on Wall E is pouring of the wall, stripping of forms, waterproofing, and backfilling.</p> <p>Retaining Wall G, located north of Makako Bay Drive, footing and the first portion of the wall has been poured. Forming of the remaining wall is being installed. Remaining work on Wall G is pouring of the remaining portion of the wall, stripping of forms, waterproofing, and backfilling.</p> <p>Wall F, located south of Makako Bay Drive, has been completely poured, however, a design oversight will require retrofit of the wall. Design of the retrofit is ongoing and construction will commence once the design is accepted.</p>
Hulikoa Intersection	<p>Paving is complete and the temporary traffic signal has been installed. Striping of the new roadway and re-striping of the existing roadway is scheduled for Monday April 11, 2017 with the temporary signal being activated on Tuesday April 12, 2017.</p>
Paving	<p>Paving is planned to start at the north end of the project from Keahole Airport Road and working south to Hulikoa Street.</p> <p>Preparation of subgrade is scheduled to start in the next two weeks with installation of triaxial geogrid and base course to follow.</p> <p>Paving is planned to begin in about a month.</p>
Utilities	<p>Installation of sewer and reclaimed waterline crossings Kealakehe Parkway on the Honokohau Harbor side of the road has been completed. Work to connect to the crossings is currently ongoing.</p>
Traffic Signals	<p>Installation of temporary traffic signals at Hina Lani is almost complete. Activation of the temporary signal and removal of the existing signal is planned for late this week or early next week.</p>

**Queen Ka'ahumanu Highway Widening, Phase 2**

**Maps of Disturbed Sites and Buffers**

**December 6, 2016**





### Sites Disturbed:

#### SIHP # 50-10-27-00002, Māmalahoa Trail (Road):

Māmalahoa Trail or Road, extends for miles outside of, and north and south of, the project area. Site -00002 is a historic cross-ahupua'a road commonly referred to as the Māmalahoa Trail. The construction of the road is dated to 1836-1855. It is considered to have been the major seaward road through the region between its construction and 1888, when use of the road became infrequent (Cordy 1991:403, 406). The road, in general, is described as a remarkably straight curb-lined path typically 2.0 to 3.0 meters wide. In some areas the road surface is raised, with low points in the terrain filled in and leveled with stone. At Honokohau, Queen Ka'ahumanu Highway disturbs the Māmalahoa Trail and two sections lie within the present project area.

#### SIHP # 50-10-27-10714 (Features A & C), Road to the Sea (Trail System):

Road to the Sea trail system is located approximately 88 meters northwest of the intersection of Hina Lani Street and the Queen Ka'ahumanu Highway within the portion of the project area that is North of the Kaloko-Honokōhau National Historical Park. Site -10714 is comprised of three features (A, B, and C). The trail is roughly oriented East to West and measures 56.6 meters long within the project area. Within the project area, the trail lacks any formal construction features such as stepping stones or curbing. The trail can be recognized within the project area by observing subtle wear-patterns and color variations on the lava flow. Sections of Features A and C lie within the present project area.

### Buffers Disturbed:

#### SIHP # 50-10-27-28783 (Features A-F), Agricultural Complex ('a'ā excavations)

Site -28783 is an agricultural complex consisting of six 'a'ā excavations (Features A to F) within a low area of undulating 'a'ā located south of Huehue Road within a portion of the project area adjacent to the Kaloko-Honokōhau National Historical Park.

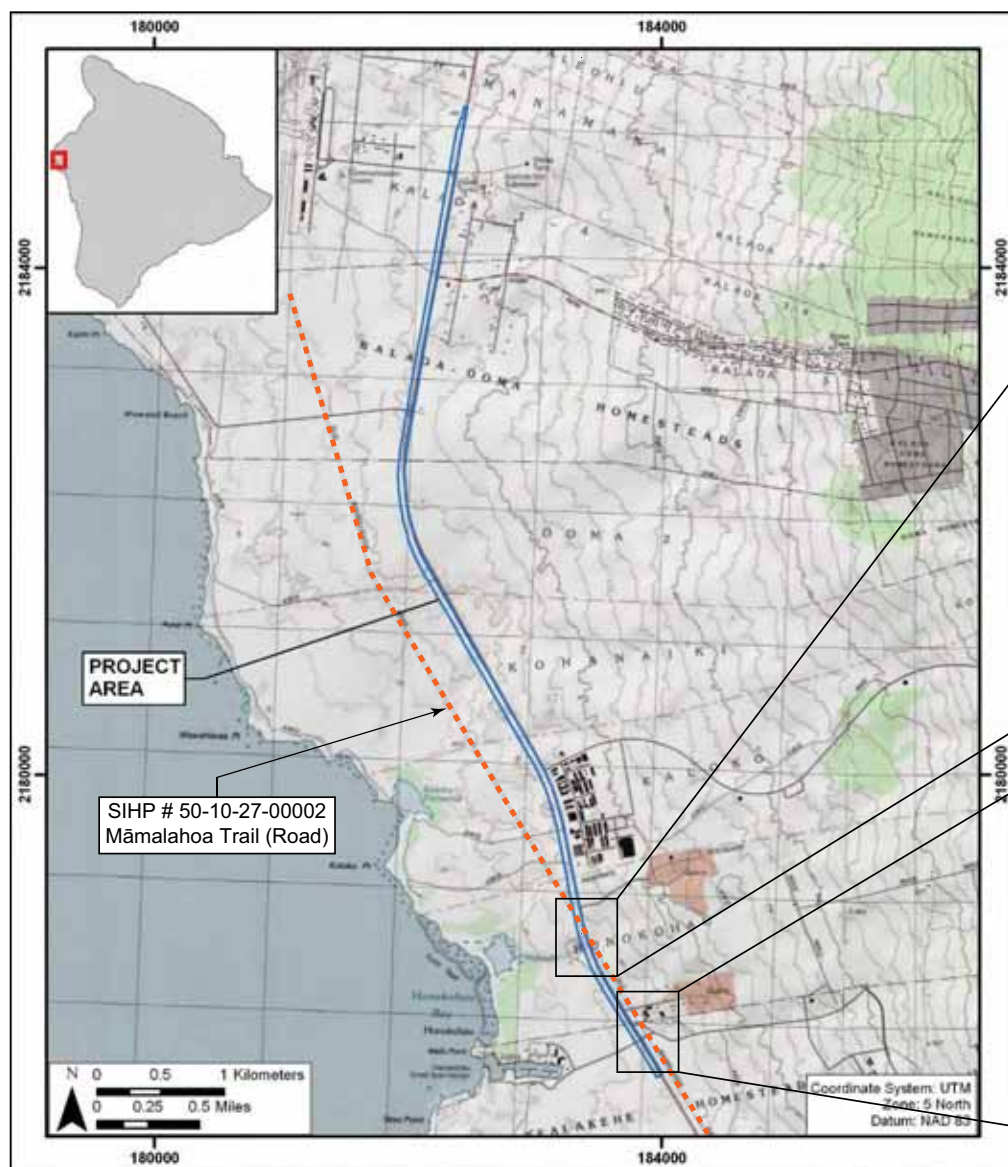
#### SIHP # 50-10-27-19947 (Features A, B, & C), Stacked Rocks

Site -19947 consists of three small cairns, designated Features A to C. The cairns are located at the approximate ahupua'a boundary between Kohanaiki and Kaloko, and are considered to be ahupua'a boundary markers. The cairns are located within a low point of gently undulating pāhoehoe terrain and are constructed of loosely stacked pāhoehoe cobbles and small boulders on top of slightly raised pāhoehoe outcrops. Two of the cairns are aligned in a roughly north-south axis and the third is to the west of these, forming a triangle.

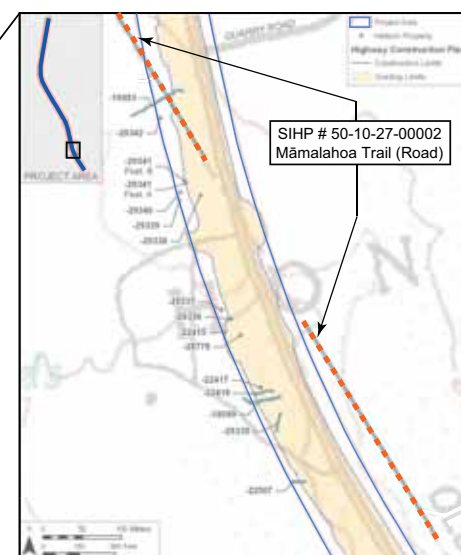
#### SIHP # 50-10-27-28811, Pāhoehoe Excavation

Site -28811 is a pāhoehoe excavation located approximately 715 meters south of the intersection of OTEC Road and the Queen Ka'ahumanu Highway. The site consists of an area where an overlying, uplifted sheet of pāhoehoe has been quarried and removed, exposing a lower pāhoehoe surface. The pāhoehoe excavation measures 3.0 meters north-south by 4.0 meters east-west with a maximum depth of 0.6 meters below the adjacent ground surface. No artifacts or midden were observed in the area.

Figure 1. Queen Ka'ahumanu Highway Widening, Ph. 2, Project Location and Disturbance Locations (SIHP#'s 50-10-27-00002, Māmalahoa Trail; -10714 (Features A & C), Road to the Sea; -28783 (Features A-F), Agricultural Complex; -19947 (Features A, B, & C), Stacked Rocks; and -28811, Pāhoehoe Excavation



1996 U.S. Geological Survey 7.5 minute topographic map (Keāhole Point and Kailua Quadrangles), showing the project area portion of the Queen Ka'ahumanu Highway

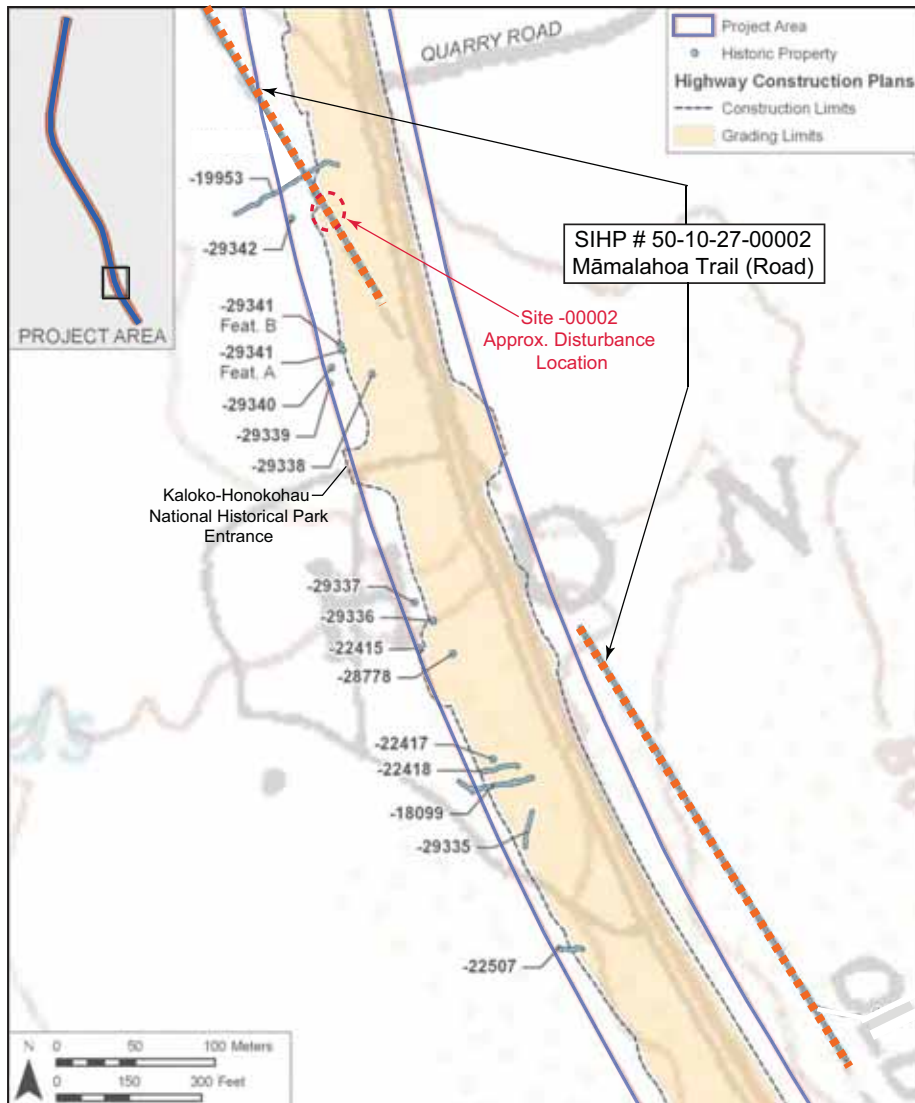


SIHP # -00002 Location at the Honokohau Project Location (see Figure 3 for Disturbance Location)

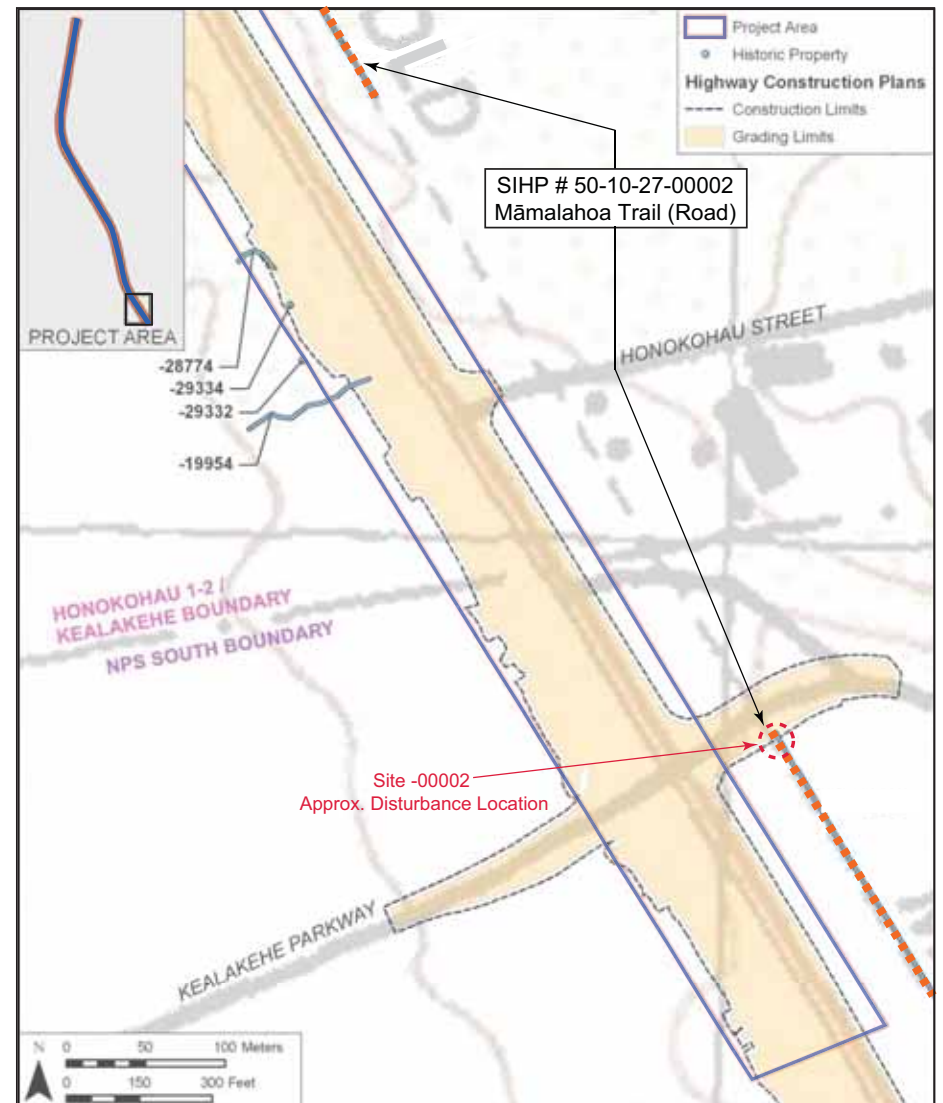


SIHP # -00002 Location at the Kealakehe Project Location (see Figure 3 for Disturbance Location)

Figure 2. SIHP # 50-10-27-00002, Māmalahoa Trail, Site Locations



SIHP # -00002 Disturbance Location Near Quarry Road and Kaloko-Honokohau National Historic Park, North of Honokohau Street



SIHP # -00002 Disturbance Location at Kealahke Parkway

Figure 3. SIHP # 50-10-27-00002, Māmalahoa Trail, Approximate Disturbance Locations



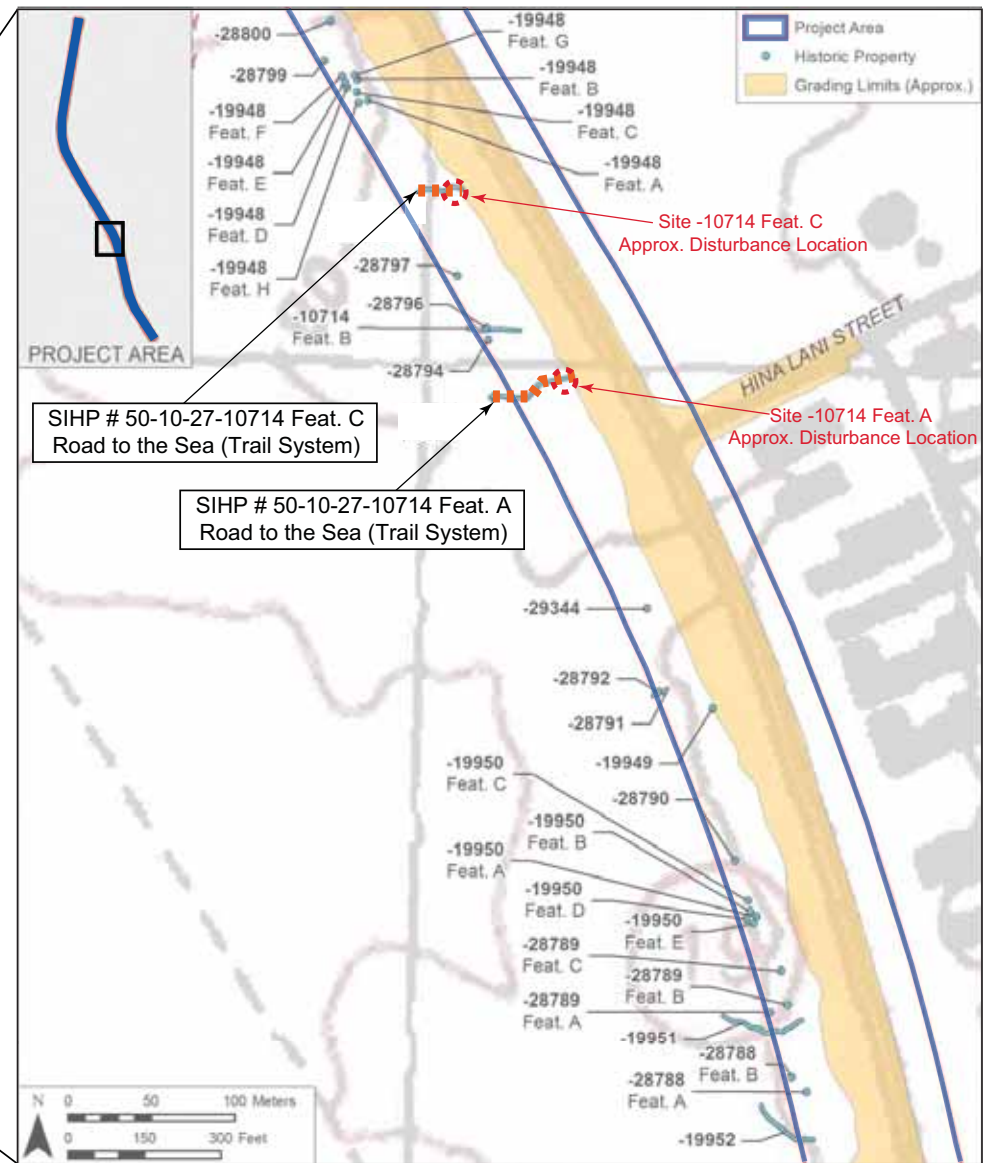
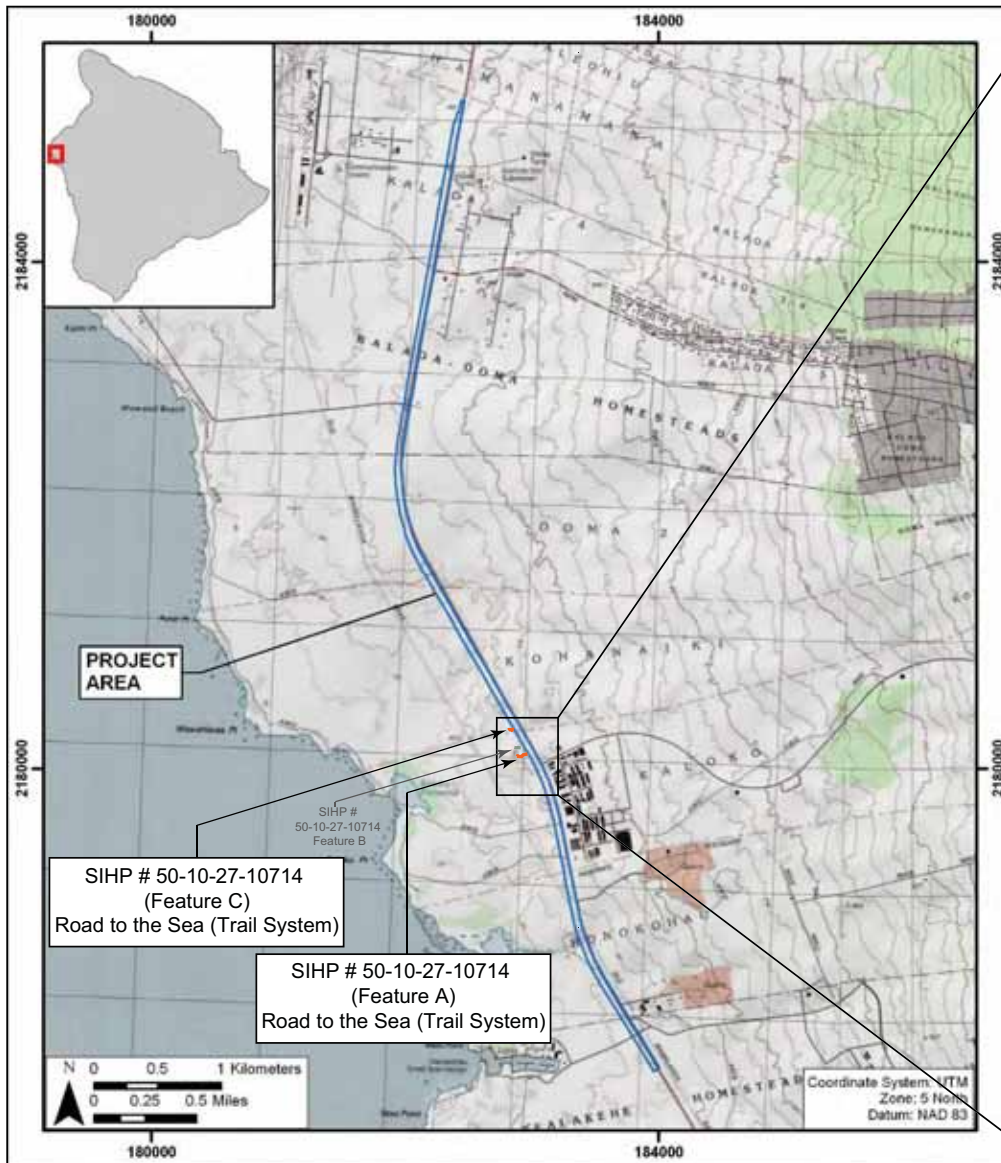
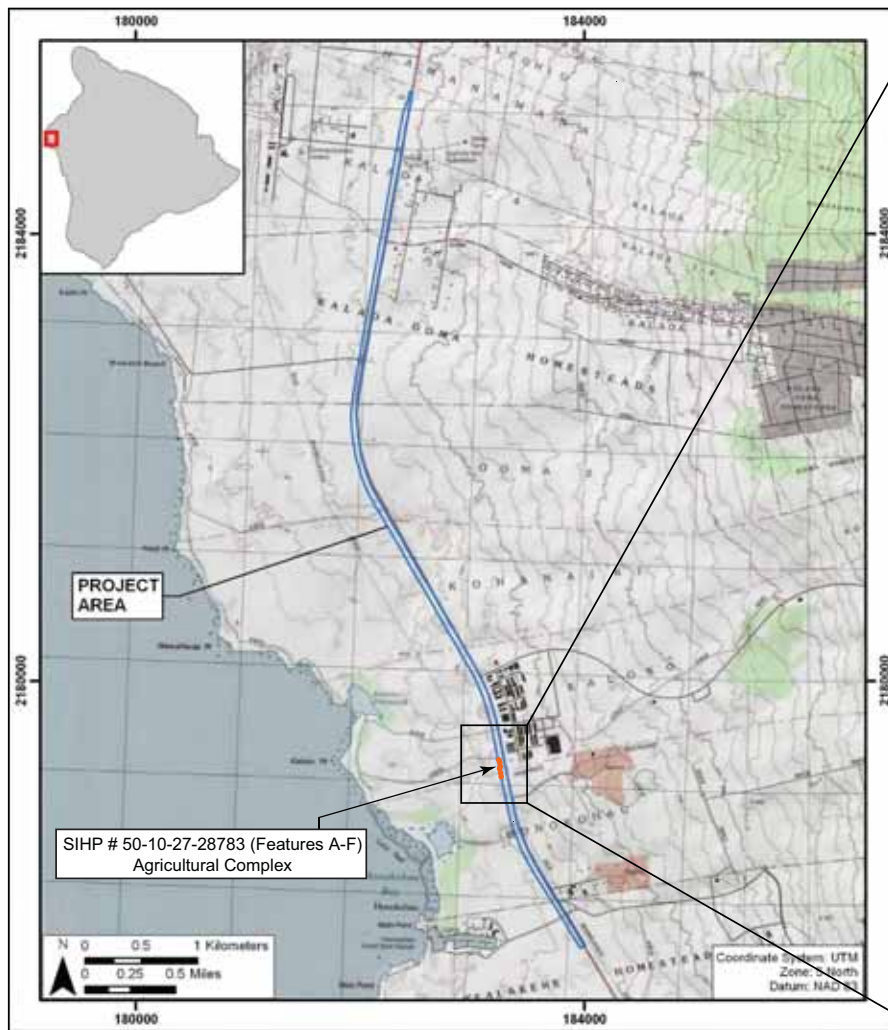
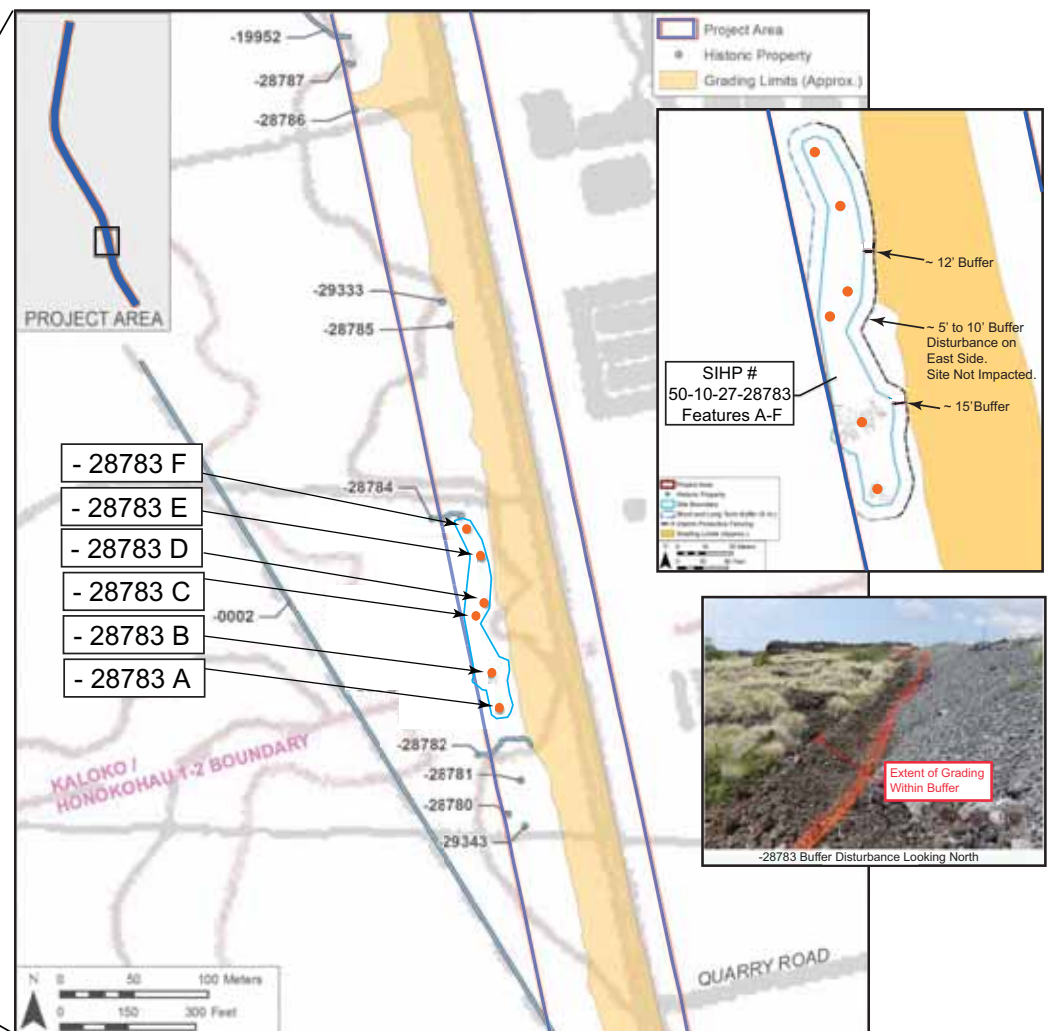


Figure 4. SIHP # 50-10-27-10714 Features A, B, & C), Road to the Sea Trail System, and Feature A & C Approximate Disturbance Locations



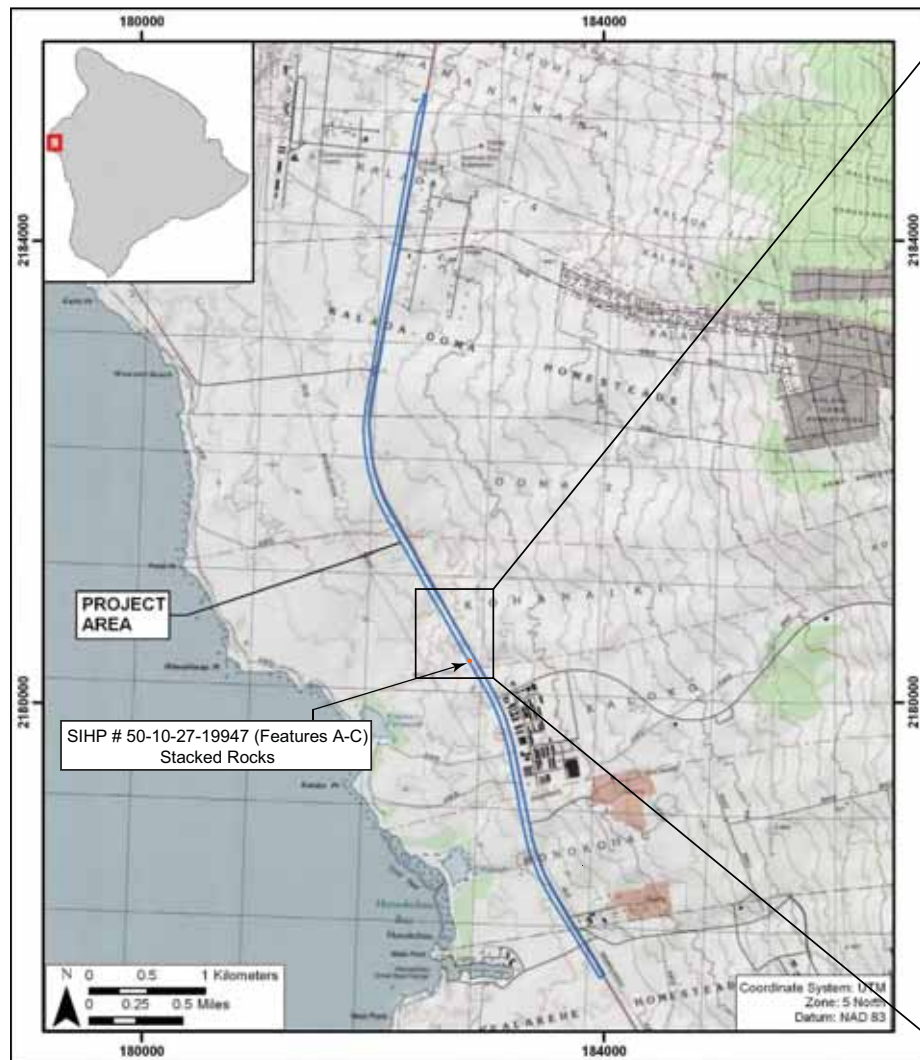
1996 U.S. Geological Survey 7.5 minute topographic map (Keāhole Point and Kailua Quadrangles), showing the project area portion of the Queen Ka'ahumanu Highway



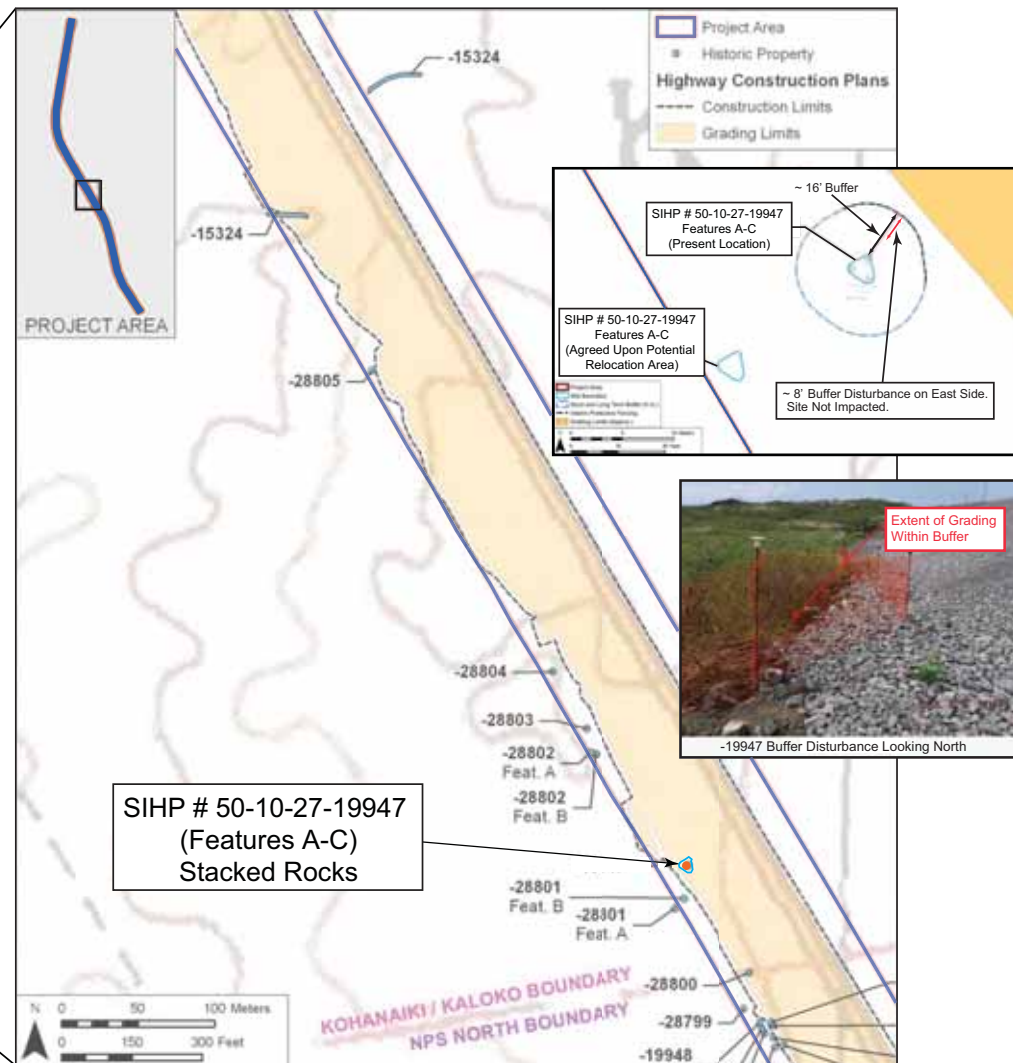
SIHP # 50-10-27-28783 (Features A-F, 'a'a excavations) Location Near the Boundary Between the Ahupua'a of Kaloko and Honokohau and Relationship to Project Site

Figure 5. SIHP # 50-10-27-28783 Features A-F, Agricultural Complex, Buffer Disturbance Site



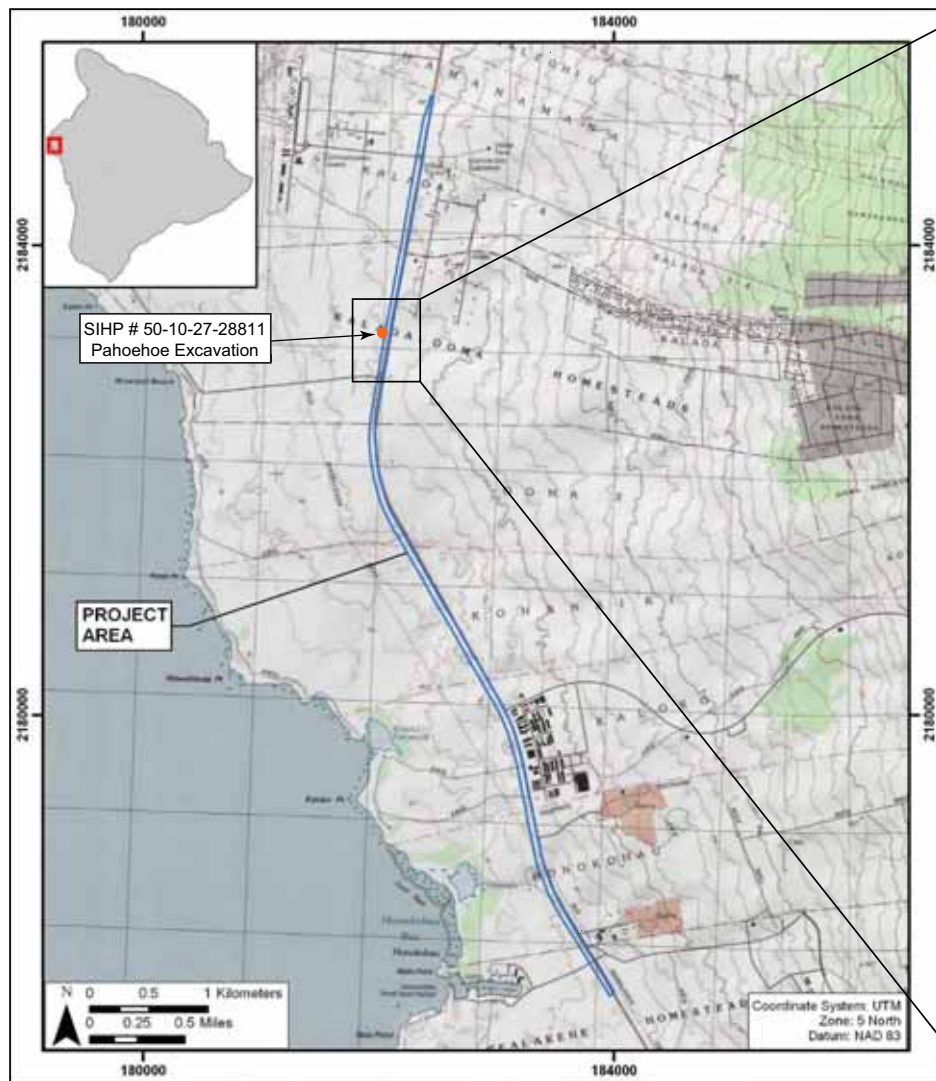


1996 U.S. Geological Survey 7.5 minute topographic map (Keāhole Point and Kailua Quadrangles), showing the project area portion of the Queen Ka'ahumanu Highway

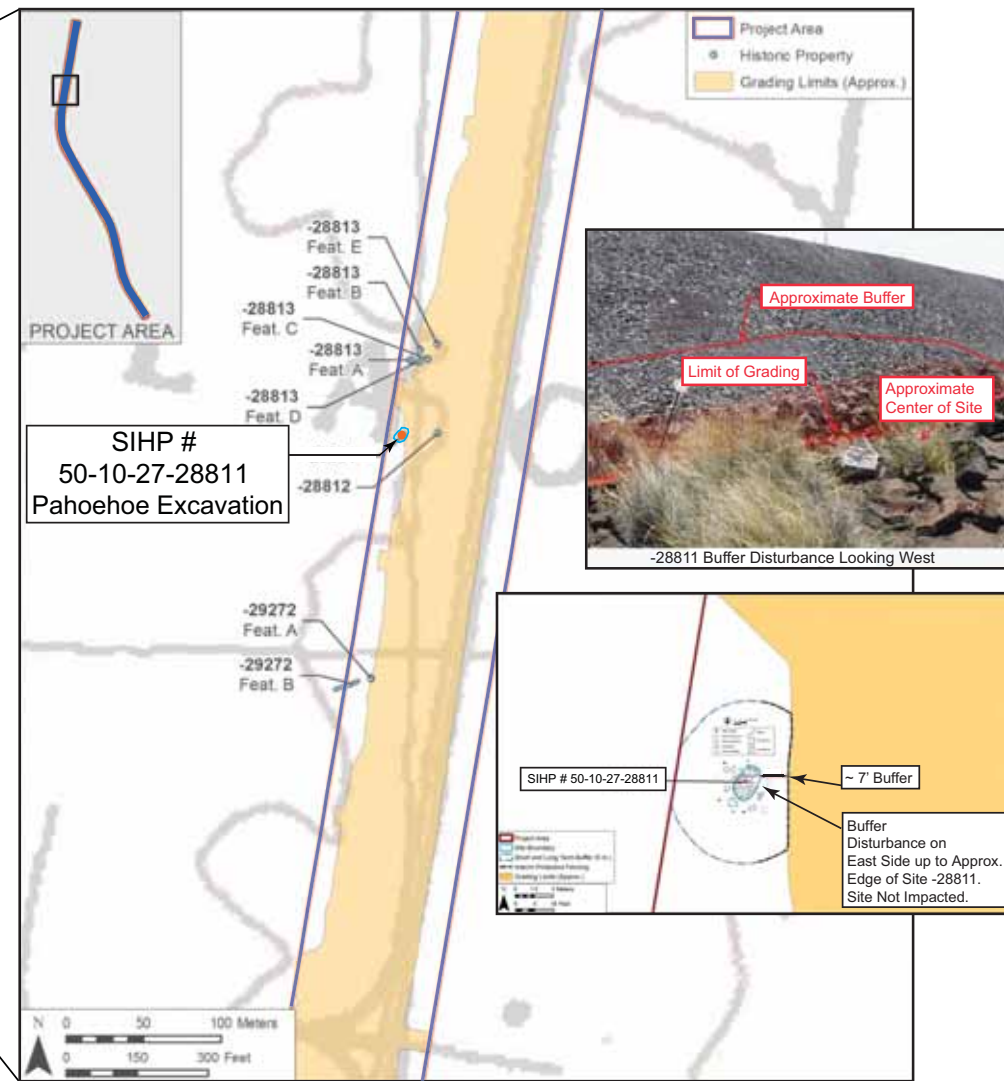


SIHP # -19947 Location at the Boundary Between the Ahupua'a of Kohanaiki and Kalokoa and Relationship to Project Site

Figure 6. SIHP # 50-10-27-19947 (Features A, B, & C), Stacked Rocks, Buffer Disturbance Site



1996 U.S. Geological Survey 7.5 minute topographic map (Keāhole Point and Kailua Quadrangles), showing the project area portion of the Queen Ka'ahumanu Highway



SIHP # -28811 Location South of the Intersection of OTEC Road and the Queen Ka'ahumanu Highway and Relationship to Project Site

Figure 7. SIHP # 50-10-27-28811, Pahoehoe Excavation, Buffer Disturbance Site

**Queen Ka‘ahumanu Highway Widening, Phase 2**  
**Final Action Plan**

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## **FINAL ACTION PLAN**

### **for Archaeological Monitoring at Queen Ka'ahumanu Highway Widening Phase 2 Project Cultural Surveys Hawai'i, Inc. (CSH) 11-15-16**

#### **I. CSH's Role(s) as Archaeological Monitor for Project Construction**

As archaeological monitoring consultant to GBI, CSH's role is to provide archaeological monitoring for project construction. This role includes:

- a. Adherence to monitoring provisions as stated in project AMP dated April 2014. Archaeological monitors will have a copy of this document onsite and understand its contents. Monitoring provisions are as follows:
  - i. On-site monitoring of all new ground disturbing activity and monitoring of all work in the proximity of any archaeological preserve; see Section 3 below.
  - ii. Coordination meeting(s) with construction crew to orient crew to monitoring requirements. This will include the CSH lead monitors' attendance at Goodfellow Bros., Inc. (GBI) morning meetings each day for scheduling work area assessments and all other items relevant to CSH monitors
  - iii. Authority to stop work immediately in the area of any findings so that documentation can proceed and appropriate treatment can be determined OR to slow and/or suspend construction activities in order to ensure that the necessary archaeological sampling and recording can take place. This includes investigation and documentation of breached lava tubes
- b. Adherence to all short-term (interim) mitigation measures specified in related project archaeological mitigation documents. Archaeological monitors will have a copy of these documents onsite and understand their contents, Mitigation documents are identified as follows and listed in order of precedence:
  - i. Final Section 4(f) Evaluation (May 2015)
  - ii. Final Archaeological Preservation and Mitigation Plan (APMP; April 2014)
  - iii. Final Data Recovery and Preservation Plan (DRPP; October 2012)
- c. Archaeological Monitors are responsible for preserving the integrity of all archaeological preserves (comprising both Preservation and Avoidance During Construction [ADC] sites); and to ensure that their respective interim protective measures (i.e. protective temporary fencing) remain intact for the duration of the project (see Section 5.5 of the APMP [p146] and DRPP [p273])
  - i. Archaeological preserves along the National Park Service (NPS) property have been protected by continuous interim buffer fencing at project



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construction limits. Additionally, each individual archaeological preserve along the NPS property has been protected by a single interim buffer fence set at the long-term buffer limits.

- ii. Archaeological preserves north of NPS property are individually fenced. Preserve fencing follows short-term buffers as delineated in DRPP/APMP. Exceptions to this stipulation include State Inventory of Historic Places (SIHP) #s -00002 and -10714, which are addressed in the Final Section 4(f) Evaluation but not the APMP.

To ensure ease of identification, each individual archaeological preserve has been marked with a wooden lath and pink flagging bearing the applicable SIHP number, affixed to the southeast corner of the preserve fencing

- iii. Interim protective fences shall not be altered at any time. Archaeological site buffer fencing, identification tags, and preserve flagging have been physically located in the field by CSH and verified by HDOT/RMTC.
- iv. The condition of the interim protective fencing will be checked by the monitoring archaeologists on a weekly basis.

If at any time a fence is found to be in disrepair, the fence shall not be touched and the Lead Archaeological Monitor shall report the finding through the chain of command immediately, beginning with the R.M. Towill Corporation (RMTC) Point-of-Contact and additionally notifying GBI as well. The archaeological monitor shall stop or prevent any work in the immediate area until the fence is corrected.

- d. Adherence to all CSH and client safety protocols

## 2. Coordination

- a. Execution - In order to execute the roles outlined above, effective coordination with all of our clients is of utmost importance. Coordination will be achieved in the following manner:

- i. CSH will conduct periodic on-site meetings with construction personnel, for the following reasons:

1. Review role of archaeological monitors;
2. Review recent changes to monitoring provisions (see Section 1.a.i. above);
3. Review short-term protection measures at archaeological sites
4. Meeting Minutes documenting the time, date, discussion topics, and attendees at the periodic on-site meetings shall be included in the Lead Archaeological Monitor's daily Archaeological Monitoring Form

- ii. GBI shall provide a project schedule via a copy of the Three Week Look Ahead Schedule or via verbal or written direction as to the number of

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resources required. The following week's schedule will be confirmed by Wednesday of the week prior.

- iii. Daily (AM) coordination meetings between GBI Foreman, CSH Lead Archaeological Monitor, and Lead Cultural Monitor:
  - 1. Daily meeting should take place in the AM prior to beginning of construction work
  - 2. Daily meeting will facilitate assignment of monitors to work areas
  - 3. Daily meeting will provide CSH an opportunity to evaluate and report to GBI any areas of archaeological sensitivity/concern in proximity to planned work activities
  - 4. The direction provided by GBI's foreman, any subsequent changes to the daily work areas, and reason for the change will be noted on the daily Archaeological Monitoring Form(s)
- iv. Ongoing daily coordination between GBI Foreman, CSH Lead Archaeological Monitor, and Lead Cultural Monitor about movement of work crews/active work areas, to facilitate movement of monitors and reassessment of any archaeological concerns
  - 1. Ongoing daily coordination can be executed via phone or text
- v. Notifications should be made immediately of any changes to personnel within the following Chains of Command (see Section 2.b.)
  - 1. CSH is to contact both RMTC Point-of-Contact and GBI regarding changes to Lead Archaeological Monitor. Prior to any changes a meeting with CSH, RMTC, and GBI shall be held.
  - 2. Every effort will be made to provide long-term project coverage by CSH's Lead Archaeological Monitor.
- vi. All CSH personnel new to the project will be oriented on their first day prior to beginning work, provided with appropriate written material, and introduced to appropriate available staff of RMTC and GBI
- vii. Lead Archaeological Monitor or Archaeological Supervisor will be responsible for briefing all new Archaeological Monitors, and will also brief new GBI construction personnel including subcontractors as needed.

Record of this additional briefing for new personnel (time, date, names) shall be included in the Lead Archaeological Monitor's daily Archaeological Monitoring Form
- viii. New CSH Archaeological Monitors and/or GBI construction personnel including subcontractors shall undergo cultural sensitivity training administered by the Cultural Monitor Coordinator, or a Cultural Monitor approved by the Coordinator, prior to beginning any work on site.



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Record of this additional briefing for new personnel (time, date, names) shall be included in the Daily Cultural Monitor Report.

- b. Chains of Command - To facilitate efficient and accurate reporting and/or follow-up, any monitoring issues large or small should be reported using the following chains of command and with the RMTC Point-of-Contact

i. CSH chain of command (from bottom of chain up):

1. Archaeological Monitor on ground – (variable)
2. Lead Archaeological Monitor – (TBD)
3. Project Supervisor [REDACTED]
4. Project Director [REDACTED]
5. Project Manager [REDACTED]
6. Principal Investigator [REDACTED]

ii. GBI chain of command (from bottom of chain up):

1. Foreman [REDACTED]
2. Project Engineer [REDACTED]
3. Project Manager [REDACTED]
4. Project Manager [REDACTED]

iii. Cultural Monitor chain of command:

1. Coordinator [REDACTED]
2. Project Coordinator [REDACTED]

iv. RMTC Point-of-Contact:

1. Project Coordinator [REDACTED]

v. HDOT Point-of-Contact

1. Construction Engineer [REDACTED]

3. Protocols for Working Around Archaeological Preserves

- a. Archaeological monitor shall closely monitor all work located within proximity of an archaeological preserve. "Proximity" shall be typically defined as 100 ft (30m) to the outer edge of an archaeological preserve, through the Lead Archaeological Monitor may determine what is appropriate on a case-by-case basis
- b. Archaeological monitor shall ensure that interim protective fencing/short-term buffers are continuously maintained and not breached or damaged by construction activity
- c. Machine operators shall be aware of location of archaeological monitor and physical protective fencing at all times, proceed with extreme caution near

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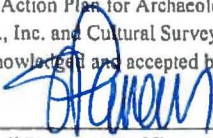
archaeological sites and protective fencing, and be prepared to halt work immediately if directed to do so by the archaeological monitor

- d. Whenever possible, construction equipment equipped with GPS capability will be used when near archaeological buffer limits. If GPS capability is not available, the limits of work shall be clearly defined on the ground and operators shall be made aware of the limits by the archaeologist
- e. Additional physical barrier protection may be installed in areas where ongoing activities are near archaeological preserve locations for extended periods of time (specifically retaining wall construction) to prevent any inadvertent encroachment
  - i. GBI will discuss archaeological sites preservation during the Activity Meeting that includes prior consultation with RMTC and CSH
- f. If any question arises about work activities in the vicinity of an archaeological preserve, OR if an archaeological preserve or its buffer is breached work shall be halted and notification initiated per Sections 1.c.iii. and 2.b.

4. Reporting

- a. CSH to provide a weekly archaeological monitoring report, summarizing all of the observations and documentation collected during project monitoring and providing all of the daily reports as supporting documentation

This Action Plan for Archaeological Monitoring was developed through a collaborative effort between HDOT, Goodfellow Bros., Inc. and Cultural Surveys Hawaii, Inc. All monitoring requirements described herein will be strictly adhered to.  
Acknowledged and accepted by:

  
\_\_\_\_\_  
Hawaii Department of Transportation

  
\_\_\_\_\_  
Goodfellow Bros., Inc.

  
\_\_\_\_\_  
Cultural Surveys Hawaii, Inc.

3. As requested at our meeting of February 21<sup>st</sup>, we are in communication with Leina'ala at the Kukio Interpretive Center to also seek her input on the information being used to prepare the kmz file of the terrain model.

It is our intention to ask everyone for a meeting following an update of the information being collected. If there are any questions please let us know.

Thank you,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

**From:** Stacy Armstrong  
**Sent:** Monday, July 03, 2017 12:11 PM  
**To:** ohiwai@gmail.com; Leina'ala Lightner; fredcachola@gmail.com; cynazara@gmail.com  
**Cc:** Brian Takeda  
**Subject:** Queen Kaahumanu Highway - Final Comments for MOA Stipulation 15 - Terrain Model

Hi Leina'ala, Fred and Cynthia,

We earlier contacted or met with you and provided maps for you to provide your mark-ups to create the terrain model. The Terrain Model represents input from a number of you but the group felt that you have important knowledge that can help improve the quality and content of the terrain model the group helped to prepare.

Here's a link to what has been created thus far (based on input from Hannah):

<https://share.rmtowill.com/index.php/s/chfcbv25RDfS8DG>

If you are able to turn layers off and on in your pdf, the contours, coloring, labeling, etc. can be turned off.

The kmz file will take you to the location in Google Earth with the map placed on it.

Hannah, please review this and let us know if you have any corrections or revisions.

Please respond in order that we consider the important knowledge and information that you can provide. We will be following up with you over the next month or 30-days to ask if there is any new information that you feel should be included. At the conclusion of this time we will incorporate your information and schedule an update meeting with the Terrain Model participants.

Thank you for your understanding. We look forward to hearing from you.

Stacy

Stacy K. Y. Armstrong, P.E., LEED AP

<mailto:StacyA@rmtowill.com>

R. M. Towill Corporation

2024 N. King Street Suite 200

Honolulu, Hawaii 96819

voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

Leina'ala Lightner  
808.987.9365  
11:10 AM

She confirmed she picked up the hard copy map and will have suggestions on areas that should be noted. The area of review spans the range of the Ahupuaa.

Works, at Kaupulehu Interpretive Learning Center, which is part of Kukio Homeowners Association.

To see her, go to the Kona Village Resort, go on access road and stay on road until reaching the Security Gate [Kalaumanoa (SIC)] and ask to see Leinaala. She is presently engaged in the summer program. Works June 1<sup>st</sup> through August 1<sup>st</sup>. UH Students and others attend. Does camp, marine study program, cultural education emphasis. Have done this for past 11 years. Is there Monday through Friday.

She apologized for the three-month delay in responding to Stacy's request for information. She promised to deliver her annotated maps by Friday or Monday Morning, July 7<sup>th</sup> or 10<sup>th</sup>. The delivery will be to the RMTC Office in Kona. Said she knows Jason.

Provided reference to Uncle Earl Rigador, working at the Four Seasons Cultural Center. He knows Kupuna resources. Once worked as a teacher at a half way type facility: Hale O Ponopono at Honaunau.



Cynthia Nazara

Conference Call for Stip 15 Terrain Model

808.756.0105

2:45 PM

She confirmed her receipt of the maps and started working with them involving other Kupuna.

She said she will get back to us by next week Monday, July 10<sup>th</sup>.

Also said some interesting things unsolicited:





Leinaala Lightner

808.987.9365

7/26/17

4:30 PM

Spoke with Leinaala regarding submittal of the maps she said would be completed by mid-month, July 2017. Said there was a delay in getting someone who was reviewing it. Said she would complete by July 28<sup>th</sup> and drop off to Jason Tateishi at the RMTC Kona Office.

She apologized for the delay.



Cynthia Nazara

Conference Call for Stip 15 Terrain Model

808.756.0105

7/27/17

9:51 AM

Left message to remind her about the maps she was going to submit to us.

**Jason Tateishi**

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**From:** Brian Takeda  
**Sent:** Thursday, July 27, 2017 10:25 AM  
**To:** 'kulaiwi@hawaiiantel.com'  
**Cc:** Michelle Wong; Stacy Armstrong; James Yamamoto; Jason Tateishi  
**Subject:** QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072617  
**Attachments:** QK Ph2 Terrain Model Mtg 021017.pdf; QK Ph2 Terrain Model Mtg 022117.pdf; 161206 Queen Kaahumanu Mtg Notes-Final Notes Pkg.pdf; E-mail QK Ph2 Final Comments for MOA Stip 15-Terrain Model.pdf  
  
**Importance:** High

Deborah,

Thanks for introducing yourself to us at the MOA Stipulation 10B-Underpass Feasibility Study meeting in Kona on Tuesday. As requested, here's some of the information developed during the course of our Stipulation 15-Terrain Model meetings with participants:

**QK Ph2 Terrain Model Mtg 021017.pdf** – This is a record of the February 10, 2017 meeting

**QK Ph2 Terrain Model Mtg 022117.pdf** – This is a record of the February 21, 2017 meeting

**161206 Queen Kaahumanu Mtg Notes-Final Notes Pkg.pdf** – This is for a meeting where the breaches to the trails was announced by HDOT, December 6, 2016. This meeting is referenced in the February 10<sup>th</sup> meeting notes.

**E-mail QK Ph2 Final Comments for MOA Stip 15-Terrain Model.pdf** – This is a copy of an e-mail providing a link to where the current digital terrain model can be downloaded. The content is large and depending on the PC you are using, may require several minutes to complete the on-screen render.

We will notify you when the next Terrain Model meeting is scheduled. Should you have any questions please let me know.

Sincerely,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

Memorandum of Agreement (MOA) Stipulation 15 – Terrain Model  
Queen Ka’ahumanu Highway Phase 2  
Kailua-Kona, Hawai’i

Friday, February 10, 2017  
RMTC Kailua-Kona Field Office  
Kalepa Business Center, 73-5574 Maiau Street, Suite 11-B

10:00 am – 12:30 am

Attendees (See Attached Sign-In List)

**Hawai’i Department of Transportation (HDOT)**

Sterling Chow, P.E., Assistant District Engineer  
Hawai’i District  
Natasha Soriano, P.E., Project Manager

**Federal Highway Administration (FHWA)**

By Teleconference  
Lisa Powell, P.E., Engineer  
Meesa Otani, Planner

**Advisory Council on Historic Preservation (ACHP)**

By Teleconference  
Mary Ann Naber, Senior Program Analyst/  
FHWA Liaison

**Project Consultant, R. M. Towill Corp. (RMTC)**

Jason Tateishi, P.E., Project Coordinator  
Stacy Armstrong, P.E., Project Coordinator  
James Yamamoto, P.E., Vice-President  
Brian Takeda, Planning Project Coordinator

**Native Hawaiian Organizations (NHOs)**

Fred Cachola  
Isaac "Paka" Harp  
Hannah Kihalani Springer  
Cynthia Nazara  
Maurice Kahawaii  
Luana Keana’aina  
Nainoa Perry  
Russell Paio

**Office of Hawaiian Affairs (OHA)**

By Teleconference  
Lauren Morawski

**National Park Service (NPS)**

Rae Godden, Chief of Interpretation  
Jeff Zimpfer  
Jon Jokiel  
Rick Gmirkin  
Mandy Johnson-Campbell

Agenda

1. Review MOA Stipulation 15, Terrain Model
2. Incorporation of topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined
3. Review of area of inclusion: Lands of Kekaha (between Kailua and Anaeho’omalua). Scale and transportability of the model
4. Custodianship of the Terrain Model

Handouts

See Attachments

## Meeting Summary

1. Prior to the start of the meeting Fred Cachola requested and offered a pule to help guide the proceeding. Fred next reminded everyone that there are still outstanding and important issues that need to be addressed, and that while the day's meeting to discuss the Terrain Model is a step in the right direction, that progress on HDOT updating the NHOs on the destruction of sacred sites has been too slow, and that the group still does not know what is going to be done to address it.
2. Sterling Chow acknowledged this and noted that there were several tasks that needed to be completed since the group last met in December 2016. The tasks included getting the project archaeologists to complete surveys of the area damaged and to extend the survey to investigate if there are any new sites not previously identified, due to work occurring in new areas. This resulted in the preparation of new archaeological site work that when completed, needed to be reviewed by FHWA, along with HDOT's Site Assessment. The archaeological information was since completed and has now been transmitted to the State Historic Preservation Division (SHPD) for review and to render a determination of effect. When SHPD completes its review, HDOT will report this to the NHOs and participants who requested this update.
3. Mary Ann Naber noted that the FHWA and HDOT are not in conformance with the MOA and asked that FHWA and HDOT convene a special meeting to describe the status of the MOA stipulations to all consulting parties. This should be done as soon as possible. Mary Ann added that she does not want to derail the process, but that this information should be provided. Fred agreed with Mary Ann and stated that since October 2016, he has reminded HDOT that a number of the stipulations were still not completed and asked for the status.
4. Paka asked that when FHWA and HDOT have this separate meeting with the Queen Ka'ahumanu Highway consulting parties that a plan of action be identified so everyone knows what to expect in the future. He asked for deadlines and goals. Sterling acknowledged that he will consult with the administration for the meeting so HDOT can provide the status of several of the MOA stipulations.
5. Sterling asked the group on what day the meeting should be held; maybe Saturday? The group indicated their preference for a weekday as some of them already work on a Saturday. Mary Ann further indicated that if a meeting is not possible that at least a conference call should be done. Lisa Powell noted her agreement.
6. Fred added that the Section 106 MOA began over four years ago and the Terrain Model was proposed because the NHOs were concerned that the knowledge of the region would be diminished by the Queen Ka'ahumanu Highway, Phase 2 project. The Terrain Model is supposed to show how the physical and cultural landscape was before it was destroyed by modern construction. It is a part of our Hawaiian Legacy.
7. Question – How far away from the highway will the Terrain Model show? Stacy Armstrong responded that it shows the entire Kekaha Region, from the sea to the



mauka boundaries of the ahupua'a. Members of the group added that they want those looking at the model to know the history and culture of the region before it was disturbed over a hundred years ago. Stacy responded that the model will incorporate and show all ahupua'a within the Kekaha Region. Sterling added that this is the purpose of today's meeting to discuss the scale of the model and how the features identified by the group would be provided.

8. Stacy next provided photographs of model examples to show what could be done. She asked the group to consider the size of the model, details of the content, and portability. Fred said that size is very important in order that the model can be taken to schools or other location events to serve as an educational tool and added that the custodianship of the model would be with the Hawai'i Pacific Parks Association (HPPA).
9. Paka added that he does not want the size of the model reduced with a loss of detail. Stacy acknowledged that the size of the model would be consistent with what the group agrees to.
10. A comment was made that the details of how the model is produced should be discussed and that a digital or 3D model help with this understanding.
11. Fred suggested that the model be similar to the Kaloko-Honokōhau National Historical Park example provided in the photograph showing a terrain model on a map table. The table appeared to have room for additional space that could be used for materials or documents.
12. A comment was made that the map should include Honokōhau, which is missing on the working map copy provided by Stacy. Another comment was that the map should show a marine component and the extent of land up to the summit lands. Stacy confirmed that the Honokōhau area will be included in the map's geographic area, which will contain the boundaries of all ahupua'a in the Kekaha Region.
13. Fred stated that he wants to show the relationship of the highway to the surrounding region to illustrate how the highway has affected cultural resources such as access between the marine and mountain areas of ahupua'a. He also wants to have shown the traditional transportation pathways through the region such as the trails. Fred next asked the group what timeline should be shown. Responses from the group indicated: that lava flows that have occurred over time should be shown; the political jurisdiction of land from the time of Kamehameha IV might be included although western influences would have already been in evidence; and that crown lands should be shown during the period of the Māhele.
14. Comment – Consider coordinating or checking with The Nature Conservancy for information they might have. Also, consider adding natural resource information since that information would lead one to know how the land was used. Anchialine ponds should also be shown if they are of a certain size.

15. Comment – The boundary of the area showing the Kekaha Region are agreed on as depicted by a dotted line. The timeframe to be shown also be up to the Lava Flow of 1859. Rick Gmerkin added that most of the trail system known today comes from the era of 1840 through 1859. It was added that the different eras associated with the trails be distinguished by different colors.
16. Sterling asked the group to describe how the model is intended to be used. Fred stated that the audience for the Terrain Model is broad and feels that the product will be an excellent resource for Hawaiians. He wants the model to convey as much information as possible. Paka added that this should include the historic trails. Hannah Springer said that ahupua'a names should be included. Stacy responded that the trails and ahupua'a boundaries and names will be included.
17. Hannah noted that Chad Wiggins (SIC?) at the The Nature Conservancy should be consulted for ocean contour information and the names for nearshore and offshore water features.
18. Sterling asked for clarification; you want to show the historical boundaries/names of ahupua'a? Rick indicated that he (NPS) has this information. Someone commented that the UH Hilo could also be used as a resource for this project. Fred added that a Francis Choy had done some prior survey work of the area/region before construction in the area and so should also be used for research in the area.
19. Stacy noted that from the group's input that would be enough information to describe the surface features of the terrain and that the addition of text to identify the surface features would need to be developed.
20. After further discussion, the group felt that a digital model should be developed for sharing and review by the group to establish content now that the boundaries of the model are defined. Once the basic shape of the model is established, the group could next move to having other information added to the model.
21. Comment – As the complexity of information is added to the model, the more the portability of the model is challenged. While the size of the physical terrain model is limited, more potential exists with a 3D model. However, it is essential that the boundary of Kekaha shown on the Terrain Model be preserved.
22. Fred agreed to Kekaha as the boundary for the model. The size of the model and the timeframe for its completion is not set, but there is progress being made. After further discussion by the group, it was decided that the Lava Flow of 1859 should be used for the topographic detail.
23. Stacy noted the group comments and performed a preliminary calculation that indicated the dimensions of the model to include the Kekaha Region could be approximately 5 feet by 3.5 feet.

24. Stacy next discussed the how the group process could be focused to incorporate all content items, and how the content becomes a part of the final product. The short list of these features included:
- Topography based on the Lava Flow of 1859
  - Geological features such as terrain and pu'u
  - Plant communities
  - Historical trails that are color coded according to era
25. The group asked for more information about the process for how the model is produced and how the different features are built onto the model. Stacy responded that this would be collected and information such as format, materials, and process would be brought back to the group.
26. Fred added that he wants the use of the model to be maximized in order to be able to take it to testimonies and other events. Taking a physical model to these would be better and more effective than looking at a computer screen. He added that he wants the physical terrain model to have several different sections created depicting all the different features and information that is desired. Sterling said that the objective should be one model. Paka added that the group should remember the content of the model should be based on the language of the stipulation. The NPS noted that they still want to see what is possible.
27. At the request of Stacy, the terrain modeler, Craig Martin, called into the meeting via conference call. Craig indicated that in order to build a historical model, that depending on the era selected, that any changed terrain would have to be digitally redrawn using a computer design program such as AutoCAD, and further that the modification should be based on a topographic map prepared by a land surveyor. NPS noted that the last major land changing event was the Lava Flow of 1859 and that the terrain contours do not appear to have changed by very much so this step might not be needed.
28. A question was raised about how text is added to the model. Craig indicated that the text would be vinyl lettering protected by a spray finish. Fred asked if the finish could be touched, the response was yes. Other information provided by Craig:
- The model would be fabricated in a high density material
  - The model can be cut into sections to make it more portable
  - The model and base would be composed of 30 lbs/ft<sup>3</sup> foam and heavy board, and would have an estimated weight of about 60 pounds.
  - The time for construction of the model would be about four weeks.
29. The group discussed the data required to produce the Terrain Model. Fred noted that the group will need more time to think about how the model is intended to be used. It was commented that the HDOT will have its own homework to do and that if the NHOs and NPS find the data layers are too many, then it could be reduced to make the model usable.

30. The group was in general agreement that the maps as provided for the day's meeting are sufficient to serve as a starting point. Fred noted that he wanted to get back to the model builder by the first week in March 2017, if that is possible. This means that as of today the maps provided to the group would need to be used when the group next meets on February 21, Tuesday, at 10:00 am. Fred asked that the meeting venue be changed to accommodate a larger group. NPS offered to help find a larger facility.
31. Additional paper copies of maps were distributed to those present to use and to mark up to show features that should be included.
32. Adjournment: The meeting concluded about 1:07 pm.

#### Attachments

1. Sign in List (February 10, 2017)
2. Agenda
3. MOA Stipulation 15 – Terrain Model
4. Sample Photograph of Terrain Model: Kaloko-Honokōhau National Historical Park

# Attendance Log

Queen Ka'ahumanu Highway Widening, Phase 2

MOA Stipulation 15, Terrain Model

Friday, February 10, 2017

10:00 - 12:30 pm

RMTC Field Office

No.	PRINT Name	Signature	Contact Info.	Notes
1	Jon Jokiell	[Signature]	(808) 329 6881 ext. 1329	Jon-Jokiell emp@hawaii.gov
2	RAE GODDEN	[Signature]	640-8330	Rae-Godd emp@hawaii.gov
3	JEFF ZIMPFER	[Signature]	Jeff-Zimpre	emp@hawaii.gov
4	Hannah Kihalani Springer	[Signature]	ohiwai@gmail.com	
5	Brian Takeda, RMTC	[Signature]	808-842-1133	
6	Isaac "Paka" Harp	[Signature]	808-756-7379	Paka@SandwichIsle.net rick-guerkin@hawaii.gov
7	Rick Guerkin	[Signature]	808 326 6012	
8	MANDY JOHNSON-CAMPBELL	[Signature]	808-326-6012 x104	
9	FRED CARHOLLA Fred Carholla	[Signature]	808 753-8896	
10	MAURICE KAHAWAII	[Signature]	325-1913	
11	Natasha Soriano	[Signature]	933-2644	
12	Luana Keanaaine	[Signature]	989-5227	
13	Cynthia Nazara	[Signature]	156-0105	
14	(cynazara@gmail.com)			
15	STERLING CHAN	[Signature]	933-8486	
16	Jason Tateishi	[Signature]	329-4494	
17	Jimmy Yamamoto	[Signature]	842-1123	
18				
19				

Phone: OHA-Lauren  
DEHP-Mary Ann Klaber  
FHWA-Lisa Powell



## **Agenda**

MOA Stipulation 15 – Terrain Model  
Queen Kaʻahumanu Highway Widening, Phase 2  
Kailua-Kona, Hawaiʻi

RMTC Kailua-Kona Field Office  
Kalepa Business Center, 73-5574 Maiau Street, Suite 11-B  
Kailua-Kona, HI 96740  
Friday, February 10, 2017, 10:00 am – 12:30 pm

- |   |                  |
|---|------------------|
| 1. Review MOA Stipulation 15, Terrain Model   | 10:00 – 10:10 am |
| 2. Incorporation of topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined | 10:10 – 11:00 am |
| 3. Review of area of inclusion: Lands of Kekaha (between Kailua and Anaehoomalu). Scale and transportability of the model   | 11:00 – 11:40 am |
| 4. Custodianship of the Terrain Model   | 11:40 – 12:15 pm |
| 5. Digital Model  | 12:15 – 12:30 pm |



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 Hawai'i, State of Hawai'i  
which are known as the Queen Ka'ahumanu Highway Intersection  
Improvements for the Kaloko-Honokōhau National Historical Park  
and the Queen Ka'ahumanu Highway Widening, Kailua to Ke'āhole

STIPULATION 15:

*"TERRAIN MODEL. The HDOT shall commission the construction of a terrain model depicting the lands of Kekaha (between Kailua and Anaehoomalu) in consultation with Makani Hou o Kaloko-Honokōhau. The model shall incorporate topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined. The model may be housed at the Kaloko-Honokōhau National Historical Park under the auspices of the Hawai'i Pacific Parks Association. The model shall be of such scale that it can be transported to other locations and be used as a teaching tool. A second digital model will also be developed and include similar information as the terrain model."*







# DRAFT

Memorandum of Agreement (MOA) Stipulation 15 – Terrain Model Meeting  
Queen Ka‘ahumanu Highway Phase 2  
Kailua-Kona, Hawai‘i

Tuesday, February 21, 2017  
West Hawai‘i Civic Center  
74-5044 Ane Keohokalole Highway, Kailua-Kona, HI 96740

10:00 am – 12:30 pm

## Attendees

### **Hawai‘i Department of Transportation (HDOT)**

Sterling Chow, P.E., Assistant District Engineer  
Hawai‘i District  
Natasha Soriano, P.E., Project Manager

### **Native Hawaiian Organizations (NHOs)**

Hannah Kihalani Springer  
Cynthia Nazara

### **Project Consultant, R. M. Towill Corp. (RMTC)**

Jason Tateishi, P.E., Project Manager  
Stacy Armstrong, P.E., Project Manager  
Brian Takeda, Planning Project Coordinator

### **National Park Service (NPS)**

Rae Godden  
Jeff Zimpfer  
Jon Jokiel

## Agenda

1. Review of major meeting points: February 10, 2017
  - ACHP request for special meeting to review and report on status of MOA Stipulations
  - Request for map mark-ups depicting features to be added to the Terrain Model
  - Draft Meeting Notes of February 10, 2017
2. Construction of Terrain Model and Digital Model
3. Review of area of inclusion: Lands of Kekaha
4. Review and confirm features for inclusion
5. Tasks prior to next meeting and other business

Handouts – Copy of Stipulation 15, Terrain Model (previously distributed)

## Meeting Summary

1. Sterling Chow, HDOT, indicated the HDOT will be proceeding with the recommendation of Mary Ann Naber, Advisory Council on Historic Preservation (ACHP), to present an update on the status of the MOA Stipulations. The planned meeting will be announced at a later date but will use Herb Lee and Dawn Chang as community facilitators to assist with the process.

2. It was noted that at the last meeting of February 10<sup>th</sup> that the group indicated its desire to use a GIS based model to serve as the basis for the terrain model. Stacy Armstrong, RMTC, pointed out that a workable solution might be to show the GIS model using Google Earth. Otherwise there would be a problem of individual group members not having either the software or the necessary computer hardware and training needed to manipulate and properly view the image.
3. Hannah Springer provided a marked up version of the map distributed at the previous meeting and added comments:
  - Boundaries associated with the different landscapes are shown based on what we know from young lava flows. Vegetation types can be added to the markup showing the higher elevation mountain lands with open, alpine scrubland, and other vegetation types and uses. The group should indicate what it wants.
  - The color palette used can be anything the group feels is appropriate. The colors can range from reds/browns to greens, showing drier, more arid terrain to wetter, greener terrain that depicts how the landforms are used.
  - The vegetation on the landforms depict how the land was used, thereby representing the cultural aspects that formed the boundaries of ahupua'a.
  - A number of other kinds of information can be depicted depending on what is of interest. Some of the trails can show how the Hawaiians used them to collect water, or obtain important materials, or to provide access to other points of departure such as Kawaihae Harbor. Many stories can be told about the land through generations and over time.
  - Geographically, need to show the mauka of the ahupua'a and the makai lands as historically uninterrupted.
  - There are a number of corrections to make to place names. Some errors are of historical note as they may have occurred going back to when maps were reproduced by the use of linen overlaid and traced from the original map.

A summary of the effort provided by Hannah on the maps included: corrections to place names; information on locations considered to be important; and discussion on features that should be included on the terrain model.

4. Hannah added that it may be possible to show the locations of old fishponds that have since been covered by lava flows. She also marked some locations of trails that would need to be verified by others to help properly identify them. However, the priority should be to get the place names correct.
5. Rae Godden, NPS, provided copies of a guide depicting the correct use of Hawaiian language diacriticals to help with proper spelling on the terrain model.

6. The construction and storage of the terrain model was next discussed. Cynthia Nazara noted that the map should not be cut into pieces and that it should be stored in a safe location, such as at a University of Hawai'i facility. This would allow the model to reside at a safe location and then use the digital graphic for presentation purposes.
7. A recommendation was made that Leina'ala from the Kukio Interpretive Center should also be contacted to help review the work that is underway.
8. Rae added that due to space limitations that it is impractical for the terrain model to be placed at Honokohau. Another comment was that the group consider Palama Nui at the UH.
9. Stacy next provided an overview and demonstration of a draft terrain model using google earth on a laptop PC. The model shown can be updated as new information comes in from the group and distributed to indicate what could be done. New information in the form of layers can be added, but with increasing data there would be slowing down of some of the computers. Stacy asked for input about the model image as shown on-screen. One comment recognized that while Makani Hou could not be present at this meeting that there were at least members of the Kona Hawaiian Civic Club present.
10. Sterling and Brian helped to summarize the types of information collected at today's meeting:
  - Place names must be correctly spelled
  - Hawaiian trails have a hierarchy: Trails of the kingdom followed by regional trails
  - Ahupua'a boundaries should include Ali'i, Crown, and government land
  - Lava flows should be depicted (younger)
  - Vegetation and xenolith zones should be depicted
  - Other - Land uses across the terrain includes:
    - Fishponds
    - Agriculture
    - Forest lands
    - Sheep/goat ranching
    - Kukui groves
    - Caves used for the storage and collection of water
11. Summary of Tasks
  - Collect data provided by the group and revise the digital terrain model to include the information. When the map is ready, submit to the participants.
  - The final map of the current effort will be posted to record the group's current effort.
  - The input of Makani Hou is requested at the next Terrain Model meeting.

12. Adjournment: The meeting concluded at about 12:15 pm.



## MEETING NOTES

Project: Queen Kaahumanu Highway Widening, Phase 2 Project  
Notification of Historic Site Breaches

Date/Time: Tuesday, December 6, 2016, 9:00 – 11:30 am  
Site visit conducted after meeting

Location: Natural Energy Laboratory of Hawaii Authority (NELHA)  
Hale Iako Building, Room 119,  
73-987 Makako Bay Drive, Kailua-Kona, Hawaii 96740

Attendees: See Attached Attendance Log

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### A. Meeting Purpose

1. Meeting was conducted to notify signatories, invited signatories, concurring parties and consulting Native Hawaiian Organizations (NHO) pursuant to the Memorandum of Agreement dated March 17, 2015, Stipulation #17 regarding unanticipated effects on identified historic properties.
2. See attached Agenda.
3. Three unanticipated archaeological issues that arose during the course of construction of the project, including:
  - a. Disturbance of two identified historical sites, including the Mamalahoa and Road to the Sea trails;
  - b. Encroachments of buffer areas surrounding three sites (sites were not impacted); and
  - c. Exclusion of work areas along the side roads near Honokohau Harbor and the Kona Airport from the Area of Potential Effect (APE).
4. Meeting included a discussion of the following:
  - a. Information on the site disturbance;
  - b. Reasons for the site disturbances;
  - c. Steps taken to address the site disturbances; and
  - d. Steps taken by HDOT to prevent further impacts to historic sites.
5. Following the meeting, HDOT invited the group to visit the disturbed sites.

### B. Introduction

1. Meeting was opened by Sterling Chow
2. Opening Pule by Cynthia Nazara.
3. Attendees were introduced.

4. During the introductions, Mr. Paka Harp of Makani Hou o Kaloko-Honokohau noted his primary concerns as a kanaka maole is the preservation of remaining cultural sites. The more that we lose, the more valuable remaining sites become.
5. Project Roles:
  - a. R. M. Towill Corporation (RMTC) – Consultant to HDOT for construction management and planning
  - b. Goodfellow Brothers (GBI) – Project Contractor and manager of Design-Build Team
  - c. SSFM – Designer for the Design-Build Team
  - d. Cultural Surveys Hawaii (CSH)– Project archaeologist

### C. Discussion Items

1. S. Chow provided overview of archaeological issues in relation to the overall project. Two sites were disturbed, including the Mamalahoa Trail, identified as State Inventory of Historic Places (SIHP) #50-10-27-00002, and the Road to the Sea Trail, identified as SIHP # -10714 (Features A & C). In addition, three buffers were encroached upon, however the sites associated with each buffer were not impacted. The buffers were located around an agricultural complex identified as SIHP # -28783 (Features A to F), a cluster of stacked rocks identified as SIHP # -19947 (Features A, B & C), and a pahoehoe excavation identified as SIHP # -28811. See Figures 1 and 2.
  - a. Archaeological Site Disturbances
    - Location #1: Mamalahoa Trail (SIHP #-00002) - Site was impacted in two locations. First location was on the makai side of Mamalahoa Hwy. north of the entrance to Kaloko-Honokohau National Park. Disturbed about 159 ft. of the trail, instead of 90 ft. that was allowed in this location. Second location was on the mauka side of Mamalahoa Hwy. along Kealakehe Pwy. This portion of the trail was to remain intact, but about 22 ft. was disturbed. See Figure 3.
    - Location #2: Road to the Sea Trail (SIHP # -10714 (Features A & C): Both features are located on the makai side of Mamalahoa Hwy. Feature A is located approximately 300 ft. north of Hinalani St. No disturbance was allowed at this feature, however, approximately 16 ft. was disturbed. Feature C is located approximately 660 feet north of Hinalani St. and approximately 20 feet was disturbed. See Figure 4.
  - b. Buffer Encroachments (sites within the buffers were not impacted)
    - Location #1: Buffer around SIHP #-28783, described as an agricultural complex with six features located on the makai side of Mamalahoa Hwy. approximately ¼-mi. from the quarry road. Approximately 100 feet of the buffer was encroached upon. See Figure 5.
      - Question: What is the nature of the encroachment? S. Chow responded that when the actual location of the buffer fence was verified against the map, the buffer fence was located in the wrong place. When the location of the fence was reset, the grading limit went beyond the fence.
      - Request was made to clarify the use of the term, “disturbance”. S. Chow responded that this indicates the site was graded over. Request was made to have the term “disturbed” specified as “graded over” for the record.
      - Question: What are the breadth and depth of the grading? S. Chow responded that it varied by location.

- Question: What is the disposition of original pohaku or boulders associated with the disturbance areas? S. Chow responded that it was difficult to determine the pre- and post-construction conditions at the Mamalahoa and Road to the Sea Trails.
  - Comment was made that kupuna may have smoothed a'a rocks with pohaku rock. Were any of those rocks disturbed or salvaged? S. Chow responded that he wasn't sure.
  - Question: Was SIHP #-28783 was impacted? It is important to know that none of the sites within the buffers were disturbed. S. Chow responded that the site was not disturbed.
  - Question: Is there a standard allowance between the buffers and sites? S. Chow responded that there is variation with the buffer distances, but the target is about five meters.
  - Question: What was the cause of the disturbances at the Mamalahoa and Road to the Sea Trails? S. Chow responded that the reasons for the disturbances varied by site.
  - Question: Were buffers located around the trail sites? S. Chow responded that buffers were located there, but the main reason for the disturbances was that the sites were not located correctly on the plans.
- Location #2: Buffer around SIHP #-19947, described as stacked rocks with three features located about half way between Hinalani St. and Hulikoa Dr. Buffer fence was located incorrectly on the map. See Figure 6.
  - Location #3: Buffer around SIHP #-28811, described as a pahoehoe excavation located approximately 1/3-mi. south of Kaiminani St. See Figure 7.
- c. Expanded Area of Potential Effect (APE)
- DOT conducted investigation of the APE, which was not clearly described in the archaeological documents. Transitions of the north and south ends of the project and side road connections to Mamalahoa Hwy. were not included in the APE.
  - At the time, Contractor was working on the airport and harbor roads, and ordered to stop work at both locations.
  - Drawings will be revised to reflect the correction to the APE, including transitions at the north and south ends of the project, as well as side roads at Kealakehe Pwy., Lanihau intersection across from Honokohau National Park, Hinalani St., Hulikoa Dr., OTEC access road, Kaiminani Dr., and Keahole Airport Rd.
  - A supplemental archaeological inventory survey (SAIS) will be prepared to include the expanded APE, and will be submitted to the State Historic Preservation Division (SHPD) for review.
  - Question: Has SHPD sent an update of the APE revisions to HDOT? S. Lebo responded that SHPD did not submit anything to HDOT. She clarified that SHPD has been notified of the need for the APE to be revised, but have not yet reviewed a revised APE.
  - Question: Who will revise the APE? S. Chow responded that CSH will assist HDOT with the revised APE map.
  - Question: Does the entire area need to be revised prior to getting approval from SHPD before work may proceed or can approval be obtained quickly to allow construction to proceed? S. Chow responded that HDOT is seeking concurrence on the expanded APE then proceed with work.

Concern was expressed that the community's perspective may be negative due to the sudden construction work stoppage following great progress made in the beginning. S. Chow acknowledged concern, and embarrassment by HDOT. HDOT's goal is to resume construction, but handle matters correctly.

- Request was made to resume work in the unaffected areas while the disturbances are being addressed. S. Chow responded that HDOT needs to address the buffer encroachments and disturbed sites. During the evaluation of the disturbed sites and buffer encroachments it was determined that selected retaining walls required redesign to ensure the future protection of the sites. The retaining walls were designed to avoid the sites. HDOT is committed to working with the contractor to alter the sequence of work in order to resume construction wherever possible. However, redesign of the retaining walls will need to be completed prior to paving work.
- Question: How long will this take? S. Chow responded that he is working on a schedule as there are multiple issues.
- Concern expressed that project will remain on hold while the issues are being addressed. It casts a negative light upon those who have been involved for several years. S. Chow responded that HDOT is responsible for the project delays. He acknowledged and thanked the attendees for their help. HDOT will try to clear the requirements ASAP. Earliest estimate would be latter part of January. But HDOT needs to follow the steps through the process.
- Question: Does SHPD have any difficulty or complications with the revisions? S. Lebo responded that no problems are anticipated. Open communication between SHPD and HDOT will facilitate the process. Sterling acknowledged that SHPD was involved as soon as the disturbances were noticed.
- Comment: Villages of LaiOpua is a master planned community located 1-1/2 miles above the highway. Community residents use the highway daily. They are in favor of accelerating the amendment plan and design effort. If HDOT is embarrassed, then involve the entire team, and bring SHPD on board to get project back on course. It's not safe for our community. It's critical to get the job done in a timely manner. Speak on behalf of entire community, and cannot express enough the importance of completing all tasks. It's not about pointing fingers, but rather to get the job done.

## 2. Expanded Area of Potential Effect (APE)

- a. HDOT has taken steps to verify the locations of the sites and buffer fence locations.
- b. S. Chow reiterated that the disturbances were very regrettable. HDOT is ultimately responsible for the project, and there were project team failures on multiple levels.
- c. There were a number of reasons for the failures.
- d. Disturbed Location #1: Mamalahoa Trail (SIHP #-00002) – For the makai segment, the 69 feet of additional area was disturbed due to information not being transferred properly in the archaeological reports and in the project plans, including the allowable disturbance area. For the mauka segment, the trail itself was discussed in the archaeological report, but the disposition of the trail was not discussed.
- e. Disturbed Location #2: Road to the Sea Trail (SIHP # -10714 (Features A & C) – Information to avoid the sites during construction was not updated in the archaeological documents

- f. Buffer Encroachments –Archaeological reports included the locations of the buffer fences that allowed for the disturbance of the trail. However, the reports were not correctly used to place the fences.

Question: Will this be corrected in the action plan? S. Chow responded yes.

- g. HDOT personnel and CSH conducted a thorough survey and assessment to ensure that all sites and buffers were accurately verified in the field and identified in the plans and reports. Buffers were shifted in the field to accurately reflect the locations. Retaining walls are currently being redesigned to ensure protection of specific sites.
- h. An action plan has been prepared to enhance archaeological monitoring and communication between the contractor and archaeologist, including morning meetings. Archaeological monitors have the authority to stop work if anything is amiss. Buffer fences will be checked at least once weekly by the archaeological monitors. All new personnel coming onsite will be briefed to explain the site and buffer features, and proper communication chain of command. Site numbers have clearly identifiable metal tags to minimize confusion. Collectively, these steps create heightened awareness of the archaeological resources within the project. Additional requirements include an assigned monitor for each piece of ground disturbing equipment, and the presence of an archaeological monitor whenever work is proposed within 100 feet of an archaeological site.
- i. APE wasn't correctly described in the archaeological documents, so HDOT will conduct additional archaeological survey work to account for the side roads.
- j. HDOT issued stop work orders and GBI stopped construction activities in site disturbance areas as soon as the site disturbances and buffer encroachments were identified.

#### D. Next Steps

1. Determination of Effect for disturbed areas and buffer encroachments - HDOT will coordinate with the Federal Highway Administration (FHWA), Advisory Council on Historic Preservation (ACHP), and SHPD, and will follow-up with this group on the status of that process.
2. Expanded APE – HDOT will seek concurrence from SHPD on the expanded APE, which will include the side road areas, and will conduct an archaeological survey for the area. Findings will be included in the SAIS and submitted to SHPD for review and acceptance.
3. This group will be provided with information on when the next meeting will be held to discuss next steps.

#### E. Questions and Answers

1. Cultural monitors should be included whenever archaeological monitors are required and during AIS work at the side roads. MOA calls for monitors to be involved. During past discussions on mitigation, monitors would also need to be involved if any work below ground is proposed in previously disturbed areas.  
Answer: S. Chow responded that monitoring is not required in previously disturbed areas. But monitors are required if the proposed work will go deeper than the previously disturbed area. Contractor clarified that any disturbed area, regardless of prior disturbance, has been monitored.
2. Main thing is that even though the buffers were encroached upon, the sites were not impacted. Would like to discuss more at a later time to ensure that this doesn't happen again. Will cultural monitors be included whenever archaeological monitors are required and during SAIS work at the side roads?  
Answer: S. Chow responded that clarity will be sought from the regulatory agencies about how to properly address the buffer areas including the use of cultural and archaeological monitors.

3. Sounds like buffers were placed on old maps that did not include measures to avoid the sites. Is this the case for the entire project?  
Answer: S. Chow responded that it applies only to the two trails. The archaeological document originally indicated that a portion of the trail could be disturbed, and was not modified to include the requirement to entirely avoid the trail.
4. Were the buffers in the right place for the rest of the project?  
Answer: S. Chow responded during the field investigation, if any buffer were incorrectly placed, they were moved to the correct location. Main point is that no sites were impacted beyond the buffers.
5. When did the disturbances occur along Mamalahoa Trail?  
Answer: About the end of Nov. 2015.
6. When did the disturbances occur along the Road to the Sea Trail?  
Answer: Before the disturbances to Mamalahoa Trail.
7. What is the protocol for disturbances? Wouldn't you check for other disturbances as well? Concern is to prevent this from happening again.  
Answer: S. Chow responded that interim fences were installed before starting grading work, around March or May 2015. During the grading work, HDOT started the process of laying out the retaining walls. J. Tateishi from RMTC noticed the discrepancies between the plan and field conditions, and alerted HDOT. This prompted the investigation to reconcile the discrepancies. Timing was about July or August 2015. By then, fences were in place and grading work was done. Protocol taken at the time was to stop work and evaluate the entire project.
8. Does any of the work and corrective actions impact the MOA?  
Answer: S. Chow responded that the APE will be expanded, which may or may not involve an amendment to the MOA.
9. There are several concerns about timely compliance with the MOA and we assume we'll meet on that.  
Answer: S. Chow responded that a meeting will be done. There's a provision in the MOA about handling amendments depending on the nature of the amendment. He'll need to check on the appropriate action for the APE expansion. Same agencies are involved in the APE expansion and MOA. Hopefully this will expedite the process.
10. Has HDOT involved the ACHP in any discussion yet?  
Answer: S. Chow responded that MaryAnn Naber was informed through FHWA. ACHP advised that HDOT inform all parties of the MOA.
11. What are the next steps?  
Answer: S. Chow responded that the next step following today's meeting is to do the site visit. Beyond today, HDOT will conduct additional archaeological survey of the side roads and will meet with regulatory agencies to confirm the process forward to resolve site disturbances and buffer encroachments.
12. Is it possible to repair the damaged sites?  
Answer: S. Chow responded that sites cannot be repaired because they no longer exist.
13. Who does the double checking?  
Answer: S. Chow responded that personnel from HDOT's environmental section on Oahu, who have background in historic resources, conducted the site assessment to verify locations and site distances.
14. Are they involved in the determination of effect?  
Answer: Yes. They were unable to attend today's meeting due to a prior commitment.



15. Gratitude was expressed for the informative meeting and specific information provided to the group.
16. Will mitigation be addressed for the disturbed areas?  
Answer: S. Chow responded that HDOT will meet with the MOA signatories including FHWA, and ACHP to determine next steps.
17. Reference to unique rocks (pohaku) is on pg. 276 of the archaeological document. Photograph of the Road to the Sea Trail showing examples of rock. They are flat and appear to have been placed deliberately. Rocks were handled by our kupuna. If pohaku still remain, strong preference is to recover and use them to restore the disturbed areas as part of mitigation.  
  
Better to save the rocks rather than only documenting, which means they will be photographed or drawn, but still allows that they be destroyed. Hawaiians are very sensitive to the stones and don't want them to be destroyed. Stones have meaning to Hawaiians then and now. Can they be saved and used at the site, rather than just documented? This has been a point of contention with Hawaiians and archaeologists.  
  
Request was made as part of mitigation for destruction of the ahupuaa wall to avoid using heavy machines, and to salvage and carefully place rocks that were handled by our kupuna in a separate location. The rocks could then be used in meaningful ways to recreate or restore a boundary.  
  
Answer: S. Chow responded that the rocks have been set aside. Rocks are underlain by geotech fabric.
18. Gratitude was expressed to S. Chow for his willingness to lead the meeting.

#### F. Site Visit

1. A number of people attended the site visit which included all disturbed sites and buffer encroachments.
2. Sensitivity training and participant signatures were required prior to the site visit. Training was provided by C. Nazara.
3. See attached field notes from S. Chow.
4. Site visit concluded with a closing pule by C. Nazara

#### Attachments (10):

1. Attendance Log;
2. Agenda;
3. Figure 1: Queen Ka'ahumanu Highway Widening, Ph. 2 project Location and Disturbance Locations (SIHP #s 50-10-27-00002, Mamalahoa Trail; 10714 (Features A and C), Road to the Sea; -28783 (Features A-F), Agricultural Complex; -19947, (Features A, B, & C), Stacked Rocks; and -28811, Pahoehoe Excavation;
4. Figure 2: SIHP #50-10-27-00002, Mamalahoa Trail, Site Locations;
5. Figure 3: SIHP #50-10-27-00002, Mamalahoa Trail, Approximate Disturbance Locations;
6. Figure 4: SIHP #50-10-27-10714, Features A & C, Road to the Sea Trail System, and Feature A & C, Approximate Disturbance Locations;
7. Figure 5: SIHP #50-10-27-28783, Features A – F, Agricultural Complex, Buffer Disturbance Site;
8. Figure 6: SIHP #50-10-27-19947, Features A, B, & C, Stacked Rocks, Buffer Disturbance Site;
9. Figure 7: SIHP #50-10-27-28811, Pahoehoe Excavation, Buffer Disturbance Site; and

10. Field notes from S. Chow.

The above represents R. M. Towill Corporation's understanding of the discussions held. Please inform us of any clarifications or discrepancies.

Prepared by: Laura Mau

## Attendance Log

Queen Ka'ahumanu Highway Widening, Phase 2

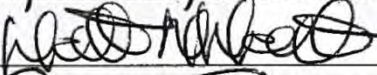
Notification of Historic Site Breaches

Tuesday, December 6, 2016

9:00 – 11:30 am

Natural Energy Laboratory of Hawaii Authority (NELHA)

Hale Iako Building, Room 119, 73-987 Makako Bay Drive, Kailua-Kona, Hawai'i 96740

No.	PRINT Name	Signature
1	Cynthia Nazara	
2	KALEO SALVADOR-DO	
3	STERLING CHAN-DO	
4	Luana Keanaaina (KHCC)	
5	Hal Khammatt	
6	Cory Simon	
7	Billy Fox	
8	Robyn Ito	
9	Austen Drake	
10	Kaliko Chan	
11	Jason Tateishi	
12	Julia Simon	
13	TYLER PAIKU-CAMPBELL (NPS)	
14	Tommy Duchone	
15	Ed Rahui	
16	ARIC ARAKAKI	
17	Susan Lebo	
18	Rick Gmirkin	
19	Lisa Powell	

## Attendance Log (page 2)

Queen Ka'ahumanu Highway Widening, Phase 2

Notification of Historic Site Breaches

Tuesday, December 6, 2016

9:00 – 11:30 am

Natural Energy Laboratory of Hawaii Authority (NELHA)

Hale Iako Building, Room 119, 73-987 Makako Bay Drive, Kailua-Kona, Hawai'i 96740

No.	PRINT Name	Signature
20	Kahaa RIZANES	
21	Jon Henning	
22	Roy Tsutsui	
23	Fred Canhola	
24	ED BROWN	
25	John McToff	
26	Isaac Harp	
27	Sal Panam	
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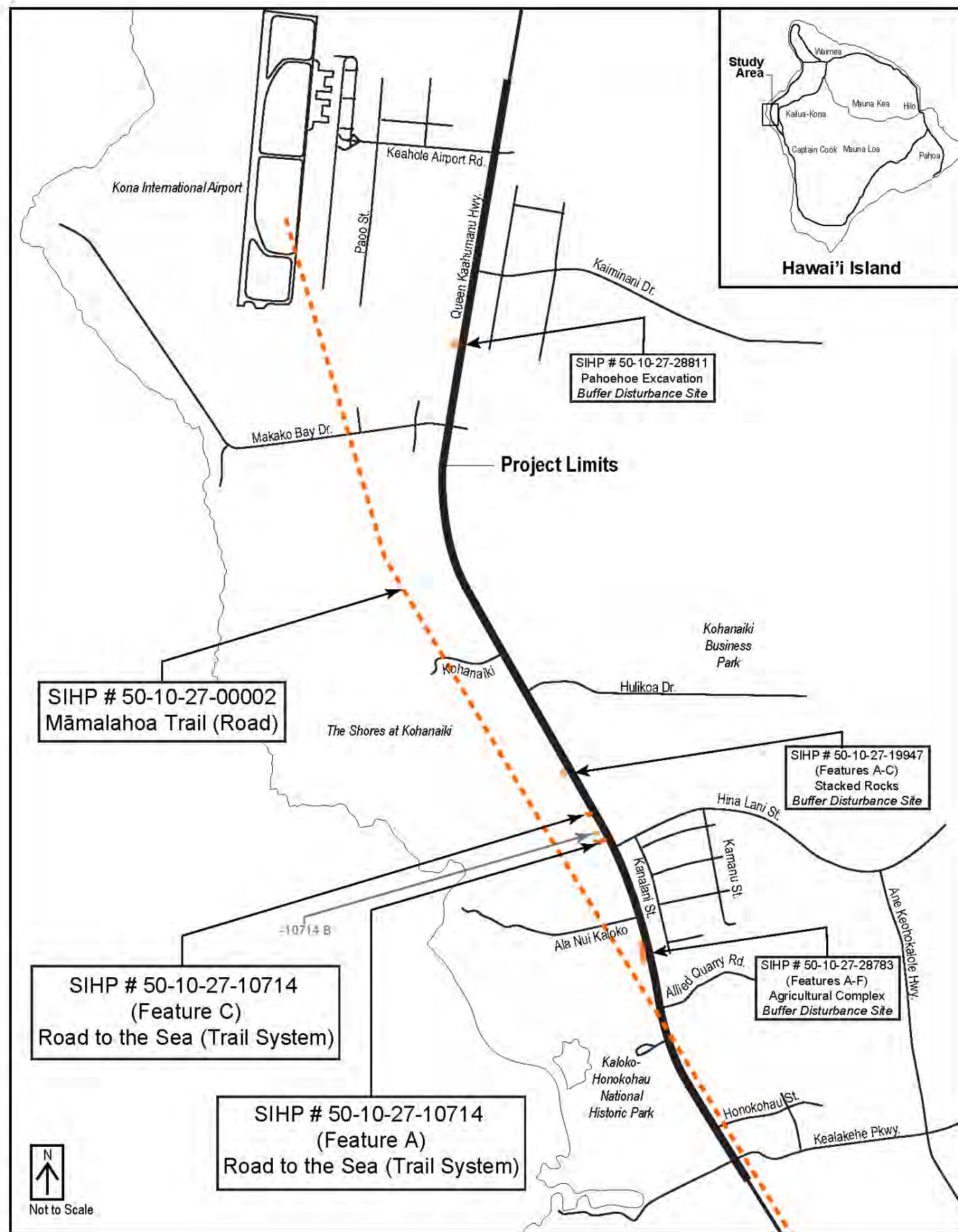
## **Agenda**

Notification of Historic Site Breaches  
Queen Ka'ahumanu Highway Widening, Phase 2  
Kailua-Kona, Hawai'i

Natural Energy Laboratory of Hawaii Authority (NELHA)  
Hale Iako Building, Room 119, 73-987 Makako Bay Drive, Kailua-Kona, Hawai'i 96740  
Tuesday, December 6, 2016, 9:00 – 11:30 am

1. Introduction and Purpose of Meeting      9:00 – 9:10 am
  - Why are we here
2. Notification of Site Breaches                      9:10 – 9:50 am
  - Location of site breaches
  - Explanation and Immediate Steps Being Taken
3. Next Steps to Address Mitigation              9:50 – 11:30 am
  - Consultation with Native Hawaiian organizations involved with the Memorandum of Agreement
  - Consultation with Regulatory Agencies
4. Field Visit to Breach Sites                      11:30 am – 12:30 pm





## Sites Disturbed:

### SIHP # 50-10-27-00002, Māmalahoa Trail (Road):

Māmalahoa Trail or Road, extends for miles outside of, and north and south of, the project area. Site -00002 is a historic cross-ahupua'a road commonly referred to as the Māmalahoa Trail. The construction of the road is dated to 1836-1855. It is considered to have been the major seaward road through the region between its construction and 1888, when use of the road became infrequent (Cordy 1991:403, 406). The road, in general, is described as a remarkably straight curb-lined path typically 2.0 to 3.0 meters wide. In some areas the road surface is raised, with low points in the terrain filled in and leveled with stone. At Honokohau, Queen Ka'ahumanu Highway disturbs the Māmalahoa Trail and two sections lie within the present project area.

### SIHP # 50-10-27-10714 (Features A & C), Road to the Sea (Trail System):

Road to the Sea trail system is located approximately 88 meters northwest of the intersection of Hina Lani Street and the Queen Ka'ahumanu Highway within the portion of the project area that is North of the Kaloko-Honokōhau National Historical Park. Site -10714 is comprised of three features (A, B, and C). The trail is roughly oriented East to West and measures 56.6 meters long within the project area. Within the project area, the trail lacks any formal construction features such as stepping stones or curbing. The trail can be recognized within the project area by observing subtle wear-patterns and color variations on the lava flow. Sections of Features A and C lie within the present project area.

## Buffers Disturbed:

### SIHP # 50-10-27-28783 (Features A-F), Agricultural Complex ('a'ā excavations)

Site -28783 is an agricultural complex consisting of six 'a'ā excavations (Features A to F) within a low area of undulating 'a'ā located south of Huehue Road within a portion of the project area adjacent to the Kaloko-Honokōhau National Historical Park.

### SIHP # 50-10-27-19947 (Features A, B, & C), Stacked Rocks

Site -19947 consists of three small cairns, designated Features A to C. The cairns are located at the approximate ahupua'a boundary between Kohanaiki and Kaloko, and are considered to be ahupua'a boundary markers. The cairns are located within a low point of gently undulating pāhoehoe terrain and are constructed of loosely stacked pāhoehoe cobbles and small boulders on top of slightly raised pāhoehoe outcrops. Two of the cairns are aligned in a roughly north-south axis and the third is to the west of these, forming a triangle.

### SIHP # 50-10-27-28811, Pāhoehoe Excavation

Site -28811 is a pāhoehoe excavation located approximately 715 meters south of the intersection of OTEC Road and the Queen Ka'ahumanu Highway. The site consists of an area where an overlying, uplifted sheet of pāhoehoe has been quarried and removed, exposing a lower pāhoehoe surface. The pāhoehoe excavation measures 3.0 meters north-south by 4.0 meters east-west with a maximum depth of 0.6 meters below the adjacent ground surface. No artifacts or midden were observed in the area.

Figure 1. Queen Ka'ahumanu Highway Widening, Ph. 2, Project Location and Disturbance Locations (SIHP#'s 50-10-27-00002, Māmalahoa Trail; -10714 (Features A & C), Road to the Sea; -28783 (Features A-F), Agricultural Complex; -19947 (Features A, B, & C), Stacked Rocks; and -28811, Pāhoehoe Excavation



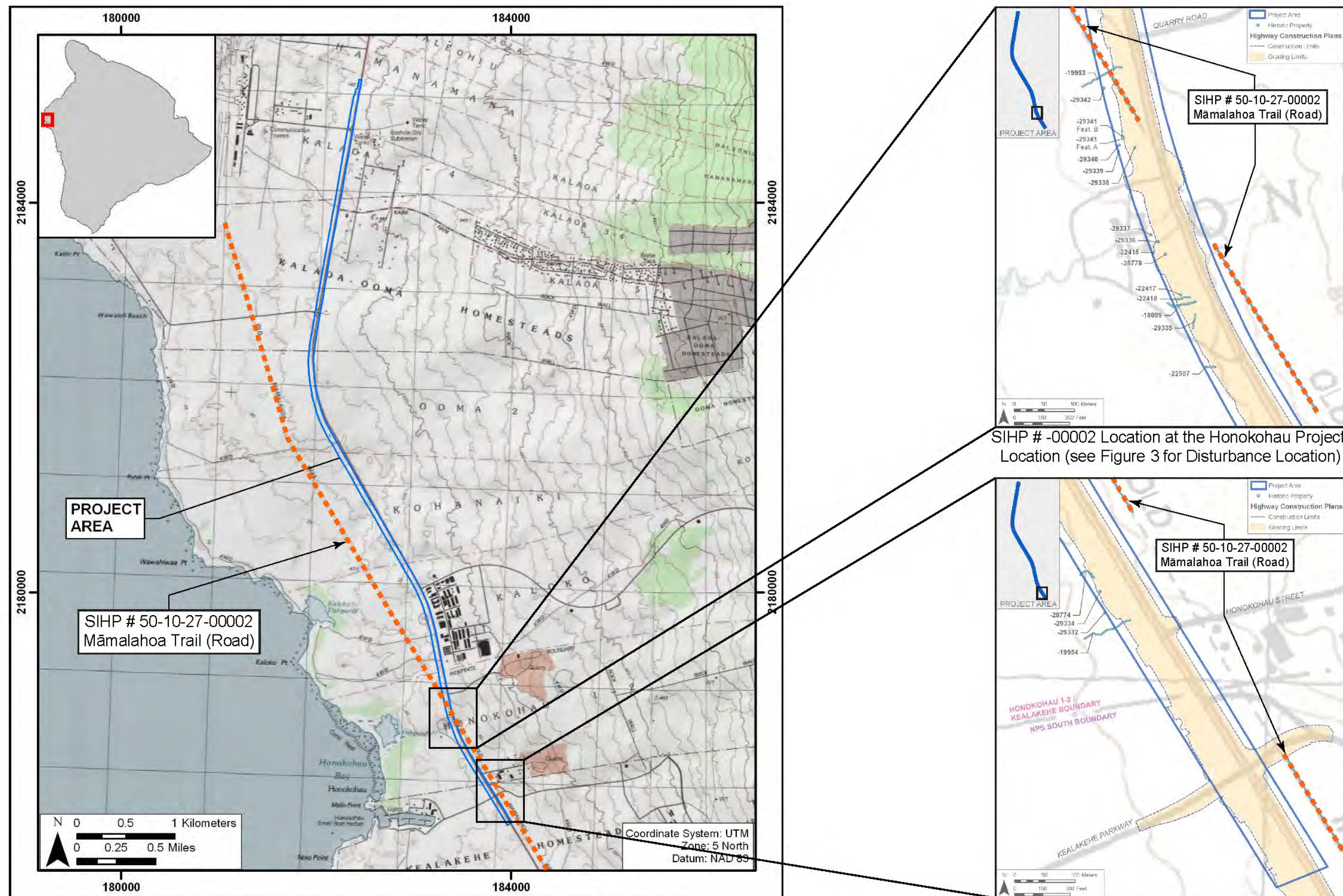
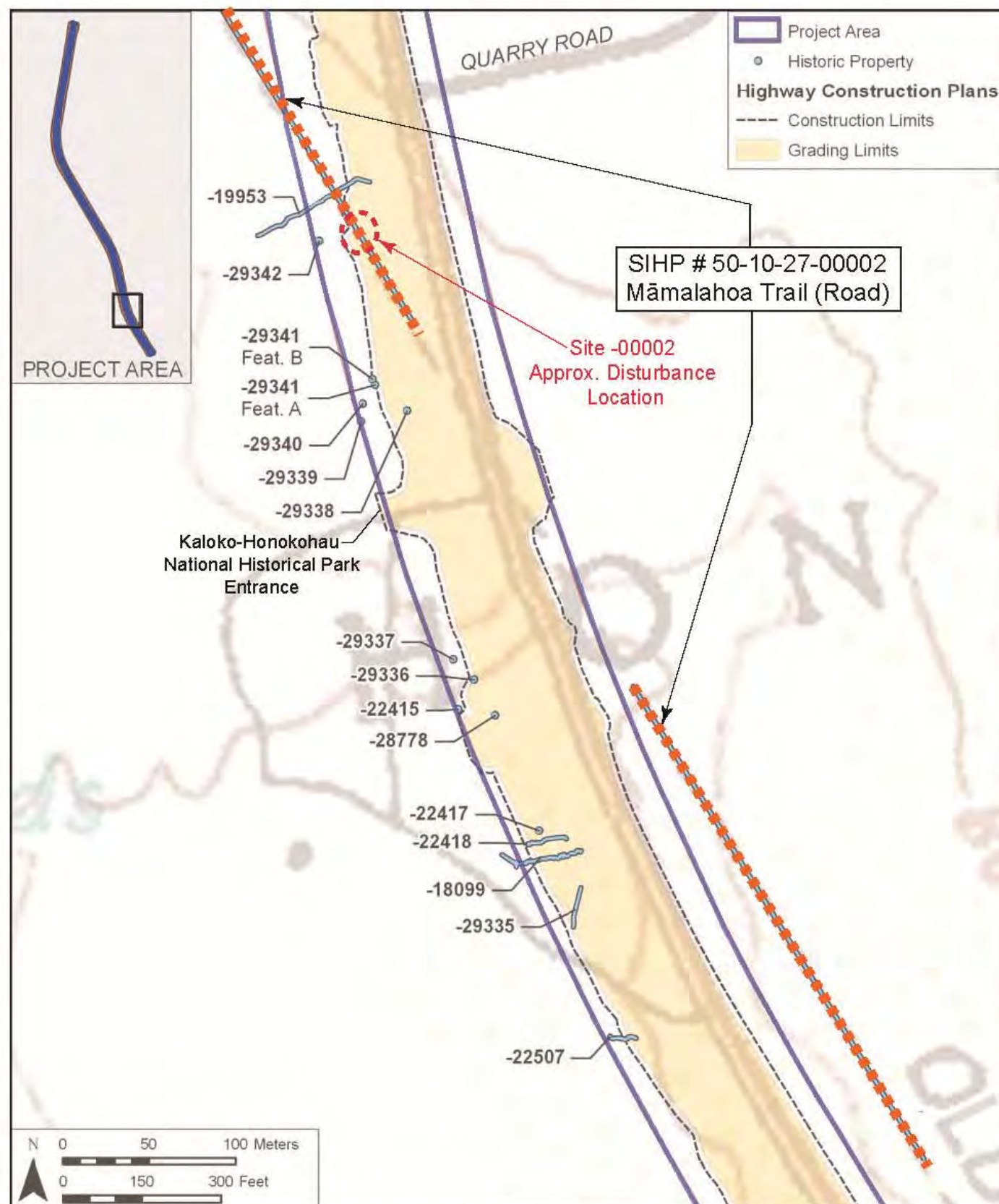
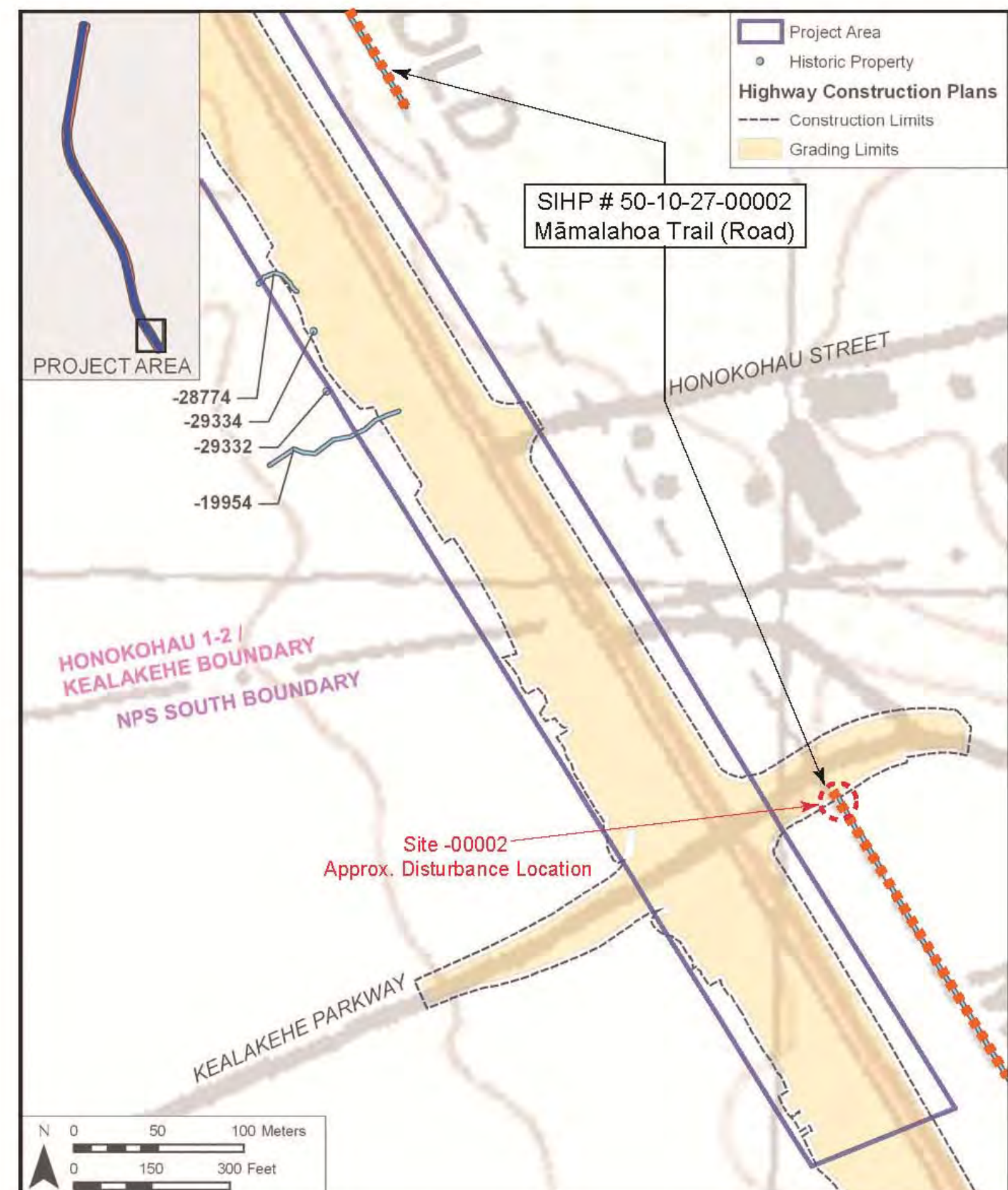


Figure 2. SIHP # 50-10-27-00002, Māmalahoa Trail, Site Locations





SIHP # -00002 Disturbance Location Near Quarry Road and Kaloko-Honokohau National Historical Park, North of Honokohau Street



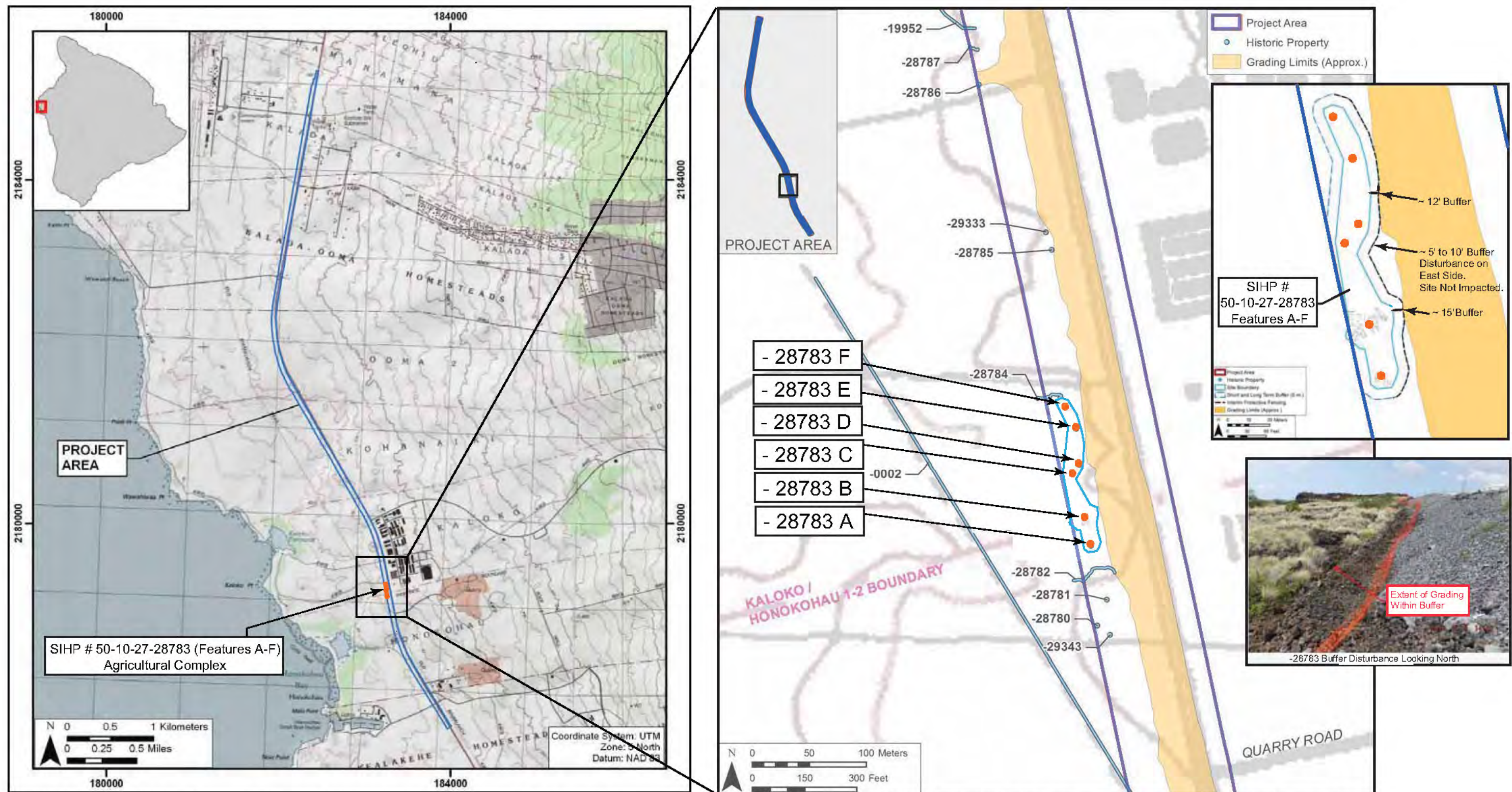
SIHP # -00002 Disturbance Location at Kealakehe Parkway

Figure 3. SIHP # 50-10-27-00002, Māmalahoa Trail, Approximate Disturbance Locations









1996 U.S. Geological Survey 7.5 minute topographic map (Keāhole Point and Kailua Quadrangles), showing the project area portion of the Queen Ka'ahumanu Highway

SIHP # 50-10-27-28783 (Features A-F, 'a'a excavations) Location Near the Boundary Between the Ahupua'a of Kaloko and Honokohau and Relationship to Project Site

Figure 5. SIHP # 50-10-27-28783 Features A-F, Agricultural Complex, Buffer Disturbance Site









1996 U.S. Geological Survey 7.5 minute topographic map (Keāhole Point and Kailua Quadrangles), showing the project area portion of the Queen Ka'ahumanu Highway

SIHP # -28811 Location South of the Intersection of OTEC Road and the Queen Ka'ahumanu Highway and Relationship to Project Site

Figure 7. SIHP # 50-10-27-28811, Pahoeohoe Excavation, Buffer Disturbance Site



12-6-16 Sterling Chow field notes QK Ph2 arch site visit with NHOs and NPS:

1. Fred/Paka—Request before and after pix of buffer encroachment sites. Side by side comparison to determine if site impacted. [Note: suggest we do for all 5 sites to be complete].
2. Susan Lebo—Modify arch report figures to reflect correct grading limits.
3. Kaleo Salvador (State inspector)—Suggest have GBI locate grading limits when surveying sites for site location and buffer fence to confirm grading limit matches plans.
4. Susan Lebo—Mamalaho Trail makai. Add orange fence along toe of slope to prevent any further damage to site.
5. Paka—Mamalaho Trail mauka (at Kealakehe Parkway)—Add orange fence perpendicular to trail where we were viewing the trail to prevent further impact to trail on south side.
6. Susan Lebo—Add Kealakehe baseyard area to APE.
7. Sterling—Asked all present to inform DOT if they know of any historical sites within the expanded APE area (i.e. side roads) to assist DOT in the APE expansion approval process.

**From:** Stacy Armstrong  
**Sent:** Monday, July 03, 2017 12:11 PM  
**To:** ohiwai@gmail.com; Leina'ala Lightner; fredcachola@gmail.com; cynazara@gmail.com  
**Cc:** Brian Takeda  
**Subject:** Queen Kaahumanu Highway - Final Comments for MOA Stipulation 15 - Terrain Model

Hi Leina'ala, Fred and Cynthia,

We earlier contacted or met with you and provided maps for you to provide your mark-ups to create the terrain model. The Terrain Model represents input from a number of you but the group felt that you have important knowledge that can help improve the quality and content of the terrain model the group helped to prepare.

Here's a link to what has been created thus far (based on input from Hannah):

<https://share.rmtowill.com/index.php/s/chfcbv25RDfS8DG>

If you are able to turn layers off and on in your pdf, the contours, coloring, labeling, etc. can be turned off.

The kmz file will take you to the location in Google Earth with the map placed on it.

Hannah, please review this and let us know if you have any corrections or revisions.

Please respond in order that we consider the important knowledge and information that you can provide. We will be following up with you over the next month or 30-days to ask if there is any new information that you feel should be included. At the conclusion of this time we will incorporate your information and schedule an update meeting with the Terrain Model participants.

Thank you for your understanding. We look forward to hearing from you.

Stacy

Stacy K. Y. Armstrong, P.E., LEED AP

<mailto:StacyA@rmtowill.com>

R. M. Towill Corporation

2024 N. King Street Suite 200

Honolulu, Hawaii 96819

voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

**From:** [Deborah Chang](#)  
**To:** [Brian Takeda](#); [Stacy Armstrong](#)  
**Cc:** [James Yamamoto](#); [Michelle Wong](#)  
**Subject:** RE: QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072917  
**Date:** Saturday, July 29, 2017 2:41:02 PM

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Mahalo Brian for taking the time to answer! It helps to know where to look in the documents you provided (sorry I didn't see it)!

Aloha,  
Deborah

---

**From:** Brian Takeda [mailto:BrianT@rmtowill.com]  
**Sent:** Saturday, July 29, 2017 11:54 AM  
**To:** kulaiwi@hawaiiantel.net; Stacy Armstrong <StacyA@rmtowill.com>  
**Cc:** James Yamamoto <JimmyY@rmtowill.com>; Michelle Wong <MichelleW@rmtowill.com>  
**Subject:** QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072917  
**Importance:** High

Deborah and Stacy,

Here are some answers to the questions below, from Deborah:

1. The entirety of Stipulation 15 was attached in the meeting notes provided entitled: **QK Ph2 Terrain Model Mtg 021017.pdf**. It's on pdf page 9, and it's short:

*STIPULATION 15: "TERRAIN MODEL. The HDOT shall commission the construction of a terrain model depicting the lands of Kekaha (between Kailua and Anaehoomalu) in consultation with Makani Hou o Kaloko-Honokōhau. The model shall incorporate topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined. The model may be housed at the Kaloko-Honokōhau National Historical Park under the auspices of the Hawai'i Pacific Parks Association. The model shall be of such scale that it can be transported to other locations and be used as a teaching tool. A second digital model will also be developed and include similar information as the terrain model."*

2. We're not specifically doing a land survey from which GPS coordinates would be generated. However, I'm referring the questions you have to Stacy Armstrong, P.E., who might be able to answer the comments and questions you have that are highlighted in yellow, below.

We've added you to the notification list for the next Stipulation 15, Terrain Model meeting which needs to be scheduled. Because of the need to coordinate with several other meetings associated



with the Queen Ka'ahumanu Highway, Phase 2, we expect our next get together to tentatively be scheduled for September. At that time we will provide notification.

Thank you,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

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2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

-

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**From:** Deborah Chang [<mailto:kulaiwi@hawaiiantel.net>]  
**Sent:** Friday, July 28, 2017 2:20 PM  
**To:** Brian Takeda  
**Subject:** RE: QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072617

Aloha Brian,

Please excuse me, as I am coming into this process after it has clearly been underway for many months. One of the meeting minutes refers to a "Stipulation 15" pertaining to the Terrain Model. Could you share that with me? I'm assuming it will shed light on what the intended purpose/uses of the Terrain Model are?

**STACY – PLS HELP TO ANSWER**

Are there plans to obtain GPS readings of the locations of mauka-makai trails that are breached by the Queen Ka'ahumanu Hwy? If so, that would be a useful layer to add to the map. Am I correct that there is just one layer currently on the pdf map (flattened view) and this layer is focused on correct place names, locations of ponds, lava flows, pu'u, etc.? I see inconsistent use of Hawaiian diacritical markings in the place names. There are other inconsistencies: "coral reef" noted just off shore of Keahuolū but not anywhere else; only one park noted: "Kona Coast State Park," when there are many others. The symbol used to denote AhuoLono (should it be "KeahuaLono?") at the boundary of South Kohala and North Kona Districts looks like the symbol used for special pu'u/craters. Would be good to select a symbol for cultural/historic sites that sets them clearly apart from natural features. Is the terrain model going to cover just the area between `Anaeho`omalū and Keahuolū?

Sorry for the many questions. Is there someone else on your staff that I should be working with on this?

Mahalo for your time,  
Deborah

---

**From:** Brian Takeda [<mailto:BrianT@rmtowill.com>]  
**Sent:** Thursday, July 27, 2017 11:34 AM  
**To:** [kulaiwi@hawaiiantel.net](mailto:kulaiwi@hawaiiantel.net)  
**Subject:** QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072617  
**Importance:** High

Hi Deborah, I entered your e-mail incorrectly so am resending this to the correct address. Thank you,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

-

---

**From:** Brian Takeda  
**Sent:** Thursday, July 27, 2017 10:25 AM  
**To:** 'kulaiwi@hawaiiantel.com'  
**Cc:** Michelle Wong; Stacy Armstrong; James Yamamoto; Jason Tateishi  
**Subject:** QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072617  
**Importance:** High

Deborah,

Thanks for introducing yourself to us at the MOA Stipulation 10B-Underpass Feasibility Study meeting in Kona on Tuesday. As requested, here's some of the information developed during the course of our Stipulation 15-Terrain Model meetings with participants:

**QK Ph2 Terrain Model Mtg 021017.pdf** – This is a record of the February 10, 2017 meeting

**QK Ph2 Terrain Model Mtg 022117.pdf** – This is a record of the February 21, 2017 meeting

**161206 Queen Kaahumanu Mtg Notes-Final Notes Pkg.pdf** – This is for a meeting where the breaches to the trails was announced by HDOT, December 6, 2016. This meeting is referenced in the February 10<sup>th</sup> meeting notes.

**E-mail QK Ph2 Final Comments for MOA Stip 15-Terrain Model.pdf** – This is a copy of an e-mail providing a link to where the current digital terrain model can be downloaded. The content is large and depending on the PC you are using, may require several minutes to complete the on-screen render.

We will notify you when the next Terrain Model meeting is scheduled. Should you have any questions please let me know.

Sincerely,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200

Honolulu, Hawaii 96819

voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

-

**From:** [Stacy Armstrong](#)  
**To:** [Deborah Chang](#); [Brian Takeda](#)  
**Cc:** [James Yamamoto](#); [Michelle Wong](#)  
**Subject:** RE: QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072917  
**Date:** Monday, July 31, 2017 3:11:16 AM

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Hi Deborah,

I hope you can attend our next terrain model meeting and present your comments and mark-ups to all. This preliminary model was created based on mark-ups from Hannah and the diacritical marks were marked at that time as well.

We are not the informational source for this model. It's based on the input we receive.

The kmz file in the sharefile link will take you to Google Earth. This will be the best source of coordinates.

Regarding the layers, if your software allows you to turn off and on layers, you can toggle on and off the lava flow, puu, trails, ahupuaa, mountain hatching, contour lines and the greenery hatching.

Feel free to send me your mark-up and we can print it and bring it to the next meeting for all to review and decide how/what to add to the preliminary model.

Thank you,

Stacy

Stacy K. Y. Armstrong, P.E., LEED AP

<mailto:StacyA@rmtowill.com>

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Honolulu, Hawaii 96819

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---

**From:** Deborah Chang [<mailto:kulaiwi@hawaiiantel.net>]

**Sent:** Saturday, July 29, 2017 2:41 PM

**To:** Brian Takeda <[BrianT@rmtowill.com](mailto:BrianT@rmtowill.com)>; Stacy Armstrong <[StacyA@rmtowill.com](mailto:StacyA@rmtowill.com)>

**Cc:** James Yamamoto <[JimmyY@rmtowill.com](mailto:JimmyY@rmtowill.com)>; Michelle Wong <[MichelleW@rmtowill.com](mailto:MichelleW@rmtowill.com)>

**Subject:** RE: QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072917

Mahalo Brian for taking the time to answer! It helps to know where to look in the documents you provided (sorry I didn't see it)!

Aloha,

Deborah

---

**From:** Brian Takeda [<mailto:BrianT@rmtowill.com>]

**Sent:** Saturday, July 29, 2017 11:54 AM

**To:** [kulaiwi@hawaiiantel.net](mailto:kulaiwi@hawaiiantel.net); Stacy Armstrong <[StacyA@rmtowill.com](mailto:StacyA@rmtowill.com)>



**Cc:** James Yamamoto <[JimmyY@rmtowill.com](mailto:JimmyY@rmtowill.com)>; Michelle Wong <[MichelleW@rmtowill.com](mailto:MichelleW@rmtowill.com)>

**Subject:** QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072917

**Importance:** High

Deborah and Stacy,

Here are some answers to the questions below, from Deborah:

1. The entirety of Stipulation 15 was attached in the meeting notes provided entitled: **QK Ph2 Terrain Model Mtg 021017.pdf**. It's on pdf page 9, and it's short:

*STIPULATION 15: "TERRAIN MODEL. The HDOT shall commission the construction of a terrain model depicting the lands of Kekaha (between Kailua and Anaehoomalu) in consultation with Makani Hou o Kaloko-Honokōhau. The model shall incorporate topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined. The model may be housed at the Kaloko-Honokōhau National Historical Park under the auspices of the Hawai'i Pacific Parks Association. The model shall be of such scale that it can be transported to other locations and be used as a teaching tool. A second digital model will also be developed and include similar information as the terrain model."*

2. We're not specifically doing a land survey from which GPS coordinates would be generated. However, I'm referring the questions you have to Stacy Armstrong, P.E., who might be able to answer the comments and questions you have that are highlighted in yellow, below.

We've added you to the notification list for the next Stipulation 15, Terrain Model meeting which needs to be scheduled. Because of the need to coordinate with several other meetings associated with the Queen Ka'ahumanu Highway, Phase 2, we expect our next get together to tentatively be scheduled for September. At that time we will provide notification.

Thank you,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

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**From:** Deborah Chang [<mailto:kulaiwi@hawaiiantel.net>]  
**Sent:** Friday, July 28, 2017 2:20 PM  
**To:** Brian Takeda  
**Subject:** RE: QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072617

Aloha Brian,

Please excuse me, as I am coming into this process after it has clearly been underway for many months. One of the meeting minutes refers to a "Stipulation 15" pertaining to the Terrain Model. Could you share that with me? I'm assuming it will shed light on what the intended purpose/uses of the Terrain Model are?

**STACY – PLS HELP TO ANSWER**

Are there plans to obtain GPS readings of the locations of mauka-makai trails that are breached by the Queen Ka'ahumanu Hwy? If so, that would be a useful layer to add to the map. Am I correct that there is just one layer currently on the pdf map (flattened view) and this layer is focused on correct place names, locations of ponds, lava flows, pu'u, etc.? I see inconsistent use of Hawaiian diacritical markings in the place names. There are other inconsistencies: "coral reef" noted just off shore of Keahuolū but not anywhere else; only one park noted: "Kona Coast State Park," when there are many others. The symbol used to denote AhuoLono (should it be "KeahuaLono?") at the boundary of South Kohala and North Kona Districts looks like the symbol used for special pu'u/craters. Would be good to select a symbol for cultural/historic sites that sets them clearly apart from natural features. Is the terrain model going to cover just the area between `Anaeho`omalu and Keahuolū?

Sorry for the many questions. Is there someone else on your staff that I should be working with on this?

Mahalo for your time,  
Deborah

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**From:** Brian Takeda [<mailto:BrianT@rmtowill.com>]  
**Sent:** Thursday, July 27, 2017 11:34 AM  
**To:** [kulaiwi@hawaiiantel.net](mailto:kulaiwi@hawaiiantel.net)  
**Subject:** QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072617  
**Importance:** High

Hi Deborah, I entered your e-mail incorrectly so am resending this to the correct address. Thank you,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

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**From:** Brian Takeda  
**Sent:** Thursday, July 27, 2017 10:25 AM

**To:** 'kulaiwi@hawaiiantel.com'

**Cc:** Michelle Wong; Stacy Armstrong; James Yamamoto; Jason Tateishi

**Subject:** QK Ph2 MOA STIPULATION 15-TERRAIN MODEL 072617

**Importance:** High

Deborah,

Thanks for introducing yourself to us at the MOA Stipulation 10B-Underpass Feasibility Study meeting in Kona on Tuesday. As requested, here's some of the information developed during the course of our Stipulation 15-Terrain Model meetings with participants:

**QK Ph2 Terrain Model Mtg 021017.pdf** – This is a record of the February 10, 2017 meeting

**QK Ph2 Terrain Model Mtg 022117.pdf** – This is a record of the February 21, 2017 meeting

**161206 Queen Kaahumanu Mtg Notes-Final Notes Pkg.pdf** – This is for a meeting where the breaches to the trails was announced by HDOT, December 6, 2016. This meeting is referenced in the February 10<sup>th</sup> meeting notes.

**E-mail QK Ph2 Final Comments for MOA Stip 15-Terrain Model.pdf** – This is a copy of an e-mail providing a link to where the current digital terrain model can be downloaded. The content is large and depending on the PC you are using, may require several minutes to complete the on-screen render.

We will notify you when the next Terrain Model meeting is scheduled. Should you have any questions please let me know.

Sincerely,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

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**From:** Brian Takeda  
**To:** [Laura Mau](#)  
**Cc:** [Stacy Armstrong](#); [Roy Tsutsui](#); [James Yamamoto](#)  
**Subject:** QK Ph2 - Terrain Model Stipulation 101317  
**Date:** Friday, October 13, 2017 3:32:00 PM  
**Importance:** High

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Laura,

This is in follow-up from our discussion this morning:

1. R. Gmerkin was contacted this afternoon with a request that he provide information on trails extending along the project portions of the QK ROW. He may have digital files, but whatever he has we'll work with it. Am awaiting his return call. 326.6012.
2. Contacted D. Shideler, CSH, with a request to coordinate with Stacy to furnish her with digital information on historic trails along and beyond the QK ROW. David is checking and if there's a cost I asked him to prepare a proposal to provide. Stacy, please expect a call from David S.
3. Contacted Alan Haun. 325-2402. Left message that our intention is to obtain historic trails information from CSH, place the information on our maps, and then will ask Alan to review and validate or provide clarification of how the trails can best be represented. All this will be with the benefit of input and feedback from the NHOs.

When Alan returns my call I will provide details on prior efforts to obtain information on trails and historic sites from the NHOs, e.g., C. Nazara, L. Lightener (SIC), F. Cachola, etc.

Let me know if there are any questions or if you need clarification on any of the above.

Thanks,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

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**From:** Brian Takeda  
**To:** ["rick\\_gmirkin@nps.gov"](mailto:rick_gmirkin@nps.gov)  
**Subject:** RESENDING: Queen Kaahumanu Hwy - Request for Trails Information  
**Date:** Friday, October 20, 2017 3:28:00 PM  
**Importance:** High

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**From:** Brian Takeda  
**Sent:** Friday, October 20, 2017 3:12 PM  
**To:** 'rick\_gmirkin@nps.gov'  
**Cc:** 'rae\_godden@nps.gov'; Jon Jokiel (jon\_jokiel@nps.gov); Laura Mau; James Yamamoto  
**Subject:** Queen Kaahumanu Hwy - Request for Trails Information  
**Importance:** High

Dear Rick,

This is in follow-up to my phone call last week concerning assistance from the National Park Service, Ala Kahakai National Historic Trail and other related entities associated with NPS. We are attempting to try to complete the list and graphical depiction of historic trails to address the requirements of Stipulation 15 – Terrain Model, associated with the Queen Ka‘ahumanu Highway Memorandum of Agreement.

Please let us know if you can provide assistance in order that we supplement the list of trails already received from the NHOs, with the knowledge of historic trails the NPS has documented.

If you wish to speak with me directly please do not hesitate to give me a call.

Thanks for your help. I look forward to hearing from you,

Sincerely,

Brian Takeda  
Planning Project Coordinator  
<mailto:BrianT@rmtowill.com>

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## Jason Tateishi

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**From:** Brian Takeda  
**Sent:** Wednesday, November 29, 2017 11:49 AM  
**To:** Alan Haun Ph. D. (ahaun@haunandassociates.com)  
**Cc:** 'Herb Lee' (herblee@thepaf.org); Laura Mau  
**Subject:** Queen K Terrain Model Meeting 112917  
**Attachments:** Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 10B, 12, and 15 regarding the Underpass Guidelines, Ahupuaa Markers and the Terrain Model

**Importance:** High

Alan,

Thanks for speaking with me this morning. Here's the planned agenda for the Thursday, December 7 meeting. I've attached the e-mail notice.

As we discussed I will be sending you Cultural Surveys Hawai'i's latest DRAFT map prior to the meeting for your review.

Thank you Alan:

QK Ph 2 Memorandum of Agreement Stipulations 10B, 12, and 15  
 Consultation Meeting December 7, 2017

A. Stipulation 15 - Terrain Model

Morning Session: 9:00 – 11:30 AM

1. Opening Pule / Introductions
2. Aloha Protocols (Herb to request)
3. Status and review of work accomplished to date (Don, Brian, Stacy)
  - a. Physical Model and Digital Model – dimensions of physical model 3.5' x 5', and scale information for physical and digital model
  - b. Source Information for trails and landmarks – historical data as inventoried by the State Historic Preservation Division, DLNR. CSH preparation of trail locations, Dr. Alan Haun, to assist group with review of content and discussion
  - c. Present revised hard copy of digital model
  - d. Process for review and acceptance of model information
  - e. Comment deadline?
4. Responsible Party to Accept Model (Don and Natasha) - Hawai'i Pacific Parks Assn., UH West Hawaii, Location for model to be determined by Terrain Model participants
5. Model Fabrication (Brian and Stacy)
  - a. Model materials
  - b. Anticipated schedule for production and delivery
6. Next Steps (Herb)

B. Lunch

11:30 AM – 12:30 PM

C. Stipulation 10B – Underpass Feasibility Study

Afternoon Session: 12:30 PM – 3:15 PM

1. Opening Pule / Introductions (skip if no new attendees)
2. Aloha Protocols (skip if no new attendees)
3. Status and review of work accomplished to date (Don, Jimmy?)
  - a. July 25, 2017 meeting outcomes
  - b. Design Guidelines for future Queen Ka'ahumanu Highway projects
4. Review and discussion of Design Guidelines (Don, Jimmy?)
5. Next Steps (Herb)

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Planning Project Coordinator  
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## Jason Tateishi

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**From:** Smith, Donald L <donald.l.smith@hawaii.gov>  
**Sent:** Friday, November 17, 2017 4:41 PM  
**To:** meesa.otani@dot.gov; lisa.powell@dot.gov; richelle.takara@dot.gov; Urada, Scot T; Chow, Sterling; Soriano, Natasha A; Naboa, Deona; Kiersten@historichawaii.org; cynazara@gmail.com; mkahawaii@hawaii.rr.com; ohiwai@gmail.com; bokahui@laiopua.org; paka@sandwichisles.net; fredcachola@gmail.com; nainoaperry@yahoo.com; konakuahau@hotmail.com; keloal@oha.org; laurenm@oha.org; william\_thompson@nps.gov; jeff\_zimpfer@nps.gov; aric\_arakaki@nps.gov; rick\_gmirkin@nps.gov; mnaber@achp.gov; Lebo, Susan A; Rubingh, Amy; naleimaile@gmail.com; ruthaloua@gmail.com; llightner@kukio.com; kulaiwi@hawaiiantel.net; rae.godden@nps.gov; jon.jokiel@nps.gov; mandy.campbell@nps.gov; alanainamalu@mac.com; hawkins@alakahakai.org; herblee@thepaf.org; ahaun@haunandassociates.com  
**Cc:** Laura Mau; Brian Takeda; Stacy Armstrong; James Yamamoto; Noelle Wright  
**Subject:** Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 10B, 12, and 15 regarding the Underpass Guidelines, Ahupuaa Markers and the Terrain Model

*Aloha Everyone,*

*PLEASE SAVE THE DATE FOR THURSDAY, DECEMBER 7, 2017!*

*We invite you to attend a meeting on the Queen Ka'ahumanu Highway Phase 2 MOA on:*

*Date: Thursday, December 7, 2017*  
*Time: 9:00 a.m. – 3:30 p.m. (Light morning refreshments and lunch will be provided)*  
*Location: Natural Energy Laboratory of Hawaii Authority (NELHA)*  
*Hale Iako Building, Room 208 Ocean View Conference Room*  
*73-987 Makako Bay Dr., Kailua-Kona, HI 96740*  
*Topics: Morning session (9:00 to 11:30 am) – Meeting #3 for Memorandum of Agreement (MOA) Stipulation #15 regarding the Terrain Model*  
*and Stipulation #12 regarding the Ahupua'a Markers*  
*Afternoon session (12:30 to 3:30 pm) – Meeting #2 for MOA Stipulation #10B regarding the Underpass Guidelines*

*In response to requests to consolidate meetings, we have arranged two sessions during the morning and afternoon. The morning session will involve the third meeting for Stipulation 15 regarding the Terrain Model, and will include a discussion of Stipulation 12 regarding the Ahupua'a Markers. This is in follow-up to the first two meetings for Stipulation 15 that were held on February 10 and 21, 2017.*

*During the first meeting for the underpass which was held on July 25, 2017, we agreed that a follow-up meeting would be held to discuss design guidelines. As such, the afternoon session on December 7th has been scheduled to address the guidelines. For those of you who will be participating in the afternoon session, please note that we will be sending a separate invitation to other participants who are not involved in Stipulations 12 or 15.*

*In keeping with the third quarter status report, we intended to meet with you in November, and were working towards that goal. In the process of coordinating various aspects of the stipulation, schedules, and accommodations, we kindly ask for your patience and understanding as we have postponed the meeting to December 7th.*

*Lunch will be provided between the morning and afternoon sessions, and we invite you to join us if you are available. We request that you RSVP no later than Wed., Nov. 30, 2017, as space will be limited and to help us in coordinating the*



*refreshments. Once we have confirmed the participants, we will be sending an agenda and meeting materials. If you have any questions, you may contact me.*

*Mahalo,*

**Donald L. Smith**  
**Hawaii District Engineer**  
**50 Makaala Street**  
**Hilo, HI 96720**  
**(808)933-8866**

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Memorandum of Agreement (MOA) Section 106 Consultation Meetings  
Stipulations 10B-Underpass Feasibility Study; 12-Ahupua'a Markers; and 15-Terrain Model;  
Queen Ka'ahumanu Highway Phase 2  
Kailua-Kona, Hawai'i

Natural Energy Laboratory of Hawaii Authority (NELHA)  
Hale Iako Building, Ocean View Conference Room 208  
73-987 Makako Bay Dr., Kailua-Kona, HI 96740  
Thursday, December 7, 2017, 9:00 am – 3:30 pm

#### Attendees

**Hawai'i Department of Transportation (HDOT)**

Donald Smith, P.E., Hawai'i District Engineer

Natasha Soriano, P.E., Project Manager

**R. M. Towill Corp. (RMTc)**

Jason Tateishi, P.E., Project Manager

Brian Takeda, Planning Project Coordinator

Herb Lee, Facilitator, Malama Waiwai

**National Park Service (NPS)**

**Kaloko-Honokōhau National Historic Park**

Jeff Zimpfer, Environmental Protection Specialist

**Ala Kahakai National Historic Trail**

Aric Arakaki, Superintendent

Rick Gmerkin, Community Archaeologist

**Native Hawaiian Organizations (NHOs) and  
Consulting Parties**

Hannah Kihalani Springer, Kama'āina, Ka'ūpūlehu

Fred Cachola, Makani Hou

Bo Kahui, La'i'Opua 2020

Alan Haun, Ph.D., Archaeologist

Amy Rubingh, State Historic Preserv. Div., Kona

Tina Clothier, People's Advocacy Trails Hawai'i

Marcie Davis, E Mau Nā Ala Hele

Barbara Schaefer, E Mau Nā Ala Hele

Deborah L. Chang, E Mau Nā Ala Hele

#### Agenda

1. Morning Session: Stipulation 12, Ahupua'a Signs
2. Morning Session: Stipulation 15, Terrain Model
3. Afternoon Session: Stipulation 10B, Underpass Feasibility Study

Handouts – Development of Design Guidelines (Stipulation 10B)

#### Stipulation 12, Ahupua'a Signs

1. D. Smith opened the meeting and thanked everyone for making the time to attend today's session. The task of completing the MOA stipulations will be tough and the HDOT appreciates all of the work put in by the group to assist in the process. H. Lee next provided the pule and aloha protocols to help guide the discussion.
2. D. Smith discussed Stipulation 10B and noted that the boundaries for the location of ahupua'a markers are defined by the U. S. Geological Survey (USGS), and how and where the signs are placed are based on design guidance from the Manual on Uniform Traffic Control Devices or MUTCD.

- The placement of any sign should be considered temporary, e.g., the signs can be relocated as needed to address community input or concerns.
  - The ahupua'a signs are classified as a sign conveying information about an area. The placement of signs would therefore be constrained by restrictions that involve the need to maintain roadway safety and address state design requirements (for the physical dimensions of signs).
3. R. Gmerkin said the NPS is working with NHOs on the placement of park service signage. The general process used is to first review old maps, prepare handouts, and discuss the location of sites based on the use of the handouts; and, second, they present the collected information back to the community to show where they understand the historical site boundaries are located. This takes time to get community input, but is a worthwhile step as NPS feels it leads to less disagreement. A. Arakaki noted this was in Hōnaunau and that the Keoua Canoe Club was a participant. R. Gmerkin added that the signage contemplated by the NPS in its work with the canoe club, however, might differ from how HDOT would use the state's Ahupua'a marker program.
  4. D. Smith said that the placement of the ahupua'a markers has flexibility so that the state can consider community input. He further asked the group if the effort was to raise awareness, or if it was to identify where the ahupua'a boundary is. F. Cachola said that it does both. H. Springer said that that if it is to raise awareness, that it should be done with accuracy. At the same time, accuracy might interfere with where the signs could be placed.
  5. B. Kahui recommended that samples be provided for the group to look at, to gain understanding and agreement, and then to go out to the community to see what they have to say. D. Smith responded that he wants to make sure that the group understands the process of discussing the signs with the community. If the community wants to take on the role to help identify where the markers should go, the HDOT would be ok with the discussion. However, if the process is to leave the state to identify the marker locations, that this could take a long time.
  6. F. Cachola said he feels that if the state only wants the community to identify the sites where the markers should go, then the state is not fulfilling the MOA and would not learn something about where the ahupua'a are located. D. Smith responded that the HDOT will continue to be involved in the process, and clarified that the work to identify the ahupua'a marker locations needs to have a "champion." This effort will take both the state and the community's involvement. F. Cachola responded that in looking at the past, that there is no one here from when the MOA was written and feels the HDOT must be the champion, not the NHOs. This is because if the HDOT is the champion, then this would address the delays and problems of the past.
  7. B. Kahui added that while the accuracy of the boundaries is important, that it is not as important as knowing the significance of the place. He suggested that options be considered so that the group can clarify what it can do. F. Cachola added that the actual placement of the signs can vary and that it is more important to have a sense of place. The identification of the moku boundaries is not part of the MOA, but is of political importance.

8. After further discussion the group determined:

- The state has an existing set of guidelines for the placement and design of ahupua'a markers. The guidelines are intended to incorporate community input.
- The project limits for the placement of the ahupua'a markers should be within the Queen Ka'ahumanu Highway, Phase 2, from the Kona International Airport to the area of O'oma. This area covers the boundaries of five ahupua'a within an approximate distance of 2.5 miles.
- O'oma is important because it is the place where King Kamehameha III was raised for the first five years of his life. There is also a rock wall that serves as a boundary that separates O'oma from the other ahupua'a.
- Once the group decides on the location of the ahupua'a boundaries, the information should be placed in a public notification in West Hawai'i Today to ask for public input into helping address the terms of the MOA Stipulation 12. A field visit by van coinciding with the public notification should be considered.
- All MOA signatories should be notified as part of the process.

HDOT Action Items:

- RMTC to prepare a map showing the ahupua'a boundary locations where the five ahupua'a boundary markers can be placed. The map will be distributed to the group when it is completed.
- The next steps to take following the identification of the boundary locations is to:  
(1) prepare a public notification for publication in West Hawai'i Today. The public notification will ask the community for its review and comment, and ask the public to RSVP its attendance on a field trip to the ahupua'a boundary locations;  
(2) provide the group with a sample of the signage that is planned to be used; and  
(3) confirm the locations based on step 1.

**Stipulation 15, Terrain Model**

1. F. Cachola asked the group to read the stipulation noting that Makani Hou initiated the terrain model to preserve the ancient landscape and to serve as a "living" classroom. He added:
  - In the first Terrain Model meeting the group initiated the information to be included in the model. He recalled that Francis Choy, Archaeologist, was important to the record of history of the area.
  - Interpretive signage should be considered as additional data.
2. D. Smith noted that the options for information to be included would depend on where the model is housed. One option is to build and house the approximately 3.5' by 5' model, but the state doesn't know where the model will be placed, i.e., per Stipulation 15, the model may be housed at the Kaloko-Honokōhau National Historical Park under the auspices of the Hawai'i Pacific Parks Association (HPPA). However, according to the NPS the space is too small for the model.



3. The following responses were provided:

- B. Schaefer said that the prior consideration for placement at the airport is not a good idea.
- F. Cachola said that there is a record of HPPA identified to accept the model but that because of space limitations at Kaloko-Honokōhau this would not be a good idea. Margo Griffith is the current Director of HPPA.

The work on the terrain model should also be part of a University of Hawai'i (UH) scholarship in archaeology or other field of study; maybe also Kamehameha Schools.

The MOA should also be extended by the HDOT and Federal Highway Administration (FHWA) because the terms would end in 2020. This is to address the time needed to decide on the location of the model.

- B. Kahui said that the Queen Lili'uokalani Trust has a digital presentation at its facility. Both the Queen Lili'uokalani Trust and Kamehameha Schools are also considering venues to showcase Hawaiian history on their respective properties in the Kailua-Kona and Keauhou areas.
  - R. Gmerkin agreed that the group should work with the UH and a higher education program.
  - The UH, Hawai'i Community College, Pālanui campus might also be a prospect for housing the terrain model, but this could take up to five years before being ready.
4. D. Smith said that the group can work toward obtaining information on giving the model to the UH, but that it is likely that the UH will want additional monies for the cost of administration, curation, and other expenses.
5. D. Smith and N. Soriano noted that the model can be made to show different time eras, but that this is not determined yet. B. Takeda noted the two options available: a color projection onto a single color terrain model with vertical relief; and a high-density foam or fiberglass reinforced multicolor model with vertical relief that does not require a projector. D. Smith and N. Soriano asked that the group consider:
- A projected model is more complex to operate and will require technical set-up, power supply, and maintenance, to replace worn parts like projector lamps. A technician would be needed to help set-up the model when it is installed. Due to these constraints this is less likely to be viable.
  - A foam/fiberglass model is more robust and would be more easily transportable in keeping with the intent of the stipulation (e.g., "The model shall be of such scale that it can be transported to other locations and be used as a teaching tool").

6. After further discussion the group determined:

- By January 2018 the final draft of the terrain model map would be completed and distributed to the group for their review and comment. The map should have all of the known information about the area and any revisions could be made at that time.
- The HDOT will speak with the UH about the possibility of housing the model at the Pālanui campus site. F. Cachola volunteered to accompany HDOT as a

representative of the HPPA to hand over the model to the UH if an agreement can be reached.

**HDOT Action Items:**

- RMTC to distribute the terrain model map to the group upon completion in January 2018 for review and comment. The terrain model map will be revised to reflect the comments.
- The HDOT to initiate discussion with UH Pālanui to inquire concerning the placement of the terrain model.

**Stipulation 10B, Underpass Feasibility Study**

1. D. Smith started the discussion and provided the Development of Design Guidelines presentation.
2. F. Cachola noted that all those who initiated the MOA from the HDOT and FHWA are no longer here and reminded the group that the reason for his participation was to be able to “walk in the footsteps of our ancestors” and that there should be at least one, uninterrupted trail. He became involved to save the trail to Kaloko-Honokōhau. The idea for an underpass started to maintain connectivity with the ancient Hawaiian trail system. He feels that if one were to read the entirety of Stipulation 10B that it is technical in its description, but for him it’s more than that, its emotional.
3. D. Smith responded that he does read the intention of the MOA as an emotional response to mitigating the impact of Phase 2, of the Queen Ka’ahumanu Highway project. In good faith, the HDOT wants to pursue the design guidelines so that future roadway projects can be more considerate.
4. T. Clothier asked if other options to an underpass, such as overpasses, are considered. H. Springer asked if drain culverts can be used? D. Smith responded that drainage culverts are intended to serve a drainage and not a pedestrian function, and more importantly that there are no monies available for construction of an underpass or overpass.
5. B. Schaefer asked if this [work on the stipulation] is for other areas of the project only and not part of this project [Phase 2]. D. Smith responded yes, adding that the work on this stipulation is intended to involve future construction projects and that any input the group provides would be of use.
6. H. Springer asked if the use of the drainage culverts could be provided in the future. F. Cachola said he wants the drainage culverts to be addressed now, including at-grade and overpass considerations. He said to see the MOA and added that on Page 3 of the presentation, that he wants to point out that another purpose of the underpass is to restore the integrity and purpose of ancient and historic Hawaiian trails and routes that were bisected by HDOT. He wants this added to the guidelines.
7. H. Springer said that access to the underpass needs to be wheelchair accessible. D. Smith responded that whenever there are federal expenditures used on a project that it must meet these types of requirements, i.e., Americans with Disabilities Act. F. Cachola

added that all these guidelines are for pedestrian crossings. The HDOT should add that this is also for “cultural preservation.”

8. D. Smith cited the use of Context Sensitive Design or CSD. The HDOT cannot design a project without taking into consideration the background and cultural use of the site. Future designs, such as for future development of new phases of the Queen Ka’ahumanu Highway or other highway project, would need to take this into consideration.
  - CSD considers cultural preservation, equestrian use, connectivity (multiple modes) and a more holistic approach versus how highways are being defined now. Continuity of cultural practices and sensitivity to the cultural landscape are also important factors to consider in the context sensitive design approach.
  - The use of CSD for this project would consider cultural uses and provide a way to move toward what is desired by the group. Applying CSD would also be consistent with the FHWA requirement that it be considered as a part of the project design process.
  - If CSD focusses on pedestrian use so that if an underpass is designed and wheelchair access is not possible, and only pedestrians and not others are allowed to walk through the underpass, it would still be considered as CSD.
  - This focus could be used in the title for all or a part of the Underpass Feasibility Study as “Context Sensitive Design for Historic Hawaiian Trails.”
9. R. Gmerkin responded that the study should not lose its focus on pedestrian design. H. Springer added that mauka-makai travel across the highway should also be addressed. D. Smith added that he understands that the trail system can help serve as a means of “cultural rejuvenation” to capture the next generation of youth.
10. F. Cachola noted that on Page 10 [?] of the presentation that the management of use of the underpass by a third party is used arbitrarily by HDOT to avoid taking responsibility. For the Underpass Feasibility Study there is no discussion that the use of the underpass shall be managed by a third party.

F. Cachola also questioned HDOT’s employment of R. M. Towill Corporation to assist with the completion of MOA stipulations due to the volume of work they appear to be doing for the Queen Ka’ahumanu Highway, Phase 2, project.

#### HDOT Action Items:

- HDOT to develop the Design Guidelines for the Underpass Feasibility Study using the CSD approach. The status of the Draft Underpass Feasibility Study will be reported to the group in January 2018.
- The HDOT to respond to F. Cachola concerning the use of RMTC to assist with the completion of the MOA stipulations.

11. Adjournment: The meeting concluded at 3:25 pm.



## Agenda

### MORNING SESSION

MOA Stipulation 15 – Terrain Model  
Queen Kaahumanu Highway Widening, Phase 2  
Kailua-Kona, Hawaii

Natural Energy Laboratory of Hawaii Authority (NELHA)  
Hale Iako Building, Room 208 Ocean View Conference Room  
73-987 Makako Bay Dr., Kailua-Kona, HI 96740  
Thursday, December 7, 2017, 9:00 – 11:30 am

1. Introduction 9:00 – 10:15 am
  - A. Welcome/Pule: Herb Lee
  - B. Status and Review of Work to Date:
    - a. Physical Model and Digital Model – Dimensions of physical model 3.5' x 5', and scale information for physical and digital model at 1:25,000
    - b. Source Information for trails and landmarks – historical data as inventoried by the State Historic Preservation Division, DLNR. CSH preparation of trail locations, Dr. Alan Haun, Ph.D. to assist group with review of content and discussion
    - c. Present revised hard copy of digital model
    - d. Process for review and acceptance of model information
  - C. Additional Comments and Questions
2. Responsible Party to Accept Model (Don/Natasha) 10:15 – 10:45 am  
Hawai'i Pacific Parks Assn., UH West Hawaii, Location for model to be determined by Terrain Model participants
3. Model Fabrication (Physical and Digital) (Brian) 10:45 – 11:15 am  
Materials and Schedule
4. Summary/Next Steps 11:15 – 11:30 am



**From:** Soriano, Natasha A natasha.a.soriano@hawaii.gov  
**Subject:** Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review  
**Date:** February 22, 2018 at 3:12 PM  
**To:** jeff\_zimpfer@nps.gov, aric\_arakaki@nps.gov, rick\_gmirkin@nps.gov, ohiwai@gmail.com, fredcachola@gmail.com, bokahui@laiopua.org, ahaun@haunandassociates.com, Rubingh, Amy amy.rubingh@hawaii.gov, tinaclothier@pathhawaii.org, marciedd@yahoo.com, baschaeferphoto@gmail.com, kulaiwi@hawaiiantel.net  
**Cc:** Smith, Donald L donald.l.smith@hawaii.gov, Jason Tateishi JasonT@rmtowill.com, Brian Takeda BrianT@rmtowill.com, herblee@thepaf.org, Laura Mau lauram@rmtowill.com

---

Aloha Everyone,

Apologies for the late delivery. The digital model is ready for review and can be download through the link below. Review of the digital model is in follow up to our meeting terrain model meeting held on Dec. 7, 2017.

We are unable to print full scale copies on paper, but if you desire a paper copy let please me know as soon as possible and we will send a 24" x 36" copy. However, I do suggest downloading the digital model as makes it easy to zoom in and out making it easier to read the map.

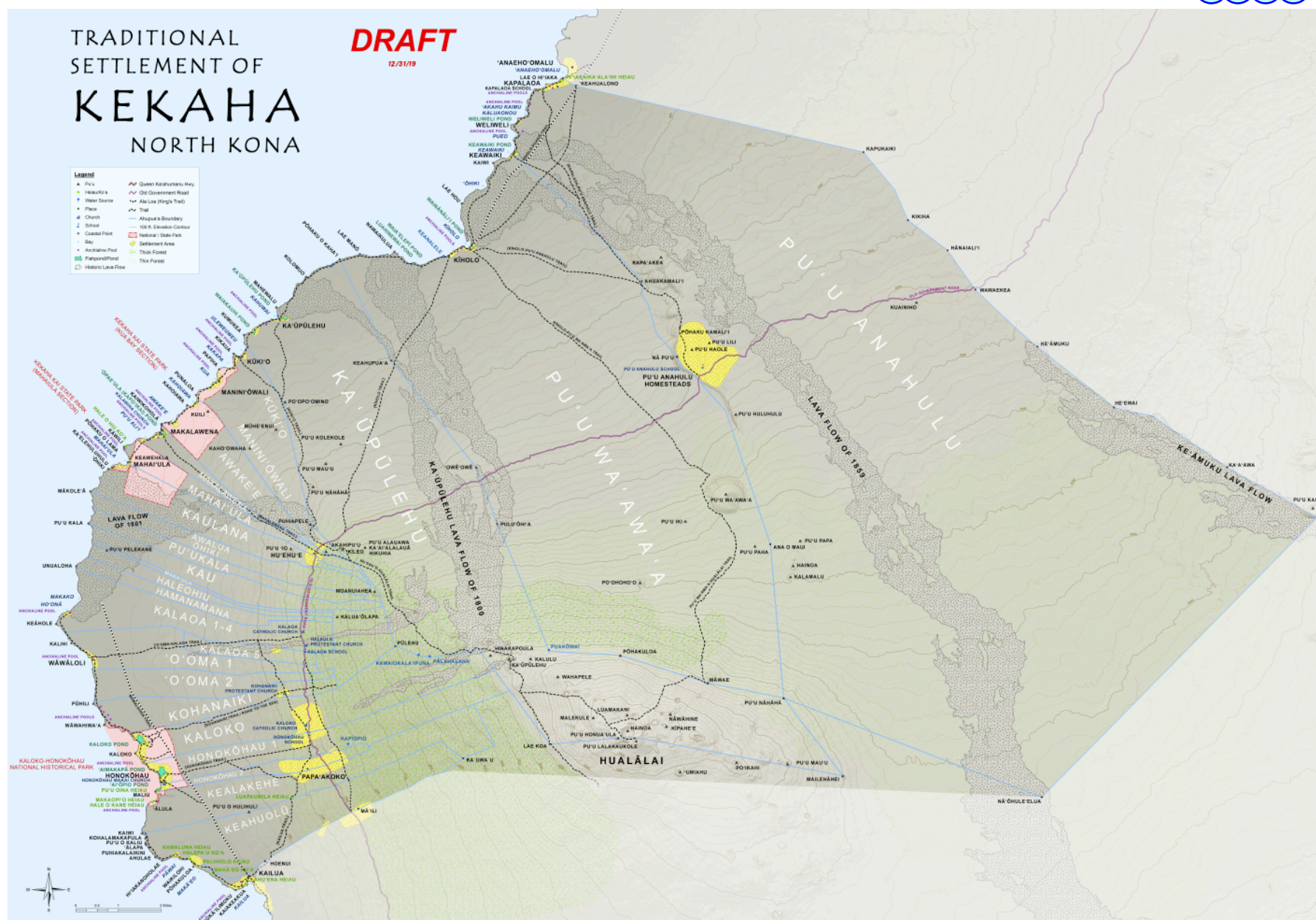
<https://share.rmtowill.com/index.php/s/KujJleu2ELfhGO6Z>

If you have any comments or questions, they would be appreciated within 30 days. Mahalo for your on-going commitment and participation.

Natasha Soriano  
Project Engineer  
State of Hawaii Department of Transportation  
808-933-2644

TRADITIONAL  
SETTLEMENT OF  
**KEKAHA**  
NORTH KONA

**DRAFT**



Brian Takeda

---

**From:** Soriano, Natasha A <natasha.a.soriano@hawaii.gov>  
**Sent:** Friday, March 09, 2018 8:21 AM  
**To:** cynazara@gmail.com; mkahawaii@hawaii.rr.com; paka@sandwichisles.net; nainoaperry@yahoo.com; keolal@oha.org; llightner@kukio.com  
**Cc:** Smith, Donald L; Jason Tateishi; Brian Takeda; herblee@thepaf.org; Laura Mau  
**Subject:** Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

Aloha Everyone,

A meeting regarding the Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model was held on Dec. 7, 2017. Since then a digital version of the Terrain Model of the Kekaha Region is ready for review and can be download through the link below.

We are unable to print full scale copies on paper, but if you desire a paper copy let please me know as soon as possible and we will send a 24" x 36" copy. However, I do suggest downloading the digital model as makes it easy to zoom in and out making it easier to read the map. If you have trouble downloading the model please feel free to call me and I can walk you through the process. My number is listed below.

<https://share.rmtowill.com/index.php/s/Kujleu2ELfhGO6Z>

If you have any comments or questions, they would be appreciated within 30 days. Mahalo for your on-going commitment and participation.

Natasha Soriano  
Project Engineer  
State of Hawaii Department of Transportation  
808-933-2644

## Response to Deborah Chang Comments

### Stip 15 Terrain Model

E-Mail of March 16, 2018: 11:02 AM

Dear Ms. Chang,

Thank you for your e-mail of March 16<sup>th</sup> regarding the work of the Terrain Model group. The Hawai'i Department of Transportation is required to fulfill Stipulation 15, Terrain Model, in the Memorandum of Agreement or MOA (signed in 2015), for the Queen Ka'ahumanu Highway Intersection Improvements project.

The Terrain Model group started with a series of meetings that took place on February 10, 2017, February 21, 2017, and December 7, 2017. The guidance provided by the group is based on the content of the MOA Stipulation 15, copies of which have been regularly provided to the meeting participants. For background we refer you to a copy of Stipulation 15, and copies of the prior meeting records (Attached).

- According to Stipulation 15, there are two products: (1) the terrain model; and (2) a digital model that will "include similar information as the terrain model." Some of the comments from the terrain model group included:
  - Comment: The map should include Honokōhau, which is missing on the working map copy. Another comment was that the map should show a marine component and the extent of land up to the summit lands. This requires that the map be expanded to include all ahupua'a in the Kekaha Region (Note 13, 12/10/17).
  - HDOT Response: The result of this comment was to add the marine resource areas along the shoreline consisting of fishponds, anchialine ponds, coastal points and place names. Ahupua'a including Keahoulū, Kealakehe, Honokōhau 2 and Honokōhau 1 were also added.
  - Comment: Clearly show the relationship between the Queen Ka'ahumanu Highway to the surrounding region to illustrate how the highway has affected cultural resources such as access between the marine and mountain areas of ahupua'a (Note 13, 12/10/17).
  - HDOT Response: The result of this comment was to add the Queen Ka'ahumanu Highway onto the map to show its relationship to the ahupua'a it crosses. Whenever possible the locations of settlement areas, historic lava flows, pu'u's, forested areas, and other regional features have also been added.
  - Comment: The timeframe to be shown should be up to the Lava Flow of 1859. It was added that most of the trail system known today comes from the era of 1840 through 1859. It was added that the different eras associated with the trails be distinguished by



different colors. In practice this has been difficult to represent but can still be indicated by color with assistance from the group (Note 15, 12/10/17).

- HDOT Response: The other lava flows of 1800 and 1801 were added in addition to the lava flow of 1859. The subject of how to distinguish between the different eras by providing different colors for the trails remains open to discussion.
- The Queen Ka‘ahumanu Highway was specially asked by the group to be included on the map. The addition of the Ane Keohokalole Highway could be added to the map, however, this is something that you may wish to discuss with the group prior to its inclusion.
- The level of detail and accuracy that is possible with the terrain map at a scale of 1-inch equals 2,800 feet is limited. Accordingly, the HDOT and the terrain model group have discussed numerous points of detail such as some that you recently described. The maps therefore are representative of the course of the discussion. Please also understand that the map is not intended to depict all of the detailed site-specific information that is available, but to provide a regional overview showing that there are many Native Hawaiian trails of which remnants remain that were once in active use, and that the construction of the Queen Ka‘ahumanu Highway has crossed many of these trails. If you have constructive and specific suggestions to help us improve the map please help by providing your suggestions to the group where it can be discussed for inclusion.
- The source of information for the identification of trails is from the State Bureau of Conveyances and the trail locations are as provided from the historical record maps. One of the issues for the archaeologists preparing the terrain model map is that some of the older maps are historical and in many cases, may not have involved the use of a registered land surveyor. Doing so now is beyond the scope of the terrain model as it could require many years and involve significant effort to complete. This is the reason why the map will be referenced as to all of the sources of information that were used in its preparation. In addition, the HDOT is considering the use of user changeable labels so that others who may be more knowledgeable, can revise the trail names as appropriate.
- We checked with the project archaeologists concerning comments on the naming convention for Hawaiian trails and offer the following:
  - The place name of “Maka‘ula” will adhere to a credible source used in Place Names of Hawaii (Pukui et al. 1974) to keep a consistent naming convention.
  - The name, “Kiholo Trail”, has no name for the trail from historic map sources. This trail may be renamed if appropriate and desired.
  - The name, “King’s Trail”, is used to define the type of trail and is commonly used by the National Park Service and others. Each segments of the trail will have their own distinct names (i.e. Kiholo-Puako Trail, Mamalahoa Trail).

Stipulation 15, Terrain Model Review Comments

D. Chang

Page 3 of 3

The HDOT appreciated your input. Should you have further comments please contact us.

Sincerely...

**From:** [David Shideler](#)  
**To:** [Brian Takeda](#)  
**Cc:** [Todd Tulchin](#)  
**Subject:** RE: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review  
**Date:** Wednesday, March 21, 2018 5:24:19 PM  
**Attachments:** [Ala Loa Kings Trail NPS.pdf](#)  
[Makaula Place Names of Hawaii Pukui et al 1974 .pdf](#)

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Aloha Brian:

I am responding to your e-mail below regarding certain comments from the Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review.

The CSH methodology is to report names of trails and other potential historic properties as they are presented in the primary source – typically a map.

We appreciate that the map makers rarely used diacritics prior to modern times and that the names they used may be at variance with modern names (or even popular names of their time) – but we are basically reporting a name with a specific, verifiable source .

Regarding the three examples cited responses are provided below in blue.

- *A few corrections to be considered: "Maka`ula" should be changed to "Makaula."* [Place Names of Hawaii \(Pukui et al. 1974\)](#) indicates spelling is Maka'ula – see attached . We are not inclined to depart from Pukui et al.
- *[Kiholo Trail] should be Kiholo-Hu`ehu`e Trail.* The name of the trail is in [brackets], indicating there is no name for the trail on any historic maps that were referenced. Trail can be renamed if desired. Please advise.
- *Use of the term "King's Trail" should be avoided as an official label on a map. This is a vague, untraditional term, used on all the islands to refer to historic Hawaiian trails, ancient and historic, with little or no evidence to show that it is a correct name.* Term "King's Trail" can be removed for the reasons mentioned, though it is commonly used, including by the National Park Service and others – see attached. Also the term is used in the map legend to define the type of trail, not the name of the trail. Different segments have their own specific names (i.e. Kiholo-Puako Trail, Mamalahoa Trail). Please advise

Aloha,

David Shideler  
 Cultural Surveys Hawai'i  
 PO Box 1114  
 Kailua, HI 96734  
 PH: (808) 262-9972  
 Cell: (808) 753-0785  
 Fax: (808) 262-4950  
[dshideler@culturalsurveys.com](mailto:dshideler@culturalsurveys.com)

---

**From:** Brian Takeda [<mailto:BrianT@rmtowill.com>]  
**Sent:** Tuesday, March 20, 2018 5:46 PM  
**To:** Soriano, Natasha A <[natasha.a.soriano@hawaii.gov](mailto:natasha.a.soriano@hawaii.gov)>

**Cc:** [donald.l.smith@hawaii.gov](mailto:donald.l.smith@hawaii.gov); Jason Tateishi <[JasonT@rmtowill.com](mailto:JasonT@rmtowill.com)>; 'Herb Lee' ([herblee@thepaf.org](mailto:herblee@thepaf.org)) <[herblee@thepaf.org](mailto:herblee@thepaf.org)>; Laura Mau <[lauram@rmtowill.com](mailto:lauram@rmtowill.com)>

**Subject:** RE: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

**Importance:** High

Natasha,

The e-mail below from D. Chang is a series of remarks coming from a latecomer. Technically, under Section 106 we are no longer in the four step process but are implementing Stipulation 15. Please see the attached write-up to help address the issues raised. The document is labeled an attachment but HDOT can change any part of it to suit the objective of the response.

Thanks and we look forward to your guidance.

Sincerely,

Brian Takeda  
Planning Project Manager  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

-

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**From:** Deborah Chang [<mailto:kulaiwi@hawaiiantel.net>]

**Sent:** Friday, March 16, 2018 11:02 AM

**To:** 'Soriano, Natasha A'; [jeff\\_zimpfer@nps.gov](mailto:jeff_zimpfer@nps.gov); [aric\\_arakaki@nps.gov](mailto:aric_arakaki@nps.gov); [rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov); [ohiwai@gmail.com](mailto:ohiwai@gmail.com); [fredcachola@gmail.com](mailto:fredcachola@gmail.com); [bokahui@laiopua.org](mailto:bokahui@laiopua.org); [ahaun@haunandassociates.com](mailto:ahaun@haunandassociates.com); 'Rubingh, Amy'; [tinaclothier@pathhawaii.org](mailto:tinaclothier@pathhawaii.org); [marciedd@yahoo.com](mailto:marciedd@yahoo.com); [baschaeferphoto@gmail.com](mailto:baschaeferphoto@gmail.com)

**Cc:** 'Smith, Donald L'; Jason Tateishi; Brian Takeda; [herblee@thepaf.org](mailto:herblee@thepaf.org); Laura Mau

**Subject:** RE: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

Aloha kākou,

Mahalo for the opportunity to review this updated digital model. As will become apparent from my list of questions and comments below, I believe more time will be needed for map clarifications and corrections before the digital model can be considered finalized.

- What is the purpose of this map? My understanding that it is to be made into a 3D model and intended to depict the physical and cultural landscape of Kekaha. Will it also be in a form that can be viewed on-line? I think the purpose(s) and format need to be further clarified. This will help guide what should be depicted on the map.
- Is the map intended to be a snapshot of a particular time or will there be an interactive component to the display that could show the transportation system's transition from ancient to historic times, i.e., use of GIS layers?
- What natural resources should be depicted and in what level of detail and accuracy?



Example: there are anchialine ponds clearly missing from the map, but do we want to potentially endanger these fragile features by revealing their locations?

- What historic features should be depicted and in what level of detail and accuracy?  
Example: there are extensive trail networks and a few significant trails missing from the map, but do we want to reveal all of them, as there may be sensitive sites adjacent to them?
- The current draft is a mixed bag of ancient and historic trails and notations showing a few place names and anchialine pond locations. There needs to be a way to distinguish between the different types of trails; explanations as to why certain place names appear and not others; and a way to point out that not all natural, historic, and cultural features of importance are included on this map.
- What are your sources of information for trail locations? Are you confident that the trail locations are correct?
- What about traditional trails that have been destroyed in developments? What appear to be trail segments today that begin and end abruptly, leading nowhere from nowhere, were once functional. Are those to be omitted from the map?
- Depending on the answers to the above questions, I may want to add further information on trails and anchialine ponds. Personally, I recommend against revealing all sites and locations. A map that is more conceptual rather than precise would be more protective of sensitive sites. It needs to be clear that the record is incomplete and why.
- Queen Ka`ahumanu Hwy. is depicted on the map but not Ane Keohokalole Hwy., which bisected at least one historic mauka-makai trail without mitigation. Will need to be clear why the map is just focused on Queen Ka`ahumanu Hwy.
- A few corrections to be considered: "Maka`ula" should be changed to "Makaula." [Kiholo Trail] should be Kiholo-Hu`ehu`e Trail. Use of the term "King's Trail" should be avoided as an official label on a map. This is a vague, untraditional term, used on all the islands to refer to historic Hawaiian trails, ancient and historic, with little or no evidence to show that it is a correct name.

Mahalo for considering my input,  
Deborah

---

**From:** Soriano, Natasha A <[natasha.a.soriano@hawaii.gov](mailto:natasha.a.soriano@hawaii.gov)>

**Sent:** Thursday, February 22, 2018 3:12 PM

**To:** [jeff\\_zimpfer@nps.gov](mailto:jeff_zimpfer@nps.gov); [aric\\_arakaki@nps.gov](mailto:aric_arakaki@nps.gov); [rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov); [ohiwai@gmail.com](mailto:ohiwai@gmail.com); [fredcachola@gmail.com](mailto:fredcachola@gmail.com); [bokahui@laiopua.org](mailto:bokahui@laiopua.org); [ahaun@haunandassociates.com](mailto:ahaun@haunandassociates.com); Rubingh, Amy <[amy.rubingh@hawaii.gov](mailto:amy.rubingh@hawaii.gov)>; [tinaclothier@pathhawaii.org](mailto:tinaclothier@pathhawaii.org); [marciedd@yahoo.com](mailto:marciedd@yahoo.com); [baschaeferphoto@gmail.com](mailto:baschaeferphoto@gmail.com); [kulaiwi@hawaiiantel.net](mailto:kulaiwi@hawaiiantel.net)

**Cc:** Smith, Donald L <[donald.l.smith@hawaii.gov](mailto:donald.l.smith@hawaii.gov)>; Jason Tateishi <[JasonT@rmtowill.com](mailto:JasonT@rmtowill.com)>; [briant@rmtowill.com](mailto:briant@rmtowill.com); [herblee@thepaf.org](mailto:herblee@thepaf.org); Laura Mau <[lauram@rmtowill.com](mailto:lauram@rmtowill.com)>

**Subject:** Queen Ka`ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

Aloha Everyone,

Apologies for the late delivery. The digital model is ready for review and can be download through the link below. Review of the digital model is in follow up to our meeting terrain model meeting held on Dec. 7, 2017.

We are unable to print full scale copies on paper, but if you desire a paper copy let please me know as soon as possible and we will send a 24" x 36" copy. However, I do suggest downloading the digital model as makes it easy to zoom in and out making it easier to read the map.

<https://share.rmtowill.com/index.php/s/Kujleu2ELfhGO6Z>

If you have any comments or questions, they would be appreciated within 30 days. Mahalo for your on-going commitment and participation.

Natasha Soriano  
Project Engineer  
State of Hawaii Department of Transportation  
808-933-2644

**From:** [Soriano, Natasha A](#)  
**To:** [Laura Mau](#); [Brian Takeda](#); [James Yamamoto](#); [Stacy Armstrong](#)  
**Cc:** [Smith, Donald L](#)  
**Subject:** FW: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review  
**Date:** Friday, April 20, 2018 9:01:13 AM

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FYI



**From:** Gmirkin, Richard [mailto:rick\_gmirkin@nps.gov]  
**Sent:** Thursday, March 29, 2018 11:08 AM  
**To:** Soriano, Natasha A <natasha.a.soriano@hawaii.gov>  
**Cc:** Aric Arakaki <aric\_arakaki@nps.gov>; Mandy Johnson <amanda\_johnson@nps.gov>  
**Subject:** Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

Aloha Natasha,

Please excuse the delay on providing comments on the Digital Model. Below are some general comments and questions:

Without context, it is difficult to ascertain the purpose of this map. It would have been beneficial for all reviewers to have a narrative that explains what is the desired outcome by the NHO participants that requested this MOA stipulation. My understanding is that it is to be a physical 3D model and digital version intended to depict the physical and cultural landscape of Kekaha highlighting the transportation system in prehistoric/historic times. I believe the purpose(s) and format need to be further clarified as well as a clear intent of what information is being portrayed. This will help guide what should be included on this map and how we review.

What are the sources for trail location information? There are several trail sections that appear to have come from older maps that may not have been correct.

Is the map intended to be of a particular time or will there be some way to differentiate between ancient foot trails, historically modified trails to accommodate horse and mule, and kingdom built trails? Will this show the evolution of the transportation system from ancient to historic times? This is not clear, again because there are no narrative guidelines describing the NHOs desire. The current draft is a mix of ancient and historic trails and the modern Queen Kaahumanu Hwy. There needs to be a way to distinguish between the different types of trails.

Trail networks within an ahupua'a and the overall region serve a specific function. Currently the map only depicts a minimal representation of actual trails, habitation areas, farming zones (Kona Field System), coastal settlements and other natural resources gathering zones. If there is a reason for some being shown and not others then it should be clear why.

Please allow for more input from NHO signatories on this stipulation so that the desired product is delivered. For the next round of reviews, please provide a narrative that provides clear purpose for the map so that all reviewing are on the same page.

Mahalo for your consideration

Rick

--

Rick Gmirkin  
Archaeologist  
Ala Kahakai National Historic Trail  
73-4786 Kanalani St. #14  
Kailua-Kona, HI 96740

Work: 808-326-6012 ext. 102  
Cell: 808-430-5213



**[EXTERNAL] FW: Queen Kaahumanu Phase 2 MOA 1st Quarter 2018 Report****Powell, Lisa (FHWA)** <lisa.powell@dot.gov>

Thu 5/14/2020 2:11 PM

**To:** Sonomura, Julann M <julann.m.sonomura@hawaii.gov> 3 attachments (1,022 KB)

QK Ph2 Terrain Model Mtg 021017.pdf; QK Ph2 Terrain Model Mtg 022117.pdf; QK Ph2 Stips 10B-12-15-Model Mtg 120717.pdf;

**From:** Powell, Lisa (FHWA)**Sent:** Wednesday, July 11, 2018 7:38 AM**To:** Paka <paka@sandwichisles.net>; Susan.A.Lebo@hawaii.gov; amy.rubingh@hawaii.gov; sstokely@achp.gov; Smith, Donald L <donald.l.smith@hawaii.gov>; Soriano, Natasha A <natasha.a.soriano@hawaii.gov>; Deona.Naboa@hawaii.gov; Richard Paikuli-Campbell <tyler\_paikuli-campbell@nps.gov>; Jeff Zimpfer <jeff\_zimpfer@nps.gov>; 'Arakaki, Aric' <aric\_arakaki@nps.gov>; rick\_gmirkin@nps.gov; fredcachola@gmail.com; bokahui@laiopua.org; Kiersten@historichawaii.org; laurenm@oha.org; keolal@oha.org; 'Cynthia Nazara' <cynazara@gmail.com>; mkahawaii@hawaii.rr.com**Cc:** Otani, Meesa (FHWA) <meesa.otani@dot.gov>; Takara, Richelle (FHWA) <Richelle.TAKARA@dot.gov>; Rizzo, Ralph J (FHWA) <Ralph.J.Rizzo@dot.gov>; Laura Mau <lauram@rmtowill.com>**Subject:** RE: Queen Kaahumanu Phase 2 MOA 1st Quarter 2018 Report

Aloha Paka-

I apologize for not getting back to you last week. I was out of the office Tuesday through Friday.

I'm sorry to hear you were not able to attend as many of the terrain model group meetings as you were hoping to. I've attached the meeting minutes from the three terrain model group meetings that were held for your information. Makani Hou O Kaloko-Honokohau had representation at 2 of the 3 meetings. I know for meetings in the past, HDOT had offered to do them in the evenings or on weekends and that seemed to be worse for many who wanted to attend.

You are correct, the original model builder was under a time crunch last year, but a different model builder was selected to build the physical model to allow adequate consultation time.

Yes, the electronic model does have ArcGIS layers as you had requested at one of our consultation meetings. Since these layers create large file sizes and require ArcGIS software, it was decided that the final electronic model will be converted to work with Google Earth (still utilizing layers) for final distribution so it can be more widely utilized. This last conversion step will be done while the physical model is constructed which will be by this fall. If you are interested, an earlier copy of the map was distributed to the members of the group in pdf form (so it does not have the layers that will be available in the final digital model). The map has been updated and can be accessed here for the next 3 weeks:

<https://share.rmtowill.com/index.php/s/Kujleu2ELfhGO6Z>.

Please call or email me if you have further questions.

Lisa Powell, P.E.  
 Transportation Engineer  
 FHWA-Hawaii Division  
 300 Ala Moana Boulevard Room 3-306  
 Honolulu, HI 96850  
 808.541.2305


 23a

**From:** Paka [<mailto:paka@sandwichisles.net>]

**Sent:** Monday, July 02, 2018 11:32 PM

**To:** Powell, Lisa (FHWA) <[lisa.powell@dot.gov](mailto:lisa.powell@dot.gov)>; [Susan.A.Lebo@hawaii.gov](mailto:Susan.A.Lebo@hawaii.gov); [amy.rubingh@hawaii.gov](mailto:amy.rubingh@hawaii.gov); [sstokely@achp.gov](mailto:sstokely@achp.gov); Smith, Donald L <[donald.l.smith@hawaii.gov](mailto:donald.l.smith@hawaii.gov)>; Soriano, Natasha A <[natasha.a.soriano@hawaii.gov](mailto:natasha.a.soriano@hawaii.gov)>; [Deona.Naboa@hawaii.gov](mailto:Deona.Naboa@hawaii.gov); Richard Paikuli-Campbell <[tyler.paikuli-campbell@nps.gov](mailto:tyler.paikuli-campbell@nps.gov)>; Jeff Zimpfer <[jeff\\_zimpfer@nps.gov](mailto:jeff_zimpfer@nps.gov)>; 'Arakaki, Aric' <[aric\\_arakaki@nps.gov](mailto:aric_arakaki@nps.gov)>; [rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov); [fredcachola@gmail.com](mailto:fredcachola@gmail.com); [bokahui@laiopua.org](mailto:bokahui@laiopua.org); [Kiersten@historichawaii.org](mailto:Kiersten@historichawaii.org); [lauren@oha.org](mailto:lauren@oha.org); [keolal@oha.org](mailto:keolal@oha.org); 'Cynthia Nazara' <[cynazara@gmail.com](mailto:cynazara@gmail.com)>; [mkahawaii@hawaii.rr.com](mailto:mkahawaii@hawaii.rr.com)

**Cc:** Otani, Meesa (FHWA) <[meesa.otani@dot.gov](mailto:meesa.otani@dot.gov)>; Takara, Richelle (FHWA) <[Richelle.TAKARA@dot.gov](mailto:Richelle.TAKARA@dot.gov)>; Rizzo, Ralph J (FHWA) <[Ralph.J.Rizzo@dot.gov](mailto:Ralph.J.Rizzo@dot.gov)>; Laura Mau <[lauram@rmtowill.com](mailto:lauram@rmtowill.com)>

**Subject:** Re: Queen Kaahumanu Phase 2 MOA 1st Quarter 2018 Report

Aloha Lisa,

Mahalo for your e-mail.

I have a concern regarding the terrain model, more specifically the electronic model.

After several months of mitigation negotiations between NHOs, HDOT, and FHWA, electronic and physical terrain models were agreed upon as one of several mitigating measures. Makani Hou O Kaloko-Honokohau was the primary negotiator for this and many other mitigating measures because of the fact that I (V-P, Makani Hou) personally took it upon myself to review the project ROW, which substantially raised the number of sites reported. If I'm not mistaken the number went from less than 20 to over 70. This seems outrageous but it is a fact, and it makes me question the validity of past AIS reports by Cultural Surveys Hawaii, particularly Phase 1 of the current project.

Because Makani Hou established grounds for and negotiated many of the mitigating measures, I expected that Makani Hou's input would carry significant weight in how the mitigating measures we negotiated would be addressed. Perhaps I was naïve in expecting that Makani Hou's input would carry more weight than other NHOs not involved in establishing grounds for mitigation and negotiating mitigating measures.

I was able to attend just one consultation meeting on the terrain model design at the RM

Towill Corp office in Kona. Unlike many that were involved in that and subsequent meetings, I am limited in the days I can get off work to attend these meetings. During the meeting I attended, RM Towill staff was in a rush to get their physical terrain model plan approved so that they could get it to their modeler who was retiring soon. That notion was rejected because what RM Towill had prepared did not reflect previous discussions on what Makani Hou expected the terrain model should be. Our position was that an electronic terrain model of GIS layers should be created and approved prior to a physical model being created. We did not expect a physical model first with an electronic model at some later date as RM Towill had proposed.

I am not sure what the final electronic model that was reportedly delivered looks like, but I do hope that it is a GIS layers model to display what we have today, with removable layers to display only what was in place prior to the construction of Queen Kaahumanu Highway and the subsequent widening project. The last electronic model I saw via e-mail was a single sheet that cannot show what was there prior to the Queen Kaahumanu Highway construction and subsequent widening.

Please send me the latest electronic model. Mahalo!

Isaac Paka Harp  
V-P Makani Hou O Kaloko-Honokohau  
(808) 756-7379

**From:** [Powell, Lisa \(FHWA\)](#)

**Sent:** Monday, July 02, 2018 12:54 PM

**To:** <mailto:Susan.A.Lebo@hawaii.gov> ; <mailto:amy.rubingh@hawaii.gov> ; [sstokely@achp.gov](mailto:sstokely@achp.gov) ; [Smith, Donald L](#) ; [Soriano, Natasha A](#) ; [Deona.Naboa@hawaii.gov](mailto:Deona.Naboa@hawaii.gov) ; [Richard Paikuli-Campbell](#) ; [Jeff Zimpfer](#) ; ['Arakaki, Aric'](#) ; [mailto:rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov) ; <mailto:fredcachola@gmail.com> ; <mailto:paka@sandwichisles.net> ; <mailto:bokahui@laiopua.org> ; <mailto:Kiersten@historichawaii.org> ; <mailto:laurenm@oha.org> ; <mailto:keolal@oha.org> ; ['Cynthia Nazara'](#) ; <mailto:mkahawaii@hawaii.rr.com>

**Cc:** [Otani, Meesa \(FHWA\)](#) ; [Takara, Richelle \(FHWA\)](#) ; [Rizzo, Ralph J \(FHWA\)](#) ; [Laura Mau](#)

**Subject:** RE: Queen Kaahumanu Phase 2 MOA 1st Quarter 2018 Report

Good Afternoon Everyone-

Attached is the Queen Kaahumanu Highway Widening Phase 2 Memorandum of Agreement 2<sup>st</sup> Quarter of 2018 Report. It is most legible on 11x17 paper, so reply to me with your address if you would like a hard copy mailed to you. Blue highlighted items were completed in the past quarter and yellow highlighted items are upcoming tasks.

Thank you!

Lisa Powell, P.E.  
Transportation Engineer  
FHWA-Hawaii Division  
300 Ala Moana Boulevard Room 3-306  
Honolulu, HI 96850  
808.541.2305

**From:** [Soriano, Natasha A](#)  
**To:** [Gmirkin, Richard](#)  
**Cc:** [Brian Takeda](#)  
**Subject:** RE: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review  
**Date:** Tuesday, August 21, 2018 10:33:38 AM

---

Hi Rick,

I know it's been a while since you gave your comments concerning the terrain model. I'd like to schedule a telcon with you and Brian from RM Towill at your earliest convenience to circle back to your concerns.

Thanks,  
Natasha

**From:** Gmirkin, Richard <rick\_gmirkin@nps.gov>  
**Sent:** Thursday, March 29, 2018 11:08 AM  
**To:** Soriano, Natasha A <natasha.a.soriano@hawaii.gov>  
**Cc:** Aric Arakaki <aric\_arakaki@nps.gov>; Mandy Johnson <amanda\_johnson@nps.gov>  
**Subject:** Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

Aloha Natasha,

Please excuse the delay on providing comments on the Digital Model. Below are some general comments and questions:

Without context, it is difficult to ascertain the purpose of this map. It would have been beneficial for all reviewers to have a narrative that explains what is the desired outcome by the NHO participants that requested this MOA stipulation. My understanding is that it is to be a physical 3D model and digital version intended to depict the physical and cultural landscape of Kekaha highlighting the transportation system in prehistoric/historic times. I believe the purpose(s) and format need to be further clarified as well as a clear intent of what information is being portrayed. This will help guide what should be included on this map and how we review.

What are the sources for trail location information? There are several trail sections that appear to have come from older maps that may not have been correct.

Is the map intended to be of a particular time or will there be some way to differentiate between ancient foot trails, historically modified trails to accommodate horse and mule, and kingdom built trails? Will this show the evolution of the transportation system from ancient to historic times? This is



not clear, again because there are no narrative guidelines describing the NHOs desire. The current draft is a mix of ancient and historic trails and the modern Queen Kaahumanu Hwy. There needs to be a way to distinguish between the different types of trails.

Trail networks within an ahupua'a and the overall region serve a specific function. Currently the map only depicts a minimal representation of actual trails, habitation areas, farming zones (Kona Field System), coastal settlements and other natural resources gathering zones. If there is a reason for some being shown and not others then it should be clear why.

Please allow for more input from NHO signatories on this stipulation so that the desired product is delivered. For the next round of reviews, please provide a narrative that provides clear purpose for the map so that all reviewing are on the same page.

Mahalo for your consideration

Rick

--

Rick Gmirkin  
Archaeologist  
Ala Kahakai National Historic Trail  
73-4786 Kanalani St. #14  
Kailua-Kona, HI 96740

Work: 808-326-6012 ext. 102  
Cell: 808-430-5213

**From:** [Soriano, Natasha A](#)  
**To:** [Brian Takeda](#)  
**Cc:** [Laura Mau](#); [Smith, Donald L](#)  
**Subject:** RE: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review  
**Date:** Tuesday, September 25, 2018 2:26:33 PM

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Brian,

It's been over a month since we first reached out to Rick. Let's move on and complete the terrain model and have it delivered to the Hilo baseyard, 50 Makala St., Hilo, HI 96720

-Natasha

---

**From:** Brian Takeda <[BrianT@rmtowill.com](mailto:BrianT@rmtowill.com)>  
**Sent:** Wednesday, September 05, 2018 4:01 PM  
**To:** Soriano, Natasha A <[natasha.a.soriano@hawaii.gov](mailto:natasha.a.soriano@hawaii.gov)>; Gmirkin, Richard <[rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov)>  
**Cc:** Laura Mau <[lauram@rmtowill.com](mailto:lauram@rmtowill.com)>  
**Subject:** RE: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review  
**Importance:** High

Hi Natasha and Rick,

Please let Natasha and I know when you would be available to discuss the Terrain Model. There are still some items we recall from the last meeting we had that we'd like to discuss with you and work out for the benefit of the group we've been meeting with.

Thanks Rick and we hope you will find some time for us.

Sincerely,

Brian Takeda  
Planning Project Manager  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

-

---

**From:** Soriano, Natasha A [<mailto:natasha.a.soriano@hawaii.gov>]  
**Sent:** Tuesday, August 21, 2018 10:33 AM  
**To:** Gmirkin, Richard  
**Cc:** Brian Takeda  
**Subject:** RE: Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

Hi Rick,

I know it's been a while since you gave your comments concerning the terrain model. I'd like to schedule a telcon with you and Brian from RM Towill at your earliest convenience to circle back to your concerns.

Thanks,  
Natasha

**From:** Gmirkin, Richard <[rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov)>

**Sent:** Thursday, March 29, 2018 11:08 AM

**To:** Soriano, Natasha A <[natasha.a.soriano@hawaii.gov](mailto:natasha.a.soriano@hawaii.gov)>

**Cc:** Aric Arakaki <[aric\\_arakaki@nps.gov](mailto:aric_arakaki@nps.gov)>; Mandy Johnson <[amanda\\_johnson@nps.gov](mailto:amanda_johnson@nps.gov)>

**Subject:** Queen Ka'ahumanu Hwy Ph 2 MOA Stipulation 15 Terrain Model - Digital Model Review

Aloha Natasha,

Please excuse the delay on providing comments on the Digital Model. Below are some general comments and questions:

Without context, it is difficult to ascertain the purpose of this map. It would have been beneficial for all reviewers to have a narrative that explains what is the desired outcome by the NHO participants that requested this MOA stipulation. My understanding is that it is to be a physical 3D model and digital version intended to depict the physical and cultural landscape of Kekaha highlighting the transportation system in prehistoric/historic times. I believe the purpose(s) and format need to be further clarified as well as a clear intent of what information is being portrayed. This will help guide what should be included on this map and how we review.

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Trail networks within an ahupua'a and the overall region serve a specific

function. Currently the map only depicts a minimal representation of actual trails, habitation areas, farming zones (Kona Field System), coastal settlements and other natural resources gathering zones. If there is a reason for some being shown and not others then it should be clear why.

Please allow for more input from NHO signatories on this stipulation so that the desired product is delivered. For the next round of reviews, please provide a narrative that provides clear purpose for the map so that all reviewing are on the same page.

Mahalo for your consideration

Rick

--

Rick Gmirkin  
Archaeologist  
Ala Kahakai National Historic Trail  
73-4786 Kanalani St. #14  
Kailua-Kona, HI 96740

Work: 808-326-6012 ext. 102  
Cell: 808-430-5213



**Jason Tateishi**

---

**From:** Brian Takeda  
**Sent:** Friday, September 28, 2018 1:56 PM  
**To:** 'David Shideler'; Todd Tulchin  
**Cc:** 'Scott Belluomini'  
**Subject:** Queen K Terrain Model 092818

**Importance:** High

David and Todd,

We have been given the notice to proceed with the construction of the terrain model. I have only a few items to discuss with you:

1. The issue involving the naming of the trails has been resolved. The HDOT will accept the convention for the naming of the trails as provided by Cultural Surveys Hawai'i, Inc.
2. We will need to obtain the final digital copy of the terrain model for use as a Google Earth \*.kmz file. If another file format is more appropriate please advise us in order that the terrain model participants can access and utilize this information. Based on previous discussions we understand that it is possible to provide cross-references to the sources used to obtain the baseline data establishing the historical records of the trails. We should discuss this so that we can convey to the terrain model participants how they would be able to see the references used to identify the trails.
3. You are in possession of the digital files comprising the model. Please help with the transmittal of this information to:

Howard Architectural Models Inc.  
4848 Dorr Street  
Toledo, Ohio 43615  
[howarddigital@gmail.com](mailto:howarddigital@gmail.com)  
Phone: 419.380.9971  
Fax: 888.867.3002

I understand David is currently off-island but will return on or about October 12<sup>th</sup>. Please respond to this notice and advise me when a more detailed discussion can take place as I am sure there may be other points of detail that need to be addressed.

We appreciated your help with this project and look forward to finally closing this project.

Sincerely,

Brian Takeda  
Planning Project Manager  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)

**Jason Tateishi**

---

**From:** Brian Takeda  
**Sent:** Friday, December 21, 2018 3:01 PM  
**To:** donald.l.smith@hawaii.gov  
**Cc:** Laura Mau; Roy Tsutsui; James Yamamoto; Noelle Wright  
**Subject:** Queen K Hwy Ph 2-Terrain Model Photos  
**Attachments:** Hawaii3.jpg; Hawaii4.jpg; Hawaii1.jpg; Hawaii2.jpg  
**Importance:** High

Don,

Attached are photos of the terrain model prior to being shipped. We thought the model builder did a great job and hope the DOT finds the work more than acceptable. As previously discussed the model has been shipped and should find its way to you by next week.

Let us know if you have any comments.

Thank you,

Brian Takeda  
Planning Project Manager  
<mailto:BrianT@rmtowill.com>

R. M. Towill Corporation  
2024 North King Street Suite 200  
Honolulu, Hawaii 96819  
voice: 808 842 1133 fax: 808 842 1937 web: [www.rmtowill.com](http://www.rmtowill.com)



TRADITIONAL  
SETTLEMENT OF  
**KEKAHA**  
NORTH KONA









TRADITIONAL  
SETTLEMENT OF  
**KEKAHA**  
NORTH KONA

- Legend
- Scale
- Map details







PO'OHOH'O

OU'LA

PIHAKŌNAI

KA'UPŪLEHU

PŌHAKULO'A

WAHA'E

MĀWAE

LUAMAKANI

MALEKULE

NĀWĀHINE

KĪPAHE'E

PU'U HONUA'ULA

HANO'A

PU'U LALAKAUKOLE

HUALĀLAI

UMIAHU

UWA'U

PO'IK



**Jason Tateishi**

**From:** Smith, Donald L <donald.l.smith@hawaii.gov>  
**Sent:** Saturday, June 22, 2019 11:06 AM  
**To:** mranslow@achp.gov; Lebo, Susan A; Naboa, Deona; Richard Paikuli-Campbell; Jeff Zimpfer; Aric; rick\_gmirkin@nps.gov; fredcachola@gmail.com; Bo Kahui; Kiersten Faulkner; Keola Lindsey; Maurice Kahawaii; Sniffen, Edwin H; pakaharp@gmail.com; shanen@oha.org; nainoaperry@yahoo.com; ohiwai@gmail.com; Powell, Lisa (FHWA); Lauren Morawski  
**Cc:** Ando, Marshall; Carrie Kuwada Phipps; Herb Lee; Keiki Kawai'ae'a; Takiue, Harry H; Sonomura, Julann M; Laura Mau; Rezantes, Kahaa (FHWA); Aiu, Pua; Otani, Meesa (FHWA); Takara, Richelle (FHWA); Brian Takeda  
**Subject:** Meeting for Queen Ka'ahumau Highway Widening Phase 2 Mitigation Meeting on Wednesday, June 26th, 2019  
**Attachments:** Directions to Palamanui Campus.pdf; palamanui\_campus\_map.pdf; DOD Native Hawaiian Consultation.pdf; Agenda for Queen K Mitigation Meeting.pdf

**[EXTERNAL E-MAIL]**

Good Morning Everyone,

If you have not yet responded, please let me know if you will be attending the 106 mitigation meeting for the Queen Ka'ahumanu Highway Widening Project from Kailua to Ke'ahole so that I can make sure we have adequate Refreshments 😊. The meeting will be held on Wednesday, June 26, 2019 from 4:00 PM to 6:00 PM at the University of Hawaii's Palamanui Campus, on the island of Hawaii.

If anybody has any questions as to how to arrive at the Palamanui Campus, please let me know. I want to thank the Palamanui for graciously allowing to utilize their facility for the meeting and I hope you do take the opportunity to look around this beautiful campus.

Ms. Mandy Ranslow forwarded a link I would like to pass on.

<https://www.achp.gov/sites/default/files/guidance/2018-06/ConsultationwithNHOsintheSection106ProcessAHandbookJune2011.pdf>

## Consultation with Native Hawaiian Organizations

4 The Section 106 regulations include both general direction regarding consultation with Native Hawaiian organizations and specific requirements at each stage of the review process.

[www.achp.gov](http://www.achp.gov)

The Department of Defense Consultation Guide has been attached.

I have included the link to the RM Towill Sharepoint site so that the Digital Terrain model can be downloaded. In addition, we will be working to make sure that additional information from the project and meeting can be downloaded for this site.

*The following link provides you with access to download the digital model depicting the Queen Ka'ahumanu Highway Lands of Kekaha Terrain Model. Selecting each of the features including geographic features, trails, settlement areas, parks, and ahupua'a boundaries will provide you with a downloadable reference source from which the information was obtained.*



<https://share.rmtowill.com/index.php/s/xlj4zcCIJ3NUjxu>

*Please remember to save all files after you have downloaded them to your computer. To begin, select and double-click the downloaded filename: Kekaha Kona complete.kmz. This will open the program Google Earth where you will be able to access the contents. This upload will be available for a limited time and will be removed in one-year or by May 15, 2020.*

If you have a specific request for material or there is anything else that you believe needs to be included as part of the meeting, please let us know.

Thank you everyone for your time and attention to this matter and we look forward to seeing you next Wednesday at 4 PM.

Sincerely

Donald Smith  
Hawaii District Engineer  
50 Makaala Street  
Hilo, HI 96720  
(808)933-8866

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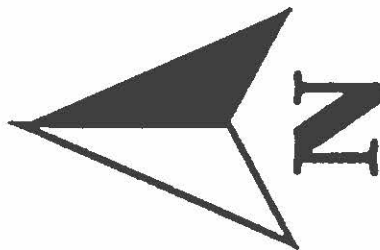


Turn Left  
Fire  
Station



Ane  
Keohokolole

To Hawai'i Community  
College – Pālamanui



You are  
Here



Kaiminani Drive

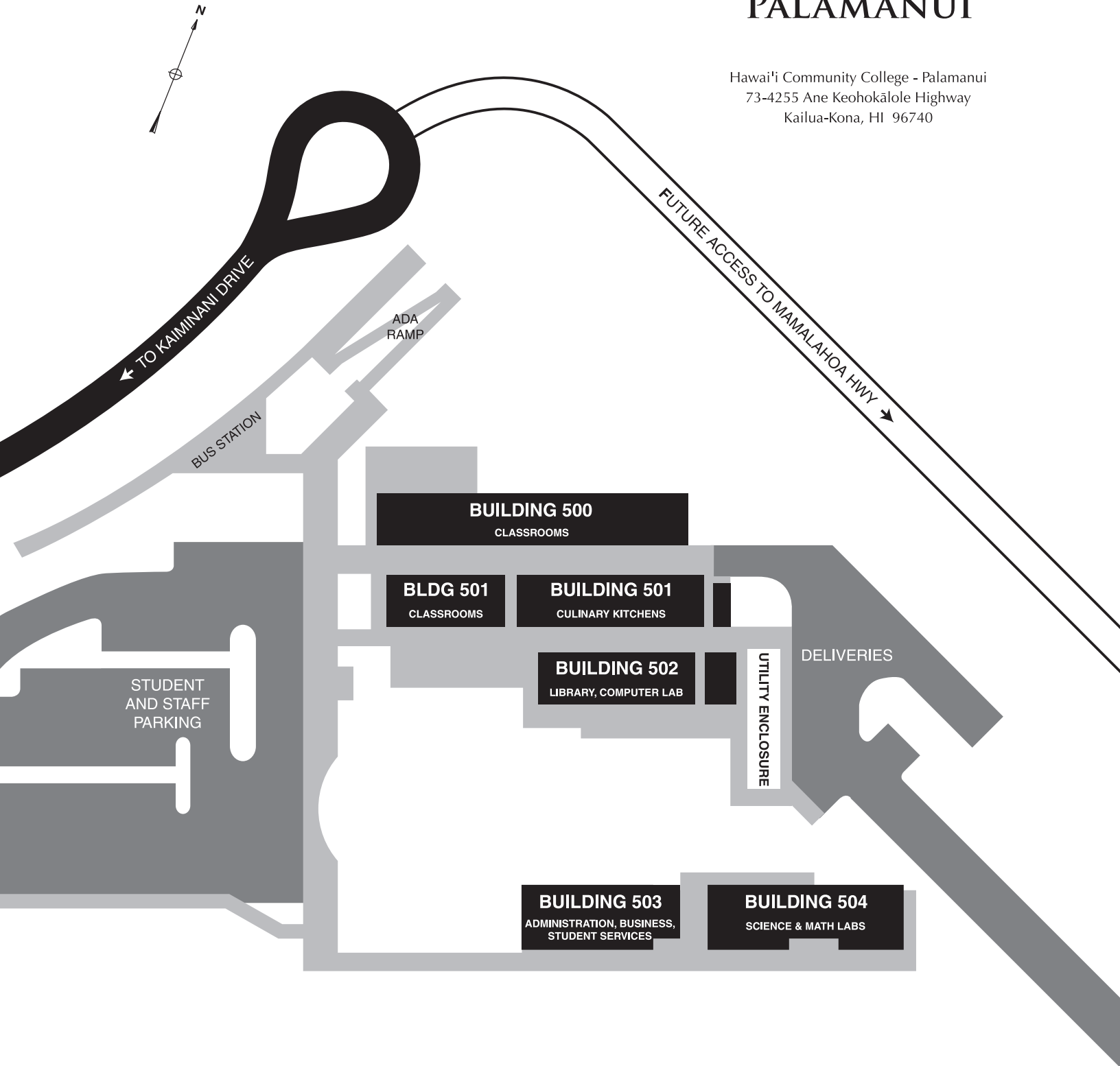


Queen Ka'ahumanu Highway



UNIVERSITY of HAWAII®  
HAWAII COMMUNITY COLLEGE  
**PĀLAMANUI**

Hawaii'i Community College - Palamanui  
73-4255 Ane Keohokālole Highway  
Kailua-Kona, HI 96740





28b



Name ▲

Size

Modified



2018 DRAFT Digital Map



155.9 MB

11 days ago



Base Map



34.3 MB

a year ago



Individual Layers



136 kB

a year ago



Queen K Map 123119



74.5 MB

4 months ago



Kekaha Kona complete.kmz



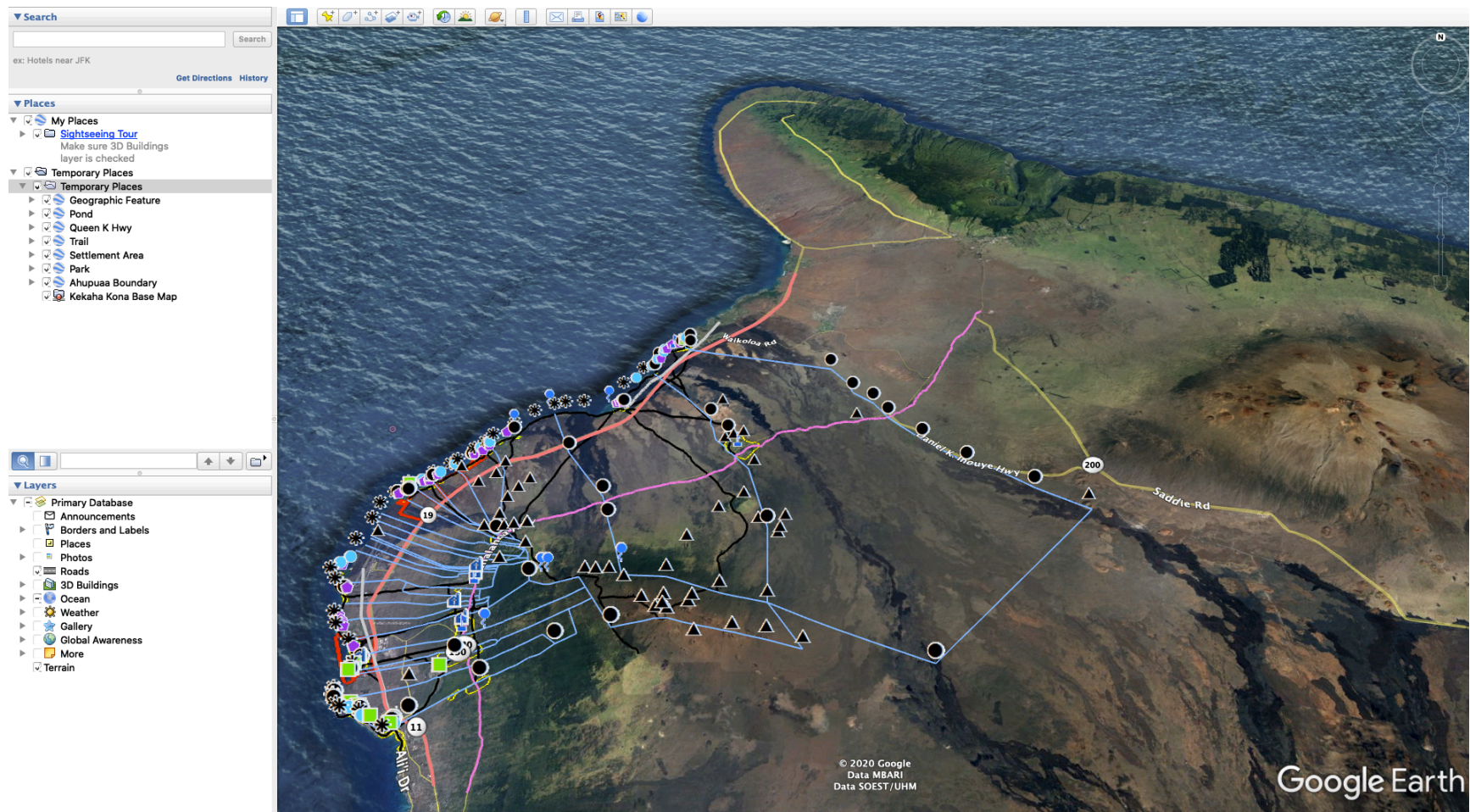
127 kB

a year ago

4 folders and 1 file

265 MB

28c







# **U.S. DEPARTMENT OF DEFENSE**

## **DEPARTMENT OF DEFENSE INSTRUCTION NUMBER 4710.03: CONSULTATION POLICY WITH NATIVE HAWAIIAN ORGANIZATIONS**



# Department of Defense INSTRUCTION

NUMBER 4710.03

October 25, 2011

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USD(AT&L)

SUBJECT: Consultation With Native Hawaiian Organizations (NHOs)

References: See Enclosure 1

1. PURPOSE. This Instruction:

a. Reissues Directive-Type Memorandum 11-001 (Reference (a)) as a DoD Instruction in accordance with the authority in DoD Directive 5134.01 (Reference (b)).

b. Establishes policy and assigns responsibilities for DoD consultation with NHOs when proposing actions that may affect a property or place of traditional religious and cultural importance to an NHO.

c. Provides the DoD Components in Hawaii with a framework to develop localized processes to facilitate consultation.

2. APPLICABILITY. This Instruction:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the DoD (IG DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD with consultation responsibilities to NHOs (hereinafter referred to collectively as the "DoD Components").

b. Is intended only to improve the internal management of the DoD Components regarding their consultation responsibilities and is not intended to, nor does it, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by any party against the DoD, its Components, officers, or any person.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. The DoD respects the traditions and cultures of all native peoples of the United States as well as the strong desire of Native Hawaiians to maintain their rich history and tradition amidst other prevalent influences in American society.

b. The DoD recognizes the special status afforded NHOs by the U.S. Government through various Federal laws, regulations, and policy. The Military Services' long presence in Hawaii has provided the DoD with a strong appreciation for the importance of consultation when proposing actions that may affect a property or place of traditional religious and cultural importance to an NHO.

c. The DoD shall conduct meaningful consultation for the purpose of avoiding or minimizing, to the extent practicable and consistent with law, the effects of DoD Component actions on a property or place of traditional religious and cultural importance to an NHO.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. Enclosure 3 provides procedures and requirements for when, with whom, and how to consult with NHOs, including considerations for natural and cultural resources.

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction is effective upon its publication to the DoD Issuances Website.



Frank Kendall  
Acting Under Secretary of Defense for  
Acquisition, Technology, and Logistics

Enclosures

1. References
2. Responsibilities
3. Procedures
4. Compliance Measures of Merit

Glossary

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ENCLOSURE 1

REFERENCES

- (a) Directive-Type Memorandum 11-001, “Consultation with Native Hawaiian Organizations,” February 3, 2011 (hereby cancelled)
- (b) DoD Directive 5134.01, “Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)),” December 9, 2005
- (c) Sections 691-716 of title 48, United States Code (also known as “The Hawaiian Homes Commission Act, as amended”)
- (d) Public Law 86-3, “The Admission Act,” March 18, 1959
- (e) Sections 4321-4370f<sup>1</sup> and 2000bb-1<sup>2</sup> of title 42, United States Code
- (f) Sections 470-470x-6 of title 16, United States Code (also known as “The National Historic Preservation Act of 1966 (NHPA), as amended”)
- (g) Sections 3001-3013 of title 25, United States Code (also known as “The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), as amended”)
- (h) DoD Instruction 4710.02, “DoD Interactions with Federally-Recognized Tribes,” September 14, 2006
- (i) Public Law 103-150, “Overthrow of Hawaii,” November 23, 1993 (also known as “The Apology Resolution”)

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<sup>1</sup> Also known as “The National Environmental Policy Act of 1969, as amended”

<sup>2</sup> Also known as “The Religious Freedom Restoration Act of 1993, as amended”

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY AND LOGISTICS (USD(AT&L)). The USD(AT&L) shall establish DoD policy for interactions with federally recognized tribes and requirements for DoD consultation with NHOs.

2. DEPUTY UNDER SECRETARY OF DEFENSE FOR INSTALLATIONS AND ENVIRONMENT (DUSD(I&E)). The DUSD(I&E), under the authority, direction, and control of the USD(AT&L), shall:

- a. Develop policy and guidance for interactions with federally recognized tribes and for consultation with NHOs.
- b. Designate responsibilities and provide procedures for DoD consultation with NHOs.
- c. Enhance DoD Component understanding of NHO issues and concerns through education and training programs and outreach activities.
- d. Assist the DoD Components in identifying requirements of Presidential Memorandums, Executive orders, statutes, and regulations governing DoD consultations with NHOs.
- e. Designate an NHO liaison within the Office of the DUSD(I&E) (ODUSD(I&E)) to coordinate DoD consultation activities.
- f. As requested, assist the DoD Components with consultation with NHOs.

3. HEADS OF THE DoD COMPONENTS WITH CONSULTATION RESPONSIBILITIES TO NHOs. The Heads of the DoD Components with consultation responsibilities to NHOs shall:

- a. Ensure compliance with the applicable requirements of Presidential Memorandums, Executive orders, statutes, and regulations regarding DoD consultations with NHOs, and integrate required consultation activities into mission activities in order to facilitate early and meaningful consultation.
- b. Plan, program, and budget for Presidential Memorandum, Executive order, statutory, and regulatory requirements applicable to consultation with NHOs consistent with DoD guidance and fiscal policies, and within available resources.
- c. Ensure that consultation with NHOs occurs in accordance with Enclosure 3 of this Instruction.

d. Notify the DUSD(I&E) of NHO issues that are controversial, cannot be resolved at the DoD Component level, and have the potential to be elevated to the USD(AT&L) for resolution.

e. Assign NHO liaison responsibilities to staff at the headquarters level to coordinate NHO consultation issues with ODUSD(I&E).

f. Assign a point of contact in Hawaii to ensure that NHO inquiries are channeled to appropriate officials and responded to in a timely manner.

g. Develop consultation procedures and provide cultural communications training for military and civilian personnel with consultation responsibilities.

ENCLOSURE 3

PROCEDURES

1. WHEN TO CONSULT

a. The DoD Components shall consult with NHOs:

(1) When proposing an undertaking that may affect a property or place of traditional religious and/or cultural importance to an NHO.

(2) When receiving notice of or otherwise becoming aware of an inadvertent discovery or planned activity that has resulted or may result in the intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal lands or lands administered for the benefit of Native Hawaiians pursuant to sections 691-716 of title 8, United States Code (U.S.C.) (also known as “The Hawaiian Homes Commission Act, as amended”) (Reference (c)) and section 4 of Public Law 86-3 (Reference (d)).

(3) When proposing an action that may affect a long term or permanent change in NHO access to a property or place of traditional religious and cultural importance to an NHO.

(4) When proposing an action that may substantially burden a Native Hawaiian’s exercise of religion (as defined in the Glossary).

(5) When proposing an action that may affect a property or place of traditional religious and cultural importance to an NHO or subsistence practices, and for which the DoD Components have an obligation to consult pursuant to sections 4321-4370f of title 42, U.S.C. (also known as “The National Environmental Policy Act of 1969, as amended” (Reference (e))) or any other statute, regulation, or Executive order.

b. The DoD Components shall conduct their consultation activities early enough in the DoD project planning process to allow the information provided to be meaningfully considered by DoD project planners and decision makers.

c. Recognizing that consultation is most effective when conducted in the context of an ongoing relationship, the DoD Components are encouraged to, insofar as practicable, establish and maintain relationships with NHOs separate from consultations related to specific actions. As part of this effort, the DoD Components and NHOs may exchange information related to operational and mission requirements, concerns about stewardship of important cultural resources and culturally-important natural resources, procedures to streamline action-specific consultations, and long-term planning.



## 2. WHOM TO CONSULT

a. The DoD Components shall make a reasonable and good faith effort to contact and consult with NHOs whose members perform cultural, religious, or subsistence customs and practices in an area that may be affected by a proposed DoD Component activity in Hawaii.

b. As a State of Hawaii organization established to promote the interests of Native Hawaiians, the Office of Hawaiian Affairs (OHA) (see <http://www.oha.org/>) may provide the DoD Components with up-to-date information and recommendations for appropriate contacts relative to a particular proposed action. OHA may also assist the DoD Components with consultation through dissemination of notices and announcements of proposed DoD Component actions that may affect resources of religious and cultural importance to NHOs.

c. As a practical matter, the DoD Components may find it helpful to contact:

(1) Individual Native Hawaiians and others who may have specific knowledge about the history and culture of an area that may have the potential to be adversely affected by a proposed DoD Component action.

(2) Individual Native Hawaiians and others who live near an area that may be affected by a proposed DoD Component activity and who regularly use the area for cultural, religious, or subsistence purposes.

(3) The U.S. Department of Interior, Office of Hawaiian Relations, which maintains an NHO Notification List at <http://www.doi.gov/ohr/nativehawaiians/list.html>.

(4) The Hawaii State Historic Preservation Officer at <http://hawaii.gov/dlnr/hpd/hpgreeting.htm>.

3. HOW TO CONSULT. The DoD Components shall fully integrate, including staff officers at the installation level, the principles and practices of meaningful consultation and communication with NHOs by:

a. Providing interested NHOs an opportunity to participate in pre-decision consultation that will ensure that NHO concerns are given due consideration whenever a DoD Component proposes an action that may affect historic properties or places of traditional religious and cultural importance to an NHO as defined by sections 470-470x-6 of title 16, U.S.C. (also known and hereinafter referred to as “The National Historic Preservation Act of 1966 (NHPA), as amended” (Reference (f))).

b. Considering the advice and recommendations of OHA to facilitate effective consultation between NHOs and DoD Components, with the understanding that no single NHO is likely to represent the interests of all NHOs.

c. Consulting in good faith, whenever a DoD Component proposes an action that may adversely affect resources of traditional religious or cultural importance to NHOs, and for which the DoD Components have an obligation to consult under any Presidential Memorandum, statute, regulation, or Executive order.

d. Initiating and maintaining effective communication with NHOs using tools and techniques designed to facilitate greater understanding and participation.

e. Providing continuity by ensuring new commanders are provided, as soon as possible, information regarding existing written agreements between the installation and NHOs, points of contact, and NHO areas of special interest concerning installation activities.

f. Recognizing the importance of improving communication between the DoD Components and NHOs by establishing a process for outreach regarding DoD activities that may have an effect on a property or place of traditional religious and cultural importance to an NHO or subsistence practices on each island to foster a positive relationship between the DoD Components in Hawaii and NHOs.

g. Involving the Hawaii State Historic Preservation Officer in consultations in accordance with NHPA, and, with respect to sections 3001-3013 of title 25, U.S.C. (also known and hereinafter referred to as "The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), as amended" (Reference (g))), appropriate Burial Councils.

4. CULTURAL AND NATURAL RESOURCE CONSIDERATIONS. The DoD Components shall recognize and respect the significance that NHOs give to resources of traditional religious and cultural importance by:

a. Undertaking DoD Component actions and managing DoD lands and water resources so as to protect and preserve, to the extent practicable and consistent with the law and operational and readiness requirements, places that NHOs have identified, consistent with law, as being of particular significance to Native Hawaiian traditional religious and/or cultural practices.

b. Enhancing the ability of NHOs to help the DoD Components protect and manage a natural resource that is also a property or place of traditional religious and cultural importance to an NHO on DoD lands, through NHO participation in the development of Integrated Cultural Resource Management Plans (ICRMP).

c. Accommodating, to the extent practicable and consistent with the safety of NHO representatives, military training, security, and readiness requirements, NHO access to a property or place of traditional religious and cultural importance to an NHO for religious or cultural activities.

d. Developing written agreements to the extent practicable, appropriate, or required, among the DoD Components, the Secretary of the Interior, and NHOs to protect confidential information regarding a property or place of traditional religious and cultural importance to an NHO.

e. Developing written agreements, to the extent practicable, appropriate, or required, between the DoD Components and the Hawaii State Historic Preservation Officer, in consultation with NHOs, to address the effects of proposed DoD undertakings on a property or place of traditional religious and cultural importance to an NHO.

ENCLOSURE 4

COMPLIANCE MEASURES OF MERIT

1. POLICY IMPLEMENTATION. The ODUSD(I&E) shall assess the number of DoD Components that have incorporated a process for consultation with NHOs as part of an ICRMP when a property or place of traditional religious and cultural importance to an NHO has been identified.
  
2. NAGPRA. The ODUSD(I&E) shall assess compliance with NAGPRA in accordance with the compliance measures of merit included in DoDI 4710.02 (Reference (h)).



## GLOSSARY

### PART I. ABBREVIATIONS AND ACRONYMS

DUSD(I&E)	Deputy Under Secretary of Defense for Installations and Environment
ICRMP	Integrated Cultural Resource Management Plans
NAGPRA	Native American Graves Protection and Repatriation Act of 1990
NHOs	Native Hawaiian Organizations
NHPA	National Historic Preservation Act of 1966
ODUSD(I&E)	Office of the Deputy Under Secretary of Defense for Installations and Environment
OHA	Office of Hawaiian Affairs
U.S.C.	United States Code
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology and Logistics

### PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this Instruction.

consultation. Seeking, discussing, and considering the views of other participants and, when feasible, seeking a mutually acceptable understanding regarding the matters at hand. As appropriate to the circumstances, consultation may include, but is not limited to, the exchange of written communications, face-to-face discussions, and telephonic or other means of exchanging information and ideas.

cultural patrimony. Defined in section 2(3)(D) of Reference (g).

culturally affiliated. Defined in section 2(2) of Reference (g).

exercise of religion. Defined in section 2000bb-1 of Reference (e) (also known as “The Religious Freedom Restoration Act of 1993, as amended”).

human remains, funerary objects, sacred objects, or objects of cultural patrimony. Defined in Reference (g).

Native Hawaiian. Defined in Public Law 103-150 (also known as “The Apology Resolution” (Reference (i))).

NHOs. Organizations that serve and represent the interests of Native Hawaiians have a primary and stated purpose of providing services to Native Hawaiians, and have expertise in Native Hawaiian affairs. Pursuant to NHPA and NAGPRA, NHOs include OHA and Hui Malama I Na Kupuna ‘O Hawai’i Nei (see <http://huimalama.tripod.com/>). The DoD Components may identify any other organization as an NHO if they determine that the organization meets the criteria in this definition.



# **AGENDA**

## **Queen Ka'ahumau Highway Widening Phase 2 Section 106 Meeting for MOA Amendment and Consultation for Mitigation to Damaged Sites**

**June 26, 2019**

**4:00 to 6:00 PM**

**4:00 – 4:10 Welcome Introductions**

**4:10 – 4:30 Review (Catch up on status)**

**4:30 – 4:45 Background of Breached Sites, MOA Amendment, Proposed Mitigation**

**4:45 – 5:15 Palamanui Presentation (Proposed Mitigation for Breached Sites)**

**5:15 – 6:00 Discussion**

***Refreshments will be available.***



Contacts	Contact Name		Title	Address			Phone	Email	
Project Related Parties									
1 FHWA	Meesa	Otani	Environmental Engineer	300 Ala Moana Blvd., Room 3-306	Honolulu	HI 96850	541.2316	<a href="mailto:meesa.otani@dot.gov">meesa.otani@dot.gov</a>	
	Lisa	Powell	Transportation Engineer	300 Ala Moana Blvd., Room 3-306	Honolulu	HI 96850	541-2305	<a href="mailto:lisa.powell@dot.gov">lisa.powell@dot.gov</a>	
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2 HDOT									
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NHOs/Community Organizations and Individuals									
3 Historic Hawai'i Foundation	Kiersten	Faulkner	Executive Director	680 Iwilei Road, Suite 690	Honolulu	HI 96817	808.523.2900 96807	<a href="mailto:Kiersten@historichawaii.org">Kiersten@historichawaii.org</a>	
4 Association of Hawaiian Civic Clubs*	Annelle	Amaral	President	P.O. Box 1135	Honolulu	HI		<a href="mailto:aloha@aohcc.org">aloha@aohcc.org</a>	
5 Kona Hawaiian Civic Club	Cynthia	Nazara	President	P.O. Box 4098	Kailua-Kona	HI 96745		<a href="mailto:cynazara@gmail.com">cynazara@gmail.com</a>	
	Maurice	Kahawai		P.O. Box 4098	Kailua-Kona	HI 96745		<a href="mailto:mkahawaii@hawaii.rr.com">mkahawaii@hawaii.rr.com</a>	
	Hannah	Springer	Executive Director	P.O. Box 4098	Kailua-Kona	HI 96745		<a href="mailto:ohiwai@gmail.com">ohiwai@gmail.com</a>	
6 La'i'Ōpua 2020	Bo	Kahui	Executive Director	74-5599 Luhia Street #E5	Kailua-Kona	HI 96740	808.327.1221	<a href="mailto:bokahui@laiopua.org">bokahui@laiopua.org</a>	
7 Makani Hou o Kaloko-Honokōhau	Isaac	Harp					808.756.7379	<a href="mailto:paka@sandwichisles.net">paka@sandwichisles.net</a>	
	Fred	Cachola					808.753.8896	<a href="mailto:fredcachola@gmail.com">fredcachola@gmail.com</a>	
8 Nakoa Foundation	Abel	Aquino	Director	P.O. Box 39024	Keauhou	HI 96739		<a href="mailto:nakoafoundation@hotmail.com">nakoafoundation@hotmail.com</a>	
9 People's Advocacy Trails Hawai'i (PATH)*	Tina	Clothier	Executive Director	P.O. Box 62	Kailua-Kona	HI 96745	808-561-9212	<a href="mailto:tinaclothier@pathhawaii.org">tinaclothier@pathhawaii.org</a>	
	Franz	Weber	Board Member				808.322.6633	<a href="mailto:Fweber@unfi.com">Fweber@unfi.com</a>	
10 Pu'ukohola Heiau National Historic Site	Daniel	Kawaiaea	Superintendent	62-3601 Kawaihae Road	Kawaihae	HI 96743	808.882.7218 x0	<a href="mailto:daniel.kawaiaea@nps.org">daniel.kawaiaea@nps.org</a>	
11 Royal Order of Kamehameha, Chapter--7 Kona, West Hawai'i, Hawai'i Island*	Nainoa	Perry						<a href="mailto:nainoaperry@yahoo.com">nainoaperry@yahoo.com</a>	
	Kuauhau Russ	Paio		Moku O Kona	P.O. Box 1872	Kailua-Kona	HI 96745	<a href="mailto:konakuahau@hotmail.com">konakuahau@hotmail.com</a>	
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13 E Mau Na Ala Hele	Davis	Marcie	President	P.O. Box 6384	Kamuela	HI 96743-6384		<a href="mailto:marciedd@yahoo.com">marciedd@yahoo.com</a>	
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14 Ruth Aloua	Ruth	Aloua						<a href="mailto:ruthaloua@gmail.com">ruthaloua@gmail.com</a>	
15 Office of Hawaiian Affairs	Keola	Lindsey	Compliance Monitoring Program	711 Kapiolani Boulevard	Honolulu	HI 96813	594.0244 (c) 295-3451	<a href="mailto:keloal@oha.org">keloal@oha.org</a>	
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16 Private Citizens	Luana	Keanaaina					808.989.5227		
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	Ruth	Aloua						<a href="mailto:ruthaloua@gmail.com">ruthaloua@gmail.com</a>	
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	Deborah	Chang	Principal Planner	Island Transitions LLC	P.O. Box 202	Pa'auilo	HI 96776-0202	808.776.1516 <a href="mailto:kulaiwi@hawaiiantel.net">kulaiwi@hawaiiantel.net</a>	

17 National Park Service										
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Kaloko-Honokōhau NHP Pu‘uhonua o Hōnaunau NHP	Rae Fujimori	Godden	Chief of Interpretation	P.O. Box 129	Honaunau	HI	96726	808.640.8330 (c) 808.763.9586	<a href="mailto:rae.godden@nps.gov">rae.godden@nps.gov</a>	
Kaloko-Honokohau NHP	Jeff	Zimpfer	Environmental Protection Specialist	73-4786 Kanalani St. #14	Kailua-Kona	HI	96740	808.329.6881 x1500	<a href="mailto:jeff_zimpfer@nps.gov">jeff_zimpfer@nps.gov</a>	
Kaloko-Honokohau NHP	Tyler	Paikuli-Campbell	Cultural Resource Program Manager / Archaeologist	73-4786 Kanalani St. #14	Kailua-Kona	HI	96740	808.329.6881 x1213	<a href="mailto:Tyler_Paikuli-Campbell@nps.gov">Tyler_Paikuli-Campbell@nps.gov</a>	
Kaloko-Honokohau NHP	Jon	Jokiel	Supervisory Park Ranger, Interpretation	73-4786 Kanalani St. #14	Kailua-Kona	HI	96740	808.329.6881 x1329	<a href="mailto:jon.jokiel@nps.gov">jon.jokiel@nps.gov</a>	
Ala Kahakai National Historic Trail	Aric	Arakaki	Superintendent	73-4786 Kanalani St. #14	Kailua-Kona	HI	96740	808.326.6012 x101	<a href="mailto:aric_arakaki@nps.gov">aric_arakaki@nps.gov</a>	
Ala Kahakai National Historic Trail	Rick	Gmirkin	Community Archaeologist	73-4786 Kanalani St. #14	Kailua-Kona	HI	96740	808.326.6012	<a href="mailto:rick_gmirkin@nps.gov">rick_gmirkin@nps.gov</a>	
Ala Kahakai National Historic Trail	Mandy	Johnson-Campbell	Archaeologist	73-4786 Kanalani St. #14	Kailua-Kona	HI	96740	808.326.6012 ext 104	<a href="mailto:mandy.campbell@nps.gov">mandy.campbell@nps.gov</a>	
Ala Kahakai National Historic Trail	Alan	Brown							<a href="mailto:alanainamalu@mac.com">alanainamalu@mac.com</a>	
Ala Kahakai National Historic Trail	Christopher	Hawkins	Coordinator	P.O. Box 2338	Kamuela	HI	96743	808.494.7116	<a href="mailto:hawkins@alakahakai.org">hawkins@alakahakai.org</a>	
Advisory Council on Hitoric Preservation										
18 ACHP	Mary Ann	Naber	Sr Program Analyst/FHWA Liaison	401 F Street NW	Washington	DC	20001-2637	202.517.0218	<a href="mailto:mnaber@achp.gov">mnaber@achp.gov</a>	
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19 SHPD	Susan	Lebo	Archaeology Branch Chief	601 Kamokila Boulevard	Kapolei	HI	96707	692.8019	<a href="mailto:Susan.A.Lebo@hawaii.gov">Susan.A.Lebo@hawaii.gov</a>	
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20 Office of the Mayor	Harry	Kim	Mayor	74-5044 Ane Keohokalole	Building C	Kailua-Kona	HI	96740	808.327.6003	<a href="mailto:cohmayor@hawaiicounty.gov">cohmayor@hawaiicounty.gov</a>
21 Department of Environmental Management	William A.	Kucharski	Director	74-5044 Ane Keohokalole	Building D	Kailua-Kona	HI	96740	808.323.4411	<a href="mailto:cohdem@hawaiicounty.gov">cohdem@hawaiicounty.gov</a>
22 Department of Parks and Recreation	Charmine L.	Kamaka	Director	West Hawai’i Civic Center	Bldg B, 74-5044 Ane Keohokalo le Hwy	Kailua-Kona	HI	96740	808.323.4346	<a href="mailto:parks_recreation@hawaiicounty.gov">parks_recreation@hawaiicounty.gov</a>
23 Department of Planning (West Hawai’i)	Michael	Yee	Planning Director	74-5044 Ane Keohokalole Highway	Building E, 2nd Floor	Kailua-Kona	HI	96740	808.323.4770	<a href="mailto:planning@hawaiicounty.gov">planning@hawaiicounty.gov</a>
Primary and Secondary Schools										
24 Department of Education (DOE), Hawai’i District-Honoka'a-Kealakehe-Kohala-Konawaena	Art	Souza	Superintendent	75-140 Hualalai Road	Kailua-Kona	HI	96740	808.327.4991	<a href="mailto:Art_Souza@hawaiidoe.org">Art_Souza@hawaiidoe.org</a>	
25 Kahakai Elementary School	James	Denight	Principal	76-147 Royal Poinciana Drive	Kailua-Kona	HI	96740	808.313.6200	<a href="mailto:jim_denight@notes.k12.hi.us">jim_denight@notes.k12.hi.us</a>	
26 DOE, Kealakehe High School	Wildred F.	Murakami	Principal	74-5000 Puohulihuli Street	Kailua-Kona	HI	96740	808.313.3600	<a href="mailto:wilfred_murakami@notes.k12.hi.us">wilfred_murakami@notes.k12.hi.us</a>	
27 DOE, Kealakehe Elementary School	Nancy	Matsukawa	Principal	74-5118 Kealakaa	Kailua-Kona	HI	96740	808.327.4308	<a href="mailto:Nancy_Matsukawa@hawaiidoe.org">Nancy_Matsukawa@hawaiidoe.org</a>	
28 Makua Lani Christian Academy High School	Nancy	Begley	Principal	74-4947 Mamalahoa Highway	Kailua-Kona	HI	96740	808.329.4898		
29 West Hawai’i Explorations Academy	Heather	Nakakura	Director	73-4500 Makako Bay Drive	Kailua-Kona	HI	96740	808.327.4751	<a href="mailto:nakakura@whea.net">nakakura@whea.net</a>	
30 Hawai’i Montesory School	Angela	Geldhof	Executive Director	74-978 Manawale'a Street	Kailua-Kona	HI	96740	808.334.0700	<a href="mailto:kona@hawaiimontessori.org">kona@hawaiimontessori.org</a>	
32 Innovations Public Charter School	Jennifer	Hiro	Teacher Director	75-5815 Queen Ka'ahumanu Highway	Kailua-Kona	HI	96740	808.327.6205		
33 Holualoa School	Glenn	Gray		76-5957 Mamalahoa Highway	Holualoa	HI	96725	808.322.4800	<a href="mailto:glenn_gray@hawaiidoe.org">glenn_gray@hawaiidoe.org</a>	
Universities										

34	University of Hawai'i at Hilo	Donald O.	Straney	Chancellor	Office of the Chancellor	200 West Kawili Street	Hilo	HI	96720-4091	808.932.7348	<a href="mailto:dstraney@hawaii.edu">dstraney@hawaii.edu</a>
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36	University of the Nations - Flags									808.326.4400	<a href="mailto:info@uofnkona.edu">info@uofnkona.edu</a>
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Notes: \*Denotes specifically identified parties in the MOA.

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7 Royal Order of Kamehameha, Chapter--7 Kona, West Hawai'i, Hawai'i Island*	Nainoa	Perry						<a href="mailto:nainoaperry@yahoo.com">nainoaperry@yahoo.com</a>	
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**QK Ph 2 MOA STIPULATION 15 Terrain Model****Hawai'i Department of Transportation, Hawai'i District**

Consultation List as of: June 2017

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1 FHWA	Meesa	Otani	Environmental Engineer
	Lisa	Powell	Transportation Engineer
	Richelle	Takara	Senior Transportation Engineer
2 HDOT	Donald	Smith	Deputy Asst Engineer (Designate)
	Sterling	Chow	Deputy Asst Engineer
	Natasha	Soriano	Civil Engineer
	Deona	Naboa	Archaeologist
Community Organizations, NHOs and Interested Parties			
3 Association of Hawaiian Civic Clubs*	Annelle	Amaral	President
4 Historic Hawai'i Foundation	Kiersten	Faulkner	Executive Director
5 Kona Hawaiian Civic Club	Cynthia	Nazara	President
	Hannah	Springer	
6 La'i'Ōpua 2020	Bo	Kahui	Executive Director
7 Makani Hou o Kaloko-Honokōhau	Isaac	Harp	
	Fred	Cachola	
8 Nakoa Foundation	Abel	Aquino	Director
9 People's Advocacy Trails Hawai'i (PATH)*	Monica	Scheel	President
10 Pu'ukohola Heiau National Historic Site	Daniel	Kawaiaea	Superintendent
11 Royal Order of Kamehameha, Chapter--7 Kona, West Hawai'i, Hawai'i Island*	Kuauhau Russ	Paio	
	Nainoa Kalani	Perry Nakoa	
12 E Mau Na Ala Hele	Davis	Marcie	President
	Schaefer	Barbara	Board of Directors
13 Ruth Aloua	Ruth	Aloua	
14 Deborah L. Chang	Deborah	Chang	Principal Planner Island Transitions LLC
15 Office of Hawaiian Affairs	Keola	Lindsey	Compliance Monitoring
	Lauren	Morawski	Compliance
16 National Park Service	Tyler	Paikuli-Campbell	
	Jeff	Zimpfer	
	Bill	Thompson	
	Aric	Arakaki	
	Rick	Gmirkin	
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17 ACHP	Mary Ann	Naber	Sr Program
State Historic Preservation Division			
18 SHPD	Susan	Lebo	
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**QK Ph 2 MOA STIPULATION 15 Terrain Model****Hawai'i Department of Transportation, Hawai'i District**

Consultation List as of: June 2017

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20 Department of Environmental Management	William A.	Kucharski	Director
21 Department of Parks and Recreation	Charmine L.	Kamaka	Director
22 Department of Planning (West Hawai'i)	Michael	Yee	Planning Director
Primary and Secondary Schools			
23 Department of Education (DOE), Hawai'i District-Honoka'a-Kealakehe-Kohala-Konawaena	Art	Souza	Superintendent
24 Kahakai Elementary School	James	Denight	Principal
25 DOE, Kealakehe High School	Wildred F.	Murakami	Principal
26 DOE, Kealakehe Elementary School	Nancy	Matsukawa	Principal
27 Makua Lani Christian Academy High School	Nancy	Begley	Principal
28 West Hawai'i Explorations Academy	Heather	Nakakura	Director
29 Hawai'i Montesory School	Angela	Geldhof	Executive Director
30 Innovations Public Charter School	Jennifer	Hiro	Teacher Director
31 Holualoa School	Glenn	Gray	
Universities			
32 University of Hawai'i at Hilo	Donald O.	Straney	Chancellor
33 SECE, University of Hawai'i Community College, Pālanui	Kenneth	Fletcher	Director
34 University of the Nations - Flags	Steve	Foth	Drector of Security and Transportation

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Notes: \*Denotes specifically identified parties in the MOA.

## DECEMBER 2017 - Terrain Model & Underpass Feas. Mtg. Combined

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## **JULY 2017**

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**Subject:** Re: Meeting for Queen Ka'ahumau Highway Widening Phase 2 Mitigation Meeting on Wednesday, June 26th, 2019



[EXTERNAL E-MAIL]

Aloha Kiersten,

Mahalo nui loa for your email to thank Don for organizing the consultation meeting on June 26 and requesting a recap for any action items and the next steps for consulting parties involved in the successful completion of the NHPPA Sec. 106 MOA of February 4, 2015. It is an excellent summary of the numerous items we discussed before you had to leave at 6:00 pm. Lisa's minutes will surely cover those details that you may have missed and also include the concluding comments and discussions that occurred after you left. Lisa's minutes are great. I really appreciate her efforts in detailing the questions, concerns and pertinent points of discussion from so many previous consultation meetings.

Unfortunately, we could not discuss all of the items on the agenda. And as you noted, there's so much left to do in our next steps, such as additional mitigation proposals for the damaged sites; developing a new MOU with the UH; amendments for the MOA, an extension of the MOA and "...ongoing or additional consultation with NHOs and consulting parties related to the unfinished stipulations and improvements to the consultation process and communications overall". Before and after you left, the NHO's requested another consultation meeting with more time to fully discuss so many unresolved issues. Don did not answer that question but said that in a week or so he will have an answer. It is difficult to understand Don's reluctance to be more positive in addressing so many issues and to organize another consultation meeting.

It is also becoming very difficult for me to cope with the prolonged 6-8 year process of trying to *ho'oponopono* the adverse effects not only for this Hwy. project but for the cumulative adverse effects of so many cultural landscapes throughout Hawaii nei. I do hope that all consulting parties in this project will understand the overwhelming cumulative adverse effects Hawaiians have endured for so long, not only to the physical landscapes of our islands but more so to the spiritual *mana* we inherit from Hawaiian ancestors. Please forgive me when my cumulative frustrations emerge and offend anyone during our meeting.

Me ke aloha pumehana,  
Fred Keakaokalani Cachola



On Thu, Jun 27, 2019 at 4:55 PM Kiersten Faulkner <[Kiersten@historichawaii.org](mailto:Kiersten@historichawaii.org)> wrote:

Aloha Don,

Thank you for organizing the consultation meeting yesterday, and I apologize that I needed to head out at 6:00 p.m. to get to the airport. We were just getting to the discussion about the Palamanui trail program and I am sorry I missed that conversation. It looked like a fascinating educational and cultural program.

Can you recap any action items and next steps for us, please? My questions and comments included:

1. HDOT is to provide the link or otherwise distribute the Underpass Feasibility Study
2. HDOT is to resend the link to the digital layers for the Terrain Model (I was able to download the files, but others said they needed the link).
3. HDOT is to send the revised Memorandum of Understanding between UH-Hilo, Kohala Center and HDOT regarding the cultural and educational programming
4. Were any additional mitigation proposals presented for addressing the additional adverse effects for the breached sites? Either related to the Palamanui Program or otherwise? Please send those if available.
5. What are the next steps in consultation for addressing the additional adverse effects? What will be the consultation timeline and framework? What is the way forward for addressing the issue?
6. HDOT and FHWA mentioned several times the intention to amend the Section 106 Memorandum of Agreement. Which stipulations or areas will be subject to amendment? What will be the consultation timeline and process for amendment?

I noted during the discussion on the status of the stipulations that the amended MOA will need to address:

- + duration of the MOA (expires this year)
- + curating the cultural materials and artifacts affected by data recovery, location, access and long-term stewardship of materials
- + pōhaku from the dismantled ahupua'a marker, location of the stones, access and potential reuse of the stones
- + effectiveness of the educational/cultural programming, including reporting and accountability for results, mechanism for raising and resolving objections
- + resolution of effects from the breached sites
- + follow-up and implementation on the recommendations from the Relationship-Building Workshops
- + ongoing or additional consultation with NHOs and consulting parties related to the unfinished stipulations and/or additional HDOT/FHWA projects; improvements to the consultation processes and communications overall
- + location, access and use of the terrain model
- + any action items related to the underpass study
- + any other items?

Please let me know if there were any other issues, comments or concerns that were raised later in the meeting or that I misunderstood. We look forward to continuing to work with you, the team from HDOT and FHWA, and all of the consulting parties.

Also, I wanted to note that I think the terrain model is beautiful. It is an example of creative mitigation that is specific to this location and circumstance that has the potential to be extremely useful and impactful. I hope to see if find a meaningful purpose and serve the community for many occasions. Mahalo to those who recommended this stipulation and those who worked on making it a reality.

Thank you!

Kiersten

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Subject: Meeting for Queen Ka'ahumau Highway Widening Phase 2 Mitigation Meeting on Wednesday, June 26th, 2019

Good Morning Everyone,

If you have not yet responded, please let me know if you will be attending the 106 mitigation meeting for the Queen Ka'ahumanu Highway Widening Project from Kailua to Ke'ahole so that I can make sure we have adequate Refreshments 😊. The meeting will be held on Wednesday, June 26, 2019 from 4:00 PM to 6:00 PM at the University of Hawaii's Palamanui Campus, on the island of Hawaii.

If anybody has any questions as to how to arrive at the Palamanui Campus, please let me know. I want to thank the Palamanui for graciously allowing to utilize their facility for the meeting and I hope you do take the opportunity to look around this beautiful campus.

Ms. Mandy Ranslow forwarded a link I would like to pass on.

<https://www.achp.gov/sites/default/files/guidance/2018-06/ConsultationwithNHOsintheSection106ProcessAHandbookJune2011.pdf>  
<https://www.achp.gov/sites/default/files/guidance/2018-06/ConsultationwithNHOsintheSection106ProcessAHandbookJune2011.pdf>

4 The Section 106 regulations include both general direction regarding consultation with Native Hawaiian organizations and specific requirements at each stage of the review process.

<http://www.achp.gov>

The Department of Defense Consultation Guide has been attached.

I have included the link to the RM Towill Sharepoint site so that the Digital Terrain model can be downloaded. In addition, we will be working to make sure that additional information from the project and meeting can be downloaded for this site.

The following link provides you with access to download the digital model depicting the Queen Ka'ahumanu Highway Lands of Kekaha Terrain Model. Selecting each of the features including geographic features, trails, settlement areas, parks, and ahupua'a boundaries will provide you with a downloadable reference source from which the information was obtained.



<https://share.rmtowill.com/index.php/s/xlj4zcIJ3NUjxu>

Please remember to save all files after you have downloaded them to your computer. To begin, select and double-click the downloaded filename: Kekaha Kona complete.kmz. This will open the program Google Earth where you will be able to access the contents. This upload will be available for a limited time and will be removed in one-year or by May 15, 2020.

If you have a specific request for material or there is anything else that you believe needs to be included as part of the meeting, please let us know.

Thank you everyone for your time and attention to this matter and we look forward to seeing you next Wednesday at 4 PM.

Sincerely

Donald Smith  
Hawaii District Engineer  
50 Makaala Street  
Hilo, HI 96720  
(808)933-8866

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## [EXTERNAL] FW: Follow Up; Meeting for Queen Ka'ahumau Highway Widening Phase 2 Mitigation Meeting on Wednesday, June 26th, 2019

Powell, Lisa (FHWA) <lisa.powell@dot.gov>

Thu 5/14/2020 2:56 PM

To: Sonomura, Julann M <julann.m.sonomura@hawaii.gov>

📎 2 attachments (274 KB)

062619 Queen Kaahumanu Highway Widening Project 106 Consultation Meeting Notes (final).pdf; HDOT\_UHH QK MOU 190625 final draft.pdf;

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**From:** Smith, Donald L [mailto:donald.l.smith@hawaii.gov]

**Sent:** Thursday, July 4, 2019 5:08 PM

**To:** fredcachola@gmail.com; Kiersten Faulkner <Kiersten@historichawaii.org>; mranslow@achp.gov; Lebo, Susan A <susan.a.lebo@hawaii.gov>; Jeff Zimpfer <jeff\_zimpfer@nps.gov>; Richard Paikuli-Campbell <tyler\_paikuli-campbell@nps.gov>; rick\_gmirkin@nps.gov; Keola Lindsey <keolal@oha.org>; Bo Kahui <bokahui@laiopua.org>; Aric <aric\_arakaki@nps.gov>; pakaharp@gmail.com; Maurice Kahawaii <mkahawaii@hawaii.rr.com>; nainoaperry@yahoo.com; shanen@oha.org; Powell, Lisa (FHWA) <lisa.powell@dot.gov>; Lauren Morawski <laurenm@oha.org>; Ando, Marshall <marshall.ando@hawaii.gov>; ohiwai@gmail.com; Herb Lee <herblee@thepaf.org>; Carrie Kuwada Phipps <carriekp@hawaii.edu>; Aiu, Pua <Pua.Aiu@hawaii.gov>; Otani, Meesa (FHWA) <meesa.otani@dot.gov>

**Cc:** Rezantes, Kahaa (FHWA) <Kahaa.Rezantes@dot.gov>; Sonomura, Julann M <julann.m.sonomura@hawaii.gov>; Takiue, Harry H <harry.h.takiue@hawaii.gov>; Laura Mau <lauram@rmtowill.com>; Takara, Richelle (FHWA) <Richelle.TAKARA@dot.gov>; Keiki Kawai'ae'a <keiki@hawaii.edu>; Sniffen, Edwin H <edwin.h.sniffen@hawaii.gov>; Naboa, Deona <deona.naboa@hawaii.gov>

**Subject:** Follow Up; Meeting for Queen Ka'ahumau Highway Widening Phase 2 Mitigation Meeting on Wednesday, June 26th, 2019

Hello Everyone, I hope you are having a great 4th of July Holiday.

During the meeting, HDOT agreed to follow up by the end of the next week. Although we have not reached a decision yet, I wanted to let the group know that we are actively working and will get back to the group very soon. We do appreciate your patience.

**Fred, we would appreciate it if you would make your proposal for mitigation measures available. We do have the proposal from the mitigation meetings held with Scot Urada, but you mentioned that you might have some alternative ideas from the NHO's. Could you please make those available.**

1. Please find the attached minutes to the June 26th meeting.
2. Below are links to the RM Towill ShareDrive. Use Ctrl/Click to access the file. Let me know if you have any issues.

*Dear Recipients,*

*The following link provides access to files. Please let me know if there is something that should be made available that is not currently on the sharedrive.*

<http://share.rmtowill.com/index.php/s/kKKnQ4eBwwcmhkg>



30a

*The following link provides access to the digital terrain model.*

<https://share.rmtowill.com/index.php/s/xlj4zcCIJ3NUjxu>

*The following link provides you with access to download the digital model depicting the Queen Ka'ahumanu Highway Lands of Kekaha Terrain Model. Selecting each of the features including geographic features, trails, settlement areas, parks, and ahupua'a boundaries will provide you with a downloadable reference source from which the information was obtained.*

*Please remember to save all files after you have downloaded them to your computer. To begin, select and double-click the downloaded filename: Kekaha Kona complete.kmz. This will open the program Google Earth where you will be able to access the contents. This upload will be available for a limited time and will be removed in one-year or by May 15, 2020.*

3. The Draft MOU with UHH is attached. It is a draft because it is not signed. The current MOU can be found on the RM Towill Share Drive so that everyone can see there is not a change to the core language.

**In Closing, as stated at the close of the meeting by Mr. Herb Lee: Please make sure everyone understands there are still options on the table and no one is committed to any one option. The purpose of today's meeting was to update you and to close out some of the stipulations that remained open. We have not met for a while and HDOT is making a good faith effort to move forward on mitigation measures. We have**

**covered primarily outstanding items and shared the work on the MOU with UH.**

Please let me know if you have any questions or problems getting to the information. I will follow up soon with additional information. Again, appreciate your patience.

Sincerely

Donald Smith

Hawaii District Engineer

50 Makaala Street

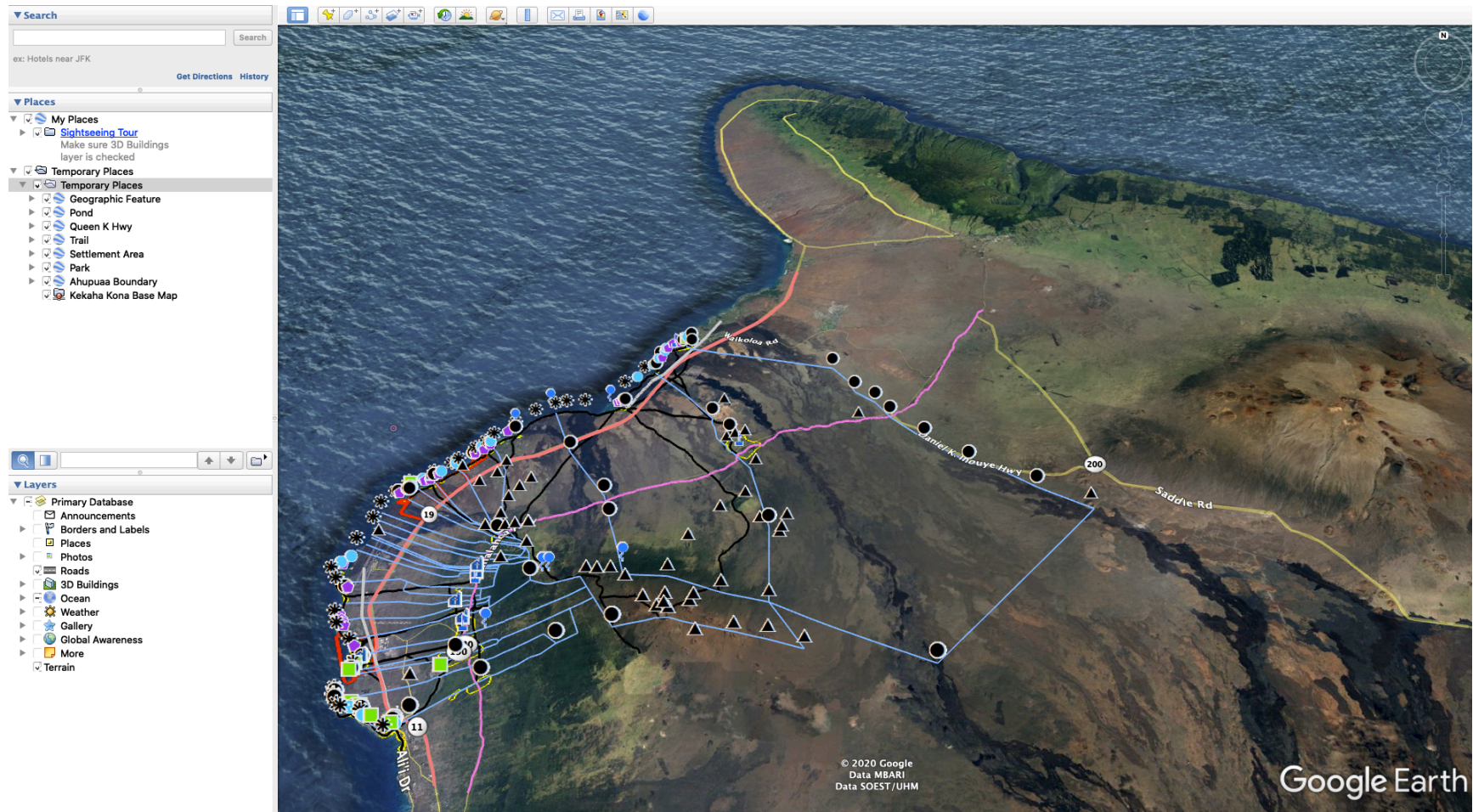
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30b



## Queen Kaahumanu Highway Widening Project 106 Consultation Meeting

### Attendance

Herb Lee (Facilitator)  
Donald Smith (HDOT)  
Pua Aiu (HDOT)  
Lisa Powell (FHWA)  
Kahaa Rezantes (FHWA)  
Meesa Ontani (FHWA)

### From Palama Nui:

Carrie Kuwada Phipps  
Richard Stevens  
Daniel Stevens  
Director Raynette (Kalei) Haleamu-Kam (Director)  
Paolo Morgan (Student)  
Carrie Kuwada Phipps  
Rachel Solemsaas (Chancellor)  
No'el Tagab-Cruz (Hawai'i Lifestyle program instructor)  
Juanita Thompson (former Student, via video)

Mandy Raslow (ACHP)  
Lauren Morawski (OHA)  
Susan Lebo (SHPD)  
Tamara Luthy (SHPD)  
Fred Cachola (Ka makani hou o Kaloko-Honokohau)  
Paka Harp (Ka makani hou o Kaloko -Honokohau)  
Bo Kahui (La'i Opuia)  
Aric Arakaki (Na Alahele, NPS)  
Mandy (Na Alahele, NPS)  
Kierston Faulkner (HHF)  
Bill Thompson (NPS)  
Jeff Zimpler (NPS)  
Carrie Johnson (OHA)

### Opening Pule Fred Cachola

Opening remarks by Herb Lee to set context for discussion and meeting and to encourage collaboration and cooperation for a productive meeting

Introductions were made.

There was a discussion on the appropriateness of the agenda. Don and Herb clarified that time would be given to all proposals, including the Palama Nui proposal from HDOT and the NHO proposal. Don clarified that the Palama Nui Proposal was one possible option for mitigation.

Don Smith went over the status of the stipulations. The stipulation tracking spreadsheet was passed out to those who needed a copy. Smith started by discussing only the outstanding stipulation, but Cachola asked to go down the list in order, so that it would be easier to follow. Below is a review of comments and discussion of the stipulation items in the order they are presented in the attached spreadsheet.

The last meeting was 2 years ago

#### **Stipulation # 4: Archaeological Preservation and Mitigation Plan**

Lisa Powell reported that the Data Recovery report was sent to SHPD March 16, 2018. The end of fieldwork report is anticipated in mid-2019.

Harp asked if HDOT received a response from SHPD regarding the Burial Treatment Plan Addendum submitted to SHPD? Lisa noted that it was not needed since the roadway was moved. Paka suggest that the report be updated by deleting the burial treatment plan section since it is no longer applicable. Cachola agreed that the report should be adjusted to reflect that the burial is outside the boundaries of the project.

#### **Stipulation #5b Native Hawaiian Cultural Outreach and Education**

Smith noted that the MOU with UH Hilo expired this year and no work had been done on it. However, he has been working with Keiki Kawaiaae'a to develop a new MOU. Smith said that he expects it to be signed within the month. This is one of the reasons the Queen Kaahumanu MOA needs to be amended and extended. The new MOU retains all of the stipulations in the old MOU (as required in the Queen Kaahumanu MOA), with addition of:

a) the Kohala Center has been added, per NHO requests. The Kohala Center will add a layer of oversight as well as being on the same side of the island as the project.

b) funding has been increased to 1.25 million to cover increased salaries and the addition of the Kohala Center.

In addition, Smith has been working on securing funding, so UHH will receive the first year's funding soon after signing the document. Transfer of funds had been one of the issues holding up implementation of the old MOU with UHH.

Susan Lebo (SHPD) asked who would sign? Smith relayed that it would be the Chancellor and the DOT Director and legal representatives.

Cachola expressed frustration and disappointment that nothing had been done. Cachola questioned HDOT's sincerity to accomplish this stipulation. He asked why the clause triggering dispute resolution had not been utilized to ensure this item was completed. He also felt that going down a checklist was not conducive to having a meaningful discussion. According to Cachola, UHH has tried multiple times to attempt to get the funding. He believes this points to HDOT's unwillingness to accomplish this stipulation.

Lee noted that the Consulting Parties (CP) have not seen the MOU. Smith agreed to share it.

Lebo asked if there is a provision in the MOU to stop or terminate the MOU if the effort is not moving forward. Smith said there is language for both addressing not moving forward and for termination.

Smith said that the MOU contained provisions for this.

Lee wanted clarification if this is the same MOU? Smith said it is, with two additions: the addition of Kohala Center and additional funds from \$800,000 and \$1.25 million. There is also additional legal language. The language in the MOU retains the same Queen Kaahumanu MOA stipulations and did not change between the new and old MOU.

Faulkner (HHF) pointed out that the terms MOA and MOU were being mixed and ask for clarification that the MOU with UH will meet the requirements of the Queen Kaahumanu MOA. Fred and Don agreed that it would.

Harp wanted UHH to consult with the CPs on how the UH MOU is implemented. Ala Kahakai wanted to be consulted on any trail work. Don explained that consultation for stipulation 5b was completed as part of the Queen Kaahumanu MOA.

Lebo asked if the MOU has language that says it meets the stipulations in the MOA and is there language to determine if the MOU is being implemented and actions if it is not. She assumes everyone is working in good faith but the MOU should have a measure that allows for corrections if it is not being done.

Smith noted that if HDOT cannot accomplish the stipulations in 5b, it would still be HDOT's responsibility to complete the stipulations in the MOA. HDOT responsibility to ensure the terms of the MOU are met is clearly spelled out in the MOU. (Language below added by HDOT after the meeting)

HDOT would not reopen consultation for the MOU unless UHH does not fulfill the MOU and an alternative must be found. At that point, more consultation would need to be done to make sure the consulting parties agree with any new effort.

Cachola ask that it be noted that nothing can be done.

Amanda (Na Ala Hele, NPS) noted that under E, A, or B that Palamanui could be included in the UHH MOA. It doesn't necessarily have to be an either or, and they could help meet the stipulations. Don noted that the Palama Nui proposal is for the trail breaches.

Lebo asked if the increased funding, from \$800,000 to \$1.25 million will impact FHWA funding for other efforts or other efforts to mitigate damage to the damaged sits. Smith replied that is does not impact FHWA funding or other mitigation efforts.

### **Stipulation #11, Interpretive Signs**

Powell reported that HDOT, FHWA and NPS have signed an MOA to have NPS develop interpretive signs for the trails in the project ROW that are also within the National Park. NPS will invoice DOT for state money. Work should start soon.

Powell noted that the Harpers Ferry Group will be doing the work. Zimpler added that the Harper's Ferry group will come out in August and give recommendations and then the NHO's will be consulted once the consulting group gives options.



Harp noted that he had wanted the trails marked on the highway like at NELHA but DOT was concerned with safety. He thought DOT was going to paint the roadway. Harp would like to know why those details were not in the MOA. He noted that the signage was only being done in the NPS boundaries and not beyond.

**Stipulation #17 Post-Review Discoveries**

This item will be addressed later in the agenda.

**Stipulation #19 Monitoring and Reporting**

This item is in progress.

**Stipulation #21 Amendments**

Smith noted that we are discussing various amendment to the MOA.

**Stipulation #1 On site point of contact.**

The HDOT On-site point of contact is Don Smith.

**Stipulation #2 Area of Potential effect**

SHPD concurred with the expanded APE on January 6, 2017.

**Stipulation #3 Professional Standards**

Both Cachola and Harp challenged the professional qualifications of Cultural Surveys Hawaii. Harp stated that if CSH had done its job, we would not be here today. CSH identified 17 sites, Harp identified 86 sites. Harp says that it is not correct to say professional standards were used because CSH did not place the buffers correctly. Harp reiterated the lack of professional standards by CSH and added that Hawaii is an occupied state and that destruction of sites are war crimes.

**Stipulation #6 Cultural Monitors**

This item is complete. Harp took a moment to thank Cynthia Nazara, who was the lead cultural monitor and to acknowledge her passing. He also thanked Sterling Chow, who is no longer with HDOT, for bringing her on the project.

**Stipulation #9 Highway Drainage and Stipulation #10a Pedestrian Crossings**

Smith reported that the Drainage and Pedestrian crossings are complete. Both were completed when the highway was completed.

**Stipulation #10b Pedestrian Crossings Underpass Feasibility Study**

Pedestrian and Underpass Feasibility Study and Design Guidelines are complete and Smith has 2 copies for distribution and will be available for download. Smith and Cachola agreed that both studies warrant additional discussion, but agreed to hold off in the interest of time.

Aric asked if the study is in draft form. He and Mandy were not allowed to consult on the Underpass Feasibility Study.

**Stipulation #12 Ahupua'a Signs**

Ahupuaa signs have been placed

**Stipulation #13 Landscaping Plans**

Landscaping was part of the construction and is complete.

**Stipulation #14 Relationship Building Workshop**

Relationship Building Workshops are completed. HDOT extended these workshop, so 2 were held on Oahu, 1 on Hawaii Island, and 1 on Maui. Aiu mentioned Kauai and Smith stated those were part of the Listening Sessions

**Stipulation #15 Terrain Model**

Smith stated that this item is complete. The terrain model was located in the room. Harp disagreed that the model is complete because it is missing the mauka to makai trails. Cachola noted that the terrain model was an innovative mitigation measure meant to represent and bring back a landscape that is being destroyed. He noted that Hawaiians are losing their "classrooms" which is needed to finish passing on our knowledge to the next generation. Cachola said they were not consulted and the terrain model before them is not what they had in mind. Cachola reiterated that you cannot check off a box. The terrain model is not done and is not what was expected. It is not a commodity, it is not a check box, and this is not what they had in mind. He noted that if consultation had been done as it should have, we would not be in this situation. Harp noted that during a meeting with RM Towill, the terrain model was forced on them, because the map maker was retiring. They did not have a chance to review the model before it became final.

Smith noted that there were two meetings where HDOT and RM Towill met with stakeholders and discussed the study and terrain models. The information obtained during those meetings, plus information from additional outreach attempts that were made was utilized to complete the study and the model. Out of that consultative effort these items (terrain model, underpass feasibility study, and design guidelines) were developed. Smith said HDOT followed a process and did what we could to obtain the information. Therefore, going forward, we will not reopen the consultation or redo the terrain model.

Lebo said we need to look at the big picture that we are working on a MOA. If parties feel that certain items have not been adequately consulted on to reach a conclusion in the MOA or if we walk away feeling that certain aspects of the stipulations have not been adequately consulted then we will need to emphasize the stipulations that have not been developed or are still under consideration.

Harp and Tamara asked for a list of the meetings and meeting attendees. Don agreed to make these available for download.

Amanda asked if the digital link to the terrain model could be re-sent as she was having difficulty linking to the digital version. Don agreed to resend.

**Stipulation #16 Archaeological materials and records**

Amanda asked where are the archeological materials being housed? Smith responded that they are being housed by CSH in Hilo. Cachola asked if they can be housed by NPS.

Lebo noted that under 6E SHPD selects the archive site. She noted that the State is buildings some archiving facilities, so SHPD may be able to store or curate materials in the future.

Amanda asked if the MOA needs to be amended because it states that at a future date NPS can hold the materials. Lebo said if NPS agreed to take them in the MOA, if they have the facilities, an amendment would not be needed. Amanda suggested reading the stipulation for cultural artifacts.

Amanda – read the stipulation for cultural artifacts.

Otani noted that this stipulation was commented on by ACHP after everyone else had signed, so the initials say that this was done after consultation. But NPS did not have facilities to take the materials. They could take the materials in the future if space or facilities became available. This was agreed to with the Advisory Council 5 years ago.

Lebo agreed but pointed out that since we are drafting an MOA amendment, it is possible if these facilities come on line, NPS can take the artifacts.

Harp asked for an update on the rocks that were dismantled from the O'oma boundary wall. The agreement was that the rocks would be left there for future use by the NHOs. Smith and Otani thought that this had been done. Lebo asked for administrative record to show it had been done. Cachola said it was in the meeting minutes. The work was done, the rocks are stored, and the boundary is very important because Kamehameha III spend the first five years of his life in O'oma. Lebo would like to see the documentation. Harp asked if there can be an agreement allowing the NHOs to access the rocks and erect an ahu? Right now, they cannot legally access the area. Lebo suggested adding a stipulation in the MOA making the rocks available for appropriate use.

Lee ended this portion of the meeting.

Palamanui did a presentation.

Live were Director Raynette (Kalei) Haleamu-Kam; student Paolo Morgan; Richard Stevens and Carrie Kuwada Phipps. On Zoom were: Chancellor Rachel Solemsaas; Hawai'i Lifestyle program instructor No'el Tagab-Cruz; and former student who recently graduated Juanita Thompson.

Harp appreciated the speakers' passion for the trails. However he is concerned about the restoration process. Has documentation been done and is Palama Nui following laws that protect historical resources? He recommends that Dr. Stevens get together with an expert to see what legal processes need to be followed to avoid any issues of unforeseen violations of the law. He does not want to see the spirit for the trails dampened. Suggested that Palama Nui find out what laws are applicable because he doesn't want to see Palama Nui charged with anything for trying to do the right thing.

Cachola expressed appreciation that there is an ohana like this working on the trials, and the geographical and historical environment. He believes that the Palama Nui program meets the needs of the UHH MOU and wished this could have been done six (6) years ago. He urged the Palama Nui presenters to talk to the UH Chancellor to see if they could access the UHH funds.

Racheal, chancellor of UH Community college committed to follow up with UH Chancellor and see how the MOU could benefit this work.

Both Cachola and Harp did not believe that the Palama Nui proposal should be used as mitigation for the trail breaches because there had not been adequate vetting of the NHO proposal. Fred noted that they have brought a power point of their proposal to share with everyone.

Smith noted that the UHH MOU is in process and cannot be changed at this point. However, as mitigation for the breached sites, HDOT could participate with Palama Nui on their trail restoration projects. Smith also noted that the MOU is using federal funds, but the mitigation for the breached sites will be from State funds, so they use different pots of money.

Lebo expressed a concern that that these trails would not be documented as historic properties.

Kahui stated that the process is good. He believes there is a lot more to be done and that there are layers of different efforts. He commends the work being done by Palama Nui, and believes that if they work with DOT they would comply with the law. It is apparent that UH wants to do the right thing for our trails. He noted that we are here to resolve the MOA and believes we can get there, but if it is all about wanting more, then we are never going to get there. We have to come to a resolution, that is my mana'o.

Cachola expressed his disappointment in the meeting and asked for another meeting where the agenda can be mutually agreed on.

Amanda asked for some clarification regarding consultation on the breaches. She noted that the signatories have to agree. Lebo agreed but noted signatories don't have to sign if they don't find the MOA adequate. Amanda wanted to know the role of the invited signatories. Aiu noted that they are invited to sign, but HDOT can move forward as long as the signatories agree. The signatories are:

Cachola noted that HDOT and FHWA committed to notifying the NHOs within 30 days of the last meeting on mitigation, about committing to a schedule to determine mitigation. That was two years ago. That is the kind of frustrations and furry I feel .

Morowski (OHA) reiterated that the mitigation for the damaged sites should come from the NHO's. There needs to be more information and time to discuss and maybe we can understand how HDOT is arriving at these decisions.

Rezantes (FHWA) said he heard Uncle Fred's concerns, and they seem very valid and passionate. But he wanted to clarify that he heard Smith, speaking for HDOT, commit to doing something, but he did not hear Smith say he committed to any one thing. He committed to addressing the breaches. Rezantes wants clarity. FHWA needs to know what we are walking away from in this meeting. He was pleased, HDOT is acknowledging what is happening and encouraged that they are committed to following through.

Rezantes further clarified that he heard Smith say, "We commit to fulfilling our commitment. There are two parts, 1 being the UHH MOU and the 1.25 M, and the second the breaches" Rezantes said he thought Smith said that Palama Nui is an option. He pointed out that he would be concerned, like Uncle Fred, if I heard any more than that.



Smith noted that he cannot fund Palama Nui unless it is tied to mitigation.

Lee asked if there were further comments.

Lebo pointed out that due to rule changes she now needs 3 weeks notice to travel. She asked if HDOT could give adequate notice as SHPD wants to participate in person. Morowski noted that OHA has the same restrictions.

Lee stated in closing: Please make sure everyone understands there are still options on the table and no one is committed to any one option. The purpose of today meeting is to update you, close out some of the stipulations that remained open. We have not met for a while and HDOT is making a good faith effort to move forward on mitigation measures. We have covered primarily outstanding items and shared the work on the MOU with UH.

Lee asked Cachola if he could send out a copy of his proposal for the breaches.

Smith was asked if he would commit to more meetings. He responded that HDOT is not committing to more meetings today. This is not to saying we won't agree to more meetings in the future, just saying we did not commit to that today.

Harp asked if we have a commitment that the terrain model is a draft? Smith replied, "no."

Smith committed to providing additional information on how HDOT wants to move forward before the end of next week.

Herb – Let's adjourn

## Jason Tateishi

---

**From:** Johnson Campbell, Amanda <amanda\_johnson@nps.gov>  
**Sent:** Friday, July 12, 2019 11:59 AM  
**To:** Donald L; mranslow@achp.gov; Susan A; Deona; Richard Paikuli-Campbell; Jeff Zimpfer; Aric; Rick Gmirkin; Fredrico Cachola; Bo Kahui; Keola Lindsey; Maurice Kahawaii; Edwin H; Isaac Harp; Shane Palacat-Nelsen; Nainoa Perry; Hannah Springer; Lisa (FHWA); Lauren Morawski; Kiersten Faulkner; Marshall; Herb Lee; Keiki Kawai'ae'a; Harry H; Julann M; Laura Mau; Kahaa (FHWA); Pua; Meesa (FHWA); Richelle (FHWA); Brian Takeda  
**Subject:** RE: Meeting for Queen Ka'ahumau Hwy Widening Phase 2 June 26 2019 Meeting and next steps

### [EXTERNAL E-MAIL]

Aloha kakou,

Don, thank you for setting up our June 26<sup>th</sup> meeting. While we did get to cover some of the MOA status, unfortunately we just didn't end up with enough time to fully cover the issues that needed to be discussed. We are looking forward to details for our next meeting, so that we can discuss and better understand where we are in the process of implementing the 2015 MOA and the outstanding stipulations, and take the next steps for addressing the mitigation for the breaches of the 5 sites that were damaged in 2016. As for now, we would like to request some items to be addressed before we meet. As it has been many years that this process has been going on, staffing has changed with our respective signatory organizations and now is a good time to recap some of the details to refresh our collective institutional memory. Don and Lisa, Please see our requests below:

#### 2015 MOA

- 1- Please provide an updated matrix of the original 12 MOA stipulations in numeric order of the stipulations. While the 2019 1<sup>st</sup> Quarter Report did provide some information, it is a bit hard to follow since the numbers jump around.
  - a. Also could you please provide any further updates and also a key to the color coding on the document. Could you please clarify what the yellow and blue fields mean? Perhaps an additional color could be used to indicate which stipulations are done?
  - b. In this document please provide links to any completed deliverables (e.g. the Underpass Feasibility Study, the digital terrain model, etc.)
- 2- At your earliest convenience please send out the proposed MOA amendments that were sent to ACHP to the rest of the group for review (especially your co-signatories and concurring parties on the MOA).
  - a. When were these submitted to ACHP?

We were concerned to hear that there are proposals being sent to ACHP without input or consensus from the rest of the parties on the MOA. Per our legally binding agreement, all parties on the original MOA must be aware of and part of the process of creating any amendments, as all the original signatories and invited signatories would need to agree on the proposed changes.

- 3- Please provide a synopsis of what happened with the original MOU with UH.
  - a. And could you please provide the draft proposed (new) MOU with UH to the group (especially your co-signatories), and clarify why and what for the additional 400K is being added?
  - b. What funding source was being used for the original 800,000, and what funding source(s) will be used for the new one?
  - c. What mechanism will be used to actually transfer the money to UH? It's our understanding that an MOU cannot do this.

## 5 Damaged Sites Mitigation (Separate from original MOA stipulations)

Unfortunately, we did not get to discuss at all the separate issue of mitigating the damage/breaches to the 5 sites that occurred. It has been almost 4 years since these damages occurred, and mitigation strategies need to be implemented swiftly, and prior to the expiration of the existing MOA.

- 1- As per HDOT (S. Chow) at the 2016 meeting, damage occurred to site buffers in summer 2015, to the Road to the Sea trail prior to the end of November 2015, and to the Mamalahoa Trail in the end of November 2015. Can you please tell us on which dates the breaches were reported to SHPO, the signatories, invited signatories, concurring parties and NHO's (as specified in Stipulation 17a of the MOA)? And whether the reports followed Stipulation 17 timelines?
- 2- Do FWH and HDOT already have intentions for how to mitigate the 5 damaged sites? (Again, the mitigations for the site breaches fall under stipulation 17 of the MOA, and all signatories need to be part of the process for mitigation plans. Additionally, only recommendations by signatories, invited signatories and concurring parties of the 2015 should be considered. As we all know this is a group process, and no one signatory outweighs the others when it comes to how to best mitigate. Obviously, NHO's are going to have the best idea of how best to mitigate the destruction of these sites, and their mana'o should be considered highest priority.
- 3- We look forward to hearing more about (and presenting) all potential mitigation strategies and specific strategies for how stipulation 17B will be carried out ("HDOT to ensure that any recommended treatment measures are implemented; and HDOT shall provide a final report to the SHPO and all signatories, invited signatories, and concurring parties on these actions when they are completed.")

After action analysis- In terms of best management practices and avoiding damage to sites in the future- our next meeting needs to include synopses of what happened exactly (e.g. why was the buffer fencing in the wrong place), how to avoid this situation in the future, and develop SOP's for future projects so unnecessary destruction of historic and cultural sites does not continue. This should include teachable moments that we have learned from the hard way throughout this process. Clearly, this appears to be a systemic problem on highway related projects, and it needs to be addressed on a broad level so it does not continue. Subjects to include in SOP's need to include: early and often consultation, consistent, regular meetings between parties (no year-long gaps) with specific processes (i.e. teleconference at regular intervals, agreed upon timeline set at MOA execution, improved communication, transparency, etc.) These best practices should be widely distributed and made available via training to all parties on future highway projects.

### Palamanui

Please thank Dr. Stevens and the students at Palamanui for their presentation at our last meeting. We look forward to discussing how HDOT sees their program fitting into this process.

We look forward to the next steps in resolving these issues, and bringing this process to an end in the most pono way possible.

Thank you in advance for your prompt response. Mahalo,

Mandy Johnson-Campbell  
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Ala Kahakai National Historic Trail  
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## Jason Tateishi

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**From:** Laura Mau  
**Sent:** Monday, July 15, 2019 9:58 AM  
**To:** Jason Tateishi; James Yamamoto; Brian Takeda  
**Cc:** Roy Tsutsui  
**Subject:** FW: Follow Up; Queen Ka'ahumau Highway Widening Phase 2 Mitigation

Fyi

Laura Mau, AICP  
 Planning Project Coordinator  
<mailto:lauram@rmtowill.com>

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**From:** Smith, Donald L <donald.l.smith@hawaii.gov>  
**Sent:** Sunday, July 14, 2019 9:25 PM  
**To:** Paka Harp <pakaharp@gmail.com>  
**Cc:** fredcachola@gmail.com; Kiersten Faulkner <Kiersten@historichawaii.org>; mranslow@achp.gov; Lebo, Susan A <susan.a.lebo@hawaii.gov>; Jeff Zimpfer <jeff\_zimpfer@nps.gov>; Richard Paikuli-Campbell <tyler\_paikuli-campbell@nps.gov>; rick\_gmirkin@nps.gov; Keola Lindsey <keolal@oha.org>; Bo Kahui <bokahui@laiopua.org>; Aric <aric\_arakaki@nps.gov>; Maurice Kahawaii (mkahawaii@hawaii.rr.com) <mkahawaii@hawaii.rr.com>; Nainoa Perry <nainoaperry@yahoo.com>; shanen@oha.org; Powell, Lisa (FHWA) <lisa.powell@dot.gov>; Lauren Morawski <laurenm@oha.org>; Ando, Marshall <marshall.ando@hawaii.gov>; ohiwai@gmail.com; Herb Lee <herblee@thepaf.org>; Carrie Kuwada Phipps <carriekp@hawaii.edu>; Aiu, Pua <Pua.Aiu@hawaii.gov>; Otani, Meesa (FHWA) <meesa.otani@dot.gov>; Rezantes, Kahaa (FHWA) <Kahaa.Rezantes@dot.gov>; Sonomura, Julann M <julann.m.sonomura@hawaii.gov>; Takiue, Harry H <harry.h.takiue@hawaii.gov>; Laura Mau <lauram@rmtowill.com>; Takara, Richelle (FHWA) <Richelle.TAKARA@dot.gov>; Keiki Kawai'ae'a <keiki@hawaii.edu>; Sniffen, Edwin H <edwin.h.sniffen@hawaii.gov>; Naboa, Deona <deona.naboa@hawaii.gov>  
**Subject:** Re: Follow Up; Queen Ka'ahumau Highway Widening Phase 2 Mitigation

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### [EXTERNAL E-MAIL]

Hi Paka, Thank you for the response, it is appreciated. I do not have time left tonight to answer your email in great detail, but I would appreciate the opportunity to clarify the statement from the June 23rd email.

You are correct in your assertion that we have opportunities that are not within our rights of way. Two of those examples that we have opportunity to enter into an agreement with are National Parks and the University of Hawaii. During my quest for an opportunity to find a program and a champion to make this a possibility, I had been unable find a pathway forward until the meeting with Palama Nui (UH). You are not missing anything Paka, I simply did not represent our situation correctly in the email and it has been duly noted.

Paka, thank you for your email and I do regret if any parts of my June 23rd email did not adequately represent me or my organization, for that was not my intent. You are correct that we are engineers and that the 106 consultation process is not our natural environment. But we are learning, we are getting better, in part,

because of the mitigation efforts of this MOA as brought forth by the consulting parties. The relationship building workshops were a great experience for us and we would like to keep building on this foundation. We are a work in progress though and we do ask for your help in this journey. As much as we need to improve as an organization, as engineers, we need our communities to help us build relationships of trust and a kindred spirits.

Sincerely

Donald Smith

Hawaii District Engineer

50 Makaala Street

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(808)933-8866

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**From:** Paka Harp <[pakaharp@gmail.com](mailto:pakaharp@gmail.com)>

**Sent:** Sunday, July 14, 2019 6:48 PM

**To:** Smith, Donald L

**Cc:** [fredcachola@gmail.com](mailto:fredcachola@gmail.com); Kiersten Faulkner; [mranslow@achp.gov](mailto:mranslow@achp.gov); Lebo, Susan A; Jeff Zimpfer; Richard Paikuli-Campbell; [rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov); Keola Lindsey; Bo Kahui; Aric; Maurice Kahawaii ([mkahawaii@hawaii.rr.com](mailto:mkahawaii@hawaii.rr.com)); Nainoa Perry; [shanen@oha.org](mailto:shanen@oha.org); Powell, Lisa (FHWA); Lauren Morawski; Ando, Marshall; [ohiwai@gmail.com](mailto:ohiwai@gmail.com); Herb Lee; Carrie Kuwada Phipps; Aiu, Pua; Otani, Meesa (FHWA); Rezantes, Kahaa (FHWA); Sonomura, Julann M; Takiue, Harry H; Laura Mau; Takara, Richelle (FHWA); Keiki Kawai'ae'a; Sniffen, Edwin H; Naboa, Deona

**Subject:** Re: Follow Up; Queen Ka'ahumau Highway Widening Phase 2 Mitigation

Aloha Mr. Smith/Donald,

Mahalo for your e-mail. Keakaokalani (Fred) is feeling under the weather. In consultation with him, I am preparing this response on behalf of Makani Hou o Kaloko-Honokohau (Makani Hou).

Mahalo for the minutes of the June 26, 2019 meeting. We suggest that the meeting minutes be considered a Draft until approved by the meeting participants at the next meeting. Those involved in the early years of this particular consultation process know full well the inaccuracies of meeting minutes HDOT produced in the early years. The meeting minutes were so bad that the NHOs had to audio record the meetings and create verbatim records to insure the accuracy of the record. Makani Hou will get back to you with our response to the Draft June 26th meeting minutes.

It is unfortunate that the Draft MOU between the HDOT and the UH is being shared with us at this late hour, which is years after the mitigation measure was approved. As we read through the MOU, we noticed that a few sections fail to

meet our intentions for this mitigation measure. Therefore, Makani Hou requests that HDOT, in consultation with Makani Hou, consider amendments to the MOU to insure that this mitigation measure meets our intentions.

The download link that you kindly provided for the terrain model is in a .kmz format, which we are unable to open. Could you please provide a format that can be opened using a common computer program? As verbally expressed during our June 26th meeting, the physical terrain model is incomplete and is therefore unacceptable. In addition to providing a range of information relative to the Kekaha region, the primary intent of the terrain model is to display the numerous trails severed or otherwise impacted along the entire corridor of the Queen Kaahumanu Highway. During our June 26th meeting, the HDOT arranged for a presentation on the Palamanui Trail Restoration effort. Attention was raised to the fact that the Palamanui trail itself was missing from the terrain model. IF the HDOT contractors are unable to provide acceptable physical and digital terrain models, perhaps additional funding could be provided to the UH to do so in consultation with Makani Hou.

During the June 26th meeting, attention was also raised to the fact that past and possibly current Palamanui trail restoration actions may be in violation of existing State of Hawaii and US federal historic preservation laws. We request that the Palamanui Trail Restoration leaders consult the staff of the Ala Kahakai Trails program, the staff of the Na Ala Hele Trails program, as well as SHPD to insure that no inadvertant violations of historic preservation laws occur during their restoration efforts. We would not want anyone getting into trouble for trying to do what they believe to be pono/proper. At a minimum, we suggest an Archaeological Inventory Survey be completed for the Palamanui Trail prior to any further disturbances to the trail. Other than the nice Palamanui Trail Restoration presentation, we do not recall receiving a written proposal on the Palamanui trail in advance of the June 26th meeting, or at the June 26th meeting itself. Is a proposal from Palamanui forthcoming?

Yes, Keakaokalani (Fred) has an update on the proposed mitigation for the impacts to the five sites that we have yet to discuss with FHWA and HDOT. We were hoping to discuss this during our June 26th meeting, but due to the time constraints of the meeting, we did not have an opportunity to present the updated proposal. We prefer to present the updated proposal at the next meeting. We expect a few letters in support of what will be proposed. We understand that Mr. Jackson Bauer, Na Ala Hele Trails Access Specialist, may have submitted their letter of support to HDOT. Could you please confirm receipt of Mr. Bauer's letter of support?

It is our hope that the HDOT agrees with our request to schedule a two-day meeting in the near future so that we can wrap up discussions on this achingly protracted consultation process. Additionally, we hope that Drafting the next meeting agenda is done in a collaborative manner with the MOA signatories and concurring parties. The HDOT's desire to provide Palamanui time on the June 26th meeting agenda for their presentation consumed valuable time that would have been better spent discussing mitigation for the five impacted sites. We felt that it was inappropriate for the HDOT to accommodate a presentation by an outside party when so much remains to be done to address the agreed upon mitigation and proposed mitigation for the five impacted sites. Frankly, we were a bit surprised by your June 23rd e-mail, particularly this paragraph:

*"While attending the 10th Annual Alliance for a Sustainable Ahupua'a Puwala, I met Carrie Kuwada Phipps. This is significant as I had invested a lot of time and energy into finding mitigation for the breached sites, and quite frankly, continued to come up empty handed. That is not to say the suggestions provided by your group are not excellent, it is just that I kept hitting one roadblock after another. I did not believe I had any chance of success in accomplishing any of the items with the exception of those items that were within our rights of way. To be completely honest, I did not believe that completing the work on state rights of way was commensurate with or would have the most nexus to the damaged sites. I also did not believe it would give us the opportunity to accomplish our greater goal of providing educational opportunities to perpetuate the historical and cultural significance of the trail system in Native Hawaiian Culture."*

We were unaware that the HDOT could not meet any of our initial proposed mitigation measures for the five impacted sites if any were beyond the HDOT's rights of way. Funding UH appears to contradict that position. Is the Palamanui trail within HDOT's rights of way? Are we missing something here?

We believe that it would be in the best interest of the HDOT and other involved agencies if the HDOT hired staff trained in the Section 106 consultation process as it is conducted with Native Americans. The process is currently being administered by project engineers, and this is where we believe the difficulties are borne. Having staff trained in the Section 106 consultation process should alleviate unnecessarily prolonging Section 106 consultation processes in the future. It boggles the mind to think that some of the more significant mitigating measures have yet to be enabled while the MOA approaches its expiration date. Does the HDOT plan to propose an extension to the MOA until all mitigation is completed? Any details you could provide here will be gratefully appreciated!

In conclusion, it was very uncomfortable for me to share at our June 26th meeting the fact that the United States is an occupier in our country and that destruction of Hawaii's historic properties by HDOT, an agency of the occupying government, could be considered war crimes under international law. It was not my intention to insult the Americans at the meeting but simply to share the truth. We are all victims of circumstances inflicted upon us by dishonorable Americans of the past. It is ironic that we must defend our country's historical properties by consulting with an agency of the occupying government. Hawaiians are forced under duress daily to comply with illegitimate laws imposed on us by the occupier and its agents, which is more than extremely frustrating. If you take this into account, you might better understand where we're coming from and why we may not be as pliable as some might want.

Once the truth is known, there is no excuse for HDOT or any other agents of the occupying government to continue destroying Hawaii's historical properties. We provide below, an excerpt from the Geneva Convention, which is germane to what I shared on June 26th.

On behalf of Fred Keakaokalani Cachola and Makani Hou, Mahalo!

Aloha, Paka

**Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.**

**PROHIBITED DESTRUCTION - ARTICLE 53**

ANY DESTRUCTION BY THE OCCUPYING POWER OF REAL OR PERSONAL PROPERTY BELONGING INDIVIDUALLY OR COLLECTIVELY TO PRIVATE PERSONS, OR TO THE STATE, OR TO OTHER PUBLIC AUTHORITIES, OR TO SOCIAL OR COOPERATIVE ORGANIZATIONS, IS PROHIBITED, EXCEPT WHERE SUCH DESTRUCTION IS RENDERED ABSOLUTELY NECESSARY BY MILITARY OPERATIONS.

On Jul 14, 2019, at 3:52 PM, Smith, Donald L <[donald.l.smith@hawaii.gov](mailto:donald.l.smith@hawaii.gov)> wrote:

Hello Everyone, I hope you have had a great weekend! I want to thank everyone for their patience and assure you that we are actively working to make sure we are moving forward.

If some of you can let me know if the links I provided in the last email work and you are able to access the information, it would be greatly appreciated.

The current plan of action will be as follows (please note that there is no finality intended or inferred, it is just an approach that helps to maximize everyone's time, especially since some of our partners have to participate from afar).



**Fred, if you can please send the new mitigation measures you spoke of at our last meeting by July 19th, we will evaluate those proposals as well. If for some reason you are having difficulty with transferring the information or you need additional time, please let us know or we will make arrangements to get the information to us.**

All mitigation measures will be evaluated using the following criteria (please let us know if you have comments or suggestions);

- 1) Is the project feasible
  - a) Does the project have a measurable beginning and an end?
  - b) Is the project within an area that DOT can perform work?
- 2) Is the project proportional to the damage?
3. Is there a clear nexus to the damage?
4. Does the project serve a public interest?
5. Does the project serve to further broad historic preservation goals?

For the next phase of the evaluation, we will look to get comments to the process by email. Hopefully we can get this information together and out by July 26th for everyone's review and comment. We hope everyone will have time to review and comment by August 23. We fully recognize the benefits of a face to face meeting and we intend to have said meeting(s) to discuss the final product once we have prioritized the mitigation measures based on our evaluation criteria.

If you want to send me an email (or call me) to let me know your thoughts anonymously, your information will be kept anonymous. If you only want to share your thoughts with me, do not respond to everyone and I will make sure your information is kept as you intend it.

As for the MOA, we are working on the draft now. We intend to move forward with a new MOA to extend the time to July 1st, 2024 to account for the UHH MOU. We will likely have to amend the MOA again once the mitigation measures for the breached sites are decided upon. If we are able to come to an agreement on the mitigation measures before we have an executed MOA, we can include them in this amendment. We will just have to see how this goes and proceed accordingly.

If you have comments, questions, or suggestions, please forward as soon as you can. I appreciate everyone's efforts, time, and attention to this matter as I know how busy you are all. I thank you in advance and look forward to your reply.

Sincerely

Donald Smith  
Hawaii District Engineer  
50 Makaala Street  
Hilo, HI 96720  
(808)933-8866

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**From:** Smith, Donald L

**Sent:** Thursday, July 4, 2019 5:07 PM

**To:** [fredcachola@gmail.com](mailto:fredcachola@gmail.com); Kiersten Faulkner; [mranslow@achp.gov](mailto:mranslow@achp.gov); Lebo, Susan A; Jeff Zimpfer; Richard Paikuli-Campbell; [rick\\_gmirkin@nps.gov](mailto:rick_gmirkin@nps.gov); Keola Lindsey; Bo Kahui; Aric; [pakaharp@gmail.com](mailto:pakaharp@gmail.com); Maurice Kahawai; [nainoaperry@yahoo.com](mailto:nainoaperry@yahoo.com); [shanen@oha.org](mailto:shanen@oha.org); Powell, Lisa (FHWA); Lauren Morawski; Ando, Marshall; [ohiwai@gmail.com](mailto:ohiwai@gmail.com); Herb Lee; Carrie Kuwada Phipps; Aiu, Pua; Otani, Meesa (FHWA)  
**Cc:** Rezantes, Kahaa (FHWA); Sonomura, Julann M; Takiue, Harry H; Laura Mau; Takara, Richelle (FHWA); Keiki Kawai'ae'a; Sniffen, Edwin H; Naboa, Deona

**Subject:** Follow Up; Meeting for Queen Ka'ahumau Highway Widening Phase 2 Mitigation Meeting on Wednesday, June 26th, 2019

Hello Everyone, I hope you are having a great 4th of July Holiday.

During the meeting, HDOT agreed to follow up by the end of the next week. Although we have not reached a decision yet, I wanted to let the group know that we are actively working and will get back to the group very soon. We do appreciate your patience.

**Fred, we would appreciate it if you would make your proposal for mitigation measures available. We do have the proposal from the mitigation meetings held with Scot Urada, but you mentioned that you might have some alternative ideas from the NHO's. Could you please make those available.**

1. Please find the attached minutes to the June 26th meeting.
2. Below are links to the RM Towill ShareDrive. Use Ctrl/Click to access the file. Let me know if you have any issues.

*Dear Recipients,*

*The following link provides access to files. Please let me know if there is something that should be made available that is not currently on the sharedrive.*

<http://share.rmtowill.com/index.php/s/kKKnQ4eBwwcmhkg>

*The following link provides access to the digital terrain model.*

<https://share.rmtowill.com/index.php/s/xlj4zcCIJ3NUjxu>

*The following link provides you with access to download the digital model depicting the Queen Ka'ahumanu Highway Lands of Kekaha Terrain Model. Selecting each of the features including geographic features, trails, settlement areas, parks, and ahupua'a boundaries will provide you with a downloadable reference source from which the information was obtained.*

*Please remember to save all files after you have downloaded them to your computer. To begin, select and double-click the downloaded filename: [Kekaha Kona complete.kmz](#). This will open the program Google Earth where you will be able to access the contents. This upload will be available for a limited time and will be removed in one-year or by May 15, 2020.*

3. The Draft MOU with UHH is attached. It is a draft because it is not signed. The current MOU can be found on the RM Towill Share Drive so that everyone can see there is not a change to the core language.

**In Closing, as stated at the close of the meeting by Mr. Herb Lee: Please make sure everyone understands there are still options on the table and no one is committed to any one option. The purpose of today's meeting was to update you and to close out some of the stipulations that remained open. We have not met for a while and HDOT is making a good faith effort to move forward on mitigation measures. We have covered primarily outstanding items and shared the work on the MOU with UH.**

Please let me know if you have any questions or problems getting to the information. I will follow up soon with additional information. Again, appreciate your patience.

Sincerely

Donald Smith  
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Hilo, HI 96720  
(808)933-8866

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