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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

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STATE PARKS

April 26, 2019

Marigold Zoll
Oahu Forestry and Wildlife Manager
State of Hawai'i Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, Hawai'i 96813
Email: marigold.s.zoll@hawaii.gov

IN REPLY REFER TO:
Log No.: 2019.00614
Doc. No.: 1904SH08
Archaeology

Dear Marigold Zoll:

**SUBJECT: Chapter 6E-8 Historic Preservation Review –
Request for Concurrence with the Effect Determination and Review of the Revised
Archaeological Inventory Survey Report and Archaeological Monitoring Plan
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**

On March 22, 2019, the State Historic Preservation Division (SHPD) received a letter from the Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) to continue historic preservation review and request concurrence with DOFAW's Chapter 6E-8 effect determination for a project proposed by the Department of Defense, Missile Defense Agency (MDA) to conduct geotechnical testing on Kuaokalā Ridge on the island of O'ahu. DOFAW's letter was accompanied by a revised draft Archaeological Inventory Survey (AIS) report and a revised draft Archaeological Monitoring Plan (AMP) for SHPD review and acceptance. SHPD requested revisions to the AIS and AMP in a letter dated February 27, 2019 (SHPD Log No. 2018.03015, Doc. No. 1902SH06).

In order for the MDA 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 project area that includes the Kuaokalā Game Management Area. As such, the project is subject to Chapter 6E of the Hawaii Revised Statutes (HRS). Additionally, the MDA has determined the project is a federal undertaking as defined in 36 CFR 800.16(y). The State Historic Preservation Officer (SHPO) concurred with the Section 106 effect determination of *no adverse effect* for the proposed project in a letter dated January 17, 2019 (SHPD Log No. 2018.03000, Doc. No. 1901SH17).

The project will occur on portions of the Federal-leased Ka'ena Point Satellite Tracking Station (KPSTS) property and on State-owned (DOFAW) land located on Kuaokalā Ridge. Based on comments received from consulting parties, MDA redefined the Area of Potential Effect (APE)/project area. The project area was formerly defined as the entire approximate 160-acre Kuaokalā Ridge candidate site for the Homeland Defense Radar – Hawai'i (HDR-H) project. The revised APE/project area is defined as the specific area within the candidate 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.

Keala Pono Archaeological Consulting, LLC. conducted an Archaeological Inventory Survey on behalf of the MDA in support of the proposed phase 1 geotechnical testing project. The revised draft AIS report titled, *Revised Draft Archaeological Survey for Geotechnical Testing at Kuaokalā Ridge, Ka'ena and Keawa'ula Ahupua'a, Wailahua*

and Wai'anae District, Island of O'ahu, Hawai'i portions of TMK: (1) 6-9-003:001; (1) 8-1-001:014 (McElroy and Duhaylonsod, March 2019) documents the results of background research, a pedestrian survey covering the entire 89-acre project area, and community consultation under Chapter 6E. The revised draft AIS meets the requirements of HAR §13-276-4. **It is accepted.** Please send one hardcopy of the document, clearly marked FINAL, along with a text-searchable PDF version to the Kapolei SHPD office, attention SHPD Library.

An archaeological monitoring plan (AMP) titled, *Revised Archaeological Monitoring Plan for Phase 1 Geotechnical Testing at Kuaokalā Ridge Ka'ena Ahupua'a, Wai'anae District, Island of O'ahu [TMK 6-9-003:001 and 8-1-001:014]* (Leclerc and Mueller, March 2019) was prepared by HDR Inc. on behalf of the MDA in support of the proposed phase 1 geotechnical testing project. The AMP meets the requirements of HAR §13-279-4. **It is accepted.** Please send one hardcopy of the document, clearly marked FINAL, along with a text-searchable PDF version to the Kapolei SHPD office, attention SHPD Library.

Please note that while the AMP includes guidelines for cultural monitoring, the SHPD does not have rules and regulations governing this type of work, therefore, SHPD wishes to reiterate that DOFAW, the MDA, and the contracted archaeologists are responsible for adhering to and following the AMP.

DOFAW has requested concurrence with the determination of, "Effect, with proposed mitigation commitments". The proposed mitigations include the following:

- Archaeological monitoring conducted by an archaeological firm [permitted to conduct work in Hawai'i and] 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 familiar with the area.
- Implementation of 30-meter protective buffer around identified historic properties, marked with orange construction fencing and installed prior to the start of geotechnical testing activities.
- Cultural sensitivity training for all personnel.
- Invitation to Native Hawaiian cultural practitioners to perform appropriate protocols ahead of geotechnical testing.
- Return of soil samples to excavations, to the extent practical.
- Repair/replacement in-kind of the existing cattle exclusion fence at Site 188.

The SHPO concurs with the HRS 6E effect determination, "Effect, with proposed mitigation commitments" and agrees with the proposed commitments.

The DOFAW and MDA are the office of record for this project. Please maintain a copy of this letter with your environmental review record for this undertaking.

Please contact Regina Hilo, O'ahu Burial Sites Specialist, at Regina.Hilo@hawaii.gov or at (808) 692-8026 for matters regarding burials and traditional Hawaiian cultural resources. 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
Ford Fuchigami, Governor's Office, Ford.n.fuchigami@hawaii.gov
Lynette Murishige, Governor's Office, Lynette.h.marushige@hawaii.gov
Suzanne Case, DLNR, Suzanne.case@hawaii.gov
Bob Masuda, DLNR, Robert.k.masuda@hawaii.gov
Lauren Morawski, OHA, laurenm@oha.org