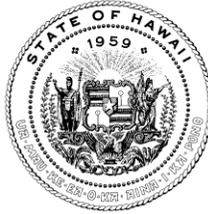


DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

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

ROBERT K. MASUDA
FIRST DEPUTY

DEAN D. UYENO
ACTING 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

January 17, 2019

Michael A Guetlein
Brigadier General, U.S. Air Force
Department of Defense
Missile Defense Agency
5700 18th Street
Fort Belvoir, Virginia 22060-5573

IN REPLY REFER TO:
Log No.: 2018.03000
Doc. No.: 1901SH17
Archaeology

Dear Brigadier General Guetlein:

**SUBJECT: National Historic Preservation Act (NHPA) Section 106 Review –
Request for Concurrence with the Effect Determination
Phase I Geotechnical Testing at Kuaokalā Ridge
Ka‘ena and Keawa‘ula Ahupua‘a, Wai‘anae District, Island of O‘ahu
TMK: (1) 6-9-003:001 and (1) 8-1-001:014**

The State Historic Preservation Division (SHPD) received a letter dated December 21, 2018 from the Department of Defense Missile Defense Agency (MDA) to continue Section 106 consultation for a project to conduct geotechnical testing on Kuaokalā Ridge to determine the feasibility of constructing possible future MDA projects on the island of O‘ahu. The SHPD received this submittal on December 21, 2018.

The MDA has determined the project is a federal undertaking as defined in 36 CFR 800.16(y). The proposed project is to conduct surveys and studies needed to determine site viability for future construction. A Special Use (Right-of-Entry [ROE]) Permit from the Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) is required for the portion of the Area of Potential Effect (APE) that includes the Kuaokalā Game Management Area. As such, the project is also subject to Chapter 6E of the Hawaii Revised Statutes (HRS).

The proposed project involves conducting geotechnical testing in support of potential future MDA actions and alternative site selection related to the Homeland Defense Radar – Hawai‘i (HDR-H) project, which is a separate undertaking. The geotechnical testing will consist of 10 soil test borings and 3 auger borings. The soil test borings will be 4 to 6 inches in diameter and up to 100 feet deep. Auger borings will be up to 12 inches in diameter and up to 6 feet deep. In accordance with Hawaii Administrative Rules [HAR] §13-168-16 and the DLNR Commission on Water Resource Management, following each soil test boring, the lower portion of the boring will be backfilled with a bentonite grout, and the top portion will be backfilled with drill spoils and on-site soils. Each auger boring will be backfilled with the excavated material. Prior to the start of the geotechnical testing, the geotechnical survey crew will conduct a boundary survey and stake out proposed boring locations, adjusting locations as needed to accommodate existing conditions such as topography, utilities, vegetation, and sensitive resources. Vegetation may be locally cleared to form temporary pathways and work areas. Equipment may include a truck- and/or track-mounted drill rig, water truck, flat-bed support truck, low-boy trailer, and pickup trucks and/or sport utility vehicles. Equipment will be delivered to the site using the existing KPSTS access road.

The project will occur on portions of Ka‘ena Point Satellite Tracking Station (KPSTS) and on State land located on Kuaokalā Ridge. Based on comments received from consulting parties, MDA has redefined the APE. The APE was formerly defined as the entire approximate 160-acre Kuaokalā Ridge candidate site for the Homeland Defense Radar – Hawai‘i (HDR-H) project. The APE has been revised to the specific area within this site where geotechnical

testing would occur: an approximate 89-acre area incorporating 67 acres of State land and 22 acres of KPSTS existing leased land.

The MDA identified two historic properties within the APE by way of an Archaeological Inventory Survey conducted in support of the proposed project by the archaeological firm, Keala Pono Consulting LLC. The AIS report titled, *Revised Draft-Archaeological Survey for Geotechnical Testing at Kuaokalā Ridge, Ka'ena and Keawa'ula Ahupua'a, Wailalua and Wai'anae District, Island of O'ahu, Hawai'i portions of TMK: (1) 6-9-003:001; (1) 8-1-001:014*, has been revised since it was submitted in August 2018 (McElroy and Duhaylonsod, December 2018). The MDA re-submitted the AIS report with their subject letter and the report is currently under SHPD review.

The historic properties identified within the APE include Moka'ena Heiau, Site 50-80-03-188 [McAllister Site 188; also formerly designated Site 50-Oa-D01-4], and a newly identified historic property referred to in the AIS report as as Pu'u O Pōhaku Hāpaina (Site 50-80-03-8777).

Moka'ena Heiau is a traditional Hawaiian ceremonial site that was previously documented archaeologically, first by McAllister (1933) and then by Hammatt and Borthwick (1987). During MDA's consultation under Section 106 and Chapter 6E, Moka'ena Heiau was identified as a Kāne temple built by the earliest population of the area, people of the Indigenous religion, Kānenuiākea, a Native Hawaiian religion recognized by the United Nations International Association for Religious Freedom. This is the same population associated with the Kumu Nui Akea mo'olelo which references Ka'ena Point. In this mo'olelo, the people are referred to as "Menehune," and they are credited with constructing a kū'ula for the harvesting of the kūmū fish. This is the same population that built four other known heiau on O'ahu, the earliest temples constructed on the island. Those who carry on this religion today request that the Kuaokalā viewshed remains unobstructed because of the importance of observing the path of the sun from the temple. In addition, there are alignments of cultural significance with regards to the traditional sites and natural terrain features and the sun's path throughout the year, especially during the solstice.

The AIS report includes a recommendation that Moka'ena Heiau (Site 50-80-03-188) be avoided during any future construction. If construction is to occur in the vicinity, a preservation plan should be completed for the site, with the viewshed of the heiau considered. Keala Pono recommends Site 188 as eligible for listing in the National Register of Historic Places (NRHP) under Criteria A and D, and as significant under Chapter 6E Criteria a, d, and e. The MDA supports this recommendation.

Site 50-80-03-8777 was interpreted as a possible terrace and alignment. During consultation with the community it was said that Site 50-80-03-8777 is a traditional (pre-contact Hawaiian) site associated with the training of the kahuna class. Archaeologically it is in poor condition and is not well defined, yet it is still considered culturally important. The AIS report includes a recommendation that Site 50-80-03-8777 be preserved as well as possible data recovery in the future stating that excavation of this site could yield more specific information on the site's function and age. Lastly, if data recovery is warranted in the future, it is recommended that further community consultation take place to reconcile community concerns with the evaluation of the site, and a data recovery plan be prepared for SHPD review and acceptance prior to initiation of data recovery. Keala Pono states the site is possibly eligible for NRHP listing under Criteria A and D, and that additional data is needed to complete the evaluation. Under Chapter 6E, Keala Pono recommends the site as significant under Criterion e, with additional data needed to establish significance under Criteria a and d. The MDA supports this recommendation.

Mo'olelo shared during consultation point out that both Sites 50-80-3-188 and 50-80-03-8777 serve ceremonial functions. Consultants explained that the mana of the sites extends beyond the architecture and into the surrounding land. As a result, any drilling there would be sacrilegious and unwanted. In addition, the community consultants explained that these two sites along with Kuaokalā Ridge itself and the lands and waters of Ka'ena down below are all part of a connected Traditional Cultural Property (TCP).

The MDA concurs with Keala Pono's recommendation that Moka'ena Heiau (Site 50-80-3-188) is eligible for listing in the NRHP under Criteria A and D. MDA agrees with Keala Pono's assessment that further data is needed to make a determination of the eligibility of Site 50-80-03-8777 under the NRHP criteria, specifically Criteria A and D.

The MDA has applied the Criteria of Adverse Effect pursuant to 36 CFR 800.5(a) and finds the undertaking will have “no adverse effect” on historic properties. As part of the undertaking, the MDA will avoid all archaeological sites during geotechnical testing by at least 30 m, and a 30-m-wide buffer will be demarcated around each site with orange construction fencing that will be installed prior to the start of the proposed testing activities. Therefore, no direct impacts will occur at either site.

The MDA heard from some consulting parties that the geotechnical testing would have an indirect effect on Moka‘ena Heiau (Site 50-80-3-188) because it would disturb the mana associated with the heiau that permeates throughout the ridge. The MDA finds that the geotechnical testing’s indirect impact on the mana at Site 188 (and possibly at Site 8777) does not meet the Criteria of Adverse Effect. Although the testing may disturb the mana, this impact would not alter the mana such that the overall integrity of setting at Site 188 would be diminished. The proposed geotechnical testing would not compromise the integrity of location, design, setting, materials, workmanship, feeling, and association for either site.

Through consultation, the MDA developed several measures to minimize this impact in addition to the protective measures and monitoring already proposed. These measures include:

- Archaeological monitoring by an archaeological firm familiar with the area and its resources;
- Cultural monitoring, preferably by one or more persons with lineal ties to the area or, at a minimum, is/are familiar with the area;
- A 30-m-wide protective buffer around identified historic properties, marked with orange construction fencing;
- Cultural sensitivity training for geotechnical testing personnel;
- An invitation to Native Hawaiian cultural practitioners to perform appropriate protocols ahead of geotechnical testing; and
- Return of soil samples to excavations, to the extent practical.

In addition, the MDA is working with DLNR to replace and expand the fence surrounding Moka‘ena Heiau.

An archaeological monitoring plan (AMP) addressing archaeological, historical, and cultural concerns has been prepared in accordance with HAR §13-279-4 and is attached for SHPD review and acceptance. The AMP is currently under SHPD review.

Based on the MDA’s proposed commitments to minimize impact to the identified historic properties, per 36 CFR 800.5, **the SHPO concurs** with the MDA’s finding of *no adverse effect* for the proposed project to conduct the Phase I Geotechnical Testing at Kuaokalā Ridge.

The MDA 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: Dr. Buff Crosby, MDA (buff.crosby@mda.mil)