

**APPENDIX A: CHAPTER 6E-8 REVIEW LETTERS FROM THE STATE HISTORIC
PRESERVATION DIVISION**

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DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

March 20, 2018

Larry Dill, P.E.
Hawai'i Department of Transportation
Highways Division, Kaua'i District
1720 Haleukana Street
Lihue, Hawai'i 96766
Email: Lawrence.j.dill@hawaii.gov

IN REPLY REFER TO:
Log No.: 2017.01913
Doc. No.: 1803SH04
Archaeology

Dear Mr. Dill:

SUBJECT: **Chapter 6E-8 Historic Preservation Review –
Consultation for Kaumualii Highway Intersection Improvements Project
at Waimea Canyon Drive and Menehune Road/Halepule Road
Ref. No. HWY-K 4.170379, Federal-Aid Project No. 50B-01-14
Poki'ikauna Ahupua'a, Waimea District, Island of Kaua'i
TMK: (4) 1-6-005, 1-6-007, 008, 009**

The State Historic Preservation Division (SHPD) received a consultation letter dated August 24, 2017 from the State of Hawaii Department of Transportation (HDOT) for the Kaumualii Highway Intersection Improvements Project at Waimea Canyon Drive and Menehune Road/Halepule Road. SHPD received this submittal on August 28, 2017.

The HDOT is responsible for conducting the Hawaii State Historic Preservation process. Per HAR §13-275-3 HDOT shall provide SHPD with information as to the number of historic properties within a proposed project area, their significance, the impact of the proposed project on the historic properties, and any proposed mitigation measures. Within 90 days of receipt of adequate information SHPD will provide a written response which either concurs or does not concur with HDOT's effect determination for a proposed project.

For SHPD to provide a letter of determination the following steps, described in greater detail in HRS §13-275, must be completed and submitted concurrently:

- 1) Identification and inventory, to determine if historic properties are present in the project's area and, if so, to identify and document them;
 - a. The agency shall first consult with SHPD to determine if the area proposed for the project needs to undergo an inventory survey to determine if historic properties are present. This shall include a tax map key for the parcel or parcels involved and a map to locate and define the boundaries of the project area;
- *To aid in SHPD's review, include an account of the research materials and/or repositories referenced in order to ensure the agency conducted a best faith effort to identify known or potential historic properties in the project area.
- 2) Evaluation of significance;
 - a. If a historic property is identified, an assessment of significance shall occur. The agency shall make this assessment or delegate this assessment in writing. This assessment shall be made by someone meeting the Secretary of the Interior's professional qualification standards;

- b. Prior to submission of significance evaluations for properties, other than architectural properties, the agency shall consult with ethnic organizations or members of the ethnic group for whom some of the historic properties may have significance under criterion "e" to seek their views on the significance evaluations;
 - c. The concurrence of the SHPD is required before significance is finalized. The assessment shall 1) present a table which lists each historic property and identifies all applicable criteria of significance for each property, 2) provide justification for classifying the property within these criteria and 3) provide evidence of any consultation shall be submitted with the assessment to include, a description of the consultation process used, a list of the individuals or organizations contacted, and a summary of the views and concerns expressed;
 - d. If there is an agreement that none of the historic properties are significant, then historic preservation review ends and SHPD shall issue its written concurrence in the form of a "no historic properties affected" determination;
 - e. When significant historic properties are present, then impacts of the proposed action on these properties shall be assessed, and mitigation commitments shall be devised as needed.
- 3) Effect determination;
- a. The effects of a project shall be determined by the agency. Effects include direct as well as indirect impacts. One of the following effect determinations must be established:
 - (a) "No historic properties affected"
 - (b) "Effect, with proposed mitigation commitments"
- 4) Mitigation commitments, committing to acceptable forms of mitigation in order to properly handle or minimize impacts to significant properties;
- a. If a project will have an effect on significant historic properties, then a mitigation commitment proposing the form of mitigation to be undertaken for each significant property shall be submitted by the agency to the SHPD for review and approval. See HAR §13-275-8 for a description of the five forms of mitigation that can occur.
 - b. If historic properties with significance, so evaluated under criterion "e" are involved, the agency shall consult with ethnic organizations or members of the ethnic group for whom the historic properties have significance under criterion "e" to seek their views on the proposed forms of mitigation.
 - c. The proposed mitigation commitment shall include 1) a table of the significant historic properties, indicating which form or forms of mitigation is proposed for each property 2) brief text justifying these proposed treatments and 3) if properties deemed significant under paragraph §13-275-6 (b) (5) are involved, a description of the consultation process used, a list of the individuals and organizations contacted, and a summary of the views and concerns expressed.

The SHPD looks forward to receiving HDOT's submittal meeting the requirements of HRS §13-275 for the proposed project.

The HDOT is the office of record for this undertaking. Please maintain a copy of this letter with your environmental review record for this undertaking.

Please contact Stephanie Hacker, Oahu Archaeologist, at (808) 692-8046 or at Stephanie.Hacker@hawaii.gov for matters regarding archaeological resources or this letter.

Aloha,

Alan Downer

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

DAVID Y. IGE
GOVERNOR OF
HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES**

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KAIHOLAWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 20, 2020

Larry Dill, P.E.
District Engineer, Kaua'i Highways Division
State of Hawai'i Department of Transportation
1720 Haleukana Street
Lihue, Hawai'i 96766
Email: Lawrence.J.Dill@hawaii.gov

IN REPLY REFER TO:
Log No.: 2019.01268
Doc. No.: 2002SH12
Archaeology

Dear Larry Dill:

**SUBJECT: Chapter 6E-8 Historic Preservation Review –
Request for Concurrence with the Effect Determination
Kaumuali'i Highway Intersection Improvements at Waimea Canyon
Drive and Menehune Road/Halepule Road
Ref. No. HWY-K 4.190117, Project No. 50B-01-14
Waimea Ahupua'a, Kona District, Island of Kaua'i
TMK: (4) 1-6-005, 008, and 009 various parcels**

The State Historic Preservation Division (SHPD) received a letter dated June 3, 2019 from the State of Hawai'i Department of Transportation (HDOT) to request the State Historic Preservation Officer's (SHPO's) concurrence with the Chapter 6E effect determination for the Kaumuali'i Highway Intersection Improvements at Waimea Canyon Drive and Menehune Road/Halepule Road project on the island of Kaua'i. The SHPD received this submittal on June 3, 2019. Submitted with HDOT's letter was a draft archaeological report in support of the proposed project titled, *Archaeological Literature Review Report in Support of Kaumuali'i Highway Intersection Improvements, Waimea Ahupua'a, Kona District, Island of Kaua'i, Hawai'i Adjacent TMKs: (4) 1-6-005, 008, and 009 Various Parcels* (Vernon and Clark, November 2018).

According to the draft Archaeological Literature Review (ALR) report, the proposed project is located at two discontinuous intersections in Waimea Town on the leeward side of Kaua'i. The scope of work includes improvements at the intersection of Waimea Canyon Drive and at Menehune Road and Halepule Road along Kaumuali'i Highway; all work will be conducted in the State of Hawai'i owned rights-of-way. The project area measures 4.047 hectares (1.0 acre). The portion of the project area located at the intersection of Menehune Road and Halepule Road measures 1.274 hectares (0.315 acre). The proposed work at this location is limited to striping and no ground disturbing work will occur at this intersection. The portion of the project area located at Waimea Canyon Drive and the Kaumuali'i Highway intersection measures 2.773 hectares (0.685 acre) and extends from Waimea Canyon drive east to Makeke Road and west to the driveway for the Waimea Technology Center.

Proposed ground disturbing work includes demolishing, removing, and replacing sections of asphalt pavement, concrete sidewalks, curbs, various catch basins and drain lines; relocating existing signage; and installing new traffic signal standards, traffic meter pedestals, light poles, and signage. Installing new pavement will require excavation to a depth of 63.5 centimeters below surface (cmbs) (24 inches) or more, depending on the depth of the existing base course. Light pole and traffic signal standard installation will require excavations to a minimum of 183 cmbs (6.0 feet). Excavations for traffic meter pedestals will reach a depth of 63.5 centimeters (cm) (24.0 in) or greater. Excavations for electrical lines will reach up to 107.0 cmbs (42.0 in). The depth of excavation for drain lines will

exceed 122 cmbs (4.0 ft). The depth of excavation for signage will exceed 63.5 cmbs (24.0 inches). Striping will also be replaced, which does not require ground disturbance.

The identification efforts reported in the ARL found that several archaeological sites were previously identified along Kaumuali'i Highway in Waimea Town, although no historic properties have been identified within the project area. The portion of the project area at Waimea Canyon Drive was formerly adjacent to the Waimea Sugar Mill Company's fields, mill, and railroad. Prior to the sugar production era, several LCAs were present to the north and south of the project area intersections, along the former road that led from Waimea Village to Kekaha. Records indicate these LCAs primarily consisted of house lots.

Also identified near the project area are burial sites and scattered human remains, designated State Inventory of Historic Places (SIHP) Nos. 50-30-05-03251 through 50-30-05-03256, recorded by Cox (1975) during monitoring of the construction of the Waimea Town Sewerage System. Based on these previous findings, it is anticipated that similar historic properties (burials and subsurface cultural deposits) could possibly be present in the project area. Of the two project area locations, archaeological sites and human burials appear more concentrated near the Menehune Road and Halepule Road intersection, which is not a location where ground disturbance will occur during the current project. One human burial was recorded by Cox (1975) just outside the project area intersection at Waimea Canyon Drive.

Although no historic properties have been identified within the project area, the ALR notes there is a low to moderate potential to encounter intact subsurface historic properties. The ALR recommends archaeological monitoring guided by an SHPD-approved Archaeological Monitoring Plan.

HDOT's effect determination for the proposed project is "Effect, with proposed mitigation commitments." The proposed mitigation is archaeological monitoring during all ground disturbance conducted during the proposed project. The **SHPO concurs** with the effect determination and proposed mitigation.

Please submit a draft archaeological monitoring plan meeting the requirements of HAR §13-279-4 for SHPD's review and approval prior to the start of the proposed project.

Although the ALR report does not fulfill the requirements of an archaeological inventory survey as specified in Hawai'i Administrative Rules (HAR) §13-276, it serves to facilitate project planning and supports the historic preservation review process. The SHPD requests HDOT please send two hardcopies of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office, attention SHPD Library. Additionally, when submitting the electronic version, please copy Lehua.k.Souares@hawaii.gov.

The HDOT is the office of record for this undertaking. Please maintain a copy of this letter with your environmental review record for this undertaking.

Please contact Stephanie Hacker, Historic Preservation Archaeologist IV, at Stephanie.Hacker@hawaii.gov or at (808) 692-8046 for matters regarding archaeological resources or this letter.

Aloha,
Alan Downer

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

cc: Jeff Aguinaldo, HDOT (jeff.j.aguinaldo@hawaii.gov)