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LAND

STATE PARKS

October 25, 2006

Dr. Hallett H. Hammatt
Cultural Surveys of Hawai'i, Inc.
P.O. Box 1114
Kailua, Hawai'i 96734

LOG NO: 2006.3607
DOC NO: 0610amj01
Archaeology

Dear Dr. Hammatt:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
Archaeological Mitigation Plan for the Turtle Bay Resort Land Use Master Plan
Project, Kahuku, Punalau, Ulupehupehu, 'Ōi'o 1 & 2, Hanaka'oe, Kawela, and
'Ōpana Ahupua'a, Ko'olaupoa District, Island of O'ahu
TMK: (1) 5-6-003, 5-7-001 & 006, various parcels**

Thank you for the opportunity to review the aforementioned document, which we received on August 15, 2006. We apologize for the delay in responding. The proposed undertaking involves development of an approximately 859-acre area. The master plan includes new roads and utilities, improvements to existing roads and utilities, a shoreline walkway, golf course improvements and a new golf clubhouse, an equestrian center, and new condominiums and hotels.

In a letter (LOG NO: 2006.0892, DOC NO: 0603CM91) dated March 28, 2006, we requested the subject mitigation plan, in order to assess and update, if necessary, historic preservation work that has been conducted within the project area over the past twenty-five years. All of this work was conducted prior to the adoption of Hawaii Administrative Rules that currently govern the practice of such studies in the state.

In the previous letter, we stated the following:

...[B]efore any additional ground disturbance takes place, Cultural Surveys of Hawai'i will submit a mitigation plan to the SHPD for review and comment. This mitigation plan will include: (a) a systematic summary of all previous archaeological studies in the project area, focusing specifically on methods and results of this work; (b) an overview of proposed development by parcels and/or portions of the project area; and (c) predictive modeling of the potential impact of proposed development for historic resources in the project area. This mitigation plan will serve as a guiding document for historic preservation mitigation associated with the proposed development of the project area.

...[We request] that a number of specific issues be included in this mitigation plan: (1) burial site status and future mitigation, including a comprehensive summary of known burials and their current disposition in the project area; (2) probability levels (e.g., low, medium, high) of encountering historically-significant subsurface deposits, including burials, by parcels and/or portions of the project area; and (3) GPS recording of previously-documented sites in order to assess the accuracy of their recorded location on the landscape. In particular, as stated above, portions of the proposed Alpha Road are in

direct proximity to several sites. We know, based on past experience, that there is typically a large margin of error for sites mapped without the benefit of GPS technology, especially in large project areas.

According to your document, all five of the proposed hotels (H-1 through H-5) are located in areas of "High Sensitivity," mostly based on the presence of Jaucas sand deposits and previously-documented burials. Hotels 3, 4, and 5 are entirely located within Jaucas sand, while Hotels 1 and 2 are partially located in Jaucas sand. The latter two proposed hotels (1 and 2) are located within the densest concentrations of burials in the project area (SIHP No. 50-80-02-6410). For example, Site 6410 includes the remains of at least seven (7) individuals, from three different burial features. Altogether, there are the remains of at least twenty-four (24) individuals in at least nineteen (19) burial features. Almost all of these burials (21 of 24 individuals, and 17 of 19 burial features) are located in Jaucas sand deposits, within approximately 100-150 meters of the shoreline.

Three burial features, including the remains of several individuals, are located either within, or immediately adjacent to, the proposed Alpha Road (i.e., Burial Nos. 11-14, 7, and 8/10).


Based on your document, there is a high probability that one or more of the proposed hotels is located in an area within which numerous (as yet undiscovered) subsurface burials are located. You have proposed archaeological monitoring for all such areas, as a mitigation measure. You have also proposed additional subsurface testing in some areas.

We recommend that the Master Plan be revisited and revised, including the consideration and proposal of alternative design schemes, in order to avoid all or most of the burial areas, in particular. Historic preservation laws and administrative rules in the State of Hawai'i explicitly contain language intended to encourage early and proactive design alternatives, based on results of past work. The results of this mitigation plan clearly show, beyond any reasonable doubt, that one or more large burial ground may yet be discovered in the areas of the proposed hotels. One possible way of avoiding nearly all of these sensitive burial areas is to propose a shoreline setback of approximately 150-200 meters. In accordance with relevant laws and rules, burial treatment for future discoveries will be handled on a case-by-case basis, and there is no prior guarantee that burial relocation will be determined. Thus, in summation, we encourage you to consider alternative designs.

Finally, should this project proceed, we recommend drafting and submission to the SHPD for review of a cultural interpretation plan, which should be completed in consultation with local community members. In accordance with HAR 13-275-1 and 13-284-1, the purpose of this plan would be to "promote the use and conservation of historic properties for the education, inspiration, pleasure, and enrichment of the citizens of Hawai'i..."

We look forward to continuing consultation regarding this project, and we look forward to your response regarding the aforementioned recommendations.

Aloha,


Melanie Chinen, Administrator
State Historic Preservation Division

CM:amj

cc: Mr. Brian Takeda, R.M. Towill
Mr. Henry Eng, Department of Planning and Permitting, City & County of Honolulu