

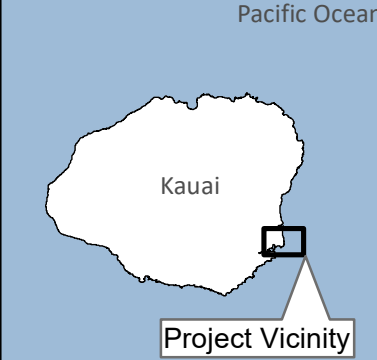
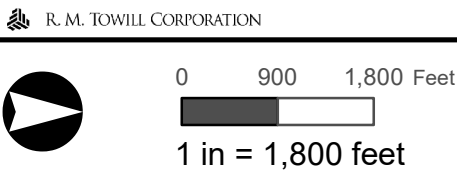
EXHIBITS

	Exhibit 1
	Project Location Map
	Exhibit 2
State Land Use District Boundaries Map and General Site Plan	
	Exhibit 3
State Land Use District Boundaries Map and Location and Vicinity Plan	
	Exhibit 4
Preferred Alignments Cost Estimate	
	Exhibit 5
Site Photos	
	Exhibit 6
Special Management Area Map	
	Exhibit 7
Certified Shoreline Survey	
	Exhibit 8
General Site Plan	
	Exhibit 9
New Bridge and Culvert Drainage Crossings	
	Exhibit 10
State Historic Inventory of Historic Properties Sites Figure and Assessment Tables	
	Exhibit 11
Wetland Map	
	Exhibit 12
FEMA/FIRM Map	
	Exhibit 13
NHPA 106 and 6E Consultation and Correspondence	
	Exhibit 14
Ka Pa'akai Analysis	
	Exhibit 15
Special Management Area Use Permit Approval	
	Exhibit 16
HRS 343 Finding of No Significant Impact (Final EA with Appendices available digitally)	
	Exhibit 17
Landscape Plan	

Exhibit 1
Project Location Map



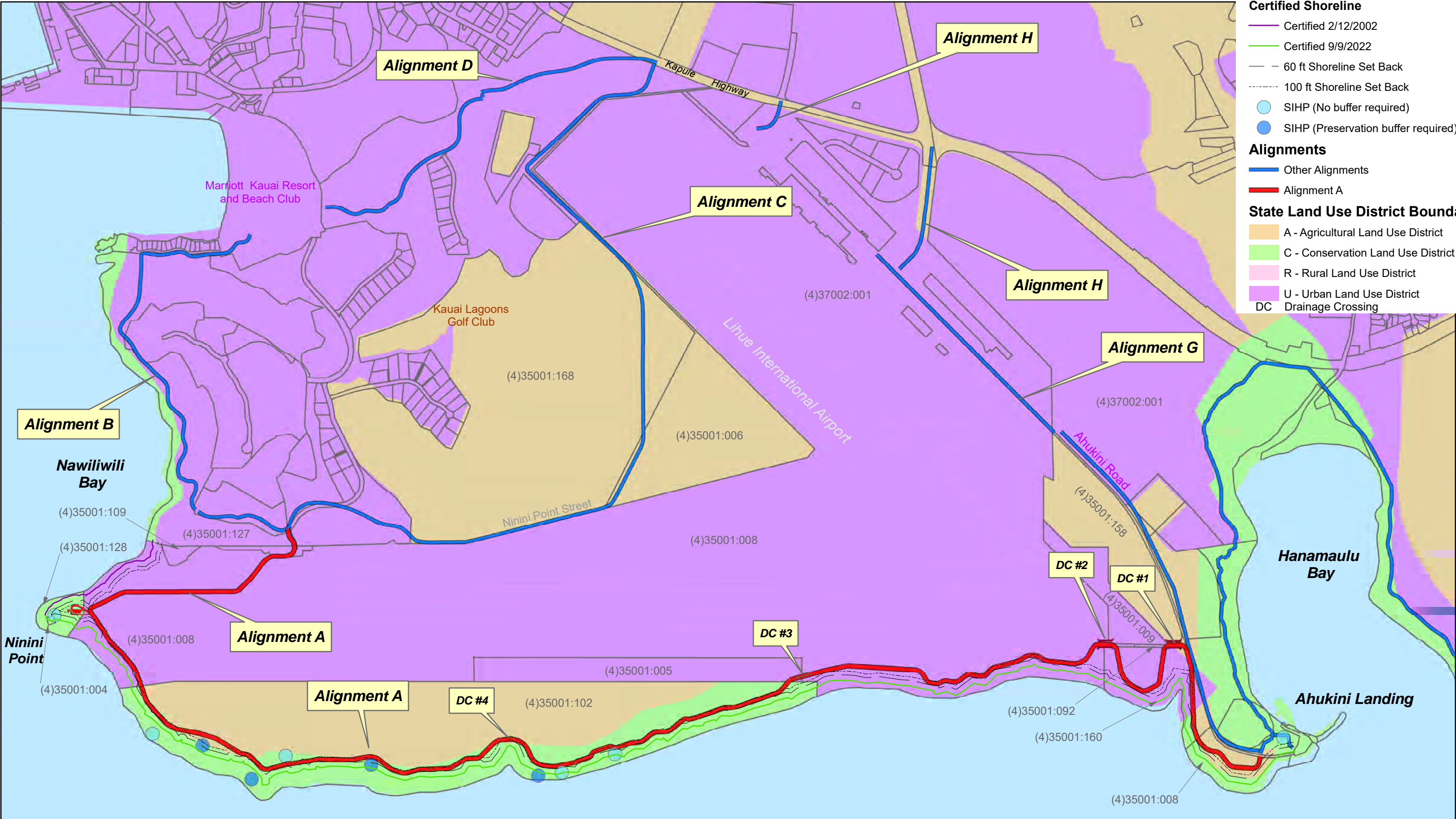
Project Location Map Nāwiliwili - Ahukini Shared-Use Path Phase A County of Kaua'i Līhu'e, Kaua'i, Hawai'i



- Legend**
- Segments B and D By Others
 - Segments A, C, G, and H By County of Kaua'i
 - Comfort Station
 - Bike Depot
 - Tax Map Key


GIS Tax Map Key Layer Source:
Hawaii Statewide GIS Program. County of Kauai, 2014.

Exhibit 2
State Land Use District Boundaries Map and General Site Plan



Legend

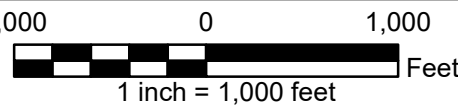

- Certified Shoreline**
- Certified 2/12/2002
 - Certified 9/9/2022
 - 60 ft Shoreline Set Back
 - 100 ft Shoreline Set Back
 - SIHP (No buffer required)
 - SIHP (Preservation buffer required)
- Alignments**
- Other Alignments
 - Alignment A
- State Land Use District Boundaries**
- A - Agricultural Land Use District
 - C - Conservation Land Use District
 - R - Rural Land Use District
 - U - Urban Land Use District
 - DC Drainage Crossing



Planning - Engineering - Environmental Services - Photogrammetry - Surveying - Construction Management

R. M. TOWILL CORPORATION

808-842-1133 2024 North King Street Suite 200 Honolulu Hawaii 96819-3494



Notes:

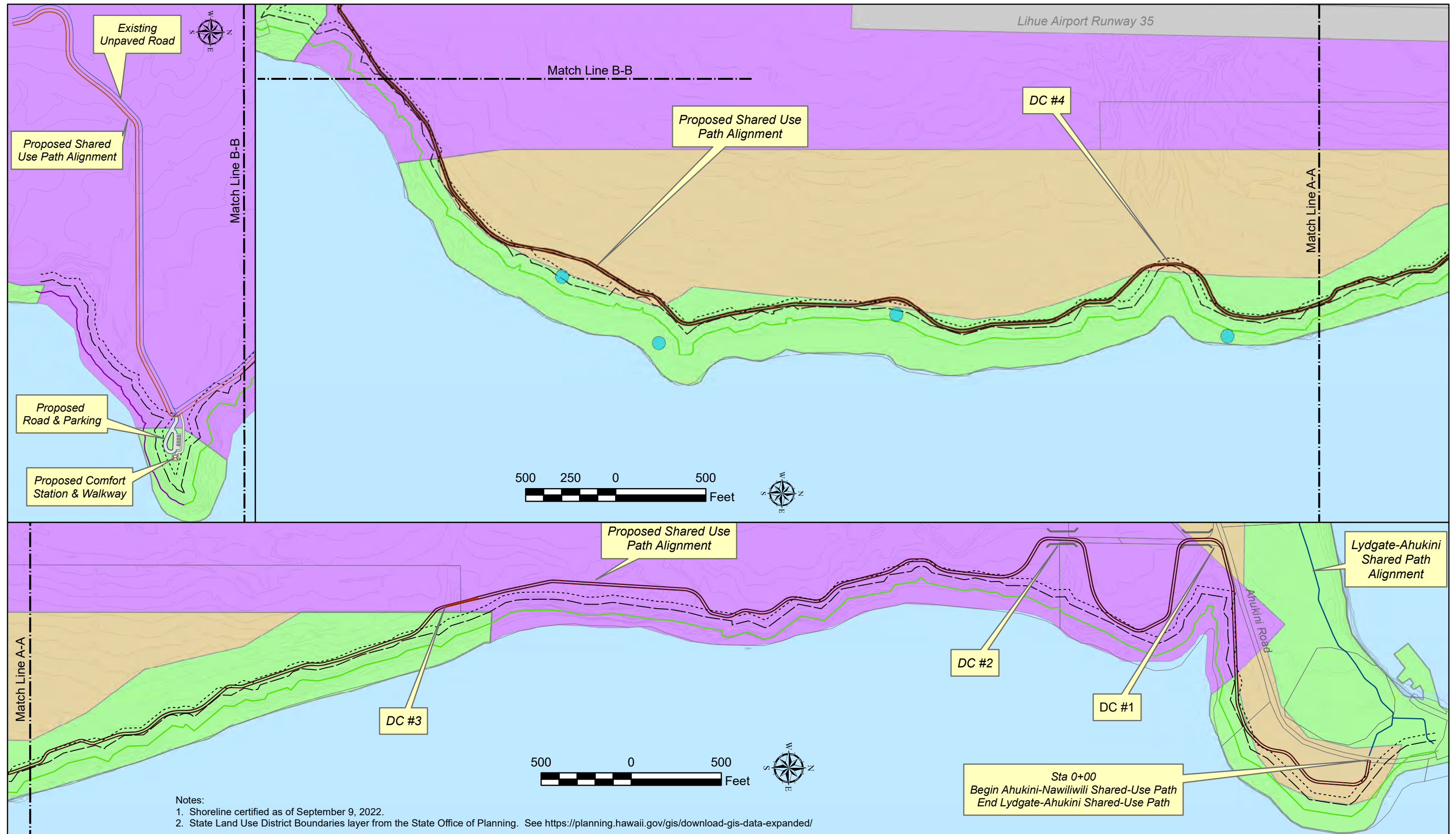
- Alignments B and D will be permitted and developed by others.
- Shoreline certified as of September 9, 2022.
- Both the State Land Use District Boundaries and TMK layers come from the State Office of Planning. See <https://planning.hawaii.gov/gis/download-gis-data-expanded/>

Nawiliwili-Ahukini Shared-Use Path

State Land Use District Boundaries Map

General Site Plan

Exhibit 3
State Land Use District Boundaries Map and Location and Vicinity Plan



Planning - Engineering - Environmental Services - Photogrammetry - Surveying - Construction Management

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Certified Shoreline

Certified Shoreline

— Certified 2/12/2002

— Certified 9/9/2022

— 60 ft Shoreline Set Back

--- 100 ft Shoreline Set Back

● SIHP (Preservation buffer required)

A - Agricultural Land Use District

C - Conservation Land Use District

R - Rural Land Use District

U - Urban Land Use District

DC Drainage Crossing

Nawiliwili-Ahukini Shared-Use Path

State Land Use District Boundaries Map

Location and Vicinity Plan

Exhibit 4
Preferred Alignments Cost Estimate

Nāwiliwili - Ahukini Shared Use Path Project
Phase A - Ahukini Landing to Ninini Point with Connections to Kapule Highway
Development Valuation Summary

Nāwiliwili-Ahukini Shared-Use Path - Phase A Segments	Development Costs ¹		
	In SMA	Outside SMA	Total
Segment A - Coastal Path from Ahukini Landing to Ninini Point to Ninini Point Street	\$6,025,406	\$8,552,327	\$14,577,734
Segment A1 - Ninini Point Path and Comfort Station	\$0	\$1,908,506	\$1,908,506
Segment B - Coastal Path - Ninini Point to Kalapakī Beach	By Others		\$0
Segment C - Shared-Use Road - Nini Point Street from Ninini Point to Kapule Highway	\$0	\$433,136	\$433,136
Segment D - Kapule Highway / Ninini Point Street Intersection to Kaua'i Marriott (Limo Road)	By Others		\$0
Segment G - Shared-Use Road - Ahukini Landing to Līhu'e Airport	\$83,602	\$390,141	\$473,743
Segment H - Shared-Use Path Bike Depot - Līhu'e Airport to Kapule Highway	\$0	\$1,441,531	\$1,441,531
	\$6,109,008	\$12,725,640	\$18,834,648

S
AHUKINI -- CIVIL CENTER -- NAWILIWILI HARBOR
ALTERNATE PRELIMINARY COST ESTIMATE

April 17, 2008 February 18, 2022
Escalation Rate: ¹ 2.354

	Quantity	Unit	Description	Unit Price	Total	Escalated Total
CORRIDOR I - AHUKINI LANDING TO NAWILIWILI BEACH PARK						
SEGMENT A - AHUKINI LANDING TO NININI POINT						
	Base - Comfort Station at Ninini Point Lighthouse					
	2,300	SF	Asphalt concrete parking lot. 4" thick A.C. pavement and 6" thick base course layer	\$15	\$34,500	\$81,213
	4,200	SF	12' Wide concrete shared use path (350 LF) out of SMA	\$15	\$63,000	\$148,302
	LS	LS	Temporary erosion control	L.S.	\$5,000	\$11,770
	LS	LS	2-1/2" Meter and box	L.S.	\$102,500	\$241,285
	LS	LS	Comfort Station. (Including drinking fountain, sink, hose bibb, and compost outhouse)	L.S.	\$500,000	\$1,177,000
			Subtotal		\$705,000	\$1,659,570
			Contingency (15%)		\$105,750	\$248,936
			TOTAL		\$810,750	\$1,908,506
	Alternate A1 - Closest to Shore Line					
	LS	LS	Clearing and grubbing	L.S.	\$300,000	\$706,200
	24,000	SF	12' Wide concrete shared use path (2,000 LF) out of SMA	\$15	\$360,000	\$847,440
	96,960	SF	12' Wide concrete shared use path (8,080 LF) in CD	\$15	\$1,454,400	\$3,423,658
	107,040	SF	12' Wide concrete shared use path (8,920 LF) in SMA	\$15	\$1,605,600	\$3,779,582
	LS	LS	Drainage Crossing - 1 Culvert crossing improvements (3-24")	L.S.	\$140,000	\$329,560
	LS	LS	Drainage Crossing - 2 Culvert crossing improvements (54")	L.S.	\$130,000	\$306,020
	LS	LS	Drainage Crossing - 3 Prefab aluminum bridge, 60' span. Including abutments.	L.S.	\$200,000	\$470,800
	LS	LS	Drainage Crossing - 4 (southernmost) Retrofit existing 10'x6' concrete box culvert	L.S.	\$600,000	\$1,412,400
	LS	LS	Fishermen access points	L.S.	\$20,000	\$47,080
	LS	LS	Temporary erosion control	L.S.	\$575,000	\$1,353,550
			SUBTOTAL		\$5,385,000	\$12,676,290
			Contingency (15%)		\$807,750	\$1,901,444
			TOTAL		\$6,192,750	\$14,577,734

Source:

¹ Construction Analytics - Building Cost Index - Construction Inflation 2005 - 2022. <https://edzarenski.com/2016/10/24/construction-inflation-index-tables-e08-19/>

**KAUAI BIKE PATH
AHUKINI -- CIVIL CENTER -- NAWILIWILI HARBOR
ALTERNATE PRELIMINARY COST ESTIMATE**

April 17, 2008 February 18, 2022
Escalation Rate: ¹ 2.354

	Quantity	Unit	Description	Unit Price	Total	Escalated Total
CORRIDOR I - AHUKINI LANDING TO NAWILIWILI BEACH PARK						
SEGMENT C - NININI POINT TO KAPULE HIGHWAY						
			Alternate 1 - Striping and Signage for Shared-Use Road	\$810,750		
				\$6,192,750		
	6,200	LF	Signage and striping for shared-use road	\$25	\$155,000	\$364,870
- 2022. https://edzarenski.com/2016/10/24/construction-inflation-index-tables-e08-19/		LS	Temporary erosion control	L.S.	\$5,000	\$11,770
			Subtotal		\$160,000	\$376,640
			Contingency (15%)		\$24,000	\$56,496
			TOTAL		\$184,000	\$433,136

Source:

¹ Construction Analytics - Building Cost Index - Construction Inflation 2005 - 2022. <https://edzarenski.com/2016/10/24/construction-inflation-index-tables-e08-19/>

**KAUAI BIKE PATH
AHUKINI -- CIVIL CENTER -- NAWILIWILI HARBOR
ALTERNATE PRELIMINARY COST ESTIMATE**

April 17, 2008 February 18, 2022
Escalation Rate: ¹ 2.354

	Quantity	Unit	Description	Unit Price	Total	Escalated Total
	CORRIDOR II - AHUKINI LANDING TO LIHUE CIVIC CENTER					
	SEGMENT G - LIHUE AIRPORT TO KAPULE HIGHWAY					
	Alternate G1 - Ahukini Road shared-use - Ahukini Landing to Airport					
- 2022. ht	1,200	LF	Striping and signage for shared use road - In SMA	\$25	\$30,000	\$70,620
	5,600	LF	Striping and signage for shared use road.	\$25	\$140,000	\$329,560
	LS	LS	Temporary erosion control	L.S.	\$5,000	\$11,770
	Subtotal				\$175,000	\$411,950
	Contingency (15%)				\$26,250	\$61,793
			G1 TOTAL		\$201,250	\$473,743

Source:

¹ Construction Analytics - Building Cost Index - Construction Inflation 2005 - 2022. <https://edzarenski.com/2016/10/24/construction-inflation-index-tables-e08-19/>

**KAUAI BIKE PATH
AHUKINI -- CIVIL CENTER -- NAWILIWILI HARBOR
ALTERNATE PRELIMINARY COST ESTIMATE**

April 17, 2008 February 18, 2022
Escalation Rate: ¹ 2.354

	Quantity	Unit	Description	Unit Price	Total	Escalated Total
CORRIDOR II - AHUKINI LANDING TO LIHUE CIVIC CENTER						
SEGMENT H - LIHUE AIRPORT TO KAPULE HIGHWAY						
Alternate H1 - North End of Līhu'e Airport to Kapule Highway						
	17,000	SF	10' Wide concrete shared use path (1,200 + 500 LF)	\$15	\$255,000	\$600,270
		LS	Temporary erosion control	LS	\$5,000	\$11,770
	LS	LS	Culvert crossing	L.S.	\$260,000	\$612,040
	LS	LS	Bike depot	L.S.	\$50,000	\$117,700
	LS	LS	Temporary erosion control	L.S.	\$5,000	
			Subtotal		\$320,000	\$753,280
			Contingency (15%)		\$48,000	\$112,992
			H1 TOTAL		\$368,000	\$866,272
Alternate H2 - South End of Lihue Airport to Kapule/Ka'ana St. Intersection						
	10,500	SF	10' Wide concrete shared use path (1,050 LF)	\$15	\$157,500	\$370,755
	LS	LS	Bike Depot	L.S.	\$50,000	\$117,700
	LS	LS	Temporary erosion control	L.S.	\$5,000	\$11,770
			Subtotal		\$212,500	\$500,225
			Contingency (15%)		\$31,875	\$75,034
			H2 TOTAL		\$244,375	\$575,259

Total H1 and H2 \$1,441,531

Source:

¹ Construction Analytics - Building Cost Index - Construction Inflation 2005 - 2022. <https://edzarenski.com/2016/10/24/construction-inflation-index-tables-e08-19/>

Exhibit 5
Site Photos



Rice St

51

56

Lihue Airport

24 - 29
34 & 35
36 & 37
30 - 33
23
22
20
21
18
19
17
15
14
16

41 & 42
38
39
40

13
12
11
10
9
8
6 & 7
2 & 3
4 & 5
1

Photo Map Key

Google Earth



1 mi

Photo 1: Ahukini Road, start of Path A, facing south.



Photo 2: Ahukini Road, intersection of Path A and G, facing west.

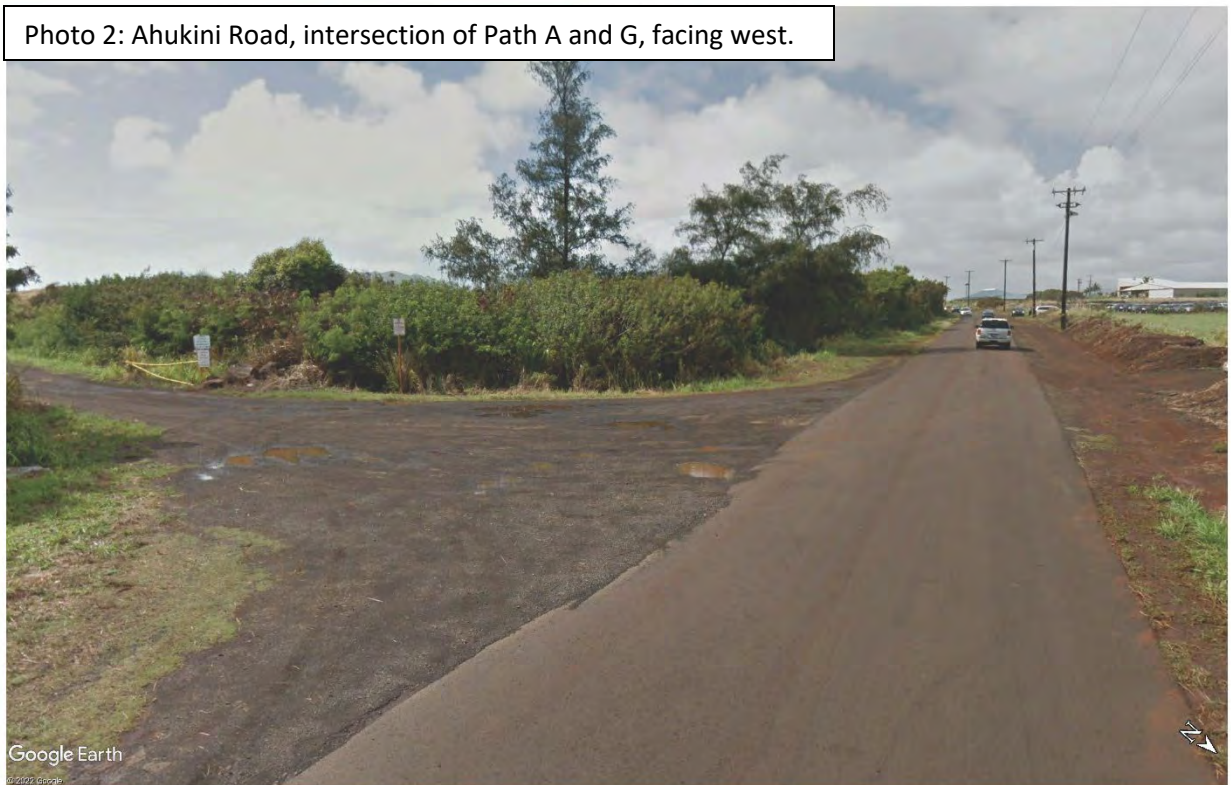


Photo 3: Ahukini Road, intersection of Path A and G, facing south.



Photo 4: Path A, facing east.



Photo 5: Path A, facing south.



Photo 6: Path A, facing south.



Photo 7: Path A, Bridge crossing, facing north.



Photo 8: Path A, facing east.



Photo 9: Path A, facing north.



Photo 10: Path A, facing south.



Photo 11: Path A, facing south.



Photo 12: Path A, bridge crossing, facing west.



Photo 13: Path A, facing north.



Photo 14: Path A, public access, facing northeast.



Photo 15: Path A, encampment, facing south.



Photo 16: Path A, fishing access 1, aerial.



Photo 17: Path A, bridge crossing, facing east.



Photo 18: Path A, facing south.



Photo 19: Path A, fishing access 2, aerial.



Photo 20: Path A, facing north.



Photo 21: Path A, fishing access 3, aerial.



Photo 22: Path A, fishing access 4, aerial.



Photo 23: Path A, fishing access 5, aerial.



Photo 24: Path A, facing southwest.



Photo 25: Path A, facing southwest.



Photo 26: Path A, facing south.



Photo 27: Path A, facing south.



Photo 28: Path A, facing northwest.



Photo 29: Path A, facing south.



Photo 30: Path A, Ninini Point Street, facing northwest.



Photo 31: Path A, Ninini Point Street, facing northwest.



Photo 32: Path A, facing east.



Photo 33: Path A, facing east.



Photo 34: Path A, Ninini Point Street, facing northwest.



Photo 35: Path A, Ninini Point Street, facing northwest.



Photo 36: Path A, Ninini Point Street, facing northwest.



Photo 37: Path A, Ninini Point Street, facing northwest.



Photo 38: Path A, Ninini Point Street, facing northwest.



Photo 39: Path A, Ninini Point Street, facing north.



Photo 40: Path A, Ninini Point Street, facing northwest.



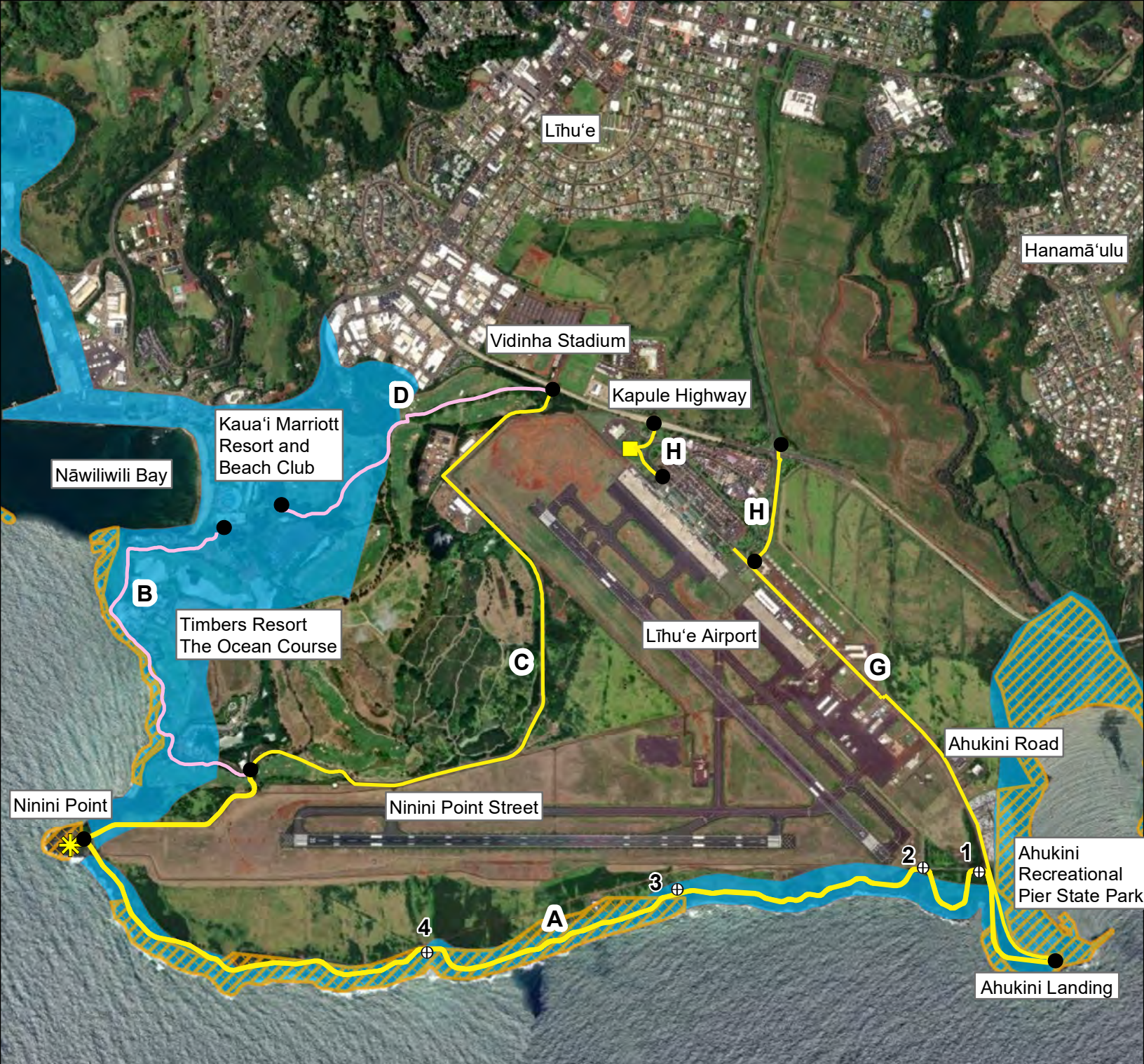
Photo 41: Path A, Ninini Point Street, facing west.



Photo 42: Path A, Ninini Point Street, facing west.



Exhibit 6
Special Management Area Map



NOTE: The County of Kaua'i requires that all portions of new concrete paths/walkways located within 40 feet of the shoreline setback area shall be saw-cut at a minimum of three (3) foot intervals.

All project improvements shall be constructed more than 60 feet from the certified shoreline. All proposed path segments within the 100-foot shoreline setback will be constructed of concrete with saw-cuts at 3-foot intervals, in compliance with the County of Kaua'i requirements.

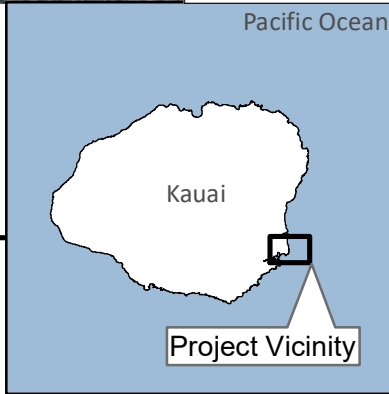
Special Management Area

Nāwiliwili - Ahukini Shared-Use Path
Phase A
County of Kaua'i
Līhu'e, Kaua'i, Hawai'i

R. M. TOWILL CORPORATION



0 900 1,800 Feet
1 in = 1,800 feet

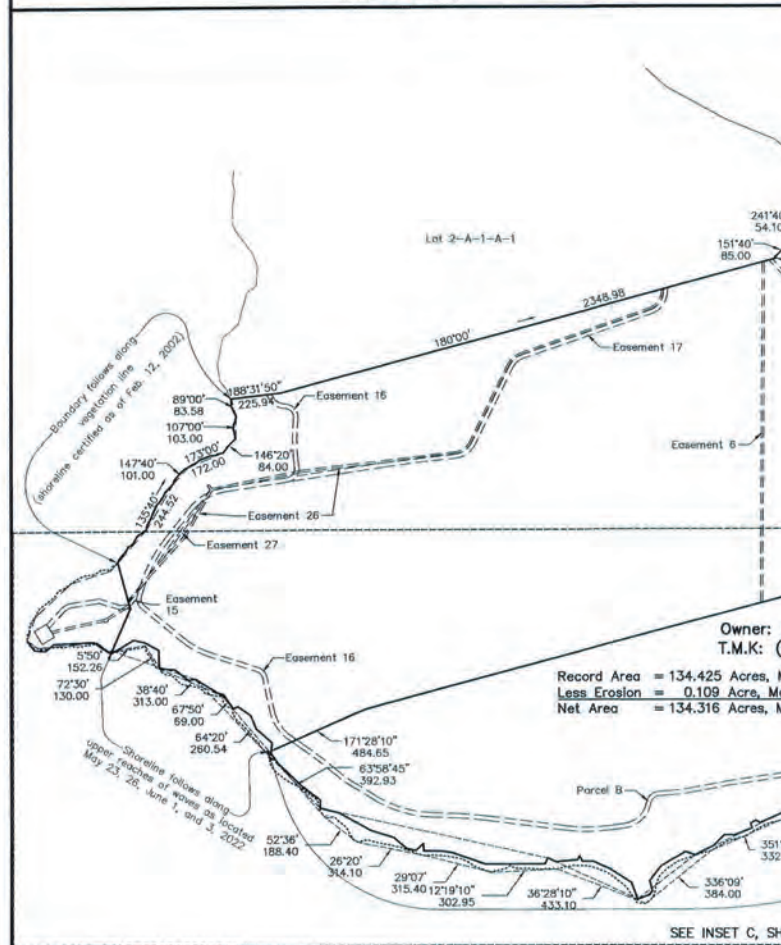


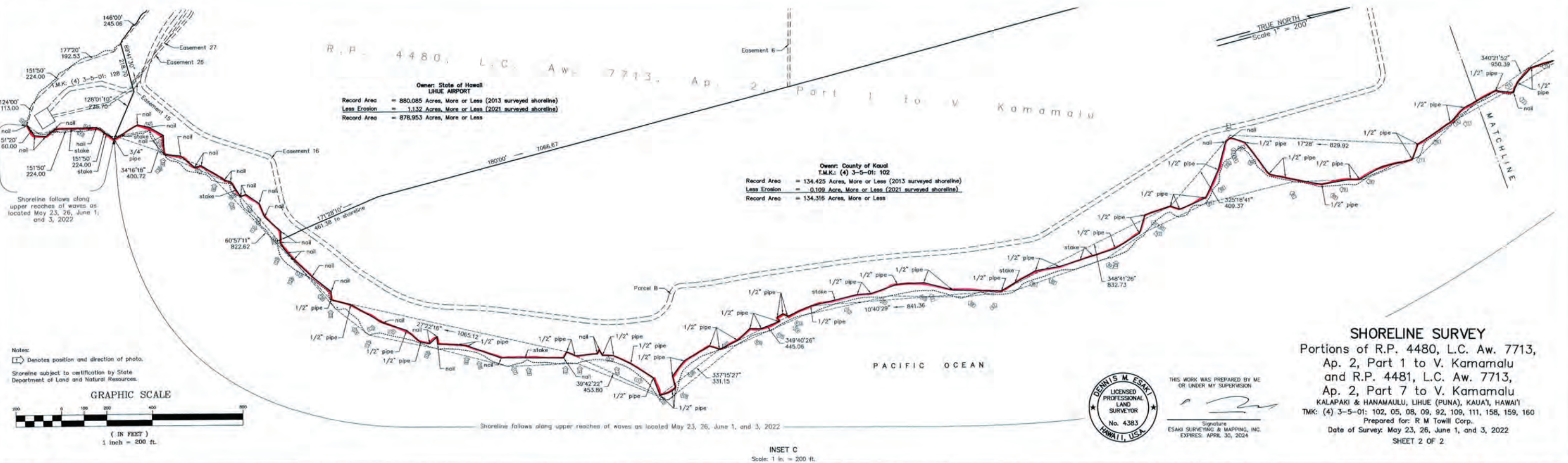
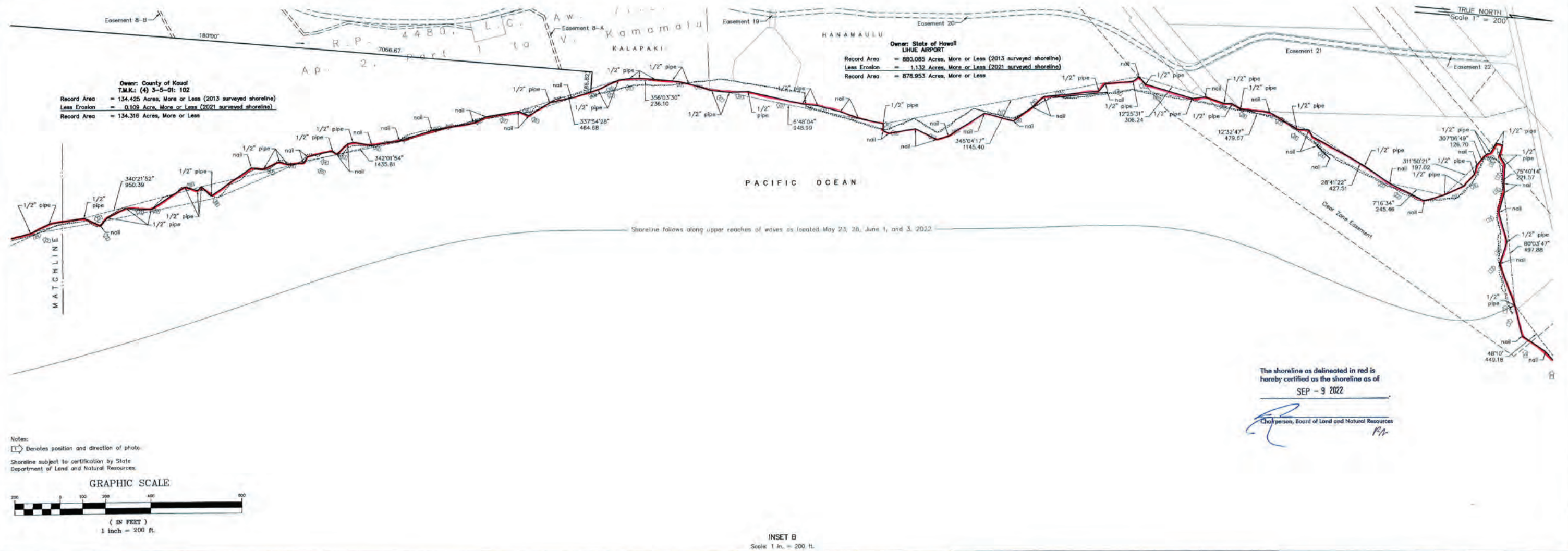
Legend

- Segments B and D By Others
- Segments A, C, G, and H By County of Kaua'i
- ⊕ Drainage Crossings
- ★ Comfort Station
- Bike Depot
- Special Management Area
- Conservation District

GIS County of Kaua'i Zoning Layer Source:
Hawaii Statewide GIS Program. County of Kauai, August 2018.

Exhibit 7
Certified Shoreline Survey







October 14, 2020; 1:50 pm

Photo 1



October 14, 2020; 1:55 pm

Photo 2



October 14, 2020; 1:58 pm

Photo 3



October 14, 2020; 2:00 pm

Photo 4



October 14, 2020; 2:02 pm

Photo 5



October 14, 2020; 2:04 pm

Photo 6



October 14, 2020; 2:06 pm

Photo 7



October 14, 2020; 2:08 pm

Photo 8



October 14, 2020; 2:11 pm

Photo 9



October 14, 2020; 2:12 pm

Photo 10



October 14, 2020; 2:13 pm

Photo 11



October 14, 2020; 2:16 pm

Photo 12



October 14, 2020; 2:18 pm

Photo 13



October 14, 2020; 2:21 pm

Photo 14



October 14, 2020; 2:23 pm

Photo 15



October 14, 2020; 2:26 pm

Photo 16



October 14, 2020; 2:29 pm

Photo 17



October 14, 2020; 2:31 pm

Photo 18



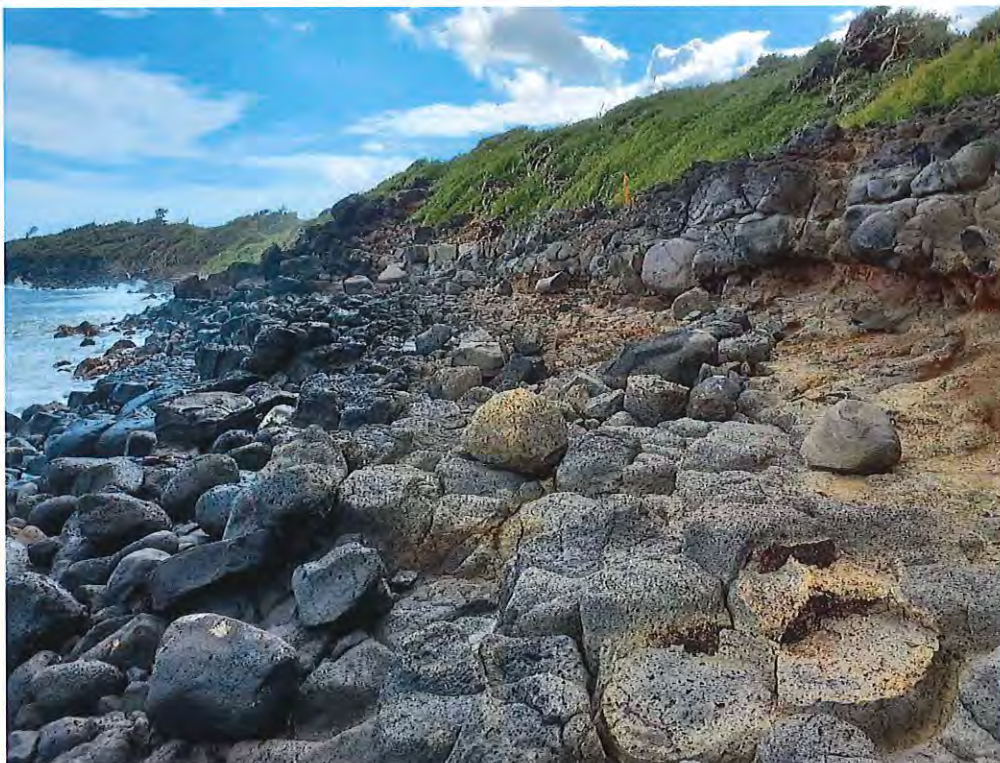
October 14, 2020; 2:58 pm

Photo 19



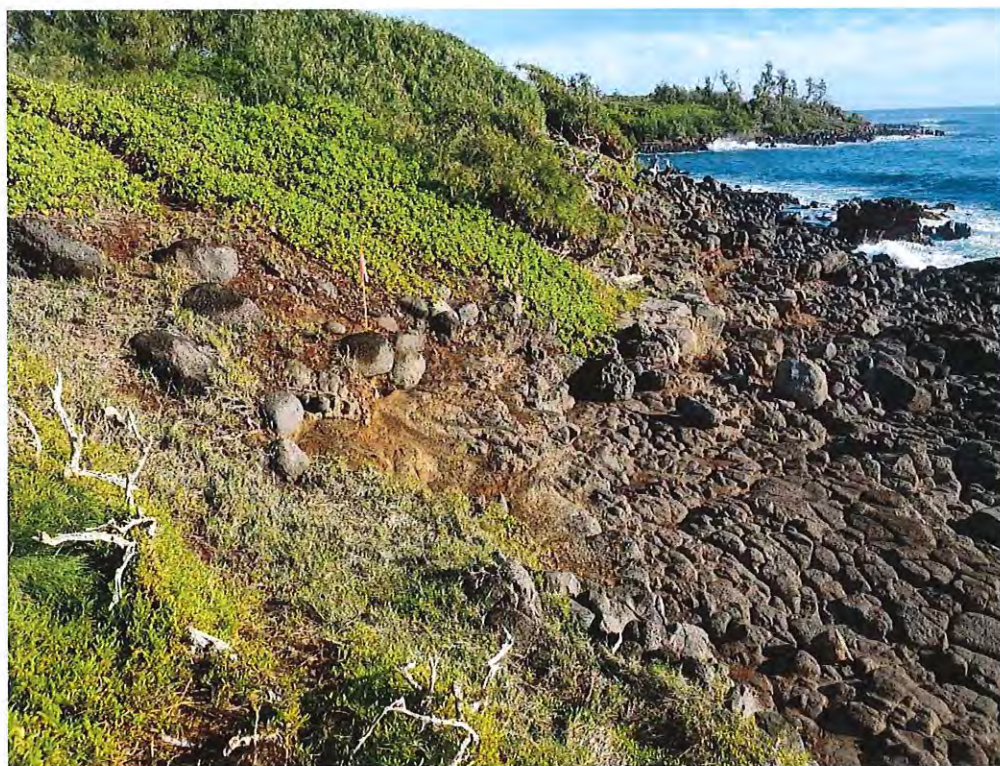
October 14, 2020; 3:01 pm

Photo 20



October 14, 2020; 3:03 pm

Photo 21



October 22, 2020; 8:12 am

Photo 22



October 22, 2020; 8:13 am

Photo 23



October 22, 2020; 8:16 am

Photo 24



October 22, 2020; 8:18 am

Photo 25



October 22, 2020; 8:20 am

Photo 26



October 22, 2020; 8:21 am

Photo 27



October 22, 2020; 8:24 am

Photo 28



October 22, 2020; 8:26 am

Photo 29



October 22, 2020; 8:27 am

Photo 30



October 22, 2020; 8:39 am

Photo 31



October 22, 2020; 8:45 am

Photo 32



October 22, 2020; 8:48 am

Photo 33



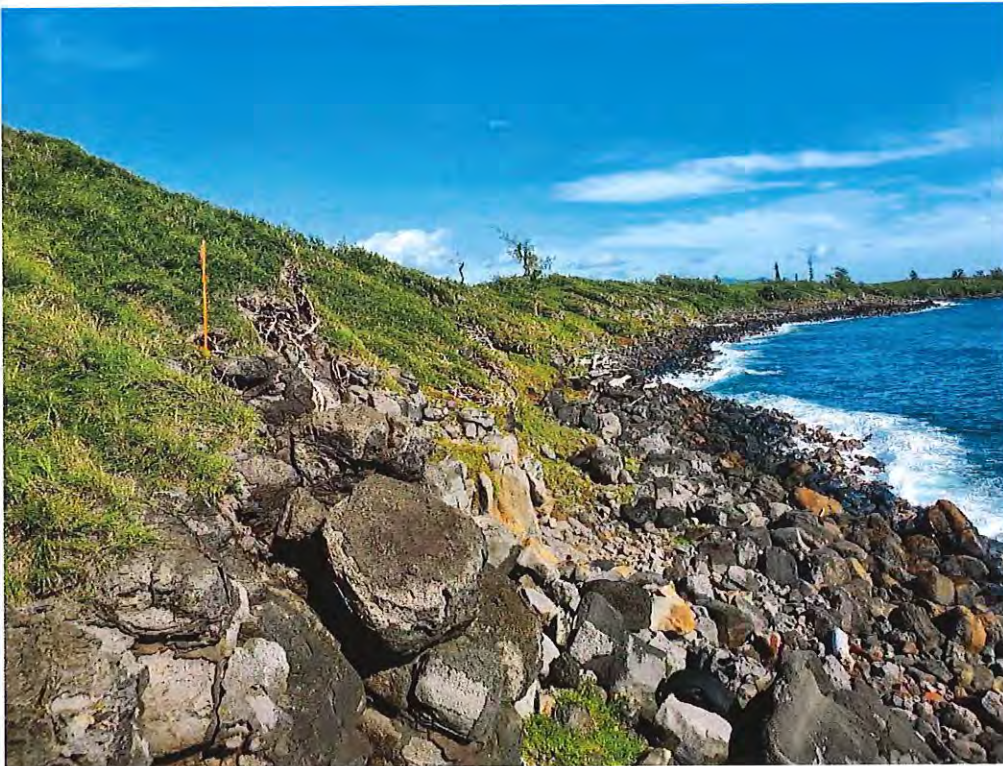
October 22, 2020; 8:58 am

Photo 34



October 22, 2020; 9:15 am

Photo 35



October 22, 2020; 9:29 am

Photo 36



October 23, 2020; 8:25 am

Photo 37



October 23, 2020; 8:27 am

Photo 38



October 23, 2020; 8:38 am

Photo 39



October 23, 2020; 8:43 am

Photo 40



October 23, 2020; 8:46 am

Photo 41



October 23, 2020; 8:58 am

Photo 42



October 23, 2020; 9:11 am

Photo 43



October 23, 2020; 9:24 am

Photo 44



October 23, 2020; 9:30 am

Photo 45



October 23, 2020; 9:37 am

Photo 46



October 27, 2020; 8:30 am

Photo 47



October 27, 2020; 8:55 am

Photo 48



October 27, 2020; 9:09 am

Photo 49



October 27, 2020; 9:26 am

Photo 50



October 27, 2020; 9:37 am

Photo 51



October 27, 2020; 9:55 am

Photo 52



October 27, 2020; 10:09 am

Photo 53



October 27, 2020; 10:36 am

Photo 54



October 27, 2020; 10:45 am

Photo 55



October 27, 2020; 10:51 am

Photo 56



October 27, 2020; 11:17 am

Photo 57



October 27, 2020; 11:51 am

Photo 58



October 27, 2020; 11:59 am

Photo 59



October 27, 2020; 12:04 pm

Photo 60



October 27, 2020; 12:06 pm

Photo 61



October 27, 2020; 12:09 pm

Photo 62



October 27, 2020; 1:36 pm

Photo 63



October 27, 2020; 1:41 pm

Photo 64



October 27, 2020; 1:47 pm

Photo 65



October 27, 2020; 1:51 pm

Photo 66



October 27, 2020; 1:55 pm

Photo 67



October 27, 2020; 2:09 pm

Photo 68



October 27, 2020; 2:16 pm

Photo 69



October 27, 2020; 2:26 pm

Photo 70



October 27, 2020; 3:11 pm

Photo 71



October 27, 2020; 3:13 pm

Photo 72



October 28, 2020; 10:10 am

Photo 73



October 28, 2020; 10:13 am

Photo 74



October 28, 2020; 10:14 am

Photo 75



October 28, 2020; 10:15 am

Photo 76



October 28, 2020; 10:17 am

Photo 77



October 28, 2020; 10:21 am

Photo 78



October 28, 2020; 10:23 am

Photo 79



October 28, 2020; 10:25 am

Photo 80



October 28, 2020; 10:27 am

Photo 81



October 28, 2020; 10:30 am

Photo 82



October 28, 2020; 10:33 am

Photo 83



October 28, 2020; 10:35 am

Photo 84



October 28, 2020; 10:37 am

Photo 85



October 28, 2020; 10:45 am

Photo 86



October 28, 2020; 11:17 am

Photo 87



October 28, 2020; 11:28 am

Photo 88



October 28, 2020; 11:35 am

Photo 89



October 28, 2020; 11:36 am

Photo 90



October 28, 2020; 11:37 am

Photo 91



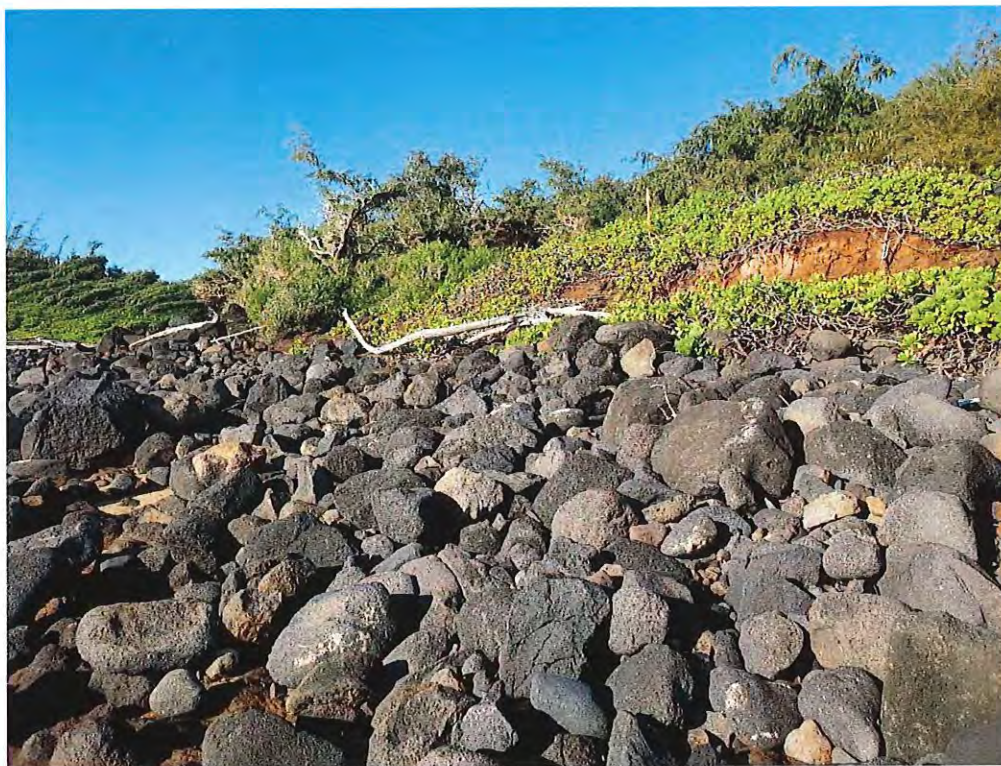
October 28, 2020; 11:38 am

Photo 92



October 29, 2020; 8:14 am

Photo 93



October 29, 2020; 8:17 am

Photo 94



October 29, 2020; 8:18 am

Photo 95



October 29, 2020; 8:20 am

Photo 96



October 29, 2020; 8:22 am

Photo 97



October 29, 2020; 8:23 am

Photo 98



October 29, 2020; 8:24 am

Photo 99



October 29, 2020; 9:43 am

Photo 100



October 29, 2020; 9:46 am

Photo 101



October 29, 2020; 9:47 am

Photo 102



October 29, 2020; 9:49 am

Photo 103



October 29, 2020; 9:50 am

Photo 104



October 29, 2020; 9:52 am

Photo 105



October 29, 2020; 9:53 am

Photo 106



October 29, 2020; 9:54 am

Photo 107



October 29, 2020; 9:58 am

Photo 108



October 29, 2020; 10:00 am

Photo 109



October 29, 2020; 10:01 am

Photo 110



October 29, 2020; 10:02 am

Photo 111



October 29, 2020; 10:04 am

Photo 112



October 29, 2020; 10:06 am

Photo 113



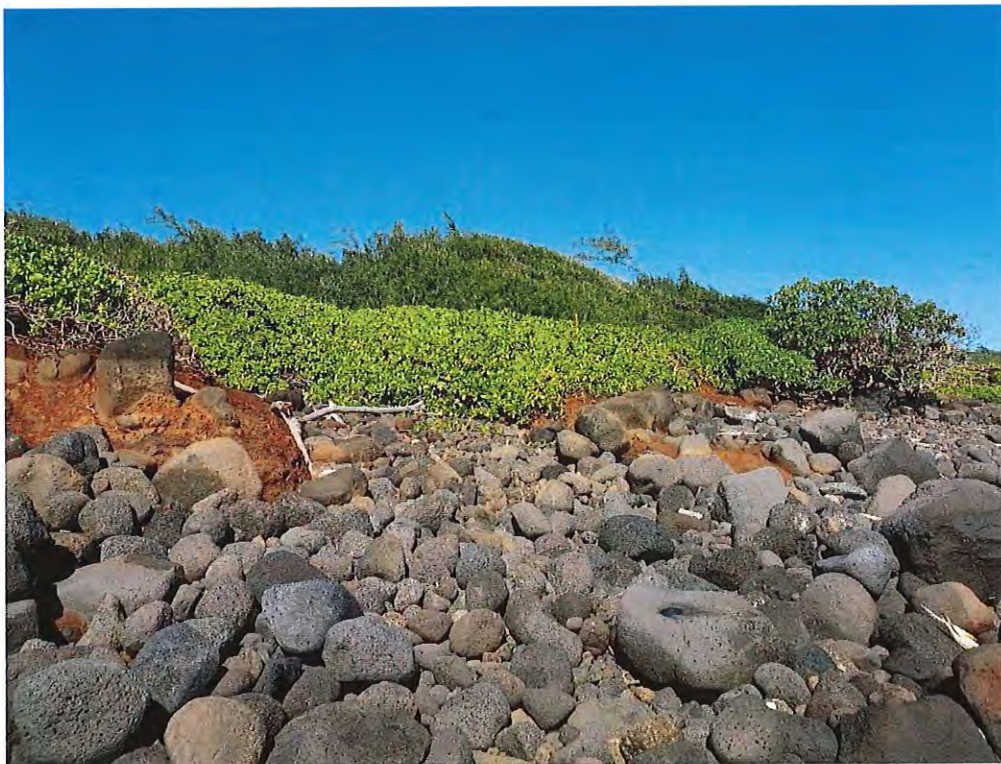
October 29, 2020; 10:08 am

Photo 114



October 29, 2020; 10:10 am

Photo 115



October 29, 2020; 10:11 am

Photo 116



October 29, 2020; 10:13 am

Photo 117



October 29, 2020; 10:14 am

Photo 118



October 29, 2020; 10:16 am

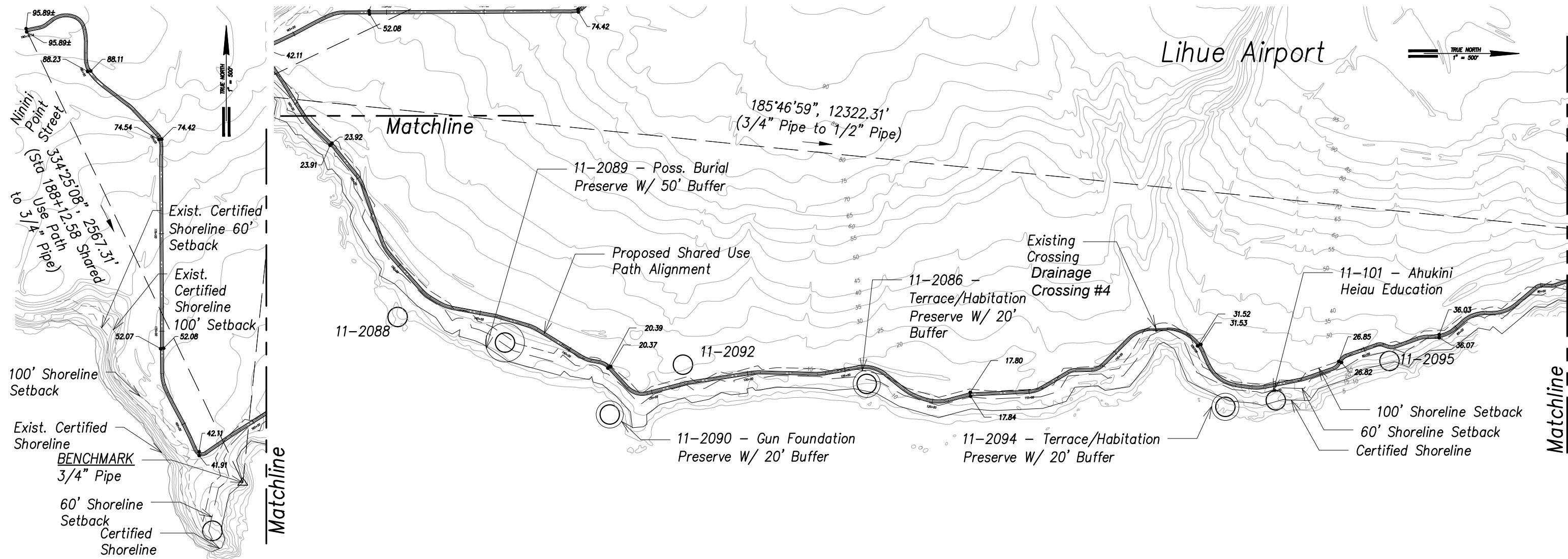
Photo 119



October 29, 2020; 10:17 am

Photo 120

Exhibit 8
General Site Plan



-
- The diagram illustrates shoreline setbacks for two types of shorelines: Certified Shoreline and Existing Certified Shoreline. It features a vertical axis with horizontal lines representing different setback distances.
- Certified Shoreline (September 9, 2022):** Indicated by a solid line.
 - 60' Shoreline Setback:** Indicated by a dashed line.
 - 100' Shoreline Setback:** Indicated by a dotted line.
 - Exist. Certified Shoreline (February 12, 2002):** Indicated by a solid line.
 - Exist. Certified Shoreline 60' Setback:** Indicated by a dashed line.
 - Exist. Certified Shoreline 100' Setback:** Indicated by a dotted line.

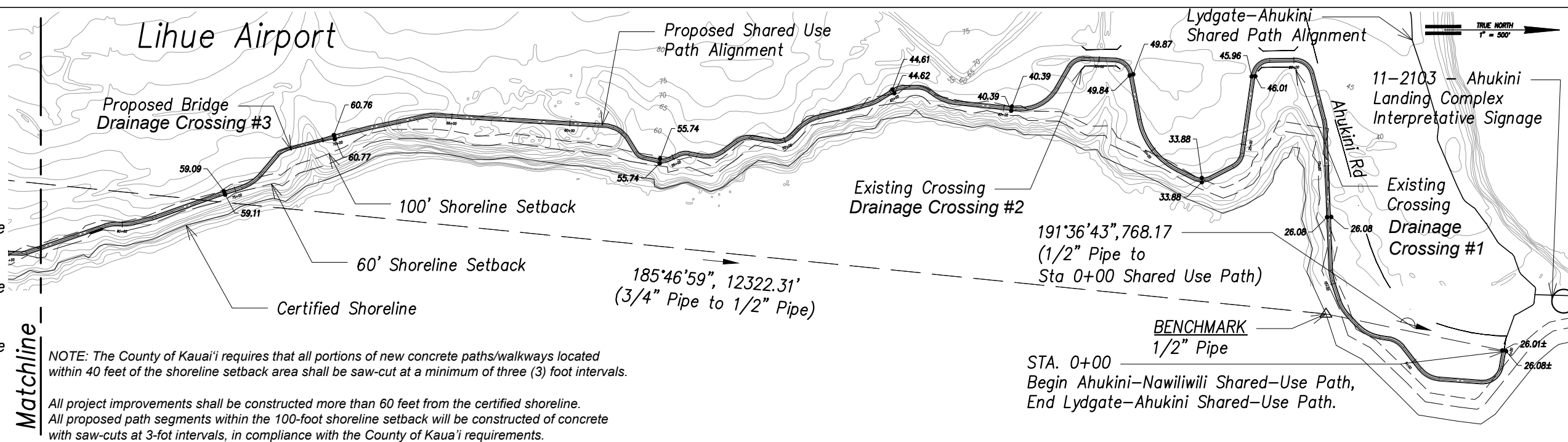
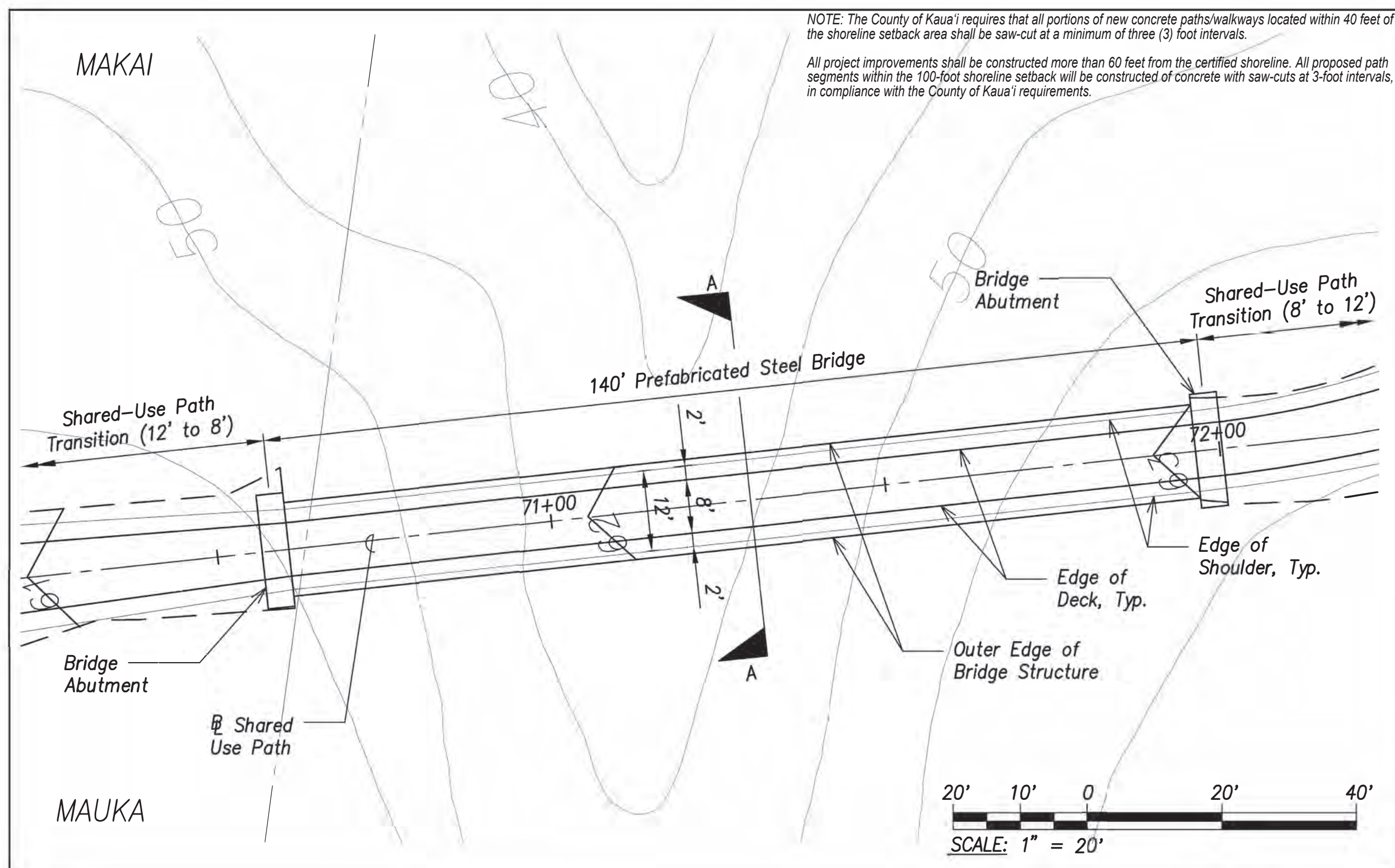

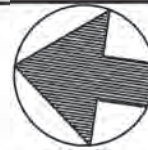


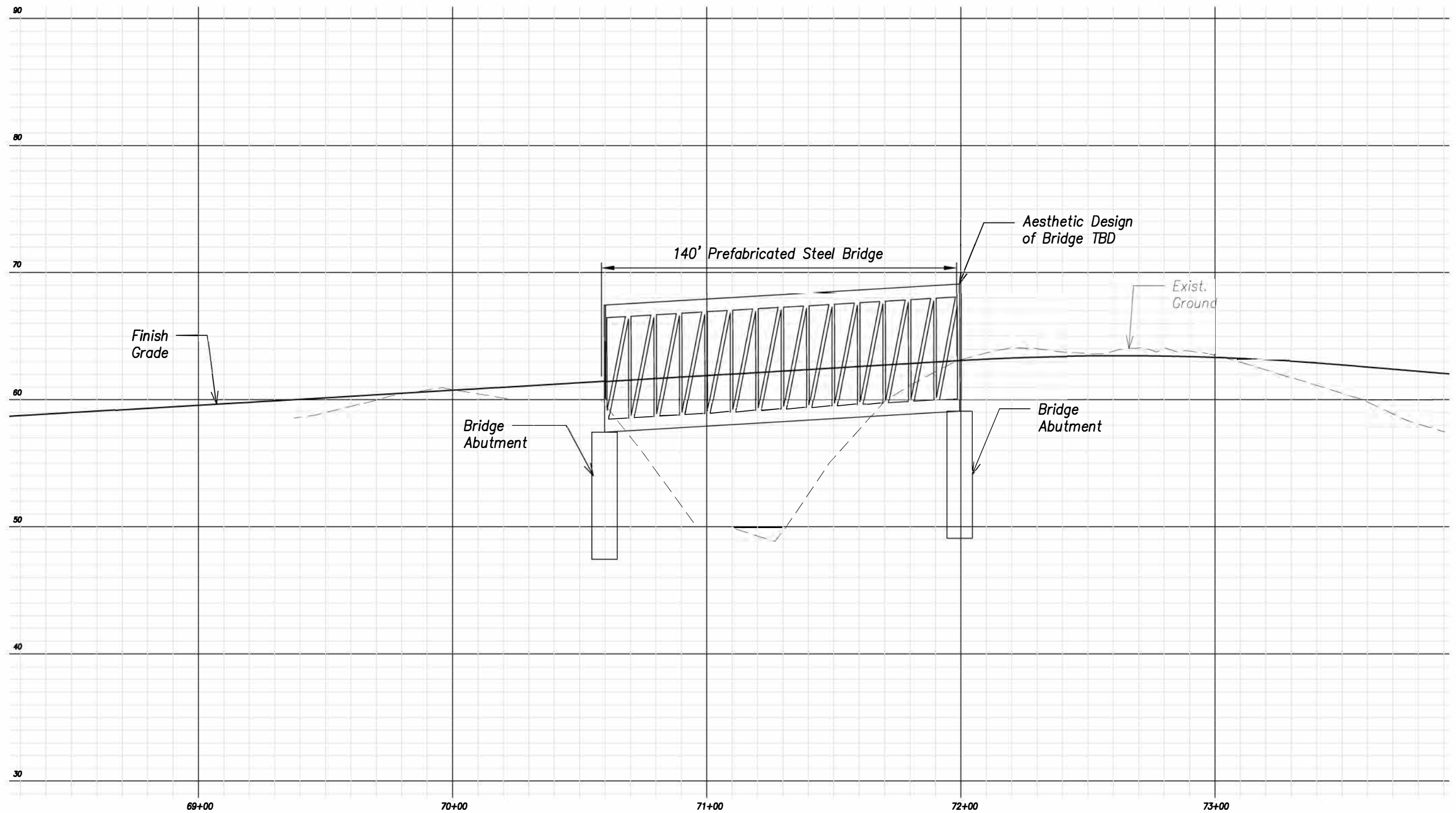
Exhibit 9
New Bridge and Culvert Drainage Crossings



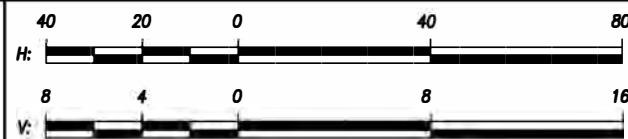
NOTE: The County of Kaua'i requires that all portions of new concrete paths/walkways located within 40 feet of the shoreline setback area shall be saw-cut at a minimum of three (3) foot intervals.

All project improvements shall be constructed more than 60 feet from the certified shoreline. All proposed path segments within the 100-foot shoreline setback will be constructed of concrete with saw-cuts at 3-foot intervals, in compliance with the County of Kaua'i requirements.

NAWILIWILI-AHUKUNI SHARED USED PATH		
 <p style="font-size: small;">Planning - Engineering - Environmental Services - Photogrammetry - Surveying - Construction Management</p> <p>R. M. TOWILL CORPORATION</p> <p style="font-size: x-small;">808 842 1133 2024 North King Street Suite 200 Honolulu Hawaii 96819-3494</p>	 North	<p>PLAN - BRIDGE CROSSING (STA. 70+59 TO STA. 71+98)</p> <p>Drainage Crossing #3</p>



Planning – Engineering – Environmental Services – Photogrammetry – Surveying – Construction Management
R. M. TOWILL CORPORATION
 808 842 1133 2024 North King Street Suite 200 Honolulu Hawaii 96819-3494

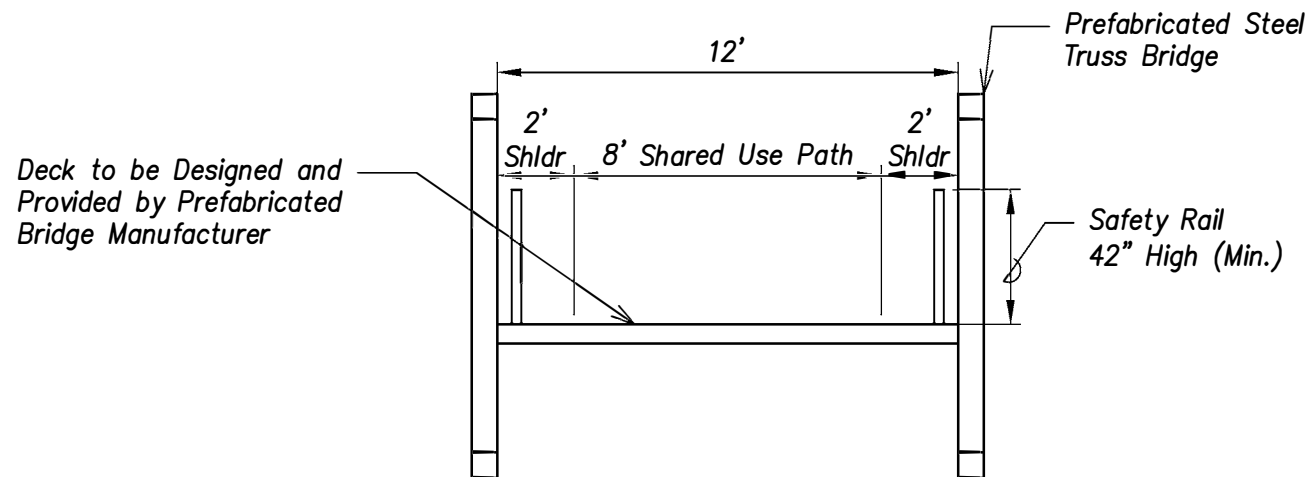


NAWLIWILI-AHUKUNI SHARED USED PATH

ELEVATION – BRIDGE CROSSING (STA. 70+59 TO STA. 71+98)

Drainage Crossing #3

**Figure
X-X**



Existing
Ground

Section A-A – Bridge Crossing

SCALE: 1" = 5'

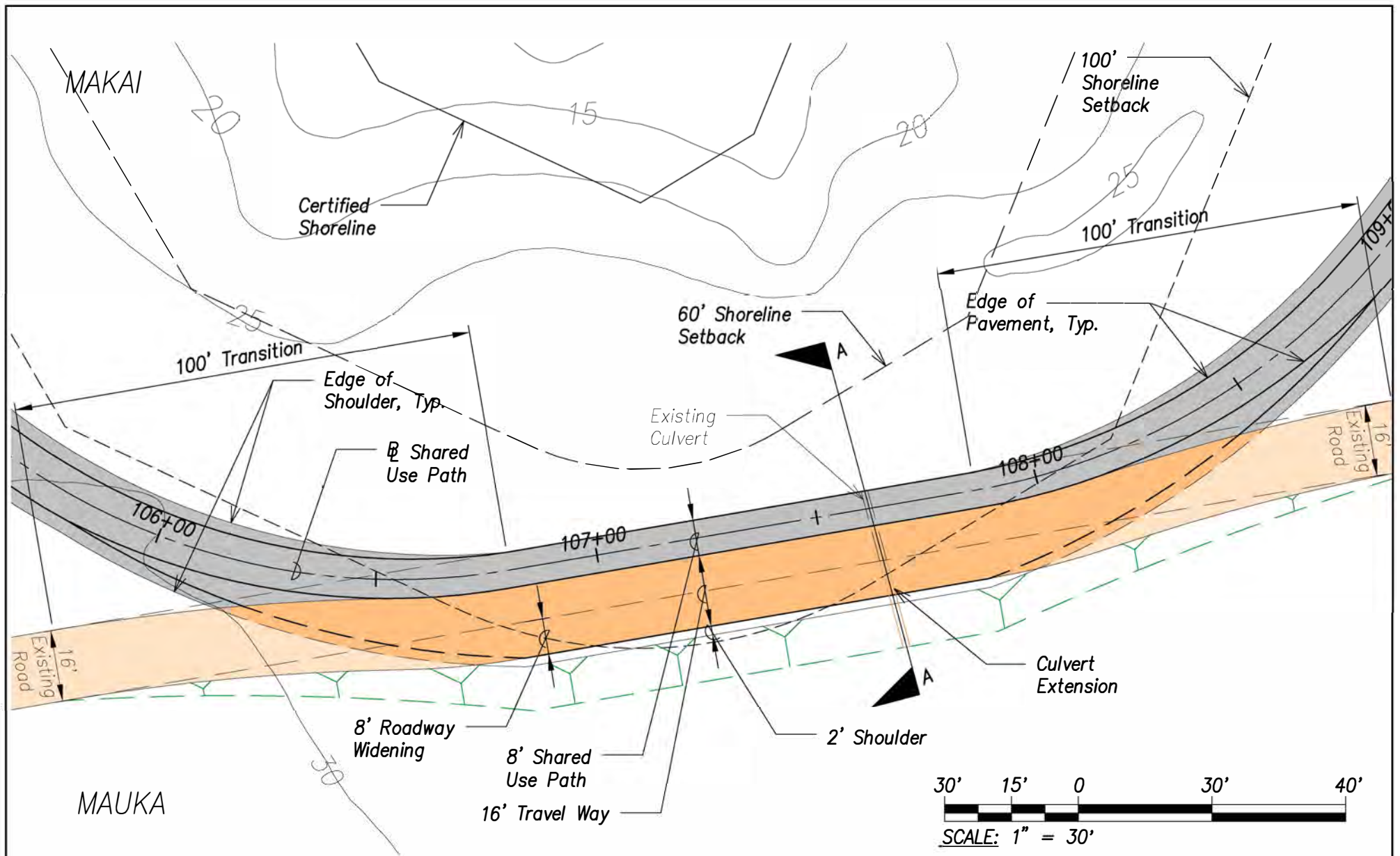


NAWILIWILI-AHUKUNI SHARED USED PATH



Planning – Engineering – Environmental Services – Photogrammetry – Surveying – Construction Management
R. M. TOWILL CORPORATION
 808 842 1133 2024 North King Street Suite 200 Honolulu Hawaii 96819-3494

SECTION – BRIDGE CROSSING
Drainage Crossing #3



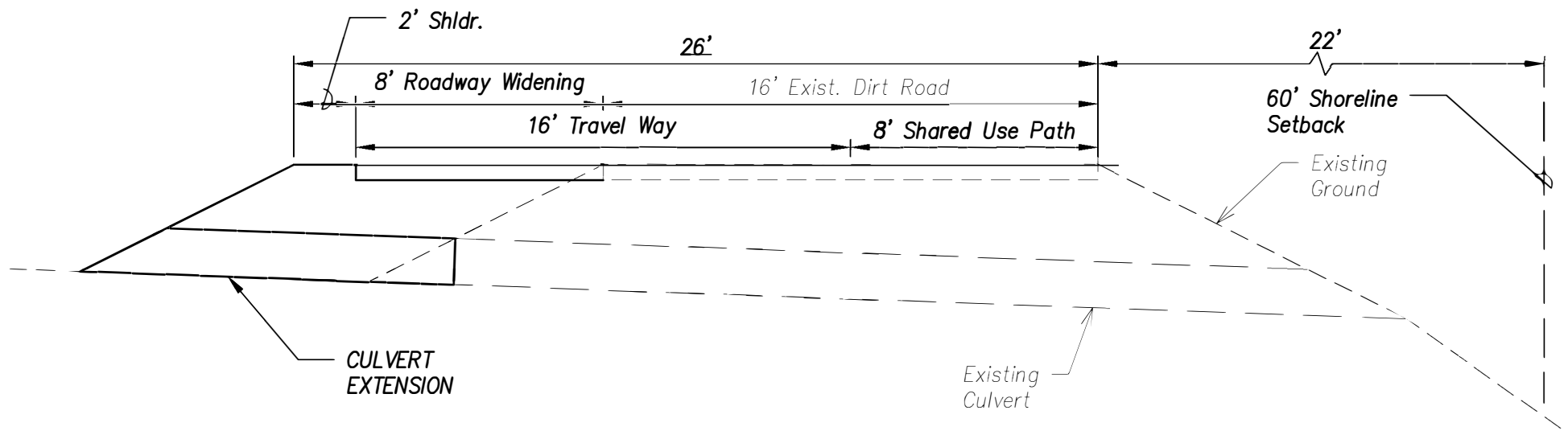
NAWILIWILI-AHUKUNI SHARED USED PATH



Planning - Engineering - Environmental Services - Photogrammetry - Surveying - Construction Management
R. M. TOWILL CORPORATION
 808 842 1133 2024 North King Street Suite 200 Honolulu Hawaii 96819-3494



PLAN - CULVERT (STA. 107+60±)
Drainage Crossing #4



Section A-A – Culvert Crossing

SCALE: 1" = 5'



SCALE: 1" = 5'

NAWILIWILI-AHUKUNI SHARED USED PATH



Planning – Engineering – Environmental Services – Photogrammetry – Surveying – Construction Management
R. M. TOWILL CORPORATION
 808 842 1133 2024 North King Street Suite 200 Honolulu Hawaii 96819-3494

SECTION A-A – CULVERT CROSSING
Drainage Crossing #4

Exhibit 10

State Historic Inventory of Historic Properties Sites Figure and Assessment Tables

Kaua'i

Project Vicinity

Ahukini Landing

08-9000

11-2097

11-2096

08-3958

Pacific Ocean

11-9402

Nāwiliwili Stream
Railroad Bridge

11-1845

11-1999

11-B004

Pū'ali Bridge

11-6009

11-009

Nāwiliwili Harbor

Ninini Point

11-2095

11-101

11-2094

11-422

11-423

11-2093

11-421

11-424

11-2086

11-2092

11-2091

11-2090

11-2089

11-2088

11-2087

11-100

LEGEND

- Primary Project Corridor
- Secondary Network Corridors

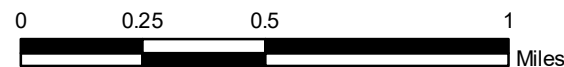
FIGURE 5-1

STATE HISTORIC SITES

Nāwiliwili - Ahukini Shared-Use Path

County of Kaua'i

Līhu'e, Kaua'i, Hawai'i



R.M. Towill Corporation

Table 1
State Historic Sites Located in the Project Area

SIHP No.	Site Description	Recommendations
50-30-11-009	Kuhiau Heiau	Previously documented. No further work. Describe in interpretive display at Nāwiliwili Beach Park.
50-30-11-100	Ninini Heiau	Documented as destroyed by Thrum (in Bennett 1931). Describe in interpretive display.
50-30-11-101	Ahukini Heiau	Describe in interpretive display.
50-30-11-421	Midden Scatter of marine shells	Previously recorded. No further work.
50-30-11-422*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-423*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-424	Oval Terrace Alignment	Previously recorded. No further work.
50-30-11-1999	Paukini Rock (in Nāwiliwili Bay)	Previously recorded. Describe in interpretive display.
50-30-11-6009	Nāwiliwili Cemetery	Avoid.
50-30-08-3958	Historic remnants of a piggery	Previously recorded. No further work.
50-30-08-9000	Ahukini Landing	n/a
50-30-08-9402	Historic Building Remnant at Site of Radio Station KIVM	n/a
11-B004	Historic Cemetery near Nāwiliwili Park	Avoid.
50-30-11-2086*	Pre-contact Terrace Habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2087*	Historic Lighthouse and associated habitation (caretaker's residence)	Preserve remaining structure. Adaptive re-use of the site and educational signage.
50-30-11-2088*	Military Concrete slab. The base of a communications tower.	Data recovered and recorded. No further work.
50-30-11-2089*	Historic Mounds. Possible Burial.	Preserve in place. Avoid site by establishing a 50-foot buffer. Data recovery program to be undertaken before path construction begins.
50-30-11-2090*	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2091*	Historic habitation foundation.	Data recovered and recorded. No further work.
50-30-11-2092*	Historic Septic Outhouse and cesspool	Data recovered and recorded. No further work.
50-30-11-2093*	Plantation-era ditch drainage	Data recovered and recorded. No further work.

Table 1**State Historic Sites Located in the Project Area**

SIHP No.	Site Description	Recommendations
50-30-11-2094*	Pre-contact/historic terrace habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2095*	Pre-contact Scatter Activity area	Data recovered and recorded. No further work.
50-30-11-2096*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2097*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2103*	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.
--	Pū'ali (Niumalu) Bridge	Avoid existing bridge with a buffer. Buffer distance to be determined by the SHPD, Architectural Branch.

* Historic sites identified during the archaeological inventory survey of the coastal area between Ahukini Landing and Ninini Point (CSH, 2010, 2014).

Table 2**State Historic Sites in the APE that Retain Aspects of Historic Integrity**

SIHP No.	Site Description	Eligibility Criteria*	Aspects of Integrity
50-30-11-1845	Historic Railroad Bridge. Constructed 1931.	A, C	Location, design, setting, materials, workmanship, feeling and association.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	A, B, D, E	Location, setting, feeling and association.
50-30-08-9000	Ahukini Landing. Constructed prior to 1927.	D	Location, design, setting, materials, feeling and association.
50-30-11-2086*	Pre-contact Terrace Habitation	D, E	Location, design, setting, materials, workmanship, feeling.

Table 2
State Historic Sites in the APE that Retain Aspects of Historic Integrity

50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence). Constructed 1933.	C, D	Location, design, setting, materials, workmanship, feeling and association.
50-30-11-2089	Historic Mounds. Possible Burial.	D, E	Location, setting, materials.
50-30-11-2090	Military. Structural foundation for gun emplacement. Constructed in 1942.	D	Location, design, setting, materials, workmanship, feeling.
50-30-11-2094	Pre-contact/historic terrace habitation.	D, E	Location, design, setting, materials, workmanship, feeling.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp. Constructed prior to 1927.	D	Location, design, setting, materials, feeling and association.

* Eligibility Criteria for inclusion on the National Historic Register (Criteria A through D) and on the State of Hawaii Register of Historic Places (Criterion E).

Table 3
No Adverse Effect for the following historic properties within the APE

SIHP No.	Site Description	Mitigation Commitment
50-30-11-1845	Nawiliwili Stream Railroad Bridge	Preserve existing structure. Adaptive reuse in accordance with historic preservation design guidelines developed in consultation with the SHPD, Architectural Branch. Design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components

Table 3**No Adverse Effect for the following historic properties within the APE**

SIHP No.	Site Description	Mitigation Commitment
		can be removed, if necessary, without damaging the existing bridge structure.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	Previously recorded. Describe in interpretive display.
50-30-08-9000	Ahukini Landing	Avoid. Refer to SIHP # 50-30-11-2103 below.
50-30-11-2086*	Pre-contact Terrace Habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence).	Preserve remaining structure. Adaptive re-use of the site and educational signage.
50-30-11-2089	Historic Mounds. Possible Burial.	Preserve in place. Avoid site by establishing a 50-foot buffer.
50-30-11-2090	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2094	Pre-contact/historic terrace habitation.	Preservation. Avoid with a 20-foot buffer.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.

Exhibit 11
Wetland Map



Legend

- Segments B and D By Others
- Segments A,C,G, and H By County of Kaua'i
- Comfort Station

Wetlands

- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

GIS Wetland Layer Source:
U.S. Fish and Wildlife Service National Wetlands Inventory

Wetland Map

Nāwiliwili - Ahukini Shared-Use Path
Phase A
County of Kaua'i
Līhu'e, Kaua'i, Hawai'i

R. M. TOWILL CORPORATION



0 900 1,800 Feet



1 in = 1,600 feet

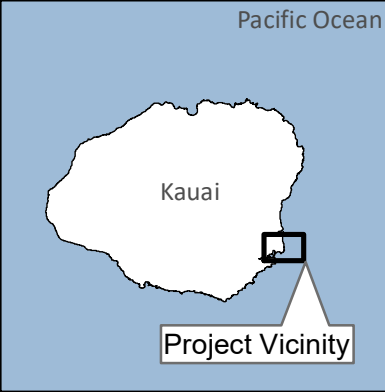
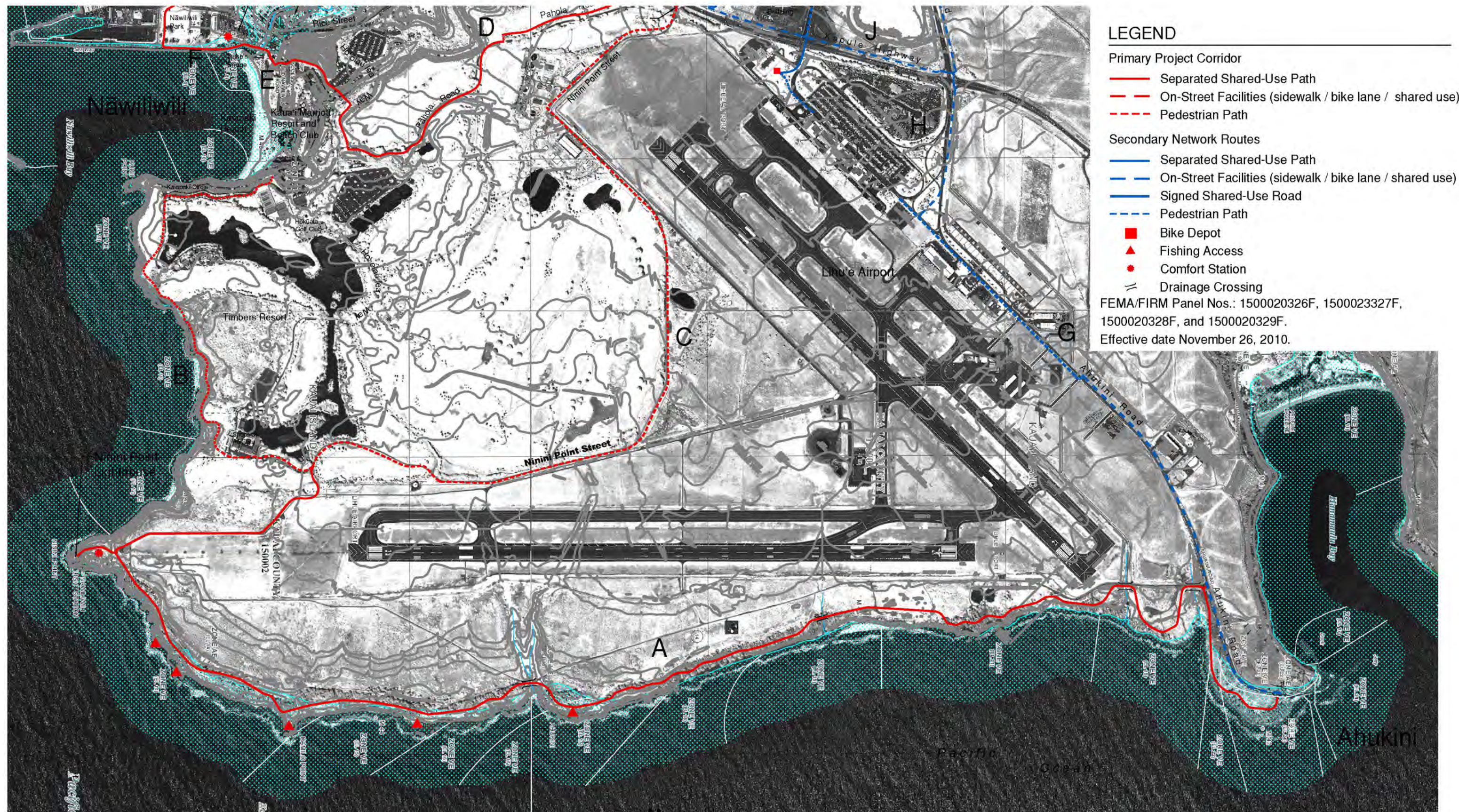


Exhibit 12
FEMA/FIRM Map



Nāwiliwili - Ahukini Shared-Use Path
 County of Kaua'i
 Lihue, Island of Kaua'i, Hawai'i

FIGURE 3-3: FEMA-FIRM Map

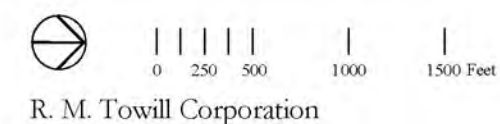


Exhibit 13
NHPA 106 and 6E Consultation and Correspondence

Project Chronology
National Historic Preservation Act (NHPA) Section 106 Consultation and
Hawai‘i Revised Statutes (HRS) Section 6E Historic Preservation Review Process

Nawiliwili to Ahukini Landing Bike/Pedestrian Path, CMAQ-0700(57)

Date	Event
February 2007	Notice to Proceed with project issued to project consultant, R. M. Towill Corporation (RMTC)
May 2008	Initial request for NHPA 106 consultation sent by letter to preliminary list of agencies, Native Hawaiian organizations (NHOs) and individuals.
2008 through 2009	Continued informal consultation with original and additional agencies, NHOs and individuals identified through the NHPA 106 process.
June 2009	Archaeological Inventory Survey (AIS) prepared by Cultural Surveys Hawai‘i, Inc.
October 1, 2009	NHPA 106 consultation put on hold pending guidance from Federal Highways Administration (FHWA) and the Advisory Council for Historic Preservation (ACHP) regarding NHPA 106 consultation with Native Hawaiian organizations (NHOs), State Historic Preservation Officer (SHPO) review of project AIS to support NHPA 106 process, and Office of Hawaiian Affairs’ (OHA) participation in NHPA 106 consultation.
April 22, 2011	ACHP Draft guidelines for Hawai‘i NHPA 106 consultation process issued to County of Kaua‘i (COK) and Hawaii Department of Transportation, Highways Division (HDOT-HWY). Continue contact with participating NHOs.
September 2011 – April 2012	Consultant contract amended to provide further Section 106 work requested by FHWA to assure consistency with the new draft guidelines from the ACHP for consultation with NHOs.
April to July 2012	FHWA and COK conduct Section 106 consultation with NHO’s in accordance with ACHP guidelines, including NHPA 106 public consultation meetings and individual interviews. COK and consultant finalize NHPA 106 consultation documents, prepare NHPA 106 Memorandum of Agreement (MOA) for review by SHPD, FHWA and HDOT.
July 2, 2012	FHWA NHPA 106 Authorization letter to SHPO.
July 25, 2012	FHWA issues letter requesting SHPO’s concurrence with NHPA 106 effect determination and review of the proposed NHPA 106 MOA.
August 28, 2012	SHPD responds to FHWA’s Section 106 concurrence request with request for additional information. Additional documentation required.
November 9, 2012	COK, HDOT meeting with SHPO to resolve outstanding NHPA 106 Consultation mitigation commitments.
December 4, 2012	COK and consultant follow up with SHPO on response to NHPA 106 effect determination and MOA. Consultant revises MOA to address SHPO comments.

Project Chronology

Date	Event
December 13, 2012	FHWA and SHPO review revised NHPA 106 documents and MOA.
January 2013	Consultant revises NHPA 106 MOA and FHWA effect determination letter to address FHWA comments. Consultant tracks SHPD review of project AIS, updates administrative record for NHPA 106 consultation, and prepares draft notification and invitation to ACHP to participate in MOA.
February 25, 2013	FHWA sends letter to ACHP with notification of NHPA 106 effect determination and invitation to participate in MOA.
February 26, 2013	Consultant submitted NHPA 106 Consultation supporting documents to FHWA.
April 5, 2013	FHWA sends effect determination letter to SHPO requesting concurrence on the Section 106 determination of adverse impact with mitigation measures to prevent the disturbance to historic properties or resources to the extent possible, and sends revised draft NHPA Section 106 MOA also submitted to SHPO for review. COK submits Section 106 MOA to HDOT for processing.
April 10, 2013	ACHP responds to FHWA that they are not participating in the consultation process. Notes requirement to complete MOA and file it with SHPO.
November 2013	Consultant contract amended to provide additional time for further Section 106 work.
November 12, 2013	Final AIS submitted to SHPO.
December 18, 2013	Revised NHPA 106 MOA submitted by COK to HDOT and FHWA. Consultant resubmitted NHPA 106 consultation docs and MOA to SHPO for action. Waiting on SHPO response to NHPA 106.
December 27, 2013	Consultant revised NHPA 106 MOA addressing additional SHPO comments and re-submitted to COK, HDOT, FHWA and SHPO.
January 21, 2014	State Historic Preservation Division (SHPD) accepts AIS as complete.
March 25, 2014	COK, HDOT, FHWA, Consultant meeting to update NHPA 106 consultation status. Draft NHPA 106 MOA redistributed to COK and FHWA for review. Waiting for SHPO response to the NHPA 106 MOA.
March 2014	Waiting on SHPO action on NHPA 106 MOA and effect determination. Consultant contract amended to provide additional time for further Section 106 work.
February 11, 2015	COK, HDOT, FHWA and consultant meeting to update project status.
March – Sept. 2015	Periodic phone communication with SHPO to check status of NHPA 106 review.
September 2, 2015	Revise NHPA 106 MOA to include HHF as a concurring party and HDOT as signatory.
November 5, 2015	COK, HDOT, FHWA and consultant meeting to update status of project. Waiting on SHPO to respond to current draft NHPA 106 MOA.
January 12, 2016	Consultant contact SHPO for status of NHPA 106 MOA review.

Project Chronology

Date	Event
January 19, 2016	COK letter to Historic Hawai'i Foundation (HHF) to invite participation in the NHPA 106 MOA as a concurring party.
March 14, 2016	COK submits a revised draft NHPA Section 106 MOA to SHPO for review. No response from SHPD through
May 2016	Coordination meeting with COK, DOT-HWY, FHWA and SHPD. No resolution of MOA.
August 2016 to June 2018	Periodic inquiries to SHPD for response to draft MOA.
June 2018	Coordination meeting with COK, DOT-HWY and SHPD. No resolution of MOA.
November 2018 to November 2019	Coordination among COK, DOT-HWY, FHWA and SHPD to change the NHPA 106 effect determination from "adverse effect with mitigation" to "no adverse effect". Also, coordinate with SHPD to withdraw recommendation for data recovery for SIHP -2089, due to proposed mitigation of avoidance with a 50-foot buffer. Iterative revisions to modify the FHWA effect determination letter, coordinated with DOT-HWY and FHWA.
December 2019	Meeting with COK, DOT-HWY, FHWA and SHPD to request to delete data recovery for 50-30-11-2089 and to request to change effect determination and delete MOA requirement.
December 2019 to January 2020	SHPD reviewing request.
February to May 2020	SHPD approves request to change NHPA 106 effect determination and eliminate the MOA and eliminate data recovery for SIHP 50-30-11-2089. Iterative revisions and processing revised concurrence request letter with FHWA. Letter sent in May.
June 2020	SHPO concurs with FHWA effect determination.
May to September 2021	Restart work. Prepare HRS 6E effect determination letter from COK to SHPD.
September 28, 2021	COK HRS 6E letter submitted to SHPD.
September 2021 to December 2022.	Routine inquiries by DOT-HWY, COK and consultant to SHPD for response to HRS 6E effect determination concurrence request letter. Waiting SHPD response.



U.S. Department
of Transportation
**Federal Highway
Administration**

Hawaii Federal-Aid Division

April 3, 2013

300 Ala Moana Blvd, Rm 3-306
Box 50206
Honolulu, Hawaii 96850
Phone: (808) 541-2700
Fax: (808) 541-2704

In Reply Refer To:
HDA-HI

Mr. William J. Aila, Jr.
Chairperson and State Historic Preservation Officer
Hawaii Department of Land and Natural Resources
601 Kamokila Boulevard, Suite 555
Kapolei, HI 96707

Subject: National Historic Preservation Act Section 106 Consultation
Nāwiliwili – Ahukini Shared-Use Path Project
Līhu‘e District (puna moku), Island of Kaua‘i, Hawai‘i
Ahupua‘a of Nāwiliwili, Kalapakī, and Hanamā‘ulu
Federal-aid Project Number CMAQ-0700 (57)
Tax Map Key Numbers: (4) 3-2-02:1 & Niumalu Road; 3-2-03: Niumalu & Wa‘apā
Roads; 3-2-04:1, 2, 3 & Wa‘apā Road; 3-5-01:4, 5, 8, 27, 102, 117, 118; 3-5-02:2; 3-6-
02:Kā‘ana Street, Hardy Street, Rice Street, & ‘Umi Street; 3-6-08: Wa‘apā Road,
Nāwiliwili Stream; and 3-7-02: Ahukini Road

Dear Mr. Aila:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the Federal Highway Administration (FHWA) requests the State Historic Preservation Officer's (SHPO) concurrence on the effect determination for the proposed improvements. The FHWA is rendering an adverse effect determination for the subject project.

The FHWA intends to provide funds for the proposed improvements. Therefore, the FHWA has required the State of Hawaii Department of Transportation (HDOT) and County of Kaua‘i to comply with the National Environmental Policy Act, NHPA, and other federal requirements. The FHWA has authorized the HDOT and the County of Kauai to act on behalf of the FHWA regarding the NHPA Section 106 notification and consultation.

Overview of the Undertaking

The FHWA, HDOT, and County of Kaua‘i, Department of Public Works (DPW), plan to develop a coastal, shared-use path between Nāwiliwili Park and Ahukini Landing in Līhu‘e District on the island of Kaua‘i. A path segment is also proposed between Nāwiliwili Park and Niumalu Park. Additional path segments will connect the coastal path to the Līhu‘e Civic Center and Līhu‘e Airport. The project is a key segment of *Ke ala Hele Makalae*, the 16-mile

Nāwiliwili to Anahola Shared-Use Path proposed in the 1994 *State of Hawaii Master Plan – Bike Plan Hawai‘i*, and in the 2003 *Bike Plan Hawai‘i* update.

The County of Kaua‘i will construct, own, and operate the facility. The project will be funded through the HDOT using FHWA funds. The project is, therefore, considered a federal undertaking subject to consultation requirements in accordance with Section 106 of the NHPA and 36 Code of Federal Regulations (CFR), Part 800.

The planned project consists of a 12-foot wide concrete shared-use coastal path. Bike lane and sidewalk improvements to existing and planned street corridors will provide additional connections through urban areas. Path improvements and amenities will include separated crossings at major drainage ways, educational and informational signage, a comfort station at Ninini Point, adaptive reuse of the Nāwiliwili Stream Railroad Bridge, and various improvements at Nāwiliwili Park to be coordinated with the park’s master plan. The project will benefit residents and visitors by preserving coastal access, creating a new safe recreational resource and supporting alternative modes of transportation to connect key community centers, including residential neighborhoods, commercial centers, parks, and the airport and harbor.

The FHWA, HDOT, and County of Kaua‘i DPW have conducted consultations for the subject project with Native Hawaiian organizations (NHOs) and other consulting parties in compliance with NHPA Section 106. This letter is submitted to the SHPO to request concurrence with the FHWA’s effect determination regarding historic properties in the subject project’s area of potential effects (APE) for the purpose of satisfying NHPA Section 106 consultation requirements.

For the proposed project, the APE is determined to be all of the proposed primary and secondary pathway corridors, as depicted on Figure 1 in the enclosed report summarizing the NHPA 106 Consultation. Historic properties identified within the APE are shown on Figure 2 of the report.

Consultation Overview

The FHWA delegated NHPA Section 106 Consultation activities to the HDOT; the HDOT, in turn allowed the coordination of NHPA Section 106 activities to be administered by the County of Kaua‘i. The County of Kaua‘i acted on behalf of the FHWA in NHPA Section 106 consultations with the State Historic Preservation Division (SHPD), the Office of Hawaiian Affairs (OHA), the Native Hawaiian Historic Preservation Council (NHHPC), the Kaua‘i Historic Preservation Review Commission (KHPRC), and other county, state, and federal agencies, NHOs, and private parties. The FHWA remains responsible for all findings and determinations charged to the agency in the review process.

The NHPA Section 106 consultation process conducted for this project is documented in the enclosed report. The report includes a list of all consulted parties, a summary of comments received, agency responses, and outcomes. Written correspondence, minutes from public consultation meetings, notes from personal interviews with consulted parties, including NHOs, records of public notices, and project information that was provided to the public are appended to the report.

Historical, Cultural, and Archaeological Background

The project area is located between the two main bays and streams of Nāwiliwili and Hanamā‘ulu. These two streams, which drain the slopes of Kilohana, were once home to thousands of native Hawaiians living a traditional subsistence lifestyle. The *ahupua‘a* of Hanamā‘ulu, Kalapakī and Nāwiliwili were permanently inhabited and intensively used in precontact times, based on a large amount of archaeological, historical, and oral-historical documentation. The coastal areas were the locus of permanent house sites and temporary shelters, *heiau*, including *ko‘a* and *kū‘ula*, and numerous trails. There were fishponds at Kalapakī and Nāwiliwili. Before the historic era, there were villages at Kalapakī, Nāwiliwili, and the mouth of the Hanamā‘ulu Stream. The upland areas of these *ahupua‘a* contained native forests and were cultivated with crops of *wauke* (paper mulberry, *Broussonetia papyrifera*), *‘uala* (sweet potatoes, *Ipomoea batatas*), and *ipu* (bottle gourd). Legends and historic documentation elaborate on many of these important natural resources. The archaeological record of the Līhu‘e District indicates a date range of circa A.D. 1100 to 1650 for pre-contact Hawaiian habitations (Walker et al. 1991).

Early historic accounts of the area are limited to travelers, missionaries, and survey expeditions. They describe this side of Kaua‘i as having good land that is mostly unoccupied with lots of grass, trees, and streams (Damon 1931). Whaling and sandalwood were short-lived commercial enterprises, and part of a transitional period to a cash crop economy. Missionaries settled in Līhu‘e in the 1840s and built the first infrastructure of the area, consisting of schools and churches. Cash crops were attempted in the form of cotton, which proved unsuccessful. The missionaries also tried to move the local inhabitants of the shore to higher, more fertile agricultural lands. The first commercial agriculture was attempted in the late 1830s by Governor Kaikio‘ewa, but was not consistent or successful until after the *Māhele* of the 1850s.

The middle 19th century brought the *Māhele*, and commercial sugar cane agriculture, which firmly established Līhu‘e’s place in state and global economic markets. In 1870, the Līhu‘e Plantation Company bought approximately 17,000 acres of undeveloped land in Hanamā‘ulu, which were then used to grow sugar cane and to capture and deliver water to both plantations. Later, in 1870, George N. Wilcox started the first sugar cane plantation in Hanamā‘ulu, the Hanamaulu Plantation (Dorrance and Morgan 2000). In 1898, Hanamaulu Plantation was merged into Līhu‘e Plantation. Commercial sugar cane agriculture continued in Līhu‘e until 2000, when it and the Kekaha Sugar Co. were permanently shut down. The nearby Kipu Plantation, founded in 1907, operated until 1942 (Dorrance and Morgan 2000).

The beginning of the 20th century brought big changes as Nāwiliwili Harbor was proposed as a deep water harbor for the island of Kaua‘i. The harbor was dredged and the dredge material was used to fill in the wharf areas. A breakwater was also constructed in the harbor and was completed after much debate in the legislature. The Nāwiliwili Harbor Light was also upgraded during this time. Nāwiliwili Harbor was utilized by the sugar plantations; however, it was not until after a tidal wave devastated Ahukini Landing in the late 1940s that Nāwiliwili Harbor was used almost exclusively for sugar cane and other commercial transport. Līhu‘e Airport was opened outside of Līhu‘e town in 1949, further extending transportation options for local residents. The airport sits on approximately 850 acres of former sugarcane fields. The addition of the airport brought an increase in tourist traffic to Kaua‘i which has had a major economic

impact to the island. The airport has been continually upgraded through the years and continues to serve as Kaua'i's only public airport.

Thrum and Bennett conducted the first island wide archaeological surveys in the early part of the 20th century. The early surveys of this area of Kaua'i documented a number of *heiau* which, at the time of survey, were only remnants or already destroyed (Thrum 1907). Other types of sites observed during these early surveys include dune burials and Paukini Rock, which is now under water in Nāwiliwili Bay. Most of the previous archaeological work in and around the project area has been conducted only within the last 30 years. Later research of the area documented pre-contact habitation sites and activity areas, additional burials, and infrastructure related to the plantation era. Of particular note to the current project are the Cultural Surveys Hawaii (CSH) surveys of 1988 and 1990 which covered approximately 50 percent of the current project area (Hammatt 1988 and 1990). The survey documented five sites related to prehistoric activity and plantation era infrastructure. A CSH survey conducted in 1998 reported structures related to Ahukini Landing and portions of this survey fall within the current project area (Creed et al. 1999). A survey by Bell et al. (2006) of various lands around the airport documented one site, a historic piggery, which is located approximately 150 m east of the path alignment, near the north end of runway 3-21. .

Prior to the extensive land alteration caused by over a century of commercial agricultural activities, portions of the project area would likely have contained historic properties related to habitation and coastal resource exploitation. These historic properties would have included both permanent and temporary habitation terraces, activity areas, and burial mounds. Subsurface precontact cultural deposits within the project area may consist of midden, artifact scatters, and possible human remains. Remnants of post-contact agricultural infrastructure are also likely to exist within the project area and may include terraces, historic artifact scatters, and water control features. Other historic infrastructure, including the remains of single family residences and commercial structures, may be present and there is also a possibility of encountering WWII-era military infrastructure. Previously identified historic properties within the current project area consist of pre-contact habitation remnants and historic infrastructure related to commercial agriculture and ranching activities.

Summary of Archaeological Sites within the APE

For the proposed project, the APE is determined to be all of the proposed primary and secondary pathway corridors, as depicted on the enclosed Figure 1. Historic properties identified within the APE are shown on the enclosed Figure 2. A report that summarizes the NHPA Section 106 consultation process and findings of the archaeological studies conducted for the project is also enclosed for your reference. A summary description of the archaeological sites is also provided in the following effect determination discussion.

Effect Determination

Based on an analysis, site observations, and consultation with the SHPD, the OHA, the NHHPC, the KHPRC, and other county, state, and federal agencies, NHOs, and private parties, the FHWA has determined that there will be an adverse effect on the following historic property.

Adverse Effect for the following historic property within the APE

SIHP No.	Site Description	Recommendations
50-30-11-1845	Nāwiliwili Stream Railroad Bridge	Preserve existing structure. Adaptive reuse in accordance with historic preservation design guidelines stipulated in a memorandum of agreement.

The adverse effect determination is being rendered because adaptive reuse of the Nāwiliwili Stream Railroad Bridge to carry a segment of the shared-use path will require modifications to the original bridge structure. The adverse effect will be mitigated through the application of historic preservation design guidelines developed in consultation with the SHPD, Architectural Branch.

The FHWA has determined that there will be no adverse effect for the following historic properties identified within the APE. The no adverse effect determination is being rendered based on the recommendations summarized in the following table and because the path will be aligned to avoid these historic properties.

No Adverse Effect for the following historic properties within the APE

SIHP No.	Site Description	Recommendations
50-30-11-009	Kuhiau Heiau. Nāwiliwili; a large paved <i>heiau</i> , whose enclosure covered an area of about four acres; long since destroyed.	Previously documented. No further work. Describe in interpretive display at Nāwiliwili Beach Park
50-30-11-100	Ninini Heiau. Near Nāwiliwili Harbor Light. Previously destroyed.	Documented as destroyed by Thrum (in Bennett 1931). Describe in interpretive display.
50-30-11-101	Ahukini Heiau, near Ahukini Point midway between Ninini Point and Ahukini Landing. Previously recorded foundations not re-located, likely destroyed by erosion and Hurricane Iniki in 1993.	Describe in interpretive display.
50-30-11-421	Midden scatter of marine shells	Previously recorded. No further work.
50-30-11-422*	Remnant/probable cattle wall	Previously recorded and site updated. No further work.
50-30-11-423*	Remnant/probable cattle wall	Previously recorded and site updated. No further work.
50-30-11-424	Oval terrace alignment	Previously recorded. No further work.
50-30-11-1999	Paukini Rock (in Nāwiliwili Bay)	Previously recorded. Describe in interpretive display.

No Adverse Effect for the following historic properties within the APE

50-30-11-6009	Nāwiliwili Cemetery	Avoid.
50-30-08-3958	Historic remnants of a piggery.	Previously recorded. No further work.
50-30-08-9000	Ahukini Landing	n/a Avoid. Refer to SIHP # 50-30-11-2103 below.
50-30-08-9402	Historic building remnant at site of radio station KIVM	Avoid.
11-B004	Historic cemetery near Nāwiliwili Park	Avoid.
50-30-11-2086*	Pre-contact terrace habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2087*	Historic lighthouse and associated habitation (caretaker's residence).	Preserve remaining structure. Adaptive re-use of the site and educational signage.
50-30-11-2088*	Military concrete slab. The base of a communications tower.	Data recovered and recorded. No further work.
50-30-11-2089*	Historic mounds. Possible burial.	Preserve in place. Avoid site by establishing a 50-foot buffer. Data recovery program to be undertaken before path construction begins.
50-30-11-2090*	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2091*	Historic habitation foundation.	Data recovered and recorded. No further work
50-30-11-2092*	Historic septic outhouse and cesspool	Data recovered and recorded. No further work
50-30-11-2093*	Plantation-era ditch drainage.	Data recovered and recorded. No further work.
50-30-11-2094*	Pre-contact/historic terrace habitation.	Preservation. Avoid with a 20-foot buffer.
50-30-11-2095*	Pre-contact scatter activity area	Data recovered and recorded. No further work.
50-30-11-2096*	Historic drainage ditch	Data recovered and recorded. No further work.
50-30-11-2097*	Historic drainage ditch	Data recovered and recorded. No further work.
50-30-11-2103*	Historic industrial complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.

No Adverse Effect for the following historic properties within the APE

--	Pū'ali (Niumalu) Bridge	Avoid existing bridge with a buffer. Buffer distance to be determined by the SHPD, Architectural Branch.
----	-------------------------	--

* Historic sites identified during the archaeological inventory survey of the coastal area between Ahukini Landing and Ninini Point (CSH, April 2010).

Mitigation Policies

Mitigation measures during the construction of the proposed improvements have been and will continue to be implemented to avoid and minimize potential impacts to archaeological, cultural, and historic resources. The following mitigation measures have been or will be implemented, at a minimum:

- If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.
- If human remains are discovered, Hawaii Administrative Rules Title 13, Subtitle 13, Chapter 300 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and SHPD and Police Department will be contacted. The appropriate process would then proceed in conformance with Hawaii Administrative Rules §13-300 Subchapter 4 "Procedures for Property Treatment of Burial Sites and Human Skeletal Remains."

The HDOT and County of Kaua'i will prevent the disturbance or taking of any historic property or resource to the extent possible by instituting these mitigation measures and enforcing their implementation by contractors.

Additionally, enclosed is a draft memorandum of agreement (MOA) to be executed among the FHWA and SHPO, with the County of Kaua'i participating as an invited signatory. The MOA stipulates terms under which the undertaking will be implemented in order to avoid, minimize and/or mitigate its effects on historic properties.

We request your concurrence with the FHWA's effect determination and ask for a written response within thirty (30) days of receipt of this letter in accordance with 36 CFR Part 800.3(c)(4). We appreciate your assistance with this important transportation project.

If you have any questions, please feel free to contact me at (808) 541-2316 or by email at meesa.otani@dot.gov. Thank you for your assistance.

Sincerely yours,



Meesa T. Otani
Environmental Engineer

Enclosures: Figure 1 – Proposed Path Routes
Figure 2 – Historic Properties in the APE
Report summarizing NHPA Section 106 Consultations
Draft MOA among the FHWA, SHPO, and County of Kaua'i

cc: Mr. Doug Haigh, Kaua'i DPW, Building Division (w/ enclosures)
Mr. Jim Niermann, R. M. Towill Corporation (w/o enclosures)
Ms. Christine Yamasaki, HDOT-HWY-D (w/o enclosures)
Ms. Holly Yamauchi, HDOT, HWY-D (w/o enclosures)
Mr. Todd Nishioka HDOT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
INTERIM FIRST DEPUTY

WILLIAM M. TAM
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 21, 2014

Mr. David W. Shideler
Cultural Surveys Hawai'i, Inc.
P.O. Box 1114
Kailua, HI 96734

LOG NO: 2013.6321, 2014.00187
DOC NO: 1401SL17
Archaeology

Dear Mr. Shideler:

**SUBJECT: Chapter 6E-8 and National Historic Preservation Act (NHPA) Section 106 Review–
Archaeological Inventory Survey Report for the Nāwiliwili-Ahukini Bike Path Project
Nāwiliwili, Kalapakī, and Hanamā'ulu Ahupua'a, Līhu'e District, Kaua'i Island
TMK: (4) 3-5-001:004, 008, 027, 060, 083, 085, 102, 118, 128, 159, and 160 por. and
various rights-of-way between various plats**

Thank you for the opportunity to review this revised report titled *Archaeological Inventory Survey Report for the Nāwiliwili-Ahukini Bike Path Project Nāwiliwili, Kalapakī, and Hanamā'ulu Ahupua'a, Līhu'e District, Kaua'i Island TMK: (4) 3-5-001:004, 008, 027, 060, 083, 085, 102, 118, 128, 159, and 160 por. and various rights-of-way between various plats* (Altizer and Hammatt, November 2013). We received this revised draft on November 12, 2013 (Log No. 2013.6321). We subsequently determined the archaeological inventory survey (AIS) report did not indicate the project is a federal undertaking and did not include significance assessments using National Register criteria (January 3, 2014; email from Lebo to Shideler). We received the newly-revised AIS (Altizer and Hammatt, January 2014) and accompany materials via email on January 12 and 18, 2014 (Log No. 2014.00187).

The Federal Highway Administration (FHWA) is funding the State of Hawai'i Department of Transport's (HDOT) and County of Kaua'i Department of Public Work's (DPW) plan to develop the Nāwiliwili to Anahola Shared-Use Path proposed in the 1994 *State of Hawai'i Master Plan – Bike Plan Hawai'i*, and in the 2003 *Bike Plan Hawai'i* update. Due to Federal Highway Administration (FHWA) funding through the State of Hawai'i Department of Transportation (HDOT), this project is a federal undertaking requiring compliance with Section 106 of the National Historic Preservation Act (NHPA), and 36 Code of Federal Regulations (CFR) Part 800.

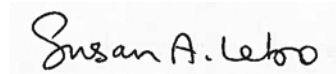
The current AIS was conducted at the request of R.M. Towill Corporation for portions of the Nāwiliwili-Ahukini Bike Path Project, which is located in coastal and near coastal portions of three ahupua'a in Līhu'e District: Hanamā'ulu, Kalapakī, and Nāwiliwili. The 6-mile (10 km) project area is one section of a larger 17-mile (27.4 km) project to connect Nāwiliwili with Anahola. The Area of Potential Effect (APE) for the current AIS consists of both alignment-option corridors linking Ahukini Landing, Nāwiliwili Harbor Light, Līhu'e Airport, Kaua'i Lagoons and Marriott Resort, Nāwiliwili Park and Harbor, and Niumalu Park. The APE also includes all lands in the vicinity of these alignment options from the western shoulder of the *mauka* (inland) corridor east to the ocean. A pedestrian survey consisting of 100% coverage at 5-10 m intervals was conducted within the APE.

The AIS report provides good discussions of the project, consultation, cultural and historic background research, previous investigations, field and laboratory methods and findings, as well as the significance assessments and recommendations. The AIS investigations identified 15 historic properties, of which 9 are assessed as potentially being affected by the project and also as being eligible for listing on the National/Hawai'i Registers of Historic Places (Table 1). In 2012, the FHWA rendered an adverse effect determination for the Nāwiliwili Stream Railroad Bridge (SIHP # 50-30-11-1845) and a determination that the current AIS project would have no adverse effect on the archaeological historic properties within the project area (Nickelson to Aila, July 25, 2012). The archaeological historic properties are being addressed in a Memorandum of Agreement to be submitted to the Advisory Council on Historic Preservation. The recommended mitigation measures will reduce the project's potentially adverse effect on these significant historic properties.

The revisions made to this document adequately address the major concerns raised in our prior correspondence (April 21, 2010, Log No. 2010.0723, Doc. No. 1004NM62; November 9, 2012, SHPD and CSH consultation, Lebo and Shideler; January 3, 2014, email from Lebo to Shideler; and January 18, 2014, email from Shideler to Lebo). The archaeological inventory survey report meets the requirements of the *Secretary of Interior Standards for Archaeological Documentation* and Hawaii Administrative Rule §13-276-5. It is accepted by SHPD. Please send one hardcopy 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.

Please contact me at (808) 692-8019 or at Susan.A.Lebo@hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,



Susan A. Lebo, PhD
Oahu Lead Archaeologist

Table 1. Sites Assessments using National/Hawaii-Register Significance Criteria and HAR §13-275-6 Significance Criteria, and Site Recommendations

SIHP	Description	Significance Criteria		Recommendation
		NR/HR	HAR §13-275-6	
50-30-11-422	Plantation wall	Not significant	Not significant	No further work
50-30-11-423	Plantation wall	Not significant	Not significant	No further work
50-30-11-2086	Pre-Contact habitation terrace	D	"d" and "e"	Preservation, avoid with 20-ft buffer
50-30-11-2087	Historic lighthouse and associated habitation remnants	C and D	"c" and "d"	Preservation of remaining structure; adaptive reuse
50-30-11-2088	Military concrete slab base of communications tower	D	"d"	No further work
50-30-11-2089	Historic mounds, possible burial	D	"d" and "e"	Preservation in place; avoid w/50-ft buffer; data recovery prior to construction
50-30-11-2090	Military structural foundation, gun emplacement	D	"d"	Preservation; avoid w/20-ft buffer
50-30-11-2091	Historic habitation foundation	Not significant	Not significant	No further work
50-30-11-2092	Historic septic, outhouse and cesspool	D	"d"	No further work
50-30-11-2093	Plantation ditch	Not significant	Not significant	No further work
50-30-11-2094	Pre-/Post-Contact habitation terrace	D	"d" and "e"	Preservation; avoid w/20-ft buffer
50-30-11-2095	Pre-Contact scatter, activity area	D	"d" and "e"	No further work
50-30-11-2096	Historic ditch	Not significant	Not significant	No further work
50-30-11-2097	Historic ditch	Not significant	Not significant	No further work
50-30-11-2103	Historic structural foundations, industrial complex	D	"d"	Preservation, educational signage

Date: 01/21/14

CSH Job Code: NAWILIWILI 4

Submittal Sheet for Historic Preservation Review Filing Fees

State Historic Preservation Division

Department of Land and Natural Resources

Agency/Firm (Requesting Review): Cultural Surveys Hawai'i Inc.

Contact: David Shideler

Phone: (808) 262-9972 Fax: (808) 262-4950

Address: P.O. Box 1114 Kailua, HI 96734

Email: dshideler@culturalsurveys.com

Title of Report/Plan:

Final Archaeological Inventory Survey Report for the Nāwiliwili-Ahukini Bike Path Project, Federal Aid Project Number CMAQ-0700(57), Nāwiliwili, Kalapaki, and Hanamā'ulu Ahupua'a, Līhu'e District, Kaua'i, TMKs: [4] 3-5-01:4, 8, 27, 60, 83, 85, 102, 118, 128, 159, and, 160 por. and various rights-of-way between various plats (Altizer and Hammatt 2014)		
Island <u>Kaua'i</u>	District <u>Līhu'e</u>	Ahupua'a <u>Nāwiliwili, Kalapaki, and H</u>
TMK <u>[4] 3-5-01:4, 8, 27, 60, 83, 85, 102, 118, 128, 159, and, 160 por. and various rights-of-way between various plats</u>		
Acreage Inventoried		Number of new sites inventoried
<u>6 linear miles</u>		<u>13 new (2 previously identified; 15 total)</u>

Submittal Plan/Report Fee & Type: (All reports or plans submitted to the SHPD for review shall be accompanied by the appropriate fee in accordance with HAR§13-275-4 and §284-4).

<input checked="" type="checkbox"/>	Check if Report is a Re-Submittal (no fee charged)
<input type="checkbox"/>	Final Report with CD
<input type="checkbox"/> \$25	Literature Review & Field Check
<input type="checkbox"/> \$50	Archaeological Assessment
<input type="checkbox"/> \$150	Archaeological Inventory Survey Plan
<input type="checkbox"/> \$450	Archaeological, Architectural or Ethnographic Survey Report
<input type="checkbox"/> \$150	Preservation Plan
<input type="checkbox"/> \$25	Monitoring Plan
<input type="checkbox"/> \$150	Archaeological Data Recovery Plan
<input type="checkbox"/> \$250	Burial Treatment Plan
<input type="checkbox"/> \$100	Archaeological Monitoring Report, if resources reported
<input type="checkbox"/> \$450	Archaeological Data Recovery Report
<input type="checkbox"/> \$450	Ethnographic Documentation Report
<input type="checkbox"/> \$25	Burial Disinterment Report
<input type="checkbox"/> \$50	Osteological Analysis Report

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2014 JAN 24 P 12:13

Fee Total: 0.00 (make checks payable to "Hawaii Historic Preservation Special Fund")
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	Check Check No:
Log No.	Receipt Issued:



U.S. Department
of Transportation
**Federal Highway
Administration**

Hawaii Federal-Aid Division

May 12, 2020

300 Ala Moana Blvd, Rm 3-306
Box 50206
Honolulu, Hawaii 96850
Phone: (808) 541-2700
Fax: (808) 541-2704

In Reply Refer To:
HDA-HI

Ms. Suzanne D. Case
State Historic Preservation Officer and Chairperson
Department of Land and Natural Resources
601 Kamokila Boulevard, Suite 555
Kapolei, HI 96707

Subject: National Historic Preservation Act Section 106 Effect Determination
Nawiliwili – Ahukini Shared-Use Path Project
Lihue District (Puna Moku), Island of Kauai, Hawaii
Ahupuaa of Nawiliwili, Kalapaki, and Hanamaulu
Federal-aid Project Number: CMAQ-0700(57)
Tax Map Key(s): (4) 3-2-02:1 & Niumalu Road; 3-2-03: Niumalu & Waapa Roads; 3-2-04:1, 2, 3 & Waapa Road; 3-5-01:4, 5, 8, 27, 102, 117, 118; 3-5-02:2; 3-6-02: Kaana Street, Hardy Street, Rice Street, & Umi Street; 3-6-08: Waapa Road, Nawiliwili Stream; and 3-7-02: Ahukini Road

Dear Ms. Case:

The Federal Highway Administration (FHWA), in cooperation with the State of Hawaii Department of Transportation (HDOT) and the County of Kauai Department of Public Works (DPW), is planning the Nawiliwili – Ahukini Shared-Use Path project. In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (2006), the FHWA requests the State Historic Preservation Officer's (SHPO) concurrence on the effect determination for the proposed improvements. The FHWA has made a no adverse effect determination for the proposed project.

This request is in follow up to previous correspondence dated April 3, 2013 and revises the previous determination of adverse effect to State Inventory of Historic Places (SIHP) Site No. 50-30-11-1845, the Nawiliwili Stream Railroad Bridge. The FHWA has determined that the proposed preservation and adaptive reuse of the bridge to carry a section of the shared-use path would have no adverse effect because all modifications to the original bridge structure would be reversible and would be mitigated through the application of historic preservation design guidelines developed in consultation with the State Historic Preservation Division (SHPD), Architectural Branch.

Description of the Undertaking and Area of Potential Effect

The County of Kauai DPW plans to develop a coastal shared-use path between Nawiliwili Park and Ahukini Landing in the Lihue District on the island of Kauai. A path section is also proposed between Nawiliwili Park and Niumalu Park. Additional path sections would connect the coastal path to the Lihue Civic Center and Lihue Airport. The project is a key section of *Ke ala Hele Makalae*, the 16-mile Nawiliwili to Anahola Shared-Use Path proposed in the 1994 *State of Hawaii Master Plan – Bike Plan Hawaii*, and in the 2003 *Bike Plan Hawaii* update.

The planned project consists of a 12-foot wide concrete shared-use coastal path. Bike lane and sidewalk improvements to existing and planned street corridors would provide additional connections through urban areas. Path improvements and amenities include separated crossings at major drainage ways, educational and informational signage, a comfort station at Ninini Point, adaptive reuse of the Nawiliwili Stream Railroad Bridge, and various improvements at Nawiliwili Park to be coordinated with the park's master plan. The project would benefit residents and visitors by preserving coastal access, creating a new safe recreational resource and supporting alternative modes of transportation to connect key community centers, including residential neighborhoods, commercial centers, parks, and the airport and harbor.

For the proposed project, the Area of Potential Effect (APE) is determined to be all the proposed primary and secondary pathway corridors, as depicted on Figure 1 (enclosed). Historic properties identified within the APE are shown on Figure 2 (enclosed). In a letter dated March 29, 2012, HDOT requested SHPO concurrence with the APE, but no response from SHPO was received. SHPD issued a letter to FHWA dated August 28, 2012 (Log No.2012.2561, Doc. No. 1208RS56) which acknowledges the APE, and issued a letter to the project archaeologist, Mr. David Shideler of Cultural Surveys Hawaii, Inc. (CSH), dated January 21, 2014 (Log No.2013.6321, 2014.00187, Doc. No. 1401SL17) which also acknowledges the APE.

Steps Taken to Identify Historic Properties

To identify historic properties in the APE, the FHWA, HDOT, and County of Kauai DPW conducted background studies including archaeological inventory surveys, cultural impact assessment and architectural inventory survey; and conducted public meetings and individual consultations for the subject project with Native Hawaiian Organizations (NHOs) and other consulting parties in compliance with National Historic Preservation Act, Section 106. As part of the special studies, CSH archaeologists conducted background research including a review of previous archaeological studies on file at SHPD; review of documents at Hamilton Library of the University of Hawaii at Manoa, the Hawaii State Archives, the Mission Houses Museum Library, the Hawaii Public Library, and the Archives of the Bishop Museum; study of historic photographs at the Hawaii State Archives and the Archives of the Bishop Museum; and study of historic maps at the Survey Office of the Department of Land and Natural Resources. Historic maps and photographs from the CSH library were also consulted. In addition, Mahele records were examined from the Waihona Aina database (www.waihona.com).

Four studies were prepared to help identify historic properties within the APE, assess potential effects, and develop recommended mitigation measures.

Four key studies were prepared to identify historic properties in the APE:

- a. An Archaeological Literature Review and Field Inspection Report (LRFI) was conducted for the entire APE.
- b. A Cultural Impact Evaluation was conducted for the entire APE, including consultation with Native Hawaiian Organizations (NHOs) and cultural practitioners.
- c. An Archaeological Inventory Survey (AIS) was conducted for the coastal alignment corridor between Ahukini Point and Ninini Point (portion of Segment A-1), including limited subsurface testing as necessary within the footprint of planned improvements involving ground disturbing activities (e.g. bridge abutments, culvert crossing). The SHPD accepted the AIS as final and approved the agreed-upon mitigation measures by letter to CSH dated January 21, 2014.
- d. An Architectural Inventory Survey was prepared for two historic bridges located within the proposed alignments: (1) a historic railroad bridge over Nawiliwili Stream, and (2) Niumalu Bridge, a narrow, single-lane concrete bridge that spans Puali Stream.

These reports documented 26 historic properties in the APE, including pre-contact cultural resources and post-contact historical structures.

Summary of NHPA Section 106 Consultation Work

Native Hawaiian organizations, agencies, and community members were contacted in order to identify potentially knowledgeable individuals with cultural expertise and/or knowledge of the project area and vicinity. The organizations consulted include SHPD, the Office of Hawaiian Affairs (OHA), Native Hawaiian Historic Preservation Council (NHHPC), the Historic Hawaii Foundation (HHF), and Kauai Island organizations pertinent to the proposed project area including the Kauai/Niihau Islands Burial Council (KNIBC), Kauai Historical Preservation Review Commission (KHPRC), Kauai Historical Society (KHS), State Department of Land and Natural Resources Kauai Land Division, Kauai Paths, Royal Order of Kamehameha, Kaumualii Chapter No. 3, Kale O Kauai, and other county, state, and federal agencies, NHOs, and private parties.

Ten culturally knowledgeable individuals with long-term ties to the project area were interviewed for the NHPA Section 106 consultation process. These interviews resulted in the identification of two historic properties within the APE:

- a. Paukini Rock (SIHP No. 50-30-11-1999) – Which will be avoided by the undertaking and is recommended to be included in interpretation /educational programming related to Nawiliwili Harbor.
- b. Ahukini Landing (SIHP No. 50-30-11-2103) – Which is documented in the project AIS and is recommended to be included in interpretation /educational programming related to Ahukini Point.

Description of Historic Properties within the APE

There are 26 historic properties documented in the APE. The historic properties are listed by SIHP number in **Table 1** along with recommended mitigation measures that were developed in consultation with SHPD and consulting parties as part of the NHPA 106 consultation process:

Table 1
State Historic Sites Located in the APE

SIHP No.	Site Description	Recommendations
50-30-11-009	Kuhiau Heiau. Nawiliwili; A large paved <i>heiau</i> , whose enclosure covered an area of about four acres; long since destroyed.	Previously documented. No further work. Describe in interpretive display at Nawiliwili Park
50-30-11-100	Ninini Heiau. near Nawiliwili Harbor Light. Previously destroyed.	Documented as destroyed by Thrum (in Bennett 1931). Describe in interpretive display.
50-30-11-101	Ahukini Heiau, near Ahukini Point midway between Ninini Point and Ahukini Landing. Previously recorded foundations not re-located, likely destroyed by erosion and Hurricane Iniki in 1993.	Describe in interpretive display.
50-30-11-421	Midden Scatter of marine shells	Previously recorded. No further work.
50-30-11-422*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-423*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-424	Oval Terrace Alignment	Previously recorded. No further work.
50-30-11-1845	Historic Railroad Bridge	Preserve existing structure. Retrofit new deck and railings as part of shared-use path project.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	Previously recorded. Describe in interpretive display.
50-30-11-6009	Nawiliwili Cemetery	Avoid.
50-30-08-3958	Historic remnants of a piggery.	Previously recorded. No further work.
50-30-08-9000	Ahukini Landing	Avoid
50-30-08-9402	Historic Building Remnant at Site of Radio Station KIVM	n/aAvoid
50-30-11-2086*	Pre-contact Terrace Habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2087*	Historic Lighthouse and associated habitation (caretaker's residence).	Preserve remaining structure. Adaptive re-use of the site and educational signage.
50-30-11-2088*	Military Concrete slab. The base of a communications tower.	Data recovered and recorded. No further work.
50-30-11-2089*	Historic Mounds. Possible Burial.	Preserve in place. Avoid site by establishing a 50-foot buffer.
50-30-11-2090*	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2091*	Historic habitation foundation.	Data recovered and recorded. No further work
50-30-11-2092*	Historic Septic Outhouse and cesspool	Data recovered and recorded. No further work

Table 1
State Historic Sites Located in the APE

SIHP No.	Site Description	Recommendations
50-30-11-2093*	Plantation-era ditch drainage.	Data recovered and recorded. No further work.
50-30-11-2094*	Pre-contact/historic terrace habitation.	Preservation. Avoid with a 20-foot buffer.
50-30-11-2095*	Pre-contact Scatter Activity area	Data recovered and recorded. No further work.
50-30-11-2096*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2097*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2103*	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.

* Historic sites identified during the AIS of the coastal area between Ahukini Landing and Ninini Point.

Of the 26 documented historic properties in the APE, the following 9 properties listed in **Table 2** retain aspects of historic integrity that qualify the property for the National Register:

Table 2
State Historic Sites in the APE that Retain Aspects of Historic Integrity

SIHP No.	Site Description	Eligibility Criteria*	Aspects of Integrity
50-30-11-1845	Historic Railroad Bridge. Constructed 1931.	A, C	Location, design, setting, materials, workmanship, feeling and association.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	A, B, D, E	Location, setting, feeling and association.
50-30-08-9000	Ahukini Landing. Constructed prior to 1927.	D	Location, design, setting, materials, feeling and association.
50-30-11-2086*	Pre-contact Terrace Habitation	D, E	Location, design, setting, materials, workmanship, feeling.
50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence). Constructed 1933.	C, D	Location, design, setting, materials, workmanship, feeling and association.
50-30-11-2089	Historic Mounds. Possible Burial.	D, E	Location, setting, materials.
50-30-11-2090	Military. Structural foundation for gun emplacement. Constructed in 1942.	D	Location, design, setting, materials, workmanship, feeling.
50-30-11-2094	Pre-contact/historic terrace habitation.	D, E	Location, design, setting, materials, workmanship, feeling.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp. Constructed prior to 1927.	D	Location, design, setting, materials, feeling and association.

* Eligibility Criteria for inclusion on the National Historic Register (Criteria A through D) and on the State of Hawaii Register of Historic Places (Criterion E).

Undertaking's Effects on Historic Properties

Table 3 lists each eligible historic property and describes the basis for a determination of no adverse effect by the Undertaking on the qualities that make the historic property eligible.

Table 3
State Historic Sites Located in the APE and Basis for No Adverse Effect

SIHP No.	Site Description	Basis for No Adverse Effect
50-30-11-1845	Historic Railroad Bridge. Constructed 1931.	The existing structure will be preserved and will be adaptively reused for a segment of the path in accordance with historic preservation design guidelines developed in consultation with the SHPD, Architectural Branch. The new bridge deck and railings proposed for the Undertaking will be designed to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without damaging the existing bridge structure. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling and association.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	The undertaking will avoid this historic property and will include information about the property in interpretive signage along the nearby path segment. On this basis, the Undertaking will not diminish the integrity of the historic property's location, setting, feeling and association.
50-30-08-9000	Ahukini Landing. Constructed prior to 1927.	The undertaking will avoid this historic property and will include information about the property in interpretive signage along the nearby path segment. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, feeling and association.
50-30-11-2086*	Pre-contact Terrace Habitation	The undertaking will preserve this historic property through the implementation of a 20-foot buffer. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, and feeling.
50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence). Constructed 1933.	The existing structures will be preserved and will be adaptively reused as a feature of interest and will be included in interpretive signage along the adjacent path segment. The path design will be integrated with the lighthouse facility in accordance with historic preservation design guidelines developed in consultation with the SHPD,

		Architectural Branch. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling and association.
50-30-11-2089	Historic Mounds. Possible Burial.	The undertaking will preserve this historic property through the implementation of a 50-foot buffer. On this basis, the Undertaking will not diminish the integrity of the historic property's location, setting, and materials.
50-30-11-2090	Military. Structural foundation for gun emplacement. Constructed in 1942.	The undertaking will preserve this historic property through the implementation of a 20-foot buffer and interpretive signage. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling.
50-30-11-2094	Pre-contact/historic terrace habitation.	The undertaking will preserve this historic property through the implementation of a 20-foot buffer. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp. Constructed prior to 1927.	The undertaking will avoid this historic property and will include information about the property in interpretive signage along the nearby path segment. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, feeling and association.

Copies of Summaries Provided by Consulting Parties

Please see enclosed Attachment A for copies of consultation notifications meeting notes, and correspondence with consulting parties including letters from people and organizations requesting to be consulting parties and documentation of comments participants have had on the identification of historic properties in the APE.

Effect Determination

Based on our analysis, site observations, and consultation with the SHPD, KNIBC, OHA, the NHHPC, the KHPRC, the KHS, the HHF, county, state, and federal agencies, NHOs, and private parties, and the recommendations summarized in **Table 4** below, the FHWA has determined that the proposed undertaking has no adverse effect to historic properties identified within the APE.

Table 4**No Adverse Effect for the following historic properties within the APE**

SIHP No.	Site Description	Recommendations
50-30-11-1845	Nawiliwili Stream Railroad Bridge	Preserve existing structure. Adaptive reuse in accordance with historic preservation design guidelines developed in consultation with the SHPD, Architectural Branch. Design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without damaging the existing bridge structure.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	Previously recorded. Describe in interpretive display.
50-30-08-9000	Ahukini Landing	Avoid. Refer to SIHP # 50-30-11-2103 below.
50-30-11-2086*	Pre-contact Terrace Habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence).	Preserve remaining structure. Adaptive re-use of the site and educational signage.
50-30-11-2089	Historic Mounds. Possible Burial.	Preserve in place. Avoid site by establishing a 50-foot buffer.
50-30-11-2090	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2094	Pre-contact/historic terrace habitation.	Preservation. Avoid with a 20-foot buffer.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.

Mitigation Policies

The FHWA shall ensure that the following measures are implemented to avoid and minimize potential impacts to archaeological, cultural, and historic resources:

A. Supplemental Archaeological Inventory Survey

1. The County DPW shall prepare a Supplemental Archaeological Inventory Survey (AIS), in accordance with Hawaii Administrative Rules (HAR) 13-13-276, for the "Secondary

Network Routes” located in interior lands prior to the design and construction of those alignments.

2. The AIS shall be submitted by the County DPW, after review by the FHWA and HDOT, to the SHPD for review, including opportunity for public comment, in accordance with HAR 13-13-275. Unless the SHPD objects within 45 days after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

B. Archaeological Monitoring Plan

1. The County DPW shall develop an archaeological monitoring plan (AMP), in accordance with HAR 13-13-279, with a combination of on-site and on-call monitoring during all ground-disturbing activities related to the Undertaking.
2. If determined to be necessary by the SHPD, a supplemental AMP will be prepared for future work to construct secondary path alignments, based on the findings of a supplemental AIS to be prepared for those secondary alignments.
3. The AMP shall include provisions for addressing burial treatment that are to be implemented in the event of an inadvertent find during construction activities.
4. The AMP will be developed and implemented by a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology (Federal Register, Vol. 48, No. 190, page 44738-9).
5. The AMP will include the following major elements:
 - a. Archaeological monitoring provisions and procedures to be implemented during the course of the Undertaking's implementation; and
 - b. Specific levels of archaeological monitoring determined to be appropriate for each path section, and
 - c. A follow-up monitoring report for the Undertaking shall be submitted to the SHPD. The monitoring report, containing the location and description of any human burial remains discovered during the course of the Undertaking, shall remain confidential and the precise location data may be provided in a separate confidential index.
6. The AMP shall be submitted by the County DPW, after review by HDOT and FHWA, to the SHPD for a 30-day review. Unless the SHPD objects within 30 days after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

C. Mitigation Measures for Historic Properties

1. To reduce the potential for adverse effects on historic properties, the County DPW shall ensure that the following mitigation measures are incorporated in the design of the Undertaking and in effect prior to commencement of ground disturbing activities.
2. For State Inventory of Historic Places (SIHP) Site 50-30-11-2086, a pre-contact habitation terrace, the County DPW shall provide a 30-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
3. For SIHP Site 50-30-2089, a possible burial mound, the County DPW shall provide a 50-foot preservation buffer in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
4. For SIHP Site 50-30-11-2090, a World War II era military gun emplacement related to the defense of Kauai Island, the County DPW shall provide a 20-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.

5. For SIHP Site 50-30-11-2094, a pre-contact habitation terrace, the County DPW shall provide a 20-foot buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
6. For SIHP Site 50-30-11-2103, a historic industrial complex at Ahukini Point, the County DPW shall provide educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.

D. Adaptive Reuse of Nawiliwili Stream Railroad Bridge, SIHP Site 50-30-11-1945

1. The County DPW shall consult with the SHPD during the design phase of the Undertaking to ensure that the adaptive reuse of the bridge complies with historic preservation design criteria approved by the SHPD Architectural Branch.
2. The County DPW shall design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without doing major damage to the existing bridge structure.
3. The KHPRC and HHF shall be given the opportunity to provide comments on the design of proposed modifications to Nawiliwili Stream Railroad Bridge at the preliminary and pre-final stages.
4. During right-of-way certification and land acquisition for the Undertaking, the County DPW shall conduct research to determine ownership of the Nawiliwili Stream Railroad Bridge and approaches, including a title search, Land Commission Award research, review of County files related to the bridge and related easements, and consultation with the Lovell 'Ohana regarding unrecorded easement documents.
5. The County DPW shall replace all references to "Duke's Bridge" in the project documentation with "Nawiliwili Stream Railroad Bridge".
6. Prior to undertaking modifications to the Nawiliwili Stream Railroad Bridge, the County DPW shall prepare Historic American Engineering Record (HAER) or Historic American Building Survey (HABS) documentation to supplement the *Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai* final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD. HAER or HABS documentation will be submitted to SHPD for review and forwarded to the National Park Service for inclusion in the Library of Congress.
7. The County DPW shall develop interpretive signage for the Nawiliwili Stream Railroad Bridge in accordance with the Interpretive Plan described below in item H.

E. Mitigation for Pū'ali (Niumalu) Bridge

1. The County DPW shall consult with the SHPD during the design phase of the Undertaking to ensure that an adequate buffer is maintained between the Pū'ali (Niumalu) Bridge and a new, shared-use path bridge.
2. Prior to undertaking modifications to the Pū'ali (Niumalu) Bridge, the County DPW shall prepare HAER or HABS documentation to supplement the *Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai* final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD.

F. Design Review for Proposed Comfort Station near Ninini Point Lighthouse, SIHP Site 50-30-11-2087

1. The County DPW shall consult with the SHPD during development of design plans for a proposed comfort station at the former site of the Ninini Point Lighthouse caretaker's house to determine appropriate design of structures.
2. The SHPD, KHPRC and HHF shall be given the opportunity to provide comments on the design of the proposed comfort station at the preliminary and pre-final stages.
3. The County DPW shall develop educational signage for Ninini Point in accordance with the Interpretive Plan described below in item H.

G. Treatment of Burial Sites and Human Remains

1. The County DPW shall prepare appropriate documents as required to address the treatment of any burials or other human remains encountered in the course of this project.
2. Documentation concerning the treatment of burials or human remains shall be prepared and processed with the SHPD and KNIBC in accordance with HAR 13-13-300.
3. The pertinent provisions of any such documents shall be executed prior to the completion of the undertaking.

H. Preservation Plan / Interpretive Plan

1. The County DPW shall prepare a Preservation Plan in accordance with HAR 13-13-277 for SIHP 50-30-11-2086 – habitation terrace, SIHP Site 50-30-2089 - possible burial mound, SIHP 50-30-11-2090 – gun emplacement foundation, SIHP 50-30-11-2094 – pre/post-contact habitation terrace, and SIHP 50-30-11-2103 – industrial complex.
2. The Preservation Plan shall address interim and long-term preservation and educational and interpretive signage to be provided along multi-use path. Proposed interim preservation measures for the four sites will be submitted to SHPD for review and approval prior to the initiation of ground altering activities within the APE.
3. The County DPW shall consult with the SHPD, KHPRC, HHF, the Kauai Path organization and Native Hawaiian organizations who actively participated in the NHPA Section 106 consultation process in developing the interpretive signage associated with this Undertaking. Interpretive signage will be developed under the following conditions:
 - a. Interpretive signage will address the themes of each of the historic sites identified near the project.
 - b. Interpretive signage and programming may be developed in stages for various segments of the multi-use path.
 - c. The SHPD will have 60 days from receipt of the submitted interpretive signage materials to review, revise, and approve the proposed signage.
 - d. Development and implementation of interpretive signage improvements can proceed concurrently or after construction of improvements under this Undertaking.
4. The Preservation Plan shall be submitted to the SHPD for review and approval prior to implementation.

I. Mitigation during Construction Activities

1. If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

2. If human remains are discovered, Hawaii Administrative Rules Title 13. Subtitle 13, Chapter 300 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and SHPD and Police Department will be contacted. The appropriate process would then proceed in conformance with Hawaii Administrative Rules §13-300 Subchapter 4 “Procedures for Property Treatment of Burial Sites and Human Skeletal Remains.”

The HDOT and County of Kauai will prevent the disturbance or taking of any historic property or resource to the extent possible by instituting these mitigation measures and enforcing their implementation by contractors.

Section 4(f) of the U.S. Department of Transportation Act of 1966

Section 4(f) of the U.S. Department of Transportation Act of 1966 established the requirement for the consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites in transportation project development. The law, now codified in 49 U.S.C. §303 and 23 U.S.C. §138, is implemented by the FHWA through 23 CFR 774.

Section 4(f) stipulates that the Federal Highway Administration (FHWA) and other U.S. DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- There is a feasible and prudent avoidance alternative to the use of land; and the action includes all possible planning to minimize harm to the property resulting from such use; or
- The Administration determines that the use of the property will have a *de minimis* impact.

Under Section 4(f), the impacts of a transportation project on a historic site that qualifies for Section 4(f) protection may be determined to be *de minimis* if:

1. FHW has considered the views of any consulting parties participating in the consultation required by Section 106 of the NHPA;
2. The SHPO is informed of FHWA’s intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination of no adverse effect; and
3. The Section 106 process results in a determination of no adverse effect with the written concurrence of the SHPO.

Based on the above information, the FHWA is notifying SHPO of it’s intent to make a *de minimis* impact based on SHPO’s concurrence with the no adverse effect determination for all of the historic properties listed in **Table 4**.

The FHWA is requesting SHPO’s concurrence with the no adverse effect determination for the Nawiliwili – Ahukini Shared-Use Path project. If the SHPO objects to the no adverse effect determination, please inform us within 30 days of receipt of this letter. In the absence of a SHPO response by this date, the FHWA will assume the SHPO concurs with this determination and will proceed with the undertaking.

If you have any questions, please feel free to contact me at (808) 541-2316 or by email at meesa.otani@dot.gov. Thank you for your assistance.

Sincerely yours,

Meesa Otani
Environmental Engineer

Enclosures

cc: Emma Kawamoto, HDOT, HWY-DD
Misako Mimura, HDOT, HWY-DE
Doug Haigh, Kauai DPW, Building Division
Jim Niermann, R. M. Towill Corporation


Nāwiliwili - Ahukini Shared-Use Path
County of Kaua'i
Lihue, Island of Kaua'i, Hawai'i

FIGURE 1 : APE - ROUTE ALTERNATIVES

Notes:

- (1) Aerial photos not orthographically rectified. Photo of makai areas taken March 28, 2007. Photo of mauka area obtained from SOEST based on NOAA/NOS aerial photography by the Pacific Disaster Center mapping program. Image taken between March and July 2000.
- (2) Topographic data: digitized from 1972 aerial top agricultural maps by R. M. Towill Corporation.
- (3) TMK data from State DBEDT GIS data set, manually scaled and rotated to best fit.
- (4) Exhibit is for planning and discussion purposes only, not for engineering design.

EST
NO.



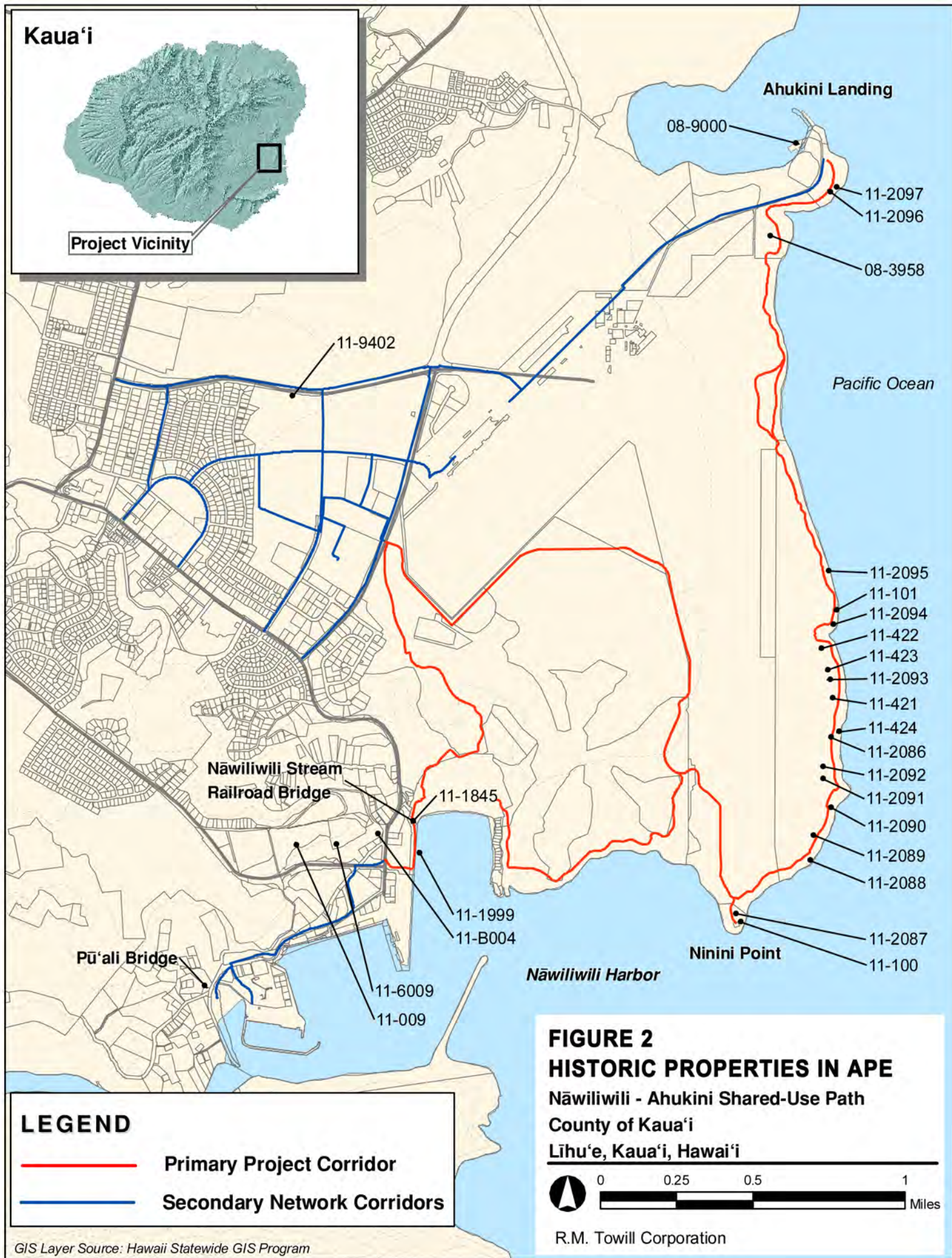
0 200 400 800 1200 Feet

R. M. Towill Corporation

Kaua'i



Project Vicinity



Ahukini Landing

08-9000

11-2097

11-2096

08-3958

Pacific Ocean

11-9402

Nāwiliwili Stream
Railroad Bridge

11-1845

11-1999

11-B004

Pū'ali Bridge

11-6009

11-009

Nāwiliwili Harbor

Ninini Point

11-2095

11-101

11-2094

11-422

11-423

11-2093

11-421

11-424

11-2086

11-2092

11-2091

11-2090

11-2089

11-2088

11-2087

11-100

LEGEND

- Primary Project Corridor
- Secondary Network Corridors

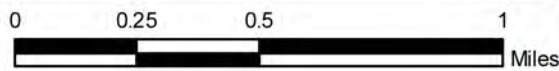
FIGURE 2

HISTORIC PROPERTIES IN APE

Nāwiliwili - Ahukini Shared-Use Path

County of Kaua'i

Līhu'e, Kaua'i, Hawai'i



R.M. Towill Corporation

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

M. KALEO MANUEL
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

June 12, 2020

Meesa T. Otani, Environmental Engineer
Federal Highways Administration
U.S. Department of Transportation
300 Ala Moana Boulevard
Room 3-306, Box 50206
Honolulu, Hawai'i 96850
Email: Meesa.Otani@dot.gov

IN REPLY REFER TO:
Log No.: 2020.01075
Doc. No.: 2006SH10
Archaeology
Architecture

Dear Meesa Otani:

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Review – Request for Concurrence with the Revised Effect Determination Nawiliwili – Ahukini Shared-Use Path Project
Ref. No. HDA-HI, Federal Aid Project No. CMAQ-0700(57)
Nawiliwili, Kalapaki, and Hanamaulu Ahupua'a, Lihue District, Island of Kaua'i
TMK: (4) 3-2-002:001 and Niumalu Road, (4) 3-2-003 Niumalu and Waapa Roads; (4) 3-2-004:001, 002, 003 and Waapa Road, (4) 3-5-001:004, 005, 008, 027, 102, 117, 118, (4) 3-5-002:002, (4) 3-6-002 Kaana Street, Hardy Street, Rice Street, and Umi Street, (4) 3-6-008 Waapa Road, Nawiliwili Stream, and (4) 3-7-002 Ahukini Road

The State Historic Preservation Division (SHPD) received a letter dated May 12, 2020 from Federal Highway Administration (FHWA) to request the State Historic Preservation Officer's (SHPO's) concurrence with a revised effect determination for the Nawiliwili-Ahukini Shared-Use Path project on the island of Kaua'i. The SHPD received this submittal on May 12, 2020; FHWA granted a review-period extension to SHPD through June 18, 2020 (Email Correspondence Meesa Otani [FHWA] to Stephanie Hacker [SHPD]).

According to the subject letter, the County of Kauai Department of Public Works (DPW) plans to develop a coastal shared-use path between Nawiliwili Park and Ahukini Landing in the Lihue District on the island of Kauai. A path section is also proposed between Nawiliwili Park and Niumalu Park. Additional path sections would connect the coastal path to the Lihue Civic Center and Lihue Airport. The project is a key section of Ke ala Hele Makalae, the 16-mile Nawiliwili to Anahola Shared-Use Path proposed in the 1994 State of Hawaii Master Plan – Bike Plan Hawaii, and in the 2003 Bike Plan Hawaii update. The proposed HDOT project will receive funding from the Federal Highways Administration (FHWA) and is therefore a federal undertaking as defined in 36 CFR 800.16(y). The proposed project is subject to compliance with Section 106 of the NHPA and historic preservation review under Hawaii Revised Statutes (HRS) §6E-8.

The planned project consists of a 12-foot-wide concrete shared-use coastal path. Bike lane and sidewalk improvements to existing and planned street corridors would provide additional connections through urban areas. Path improvements and amenities include separated crossings at major drainage ways, educational and informational signage, a comfort station at Ninini Point, adaptive reuse of the Nawiliwili Stream Railroad Bridge, and various improvements at Nawiliwili Park to be coordinated with the park's master plan.

The FHWA's notes this letter comes as a follow up to previous correspondence dated April 3, 2013 and revises the previous determination of adverse effect due to impacts to State Inventory of Historic Places (SIHP) Site No. 50-30-11-1845, the Nawiliwili Stream Railroad Bridge. The FHWA has determined that the proposed preservation and adaptive reuse of the bridge to carry a section of the shared-use path would have no adverse effect because all modifications to the original bridge structure will be reversible and will be mitigated through the application of historic preservation design guidelines developed in consultation with the State Historic Preservation Division (SHPD), Architecture Branch.

The Area of Potential Effects (APE) has been determined to be all the proposed primary and secondary pathway corridors, as depicted on Figure 1 accompanying FHWA's letter; historic properties identified within the APE are shown on Figure 2.

To identify historic properties in the APE, the FHWA, HDOT, and the County of Kauai DPW conducted background studies including archaeological inventory surveys, cultural impact assessment and architectural inventory survey and conducted public meetings and individual consultations for the subject project with Native Hawaiian Organizations (NHOs) and other consulting parties in compliance with Section 106. A total of 26 historic properties were identified within the APE, 9 of which were determined to be significant per Hawai'i Administrative Rules (HAR) §13-275-6 as well as eligible to be listed on the National Register for Historic Places (NRHP).

The historic properties determined significant under Chapter 6E and eligible for listing on the NRHP are listed in the table below (derived from FHWA's letter) along with FHWA's basis for why the criteria of *adverse effect* were found inapplicable as well as the proposed actions to avoid, minimize, and mitigate adverse effects.

SIHP No.	Description	Basis for no adverse effect
50-30-11-1845	Nawiliwili Stream Railroad Bridge. Constructed 1931.	The existing structure will be preserved and will be adaptively reused for a segment of the path in accordance with historic preservation design guidelines developed in consultation with the SHPD, Architectural Branch. The new bridge deck and railings proposed for the Undertaking will be designed to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without damaging the existing bridge structure. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling and association.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	Previously recorded. The undertaking will avoid this historic property and will include information about the property in interpretive signage along the nearby path segment. On this basis, the Undertaking will not diminish the integrity of the historic property's location, setting, feeling and association.
50-30-08-9000	Ahukini Landing. Constructed prior to 1927.	The undertaking will avoid this historic property and will include information about the property in interpretive signage along the nearby path segment. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, feeling and association.
50-30-11-2086	Pre-contact Terrace Habitation	The undertaking will preserve this historic property through the implementation of a 30- foot buffer during project implementation. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, and feeling.

SIHP No.	Description	Basis for no adverse effect
50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence). Constructed 1933.	The existing structures will be preserved and will be adaptively reused as a feature of interest and will be included in interpretive signage along the adjacent path segment. The path design will be integrated with the lighthouse facility in accordance with historic preservation design guidelines developed in consultation with the SHPD, Architectural Branch. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling and association.
50-30-11-2089	Historic Mounds; possible burial	The undertaking will preserve this historic property through the implementation of a 50-foot buffer. On this basis, the Undertaking will not diminish the integrity of the historic property's location, setting, and materials.
50-30-11-2090	Military. Structural foundation for gun emplacement. Constructed in 1942.	The undertaking will preserve this historic property through the implementation of a 20-foot buffer and interpretive signage. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling.
50-30-11-2094	Pre-contact/historical terrace habitation	The undertaking will preserve and avoid this historic property with a 20-foot buffer. Information about this historic property will be included in interpretive signage along the nearby path segment. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp. Constructed prior to 1927.	The undertaking will avoid this historic property and will include information about the property in interpretive signage along the nearby path segment. On this basis, the Undertaking will not diminish the integrity of the historic property's location, design, setting, materials, feeling and association.

FHWA also provided the following text describing the proposed treatment of the identified historic properties:

The FHWA has committed to the following measures are implemented to avoid and minimize potential impacts to archaeological, cultural, and historic resources:

A. Supplemental Archaeological Inventory Survey

1. The County DPW shall prepare a Supplemental Archaeological Inventory Survey (AIS), in accordance with Hawaii Administrative Rules (HAR) §13-276, for the "Secondary Network Routes" located in interior lands prior to the design and construction of those alignments.
2. The AIS shall be submitted by the County DPW, after review by the FHWA and HDOT, to the SHPD for review, including opportunity for public comment, in accordance with HAR §13-275. Unless the SHPD objects [to the proposed mitigation commitments specified in the AIS] within 45 days after receipt of such Plan [sic; AIS], the County DPW shall ensure that its [proposed mitigation] provisions are implemented.

B. Archaeological Monitoring Plan

1. The County DPW shall develop an archaeological monitoring plan (AMP), in accordance with HAR §13-279, with a combination of on-site and on-call monitoring during all ground-disturbing activities related to the Undertaking.

2. If determined to be necessary by the SHPD, a supplemental AMP will be prepared for future work to construct secondary path alignments, based on the findings of a supplemental AIS to be prepared for those secondary alignments.
3. The AMP shall include provisions for addressing burial treatment that are to be implemented in the event of an inadvertent find during construction activities.
4. The AMP will be developed and implemented by a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology (Federal Register, Vol. 48, No. 190, page 44738-9).
5. The AMP will include the following major elements: a. Archaeological monitoring provisions and procedures to be implemented during the course of the Undertaking's implementation; and b. Specific levels of archaeological monitoring determined to be appropriate for each path section, and c. A follow-up monitoring report for the Undertaking shall be submitted to the SHPD. The monitoring report, containing the location and description of any human burial remains discovered during the course of the Undertaking, shall remain confidential and the precise location data may be provided in a separate confidential index.
6. The AMP shall be submitted by the County DPW, after review by HDOT and FHWA, to the SHPD for a 30-day review. Unless the SHPD objects within 30 days after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

C. Mitigation Measures for Historic Properties

1. To reduce the potential for adverse effects on historic properties, the County DPW shall ensure that the following mitigation measures are incorporated in the design of the Undertaking and in effect prior to commencement of ground disturbing activities.
2. For State Inventory of Historic Places (SIHP) Site 50-30-11-2086, a pre-contact habitation terrace, the County DPW shall provide a 30-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR §13-277 and approved by SHPD.
3. For SIHP Site 50-30-11-2089, a possible burial mound, the County DPW shall provide a 50- foot preservation buffer in accordance with a Preservation Plan prepared in compliance with HAR §13-277 and approved by SHPD.
4. For SIHP Site 50-30-11-2090, a World War II era military gun emplacement related to the defense of Kauai Island, the County DPW shall provide a 20-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR §13-277 and approved by SHPD.
5. For SIHP Site 50-30-11-2094, a pre-contact habitation terrace, the County DPW shall provide a 20-foot buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR §13-277 and approved by SHPD.
6. For SIHP Site 50-30-11-2103, a historic industrial complex at Ahukini Point, the County DPW shall provide educational signage in accordance with a Preservation Plan prepared in compliance with HAR §13-277 and approved by SHPD.

D. Adaptive Reuse of Nawiliwili Stream Railroad Bridge, SIHP Site 50-30-11-1945

1. The County DPW shall consult with the SHPD during the design phase of the Undertaking to ensure that the adaptive reuse of the bridge complies with historic preservation design criteria approved by the SHPD Architectural Branch.
2. The County DPW shall design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without doing major damage to the existing bridge structure.
3. The KHPRC and HHF shall be given the opportunity to provide comments on the design of proposed modifications to Nawiliwili Stream Railroad Bridge at the preliminary and pre-final stages.
4. During right-of-way certification and land acquisition for the Undertaking, the County DPW shall conduct research to determine ownership of the Nawiliwili Stream Railroad Bridge and approaches, including a title search, Land Commission Award research, review of County files related to the bridge and related easements, and consultation with the Lovell 'Ohana regarding unrecorded easement documents.
5. The County DPW shall replace all references to "Duke's Bridge" in the project documentation with "Nawiliwili Stream Railroad Bridge."

6. Prior to undertaking modifications to the Nawiliwili Stream Railroad Bridge, the County DPW shall prepare Historic American Engineering Record (HAER) or Historic American Building Survey (HABS) documentation to supplement the Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD. HAER or HABS documentation will be submitted to SHPD for review and forwarded to the National Park Service for inclusion in the Library of Congress.
 7. The County DPW shall develop interpretive signage for the Nawiliwili Stream Railroad Bridge in accordance with the Interpretive Plan described below in item H.
- E. Mitigation for Pū'ali (Niumalu) Bridge
1. The County DPW shall consult with the SHPD during the design phase of the Undertaking to ensure that an adequate buffer is maintained between the Pū'ali (Niumalu) Bridge and a new, shared-use path bridge.
 2. Prior to undertaking modifications to the Pū'ali (Niumalu) Bridge, the County DPW shall prepare HAER or HABS documentation to supplement the Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD.
- F. Design Review for Proposed Comfort Station near Ninini Point Lighthouse, SIHP Site 50-30-11-2087
1. The County DPW shall consult with the SHPD during development of design plans for a proposed comfort station at the former site of the Ninini Point Lighthouse caretaker's house to determine appropriate design of structures.
 2. The SHPD, KHPRC and HHF shall be given the opportunity to provide comments on the design of the proposed comfort station at the preliminary and pre-final stages.
 3. The County DPW shall develop educational signage for Ninini Point in accordance with the Interpretive Plan described below in item H.
- G. Treatment of Burial Sites and Human Remains
1. The County DPW shall prepare appropriate documents as required to address the treatment of any burials or other human remains encountered in the course of this project.
 2. Documentation concerning the treatment of burials or human remains shall be prepared and processed with the SHPD and KNIBC in accordance with HAR §13-300.
 3. The pertinent provisions of any such documents shall be executed prior to the completion of the undertaking.
- H. Preservation Plan/Interpretive Plan
1. The County DPW shall prepare a Preservation Plan in accordance with HAR §13-277 for SIHP 50-30-11-2086 (habitation terrace), SIHP Site 50-30-2089 (possible burial mound), SIHP 50-30-11-2090 (gun emplacement foundation), SIHP 50-30-11-2094 (pre/post-contact habitation terrace), and SIHP 50-30-11-2103 (industrial complex).
 2. The Preservation Plan shall address interim and long-term preservation and educational and interpretive signage to be provided along multi-use path. Proposed interim preservation measures for the four sites will be submitted to SHPD for review and approval prior to the initiation of ground altering activities within the APE.
 3. The County DPW shall consult with the SHPD, KHPRC, HHF, the Kauai Path organization and Native Hawaiian organizations who actively participated in the NHPA Section 106 consultation process in developing the interpretive signage associated with this Undertaking. Interpretive signage will be developed under the following conditions: a. Interpretive signage will address the themes of each of the historic sites identified near the project. b. Interpretive signage and programming may be developed in stages for various segments of the multi-use path. c. The SHPD will have 60 days from receipt of the submitted interpretive signage materials to review, revise, and approve the proposed signage. d. Development and implementation of interpretive signage improvements can proceed concurrently or after construction of improvements under this Undertaking.
 4. The Preservation Plan shall be submitted to the SHPD for review and approval prior to implementation.

I. Mitigation during Construction Activities

1. If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.
2. If human remains are discovered, Hawaii Administrative Rules Title 13, Subtitle 13, Chapter 300 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and SHPD and Police Department will be contacted. The appropriate process would then proceed in conformance with Hawaii Administrative Rules §13-300 Subchapter 4 "Procedures for Property Treatment of Burial Sites and Human Skeletal Remains."

The SHPD has determined the proposed alterations to the Nawiliwili Stream Railroad Bridge will be differentiated from the old; therefore, the new bridge deck and railings are compatible with the essential form and integrity of the historic property and its environment will be unimpaired. The design, workmanship, materials, location, setting, association, and feeling of the proposed project will not affect the integrity of the historic property. The historic character of the property will be retained and preserved. Additionally, the SHPD notes the alterations and additional interpretive signage along the path will comply with the *Secretary of the Interior's Standards for Preservation* guidelines.

The FHWA has determined proposed undertaking will not diminish the integrity of the nine historic properties listed in the table above and therefore the proposed project will result in *no adverse effect*. **The SHPO concurs.**

The SHPD looks forward to receiving a draft supplemental archaeological inventory survey report meeting the requirements of HAR §13-276-5, an archaeological monitoring plan meeting the requirements of HAR §13-279-4, and a draft preservation plan meeting the requirements of HAR §13-277 for SHPD review and acceptance prior to the start of project work. Additionally, the SHPD looks forward to the opportunity to comment on the proposed interpretive signage.

The SHPD acknowledges the FHWA's notification of its intent to make a *de minimis* impact based on SHPO's concurrence with the no adverse effect determination for all the historic properties.

Please contact Julia Flauaus, Architectural Historian, at (808) 692-8029 or julia.flauaus@hawaii.gov for matters regarding architectural 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.

The FHWA, DPW, and the HDOT are the offices of record for this undertaking. Please maintain a copy of this letter with your environmental review record for this undertaking.

Aloha,

Alan Downer

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

cc: Doug Haigh, Kauai DPW (DHaigh@kauai.gov)
Emma Kawamoto, HDOT (Emma.g.Kawamoto@hawaii.gov)
Misako Mimura, HDOT (Misako.k.Mimura@hawaii.gov)
Julia Flauaus, SHPD (Julia.Flauaus@hawaii.gov)

From: [HICRIS](#)
To: [James Niermann](#)
Subject: HICRIS Project Review Initial Submission Received by SHPD
Date: Monday, October 4, 2021 4:29:37 PM

CAUTION: External Email

This is an automated notification sent by the Hawaii State Historic Preservation Division (SHPD) from the Hawaii Cultural Information System (HICRIS).

Initial submission L59ESRVG5JKL has been received by SHPD for the following project: .

No action on your part is required at this time. You will receive an email notification when the submission is accepted as a new Project Review or if more information is necessary to process the submission. No other action is required at this time.

<https://shpd.hawaii.gov/hicris/>

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DEPARTMENT OF PUBLIC WORKS

TROY K. TANIGAWA, P.E., ACTING COUNTY ENGINEER

BOYD GAYAGAS, DEPUTY COUNTY ENGINEER



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHILIG, MANAGING DIRECTOR

September 28, 2021

TO: Alan Downer PhD, Administrator
State Historic Preservation Division
Department of Land and Natural Resources
601 Kamokila Boulevard, Suite 555
Kapolei, Hawai'i 96707
via: <https://shpd.hawaii.gov/hicris>

SUBJECT: Historic Preservation Review , Chapter 6E-8, Hawai'i Revised Statute (HRS)
Nāwiliwili – Ahukini Shared-Use Path Project
Līhu'e District (puna moku), Island of Kaua'i, Hawai'i
Ahupua'a of Nāwiliwili, Kalapakī , and Hanamā'ulu
Federal Aid Project Number: CMAQ-0700 (57)
Tax Map Key Numbers: (4) 3-2-02:1 & Niumalu Road; 3-2-03: Niumalu & Wa'apā Roads; 3-2-04:1, 2, 3 & Wa'apā Road; 3-5-01:4, 5, 8, 27, 102, 117, 118; 3-5-02:2; 3-6-02:Kā'ana Street, Hardy Street, Rice Street, & 'Umi Street; 3-6-08: Wa'apā Road, Nāwiliwili Stream; and 3-7-02: Ahukini Road

Dear Mr. Downer,

The County of Kaua'i, Department of Public Works (DPW) submits this letter to provide a project summary for the State Historic Preservation Division (SHPD) review per Hawai'i Revised Statutes (HRS) Chapter 6E-8 in connection with the Nawiliwili – Ahukini Shared-Use Path project.

The DPW, plans to develop a coastal, shared-use path between Nawiliwili Park and Ahukini Landing in Lihue District on the island of Kauai. A path section is also proposed between Nawiliwili Park and Niumalu Park. Additional path sections would connect the coastal path to the Lihue Civic Center and Lihue Airport. The project is a key section of *Ke ala Hele Makalae*, the 16-mile Nawiliwili to Anahola Shared-Use Path proposed in the 1994 *State of Hawaii Master Plan – Bike Plan Hawaii*, and in the 2003 *Bike Plan Hawaii* update.

The planned project consists of a 12-foot wide concrete shared-use coastal path. Bike lane and sidewalk improvements to existing and planned street corridors would provide additional connections through urban areas. Path improvements and amenities include separated crossings at major drainage ways, educational and informational signage, a comfort station at Ninini Point, adaptive reuse of the Nawiliwili Stream Railroad Bridge, and various improvements at Nawiliwili Park to be coordinated with the park's master plan. The project would benefit residents and visitors by preserving coastal access, creating a new safe recreational resource and supporting alternative modes of transportation to connect key community centers, including residential neighborhoods, commercial centers, parks, and the airport and harbor.

Per HRS Chapter 6E-8 and Hawai'i Administrative Rules (HAR) Chapter 13-275, the DPW offers the following documentation:

I. IDENTIFICATION AND INVENTORY OF HISTORIC PROPERTIES

There are 26 historic properties documented in the project area. The historic properties are listed by SIHP number in **Table 1** along with recommended mitigation measures that were developed in consultation with SHPD and consulting parties as part of the NHPA 106 consultation process:

Table 1
State Historic Sites Located in the Project Area

SIHP No.	Site Description	Recommendations
50-30-11-009	Kuhiau Heiau. Nawiliwili; A large paved <i>heiau</i> , whose enclosure covered an area of about four acres; long since destroyed.	Previously documented. No further work. Describe in interpretive display at Nawiliwili Park
50-30-11-100	Ninini Heiau. near Nawiliwili Harbor Light. Previously destroyed.	Documented as destroyed by Thrum (in Bennett 1931). Describe in interpretive display.
50-30-11-101	Ahukini Heiau, near Ahukini Point midway between Ninini Point and Ahukini Landing. Previously recorded foundations not re-located, likely destroyed by erosion and Hurricane Iniki in 1993.	Describe in interpretive display.
50-30-11-421	Midden Scatter of marine shells	Previously recorded. No further work.
50-30-11-422*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-423*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-424	Oval Terrace Alignment	Previously recorded. No further work.
50-30-11-1845	Historic Railroad Bridge	Preserve existing structure. Retrofit new deck and railings as part of shared-use path project.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	Previously recorded. Describe in interpretive display.
50-30-11-6009	Nawiliwili Cemetery	Avoid.
50-30-08-3958	Historic remnants of a piggery.	Previously recorded. No further work.
50-30-08-9000	Ahukini Landing	Avoid
50-30-08-9402	Historic Building Remnant at Site of Radio Station KIVM	Avoid
50-30-11-2086*	Pre-contact Terrace Habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2087*	Historic Lighthouse and associated habitation (caretaker's residence).	Preserve remaining structure. Adaptive re-use of the site and educational signage.

Table 1
State Historic Sites Located in the Project Area

SIHP No.	Site Description	Recommendations
50-30-11-2088*	Military Concrete slab. The base of a communications tower.	Data recovered and recorded. No further work.
50-30-11-2089*	Historic Mounds. Possible Burial.	Preserve in place. Avoid site by establishing a 50-foot buffer.
50-30-11-2090*	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2091*	Historic habitation foundation.	Data recovered and recorded. No further work
50-30-11-2092*	Historic Septic Outhouse and cesspool	Data recovered and recorded. No further work
50-30-11-2093*	Plantation-era ditch drainage.	Data recovered and recorded. No further work.
50-30-11-2094*	Pre-contact/historic terrace habitation.	Preservation. Avoid with a 20-foot buffer.
50-30-11-2095*	Pre-contact Scatter Activity area	Data recovered and recorded. No further work.
50-30-11-2096*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2097*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2103*	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.

* Historic sites identified during the archaeological inventory survey of the coastal area between Ahukini Landing and Ninini Point.

II. EVALUATION OF SIGNIFICANCE

Of the 26 documented historic properties in the APE, the following 9 properties listed in **Table 2** retain aspects of historic integrity that qualify the property for the National Register:

Table 2
State Historic Sites in the APE that Retain Aspects of Historic Integrity

SIHP No.	Site Description	Eligibility Criteria*	Aspects of Integrity
50-30-11-1845	Historic Railroad Bridge. Constructed 1931.	A, C	Location, design, setting, materials, workmanship, feeling and association.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	A, B, D, E	Location, setting, feeling and association.

Table 2
State Historic Sites in the APE that Retain Aspects of Historic Integrity

50-30-08-9000	Ahukini Landing. Constructed prior to 1927.	D	Location, design, setting, materials, feeling and association.
50-30-11-2086*	Pre-contact Terrace Habitation	D, E	Location, design, setting, materials, workmanship, feeling.
50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence). Constructed 1933.	C, D	Location, design, setting, materials, workmanship, feeling and association.
50-30-11-2089	Historic Mounds. Possible Burial.	D, E	Location, setting, materials.
50-30-11-2090	Military. Structural foundation for gun emplacement. Constructed in 1942.	D	Location, design, setting, materials, workmanship, feeling.
50-30-11-2094	Pre-contact/historic terrace habitation.	D, E	Location, design, setting, materials, workmanship, feeling.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp. Constructed prior to 1927.	D	Location, design, setting, materials, feeling and association.

* Eligibility Criteria for inclusion on the National Historic Register (Criteria A through D) and on the State of Hawaii Register of Historic Places (Criterion E).

III. EFFECT DETERMINATION

DPW offers a “effect, with proposed mitigation commitments” determination for this project.

IV. PROPOSED MITIGATION COMMITMENTS

The DPW will commit to the following measures to avoid, minimize and mitigate any significant impacts to the historic properties along Nāwiliwili-Ahukini Shared-Use Path. Mitigation measures for specific historic sites are summarized in **Table 3**. Additional commitments are listed below.

Table 3
No Adverse Effect for the following historic properties within the APE

SIHP No.	Site Description	Mitigation Commitment
50-30-11-1845	Nawiliwili Stream Railroad Bridge	Preserve existing structure. Adaptive reuse in accordance with historic preservation design guidelines

		developed in consultation with the SHPD, Architectural Branch. Design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without damaging the existing bridge structure.
50-30-11-1999	Paukini Rock (in Nawiliwili Bay)	Previously recorded. Describe in interpretive display.
50-30-08-9000	Ahukini Landing	Avoid. Refer to SIHP # 50-30-11-2103 below.
50-30-11-2086*	Pre-contact Terrace Habitation	Preservation. Avoid with a 20-foot buffer.
50-30-11-2087	Historic Lighthouse and associated habitation (caretaker's residence).	Preserve remaining structure. Adaptive re-use of the site and educational signage.
50-30-11-2089	Historic Mounds. Possible Burial.	Preserve in place. Avoid site by establishing a 50-foot buffer.
50-30-11-2090	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2094	Pre-contact/historic terrace habitation.	Preservation. Avoid with a 20-foot buffer.
50-30-11-2103	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.

The DPW shall ensure that the following measures are implemented to avoid and minimize potential impacts to archaeological, cultural, and historic resources:

A. Supplemental Archaeological Inventory Survey

1. The County DPW shall prepare a Supplemental Archaeological Inventory Survey (AIS), in accordance with Hawaii Administrative Rules (HAR) 13-13-276, for the "Secondary Network Routes" located in interior lands prior to the design and construction of those alignments.
2. The AIS shall be submitted by the County DPW, after review by the FHWA and HDOT, to the SHPD for review, including opportunity for public comment, in accordance with HAR 13-13-275. Unless the SHPD objects within 45 days after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

B. Archaeological Monitoring Plan

1. The County DPW shall develop an archaeological monitoring plan (AMP), in accordance with HAR 13-13-279, with a combination of on-site and on-call monitoring during all ground-disturbing activities related to the Undertaking.
2. If determined to be necessary by the SHPD, a supplemental AMP will be prepared for future work to construct secondary path alignments, based on the findings of a supplemental AIS to be prepared for those secondary alignments.
3. The AMP shall include provisions for addressing burial treatment that are to be implemented in the event of an inadvertent find during construction activities.
4. The AMP will be developed and implemented by a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology (Federal Register, Vol. 48, No. 190, page 44738-9).
5. The AMP will include the following major elements:
 - a. Archaeological monitoring provisions and procedures to be implemented during the course of the Undertaking's implementation; and
 - b. Specific levels of archaeological monitoring determined to be appropriate for each path section, and
 - c. A follow-up monitoring report for the Undertaking shall be submitted to the SHPD. The monitoring report, containing the location and description of any human burial remains discovered during the course of the Undertaking, shall remain confidential and the precise location data may be provided in a separate confidential index.
6. The AMP shall be submitted by the County DPW, after review by HDOT and FHWA, to the SHPD for a 30-day review. Unless the SHPD objects within 30 days after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

C. Mitigation Measures for Historic Properties

To reduce the potential for adverse effects on historic properties, the County DPW shall ensure that the following mitigation measures are incorporated in the design of the Undertaking and in effect prior to commencement of ground disturbing activities:

1. For State Inventory of Historic Places (SIHP) Site 50-30-11-2086, a pre-contact habitation terrace, the County DPW shall provide a 30-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
2. For SIHP Site 50-30-2089, a possible burial mound, the County DPW shall provide a 50-foot preservation buffer in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
3. For SIHP Site 50-30-11-2090, a World War II era military gun emplacement related to the defense of Kauai Island, the County DPW shall provide a 20-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
4. For SIHP Site 50-30-11-2094, a pre-contact habitation terrace, the County DPW shall provide a 20-foot buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
5. For SIHP Site 50-30-11-2103, a historic industrial complex at Ahukini Point, the County DPW shall provide educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.

D. Adaptive Reuse of Nawiliwili Stream Railroad Bridge, SIHP Site 50-30-11-1945

1. The County DPW shall consult with the SHPD during the design phase of the

Undertaking to ensure that the adaptive reuse of the bridge complies with historic preservation design criteria approved by the SHPD Architectural Branch.

2. The County DPW shall design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without doing major damage to the existing bridge structure.
3. The KHPRC and HHF shall be given the opportunity to provide comments on the design of proposed modifications to Nawiliwili Stream Railroad Bridge at the preliminary and pre-final stages.
4. During right-of-way certification and land acquisition for the Undertaking, the County DPW shall conduct research to determine ownership of the Nawiliwili Stream Railroad Bridge and approaches, including a title search, Land Commission Award research, review of County files related to the bridge and related easements, and consultation with the Lovell 'Ohana regarding unrecorded easement documents.
5. The County DPW shall replace all references to "Duke's Bridge" in the project documentation with "Nawiliwili Stream Railroad Bridge".
6. Prior to undertaking modifications to the Nawiliwili Stream Railroad Bridge, the County DPW shall prepare Historic American Engineering Record (HAER) or Historic American Building Survey (HABS) documentation to supplement the *Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai* final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD. HAER or HABS documentation will be submitted to SHPD for review and forwarded to the National Park Service for inclusion in the Library of Congress.
7. The County DPW shall develop interpretive signage for the Nawiliwili Stream Railroad Bridge in accordance with the Interpretive Plan described below in item H.

E. Mitigation for Pū'ali (Niumalu) Bridge

1. The County DPW shall consult with the SHPD during the design phase of the Undertaking to ensure that an adequate buffer is maintained between the Pū'ali (Niumalu) Bridge and a new, shared-use path bridge.
2. Prior to undertaking modifications to the Pū'ali (Niumalu) Bridge, the County DPW shall prepare HAER or HABS documentation to supplement the *Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai* final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD.

F. Design Review for Proposed Comfort Station near Ninini Point Lighthouse, SIHP Site 50-30-11-2087

1. The County DPW shall consult with the SHPD during development of design plans for a proposed comfort station at the former site of the Ninini Point Lighthouse caretaker's house to determine appropriate design of structures.
2. The SHPD, KHPRC and HHF shall be given the opportunity to provide comments on the design of the proposed comfort station at the preliminary and pre-final stages.
3. The County DPW shall develop educational signage for Ninini Point in accordance with the Interpretive Plan described below in item H.

G. Treatment of Burial Sites and Human Remains

1. The County DPW shall prepare appropriate documents as required to address the

treatment of any burials or other human remains encountered in the course of this project.

2. Documentation concerning the treatment of burials or human remains shall be prepared and processed with the SHPD and KNIBC in accordance with HAR 13-13-300.
3. The pertinent provisions of any such documents shall be executed prior to the completion of the undertaking.

H. Preservation Plan / Interpretive Plan

1. The County DPW shall prepare a Preservation Plan in accordance with HAR 13-13-277 for SIHP 50-30-11-2086 – habitation terrace, SIHP Site 50-30-2089 - possible burial mound, SIHP 50-30-11-2090 – gun emplacement foundation, SIHP 50-30-11-2094 – pre/post-contact habitation terrace, and SIHP 50-30-11-2103 – industrial complex.
2. The Preservation Plan shall address interim and long-term preservation and educational and interpretive signage to be provided along multi-use path. Proposed interim preservation measures for the four sites will be submitted to SHPD for review and approval prior to the initiation of ground altering activities within the APE.
3. The County DPW shall consult with the SHPD, KHPRC, HHF, the Kauai Path organization and Native Hawaiian organizations who actively participated in the NHPA Section 106 consultation process in developing the interpretive signage associated with this Undertaking. Interpretive signage will be developed under the following conditions:
 - a. Interpretive signage will address the themes of each of the historic sites identified near the project.
 - b. Interpretive signage and programming may be developed in stages for various segments of the multi-use path.
 - c. The SHPD will have 60 days from receipt of the submitted interpretive signage materials to review, revise, and approve the proposed signage.
 - d. Development and implementation of interpretive signage improvements can proceed concurrently or after construction of improvements under this Undertaking.
4. The Preservation Plan shall be submitted to the SHPD for review and approval prior to implementation.

I. Mitigation during Construction Activities

1. If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.
2. If human remains are discovered, Hawaii Administrative Rules Title 13. Subtitle 13, Chapter 300 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and SHPD and Police Department will be contacted. The appropriate process would then proceed in conformance with Hawaii Administrative Rules §13-300 Subchapter 4 “Procedures for Property Treatment of Burial Sites and Human Skeletal Remains.”

The County of Kauai will prevent the disturbance or taking of any historic property or resource to the extent possible by instituting these mitigation measures and enforcing their implementation by contractors.

V. FEDERAL FUNDING

Dr. Downer
September 28, 2021
Page 9 of 9

The proposed project will be funded from a combination of Federal and County funds. The project will receive funding from the Federal Highway Administration (FHWA) and is therefore a federal undertaking as defined in 36 CFR 800.16(y).

Consultation under Section 106 of the National Historic Preservation Act (NHPA) has been completed for the project. The SHPO concurred with FHWA's finding of "no adverse effect" determination in a letter dated June 12, 2020 (Log No.: 2020.01075, Doc. No.: 2006SH10).

Sincerely,

Troy K. Tanigawa
Acting County Engineer

cc: Emma Kawamoto , HDOT

- 5.1) Does the Project involve a Historic Property? A Historic Property is any building, structure, object,

district, area, or site, including heiau and underwater site, **which is over 50 years old** (HRS §6E-2).

☐ Yes ☐ No

5.2) The date(s) of construction for the historic property (building, structure, object, district, area, or site, including heiau and underwater site) is

5.3) Is the Property listed on the Hawai'i and or National Register of Historic Places? To check:
<http://dlnr.hawaii.gov/shpd/>

☐ Yes ☐ No

5.4) Detailed Project Description and Scope of Work:

5.5) Description of **previous** ground disturbance (e.g. previous grading and grubbing):

5.6) Description of **proposed** ground disturbance (e.g. # of trenches, Length x Width x Depth):

5.7) The Agency shall ensure whether historic properties are present in the project area, and, if so, it shall ensure that these properties are properly identified and inventoried. Identify all known historic properties:

5.8) Once a historic property is identified, then an assessment of significance shall occur.

Integrity (check all that apply):

☐ Location ☐ Design ☐ Setting ☐ Materials ☐ Workmanship ☐ Feeling ☐ Association

Criteria (check all that apply):

- ☐ a – associated with events that have made an important contribution to the broad patterns of our history
- ☐ b – associated with the lives of persons important in our past
- ☐ c – embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; or possess high artistic value
- ☐ d – have yielded, or is likely to yield, information important for research on prehistory or history
- ☐ e – have an important value to the Native Hawaiian people or to another ethnic group of the state due to associations with cultural practices once carried out or still carried out, at the property or due to associations with traditional beliefs, events, or oral accounts - - these associations being important to the group's history and cultural identity

5.9) The effects or impacts of a project on significant historic properties shall be determined by the agency.

Effect Determination (select one):

- ☐ No Historic Properties Affected
- ☐ Effect, with Agreed Upon Mitigation Commitments (§6E-42, HRS)
- ☐ Effect, with Proposed Mitigation Commitments (§6E-8, HRS)

5.10) This project is (check all that apply, if applicable):

- ☐ an activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency;
- ☐ carried out with Federal financial assistance; and or
- ☐ requiring a Federal permit, license or approval.

If any of these boxes are checked, then the Project may also be subject to compliance with Section 106 of the National Historic Preservation Act (NHPA).

6. PROJECT SUBMITTALS

6.1) Please submit a copy of the Tax Map Key (TMK) map

6.2) Please submit a copy of the property map showing the project area and indicate if the project area is smaller than the property area.

6.3) Please submit a permit set of drawings. A permit set is a set of drawings prepared and signed by a licensed architect or engineer and is at least 65% complete.

6.4) Are you submitting a survey?

☐ Yes ☐ No

Specify Survey:

6.5) Did SHPD request the survey?

☐ Yes ☐ No

If 'Yes', then please provide the date, SHPD LOG NO, and DOC NO:

Date: LOG NO. DOC NO.

6.6) **SURVEY REVIEW FEES.** Fee for Review of Reports and Plans (§§13-275-4 and 284-4). A filing fee will be charged for all reports and plans submitted to our office for review. Please go to:

[The Submittal Filing Fee Form is located on the Forms page](#)

A check payable to the Hawaii Historic Preservation Special Fund should accompany all reports or plans submitted.

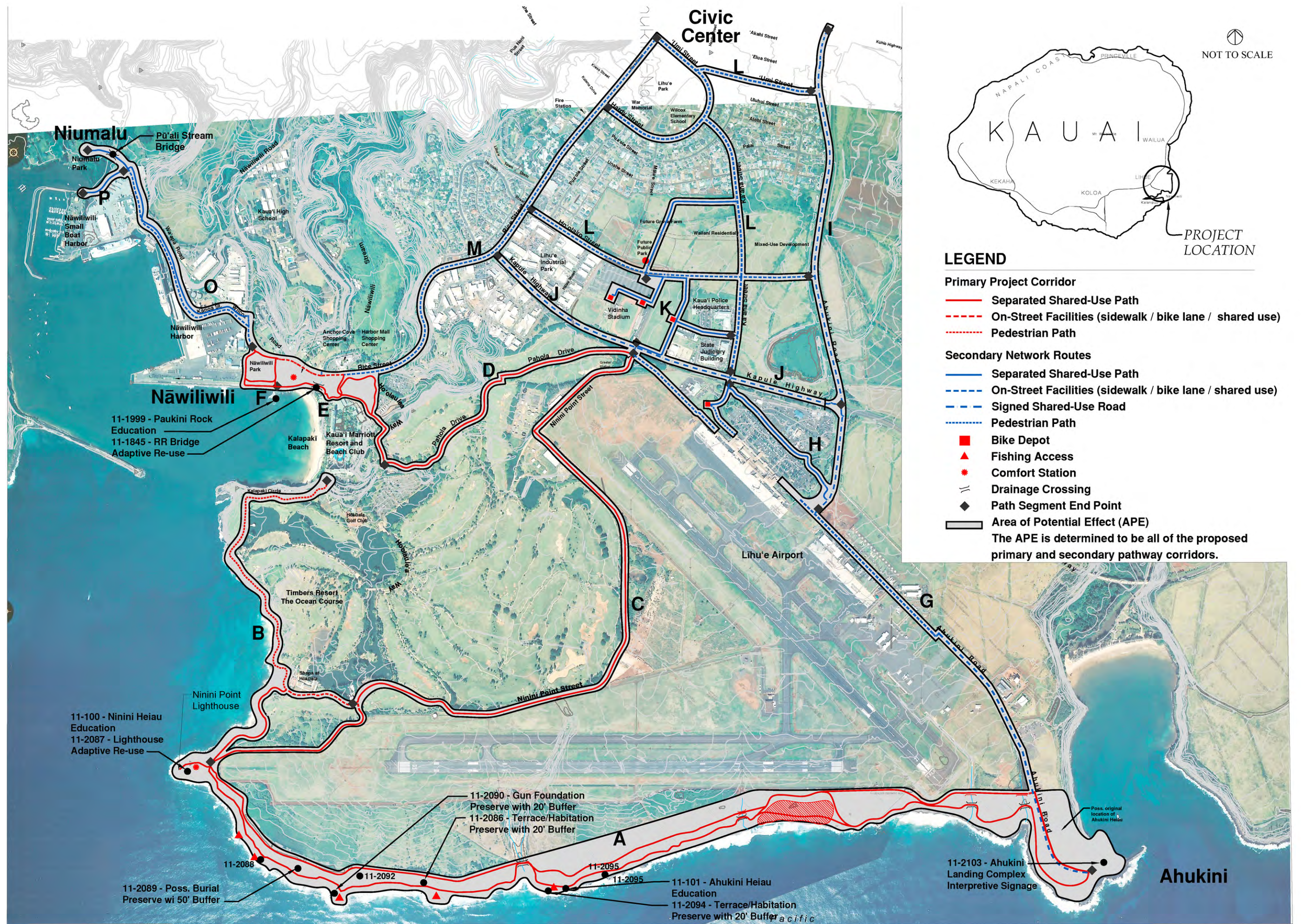
6.7) Please submit color photos/images of the Historic Property (any building, structure, object, district, area, or site, including heiau and underwater site) that will be affected by the Project.

The following are the minimum number and type of color photographs required:

Quantity	Description
1-2	Street view(s) of the resource and surrounding area
1-2	Over view of exterior work area
1	exterior photo of the North elevation (if applicable)
1	exterior photo of the South elevation (if applicable)
1	exterior photo of the East elevation (if applicable)
1	exterior photo of the West elevation (if applicable)
1-2	interior photos(s) of areas affected (if applicable)

CHECKLIST

- ☐ **SHPD FORM 6E** (this form)
- ☐ **PROJECT SUBMITTALS** (any requested documentation for items 6.1 - 6.7 of this form)
- ☐ **FILING FEE FORM** (if applicable)



Nāwiliwili - Ahukini Shared-Use Path
County of Kaua'i
Lihue, Island of Kaua'i, Hawai'i

FIGURE 1 : APE - ROUTE ALTERNATIVES

Notes:
(1) Aerial photos not orthographically rectified. Photo of makai areas taken March 28, 2007. Photo of mauka area obtained from SOEST based on NOAA/AVOS aerial photography by the Pacific Disaster Center mapping program. Image taken between March and July 2000.
(2) Topographic data: digitized from 1972 aerial topo agricultural maps by R. M. Towill Corporation.
(3) TMK data from State DGEDOT GIS data set, manually scaled and rotated to best fit.
(4) Exhibit is for planning and discussion purposes only, not for engineering design.

Nawiliwili Stream Railroad Bridge

Description

The Nawiliwili Stream Railroad Bridge is a four span reinforced concrete bridge with an overall length of about 90', an overall width of 8'-6" and a deck width (between curbs) of 7'. The bridge is of either concrete girder or concrete tee beam construction. The exact type of construction is undetermined because the primary difference between the two types is the pattern of reinforcing steel within the girders on the underside of the bridge. The deck of the bridge is covered with (added) asphalt paving. The 5" high x 9" wide curbs appear to be the original concrete with large basalt aggregate.



Figure 2. Nawiliwili Stream Railroad Bridge, view facing south. Note the roof cover at the far end.

The underside of the bridge is board formed concrete with chamfered corners. Two concrete girders, each about 1'-6" wide and 2'-2" high span the length of the bridge and appear to have been cast integral with the deck slab. The girders rest on concrete abutments at the ends of the bridge and on three distinctively-shaped concrete piers which rise up from the stream bed. The girders have integral cast haunches at the abutments and the piers. Each of the three concrete piers rest on rectangular footings measuring about 2'-6" by 10'. The piers are also cast of board formed concrete and have an elongated six-sided footprint that is oriented transverse to the length of the bridge. All sides of the piers are battered, angled in toward the top, and each of the six faces tapers slightly from its bottom to top. This results in narrowing the piers at their tops, giving them a more graceful form and adds to the appearance of the bridge. The pier's upstream and downstream ends are composed of two narrow

vertical faces at 45° angles to the pier's long sides. These narrow faces meet at the vertical centerline of the pier forming a point which serves to smoothly deflect the flow of water around the piers. The tops of these narrow ends of the piers protrude from the sides of the girders. The pier top here is angled downward from the girder to the outboard point of the pier. This angling of the top of the pier, along with the narrow battered and tapering vertical ends gives a distinctive appearance to the bridge when viewed from the side. The vertical emphasis of the narrow battered faces and the chevron effect of the angled tops and faces are typical characteristics of Art Deco detailing, an architectural style that was popular at the time of the bridge's construction. Each pier is about 6' high, from the footing to the bottom of the girder, and the span distance between piers is about 20'-6" center-to-center.



Figure 3. Nawiliwili Stream Railroad Bridge, view facing west. Note the three battered piers supporting haunched girders, added wood balustrade, and added roof cover at left (south) end.



Figure 4. Underside of Nawiliwili Stream Railroad Bridge, underside view facing north. Note the pier with battered tapering faces, haunched girders, and board formed surface.



Figure 8. Niumalu Bridge view facing east, showing the original (west) curb with broken section and mis-aligned iron pipe.



Figure 9. Niumalu Bridge, view facing south. Note the original curb on the right (west curb) and the replacement curb on the left (east curb).

Niumalu Bridge

Historic Context

The date of construction of this bridge is unknown. It is thought to have been built ca. 1920s. No construction documents are known to exist in Kauai County files (Wilson Okamoto 1993). USGS topo

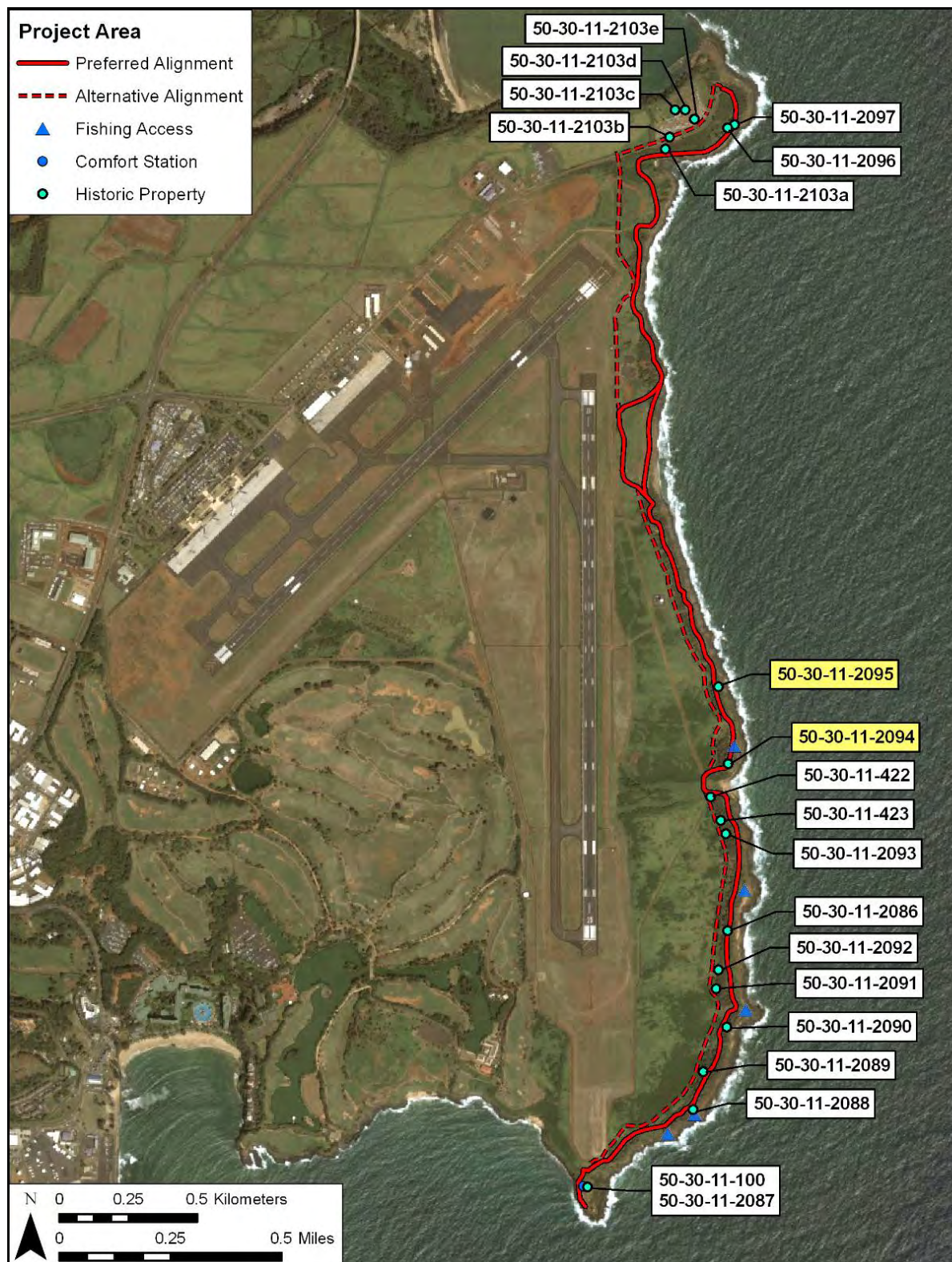


Figure 24. 2009 Google Earth aerial photo showing sites located during the current inventory survey; sites in yellow were tested

4.2 Site Descriptions

4.2.1 SIHP # 50-30-11-422 (CSH 1)

SITE TYPE:	Wall
FUNCTION:	Agriculture; field divider
FEATURES:	1
DIMENSIONS:	Approx. 13 m long
CONDITION:	Poor
PROBABLE AGE:	Plantation-era
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465776.71 m E 2429366.83 m N

DESCRIPTION:

Site # 50-30-11-422 is the remnants of a plantation-era wall measuring 13 m northeast-southwest. Remnants of the wall consist of two aligned basalt boulders and a small amount of stacking on the southwestern end of the alignment. Random cobbles and boulders are present in between, indicating the wall has deteriorated over time. No artifacts or features were observed on site. The site is located on a level area under a canopy of ironwood trees, approximately 62 m west of the *makai* project alignment and 10 m east of the *mauka* project alignment. Because of its style and proximity to what were formerly sugar cane fields, SIHP # 50-30-11-422 is likely the remnants of a plantation-era field divider (Figure 25 and Figure 26).

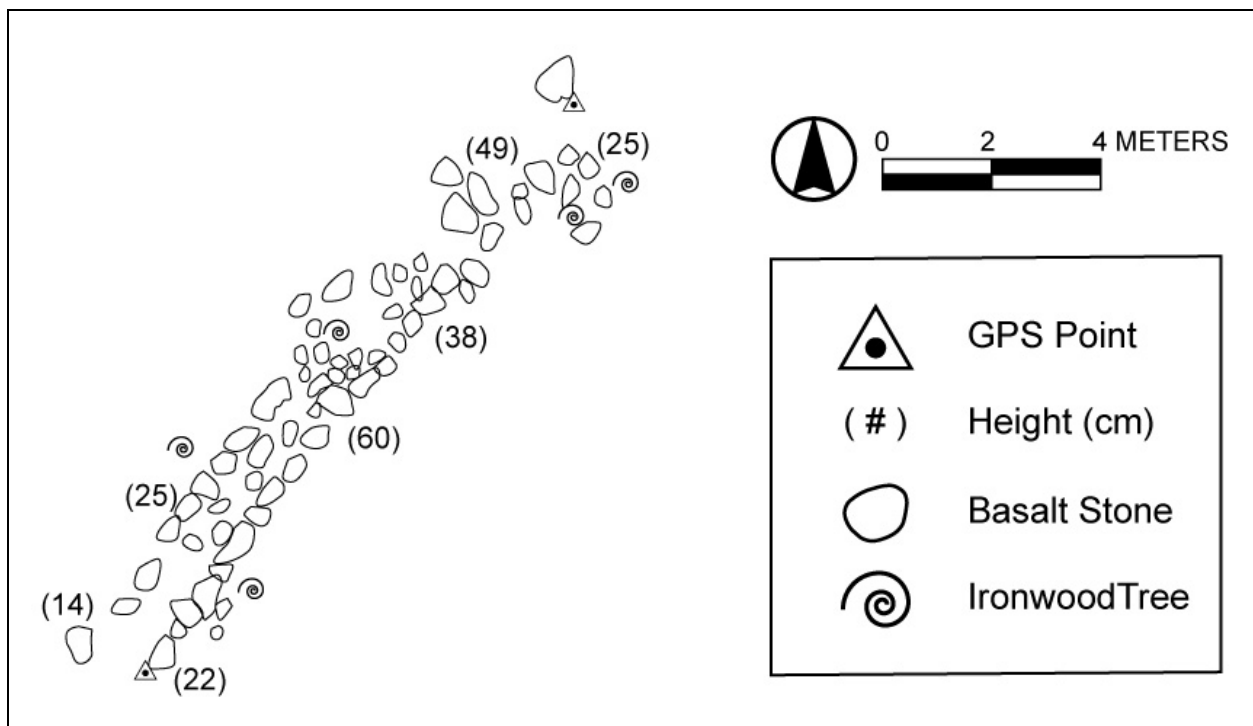


Figure 25. Plan view map of SIHP # 50-30-11-422 (CSH 1)



Figure 26. SIHP # 50-30-11-422 (CSH 1), view to east

4.2.2 SIHP # 50-30-11-423 (CSH 2)

SITE TYPE:	Wall
FUNCTION:	Agriculture; field divider
FEATURES:	1
DIMENSIONS:	Approx. 24.5 m long
CONDITION:	Fair
PROBABLE AGE:	Plantation-era
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465814.15 m E 2429281.07 m N

DESCRIPTION:

SIHP # 50-30-11-423 is the remnants of a plantation-era wall measuring 24.5m long, northeast-southwest, and 1.6 cm wide. It is constructed of small-to-large basalt boulders stacked one-to-four courses high, with a maximum height of 0.88 m. The western portion of the wall is deteriorated and all that remains are a few scattered basalt cobbles and boulders. A bulldozer push pile of large basalt boulders is present just east of the alignment. The site is located on a gently sloping-to-level area, void of ground vegetation, under a canopy of ironwood trees. It is approximately 56 m west of the *makai* project alignment and 22 m east of the *mauka* project alignment. No artifacts were observed on site. Because of its style and proximity to what were formerly sugar cane fields, SIHP # 50-30-11-423 is likely the remnants of a plantation-era field divider. Vegetation in the area includes ironwood trees (Figure 27 and Figure 28).

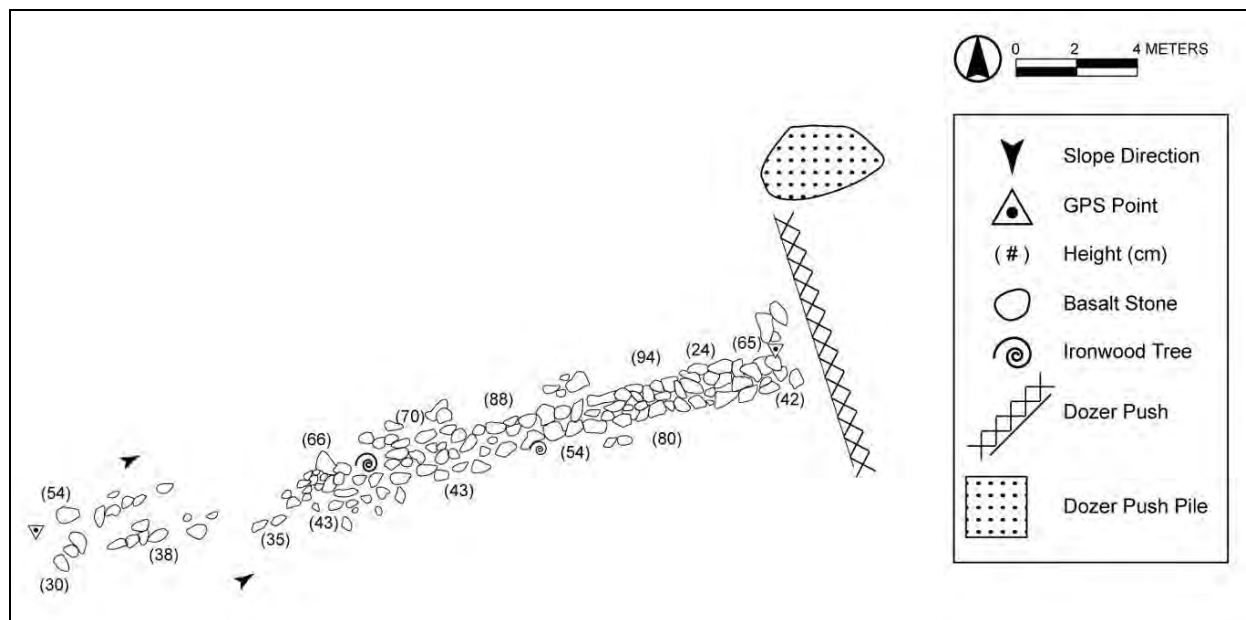


Figure 27. Plan view of SIHP # 50-30-11-423 (CSH 2)



Figure 28. SIHP # 50-30-11-423 (CSH 2), view to east

4.2.3 SIHP # 50-30-11-2086 (CSH 3)

SITE TYPE:	Terrace
FUNCTION:	Habitation
FEATURES:	2
DIMENSIONS:	Approx. 20 m x 8 m
CONDITION:	Poor
PROBABLE AGE:	Pre-Contact
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465838.21 m E 2428882.76 m N

DESCRIPTION:

SIHP # 50-30-11-2086 (CSH 3) consists of the remnants of two terraces. The walls of the lower terrace have completely eroded away. The upper terrace is composed of an alignment of cobbles and boulders stacked one-to-three courses high on bedrock outcrop. The maximum height of the upper terrace is 0.70 m and its interior consists of a level area of stone. The terrace measures 3.0 m east-west by 4.0 m north-south. Coral and marine midden fragments were observed scattered about the area; they include *Cellana* sp., *Cypraea* sp., and *Bivalvia*. SIHP # 50-30-11-2086 is located on a gently sloping-to-sloping area, on the path of the *makai* project alignment and approximately 20 m from the ocean (Figure 29 through Figure 31). Vegetation consists of ironwood trees, various grasses, *'ilima*, *pa'u o hi'iakea*, and *naupaka*.

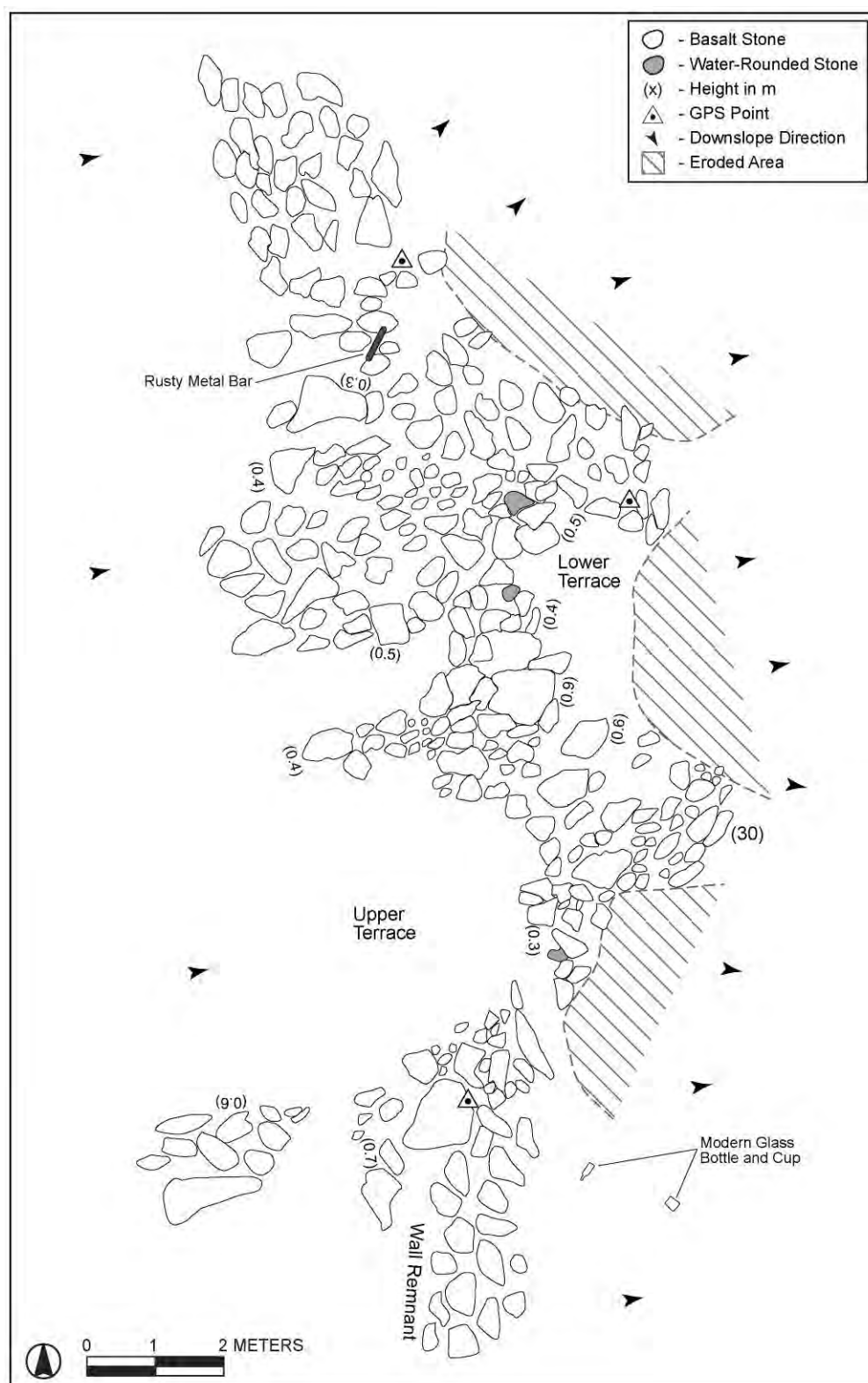


Figure 29. Plan view of SIHP # 50-30-11-2086 (CSH 3)



Figure 30. SIHP # 50-30-11-2086 (CSH 3), eroded lower terrace, view to southwest



Figure 31. SIHP # 50-30-11-2086 (CSH 3), upper terrace, view to northeast

4.2.4 SIHP # 50-30-11-2087 (CSH 5)

SITE TYPE:	Nāwiliwili Harbor Light, wall remnants, and building foundations
FUNCTION:	Lighthouse and associated remnants of caretaker's quarters
FEATURES:	6
DIMENSIONS:	Approx. 120 m x 40 m
CONDITION:	Fair
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:128
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465330.96 m E 2427953.86 m N

DESCRIPTION:

SIHP # 50-30-11-2087 consists of three walls (Features A, B, and C), Nāwiliwili Harbor Light (Feature D), and associated structural remnants related to the lighthouse caretaker's residence (Features E, F, and G; Figure 32 through Figure 41). The site is located on Ninini Point and the U.S. Coast Guard manages the upkeep of the lighthouse and surrounding area. Feature A, the longest wall, begins along the east side of Nāwiliwili Harbor Light and measures 120 m long, north-southeast, with varying thicknesses between 0.5 m and 0.9 m; its height also varies between 0.5 m and 2.2 m. There is a break in the northern portion of Feature A and a concrete walkway is present perpendicular to the wall. Figure 35 clearly shows the sidewalk and the break in Feature A. The smallest of the three walls, Feature B, is present approximately 20 m north of the southern terminus of Feature A. It is attached to Feature A on the west side and measures approximately 10 m long, northeast-southwest, is 0.5 m thick and 1.3 m high. A utility pole is present approximately 2 m northwest of Feature B, and a concrete footing is present approximately 1 m southeast of Feature B. Feature C is present approximately 4 m north of Feature A and measures 24 m northwest-southeast, is 1 m thick and has a maximum height of 1.2 m. The northwest portion of Feature C is not standing but remnants of boulders and cobbles from the wall are present in the area. All three walls are constructed of small-to-large sized boulders stacked two-to-eight courses high. Mortar is present in some areas of the walls, while others are dry-stacked. Of particular note is evidence of curbing present in the wall construction, observed in Feature A (Figure 38). This is typical of historic street features in Līhu'e.

Nāwiliwili Harbor Light (Feature D) is the only remaining fully functional structure on site. It consists of a concrete foundation, 86-ft-tall cylindrical tower, and an automated lens. This structure was built in 1933 (Dean 1991). There is a concrete foundation (Feature E) present in the northeast corner of Features A and B. A depression (Feature F) measuring approximately 20 m northwest-southeast by 10 m east-west is present northwest of Feature B and west of Feature A. The function of the depression is unknown, however the paint storage shed was once located in the depression and stairs were present on its north side (Figure 33). A concrete foundation (Feature G) is present approximately 2 m southwest of the northwest end of Wall C. Its function is unknown.

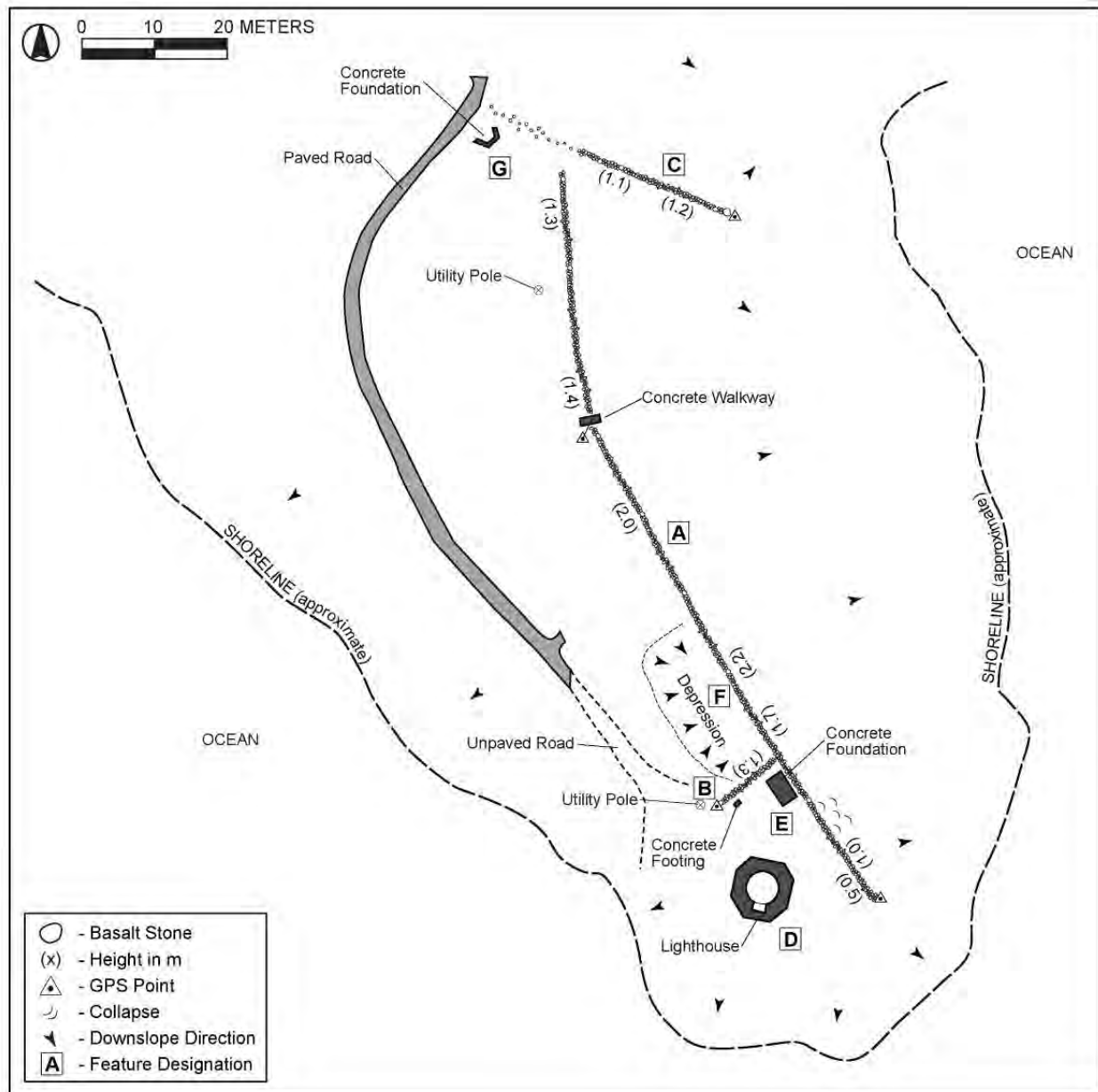


Figure 32. Plan view of SIHP # 50-30-11-2087 (CSH 5)

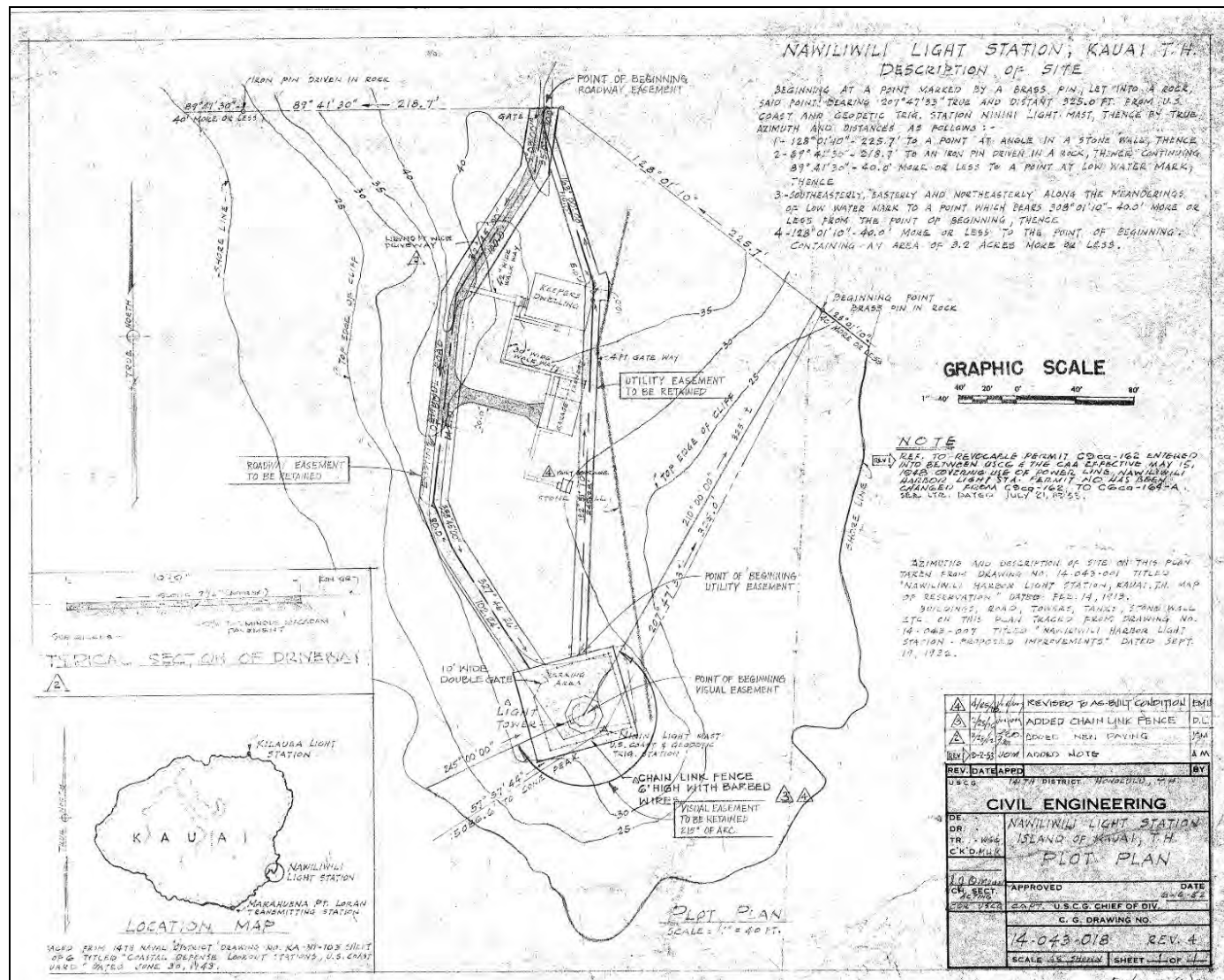


Figure 33. 1978 revision of the light house complex plans which were traced from a 1943 drawing by the U.S. Coast Guard



Figure 34. 1934 photo of portions of SIHP # 50-30-11-2087, the caretaker's residence with Nāwiliwili Harbor Light in the background. Feature A is just visible to the left side of the house, view to east. Original caption: "Nawiliwili Hbr. Lt. Station [;] Photo taken in March 1934 by Senda Studio. Tower accomplished [sic] in 1932, and lantern established in 1933. New dwelling constructed in 1933;" photo dated March, 1934, Photo No. "Book 9 Film No. 38," photo by "Senda Studios" (courtesy of U.S. Coast Guard)



Figure 35. 1962 aerial photo of SIHP # 50-30-11-2087, Nāwiliwili Harbor Light and associated structures, view to east. Original caption: “Nawiliwili Light, Hawaii;” no date (probably 1962); Photo No. 14CGD-052862(09); photographer unknown. (courtesy of U.S. Coast Guard)



Figure 36. 1967 aerial photo of SIHP # 50-30-11-2087, Nāwiliwili Harbor Light and associated structures, view to southwest. No original caption; photo stamped “Feb 10 1967,” Photo No. 05286208, photographer unknown. (courtesy of U.S. Coast Guard)



Figure 37. SIHP # 50-30-11-2087, close up photo of mortar-covered rock in Feature A



Figure 38. SIHP # 50-30-11-2087, close up of curb stone present in Feature A



Figure 39. SIHP # 50-30-11-2087, overview of Feature A, view to east



Figure 40. SIHP # 50-30-11-2087, break in Feature A with sidewalk present, view to northeast



Figure 41. SIHP # 50-30-11-2087 (CSH 5), Nāwiliwili Harbor Light, view to east

4.2.5 SIHP # 50-30-11-2088 (CSH 6)

SITE TYPE:	Foundation
FUNCTION:	Communications tower
FEATURES:	1
DIMENSIONS:	Approx. 3.0 m x 2.6 m
CONDITION:	Fair
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465713.18 m E 2428234.37 m N

DESCRIPTION:

SIHP # 50-30-11-2088 is a concrete foundation measuring 3.0 m northeast-southwest by 2.6 m northwest-southeast. A rusted metal plate with the remnants of metal bolts is present in the center of the foundation and measures 2.0 m northeast-southwest by 1.8 m northwest-southeast. A concrete wall is present on the southwestern edge of the foundation measuring 4.3 m long by 0.28 m thick. The wall varies in height between 0.54 m on the northwest end and 0.22 m on the southeast end. The wall appears broken at both ends; its original length and function is unknown. Cultural material observed on site includes corroded metal of unknown function, wire, and fragments of glass. Marine shell is also present and includes *Cypraea* sp., Turbinidae, *Cellana* sp., Neritidae, and Bivalvia. The foundation is likely the remains of a communication tower and is possibly the same as depicted on the 1910 USGS topographic map (Figure 15). The site sits on a level plane approximately 15 m from the ocean, approximately 25 m southeast of the *makai* project alignment, and is surrounded by bedrock outcrop on the northwest and southwest sides (Figure 42 and Figure 43). Vegetation present in the area includes *naupaka* and low lying ironwood trees.

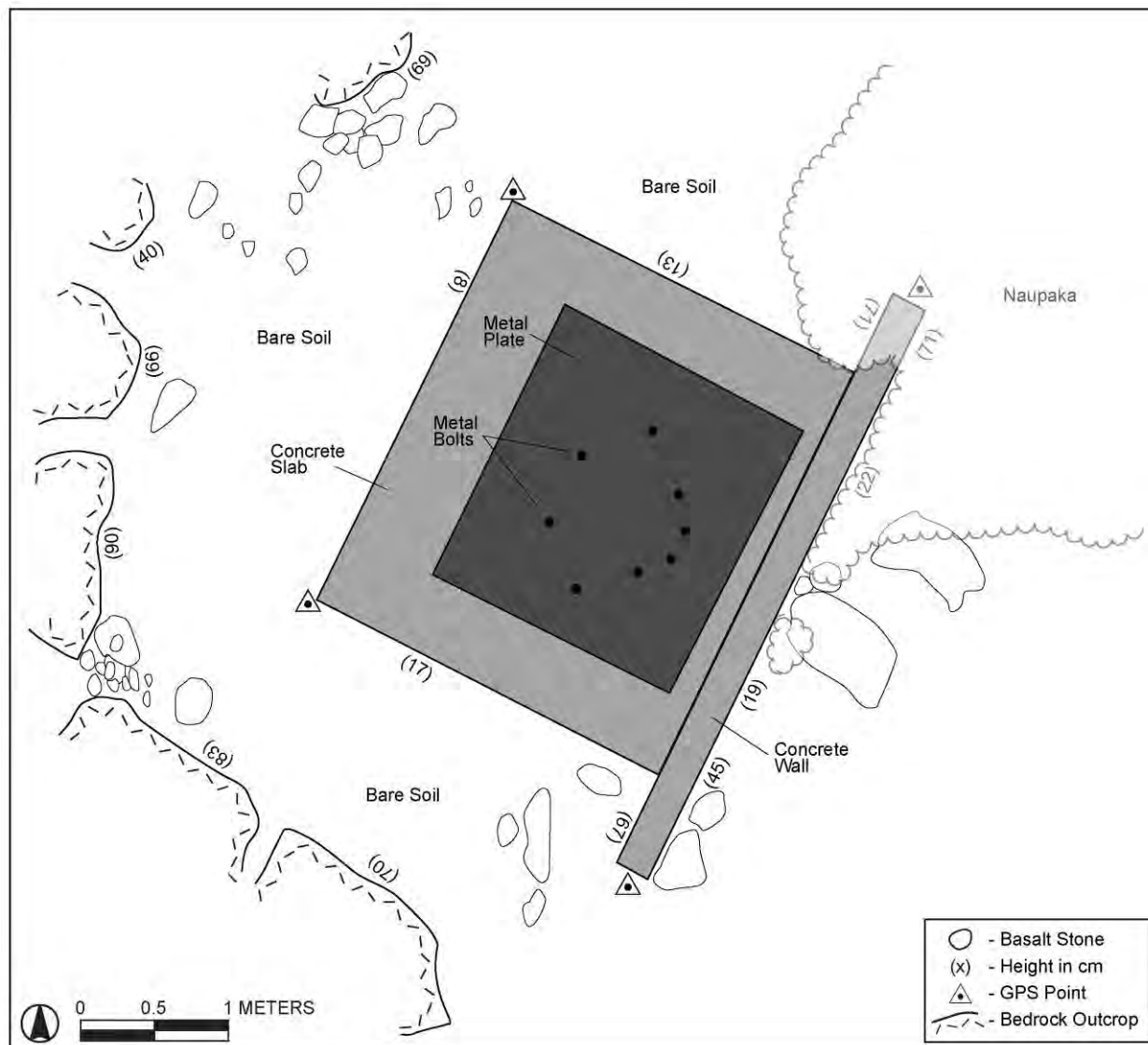


Figure 42. Plan view of SIHP # 50-30-11-2088 (CSH 6)



Figure 43. SIHP # 50-30-11-2088 (CSH 6), view to east

4.2.6 SIHP # 50-30-11-2089 (CSH 7)

SITE TYPE:	Mounds
FUNCTION:	Possible burial
FEATURES:	2
DIMENSIONS:	Approx. 14.3 m x 5.7 m
CONDITION:	Good
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465750.09 m E 2428372.4 m N

DESCRIPTION:

SIHP # 50-30-11-2089 consists of two mounds separated by a bulldozed push pile (Figure 44 through Figure 46). The mounds are constructed of smaller basalt cobbles and are more tightly stacked, differentiating them from the push pile of other cobbles and boulders in the area. Mound A measures 2.0 m north-south by 2.3 m east-west and is constructed of small boulders and large cobbles stacked three-to-five courses high, with a maximum height of 0.51 m. The north end of the mound is faced, while the other portion slopes gently south. The style of construction indicates Mound A is likely a burial, but because its relatively small size, may be a pet burial or that of a small child.

Mound B is located 9.7 m east of Mound A and consists of an L-shaped mound measuring 5.4 m north-south by 1.4 m east-west. The north end of the mound is constructed on a large bedrock boulder. The mound itself is constructed of large cobbles and a few smaller boulders stacked two-to-six courses high to a maximum height of 0.81 m. The cobbles of Mound B are smaller than those observed in the push pile, but are not as tightly stacked as Mound A. This indicates the feature is likely a clearance mound. SIHP # 50-30-11-2089 is located under a canopy of ironwood trees approximately 15 m west of the *makai* project alignment and 30 m east of the *mauka* project alignment, and is approximately 40 m from the ocean.





Figure 45. SIHP # 50-30-11-2089 (CSH 7), Mound A, view to west



Figure 46. SIHP # 50-30-11-2089 (CSH 7), Mound B, view to northeast

4.2.7 SIHP # 50-30-11-2090 (CSH 8)

SITE TYPE:	Foundation
FUNCTION:	Gun emplacement
FEATURES:	3
DIMENSIONS:	Approx. 14 m x 10 m
CONDITION:	Good
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01: 102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465834.71 m E 2428532.68 m N

DESCRIPTION:

SIHP # 50-30-11-2090 is an artillery gun emplacement likely related to World War II military infrastructure (Figure 47 through Figure 49). The gun emplacement consists of three features. Feature A is a circular concrete base measuring 2.48 m in diameter by 0.84 m high; a smaller circular concrete base in the center of the larger base measures 1.88 m in diameter by 0.11 m high. A modern fire pit is present on the southeastern side of Feature A. Features B and C are curved concrete walls of identical construction present on the northeast and southwest sides of Feature A. Feature B, located approximately 4 m northeast of Feature A, measures 4.15 m long by 0.93 m thick by 0.92 m high. Feature C, located approximately 3 m southwest of Feature A, measures 4.0 m long by 0.92 m thick by 1.22 m high. Both walls have a metal track embedded on top which is mostly eroded away. Features B and C may have originally been one complete structure, however, it appears the northwest part of the structure has been bulldozed and partially buried. Artifacts observed on site include rusty nails and miscellaneous pieces of corroded metal. Vegetation observed in the area includes *naupaka*, *milo*, ironwood trees, and wild spinach. SIHP # 50-30-11-2090 is located approximately 12 m east of the *makai* project alignment.

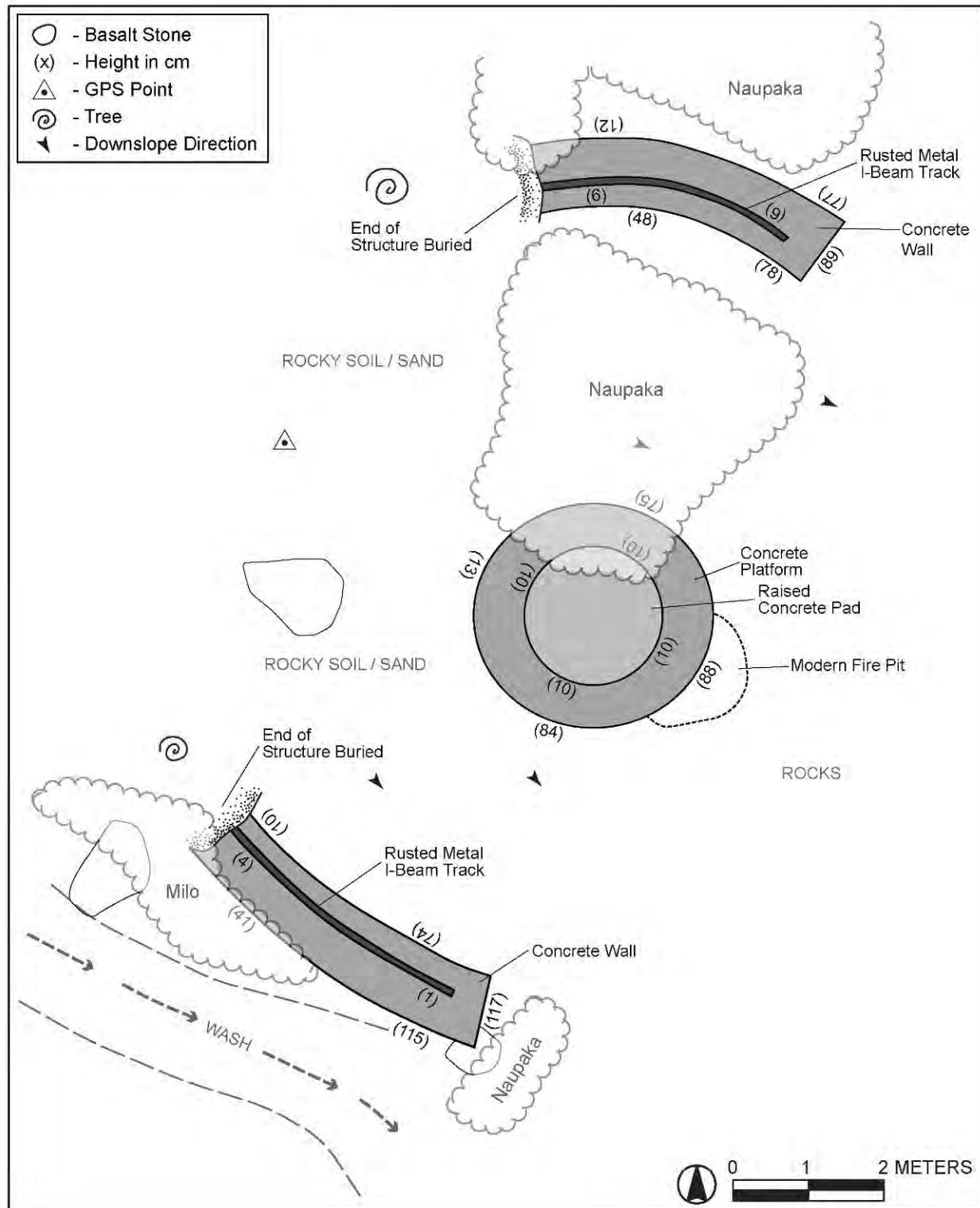


Figure 47. Plan view of SIHP # 50-30-11-2090 (CSH 8)



Figure 48. SIHP # 50-30-11-2090 (CSH 8), view to northwest



Figure 49. SIHP # 50-30-11-2090 (CSH 8), view to northeast

4.2.8 SIHP # 50-30-11-2091 (CSH 9)

SITE TYPE:	Foundation
FUNCTION:	Habitation
FEATURES:	2
DIMENSIONS:	Approx. 6.3 m x 3.1 m
CONDITION:	Fair
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465796.31 m E 2428672.71 m N

DESCRIPTION:

SIHP # 50-30-11-2091 is a concrete building foundation measuring 6.3 m east-west by 3.1 m north-south (Figure 50 through Figure 52). The foundation appears to be the remains of a small, one-bedroom house. Partial walls are still present and consist of formed concrete. Rooms observed include a larger room with a drain pipe that was likely a living room/kitchen combination, a smaller bedroom with closet, and a bathroom or smaller bedroom. A depression is present approximately 5 m southeast of the foundation and measures 2.9 m northeast-southwest by 2.4 m northwest-southeast. The depression is 0.77 m deep. Its depth and proximity to the structure indicate it is likely the remains of an outhouse. Marine midden, consisting of *Cellana* sp., and roofing material were observed on site. SIHP # 50-30-11-2091 is located in a level area surrounded by ironwood trees approximately 62 m west of the *makai* project alignment and 23 m east of the *mauka* project alignment.

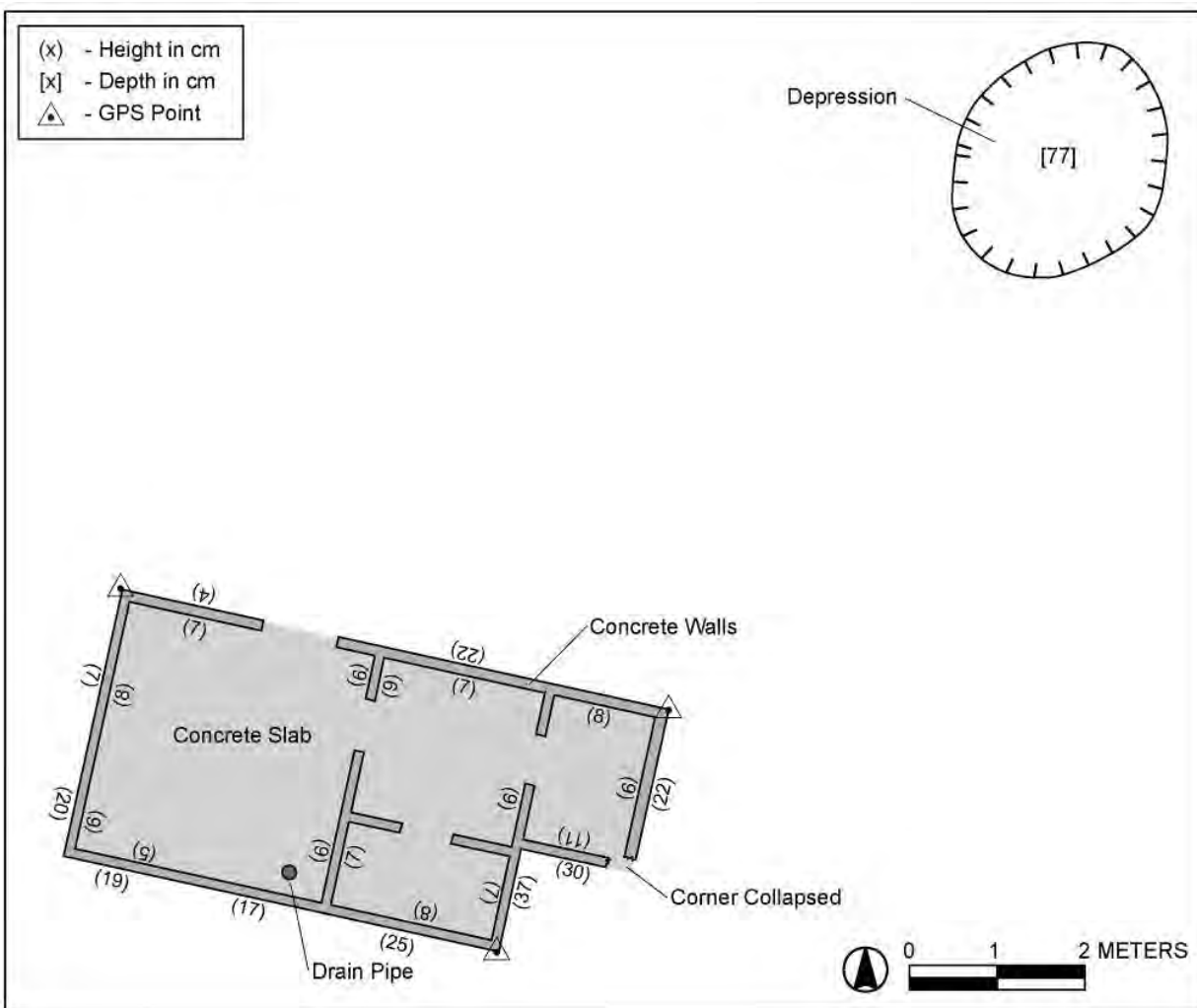


Figure 50. Plan view of SIHP # 50-30-11-2091 (CSH 9)



Figure 51. SIHP # 50-30-11-2091 (CSH 9), building foundation, view to southeast



Figure 52. SIHP # 50-30-11-2091 (CSH 9), depression, view to northeast

4.2.9 SIHP # 50-30-11-2092 (CSH 10)

SITE TYPE:	Foundation
FUNCTION:	Outhouse and cesspool
FEATURES:	1
DIMENSIONS:	Approx. 8.9 m x 4.1 m
CONDITION:	Fair
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465805.14 m E 2428741.17 m N

DESCRIPTION:

SIHP # 50-30-11-2092 is the remains of an outhouse and cesspool connected by a shallow ditch (Figure 53 through Figure 55). The cesspool is located at the northern end of the site and measures 4.0 m northwest-southeast by 3.1 m northeast-southwest by 2.2 m deep. A total of three large concrete slabs are present in the depression, which are likely collapsed walls of the original structure. A shallow ditch is present at the southwest end of the cesspool which measures 3.5 m long by 1.0 m wide and connects to the outhouse remains, which are approximately 3.5 m southeast of the cesspool. The ditch varies in depth between 0.41 m at its northwest end and 0.27 m at its southeast end. The outhouse remains consist of a smaller, rectangular-shaped depression measuring 1.5 m northwest-southeast by 1.7 m northeast-southwest by 0.42 m deep. Fragments of roofing material were observed on site, however no other artifacts or cultural materials were identified. The site is located in a leveled area under a canopy of ironwood trees approximately 50 m west of the *makai* project alignment and 23 m east of the *mauka* project alignment.

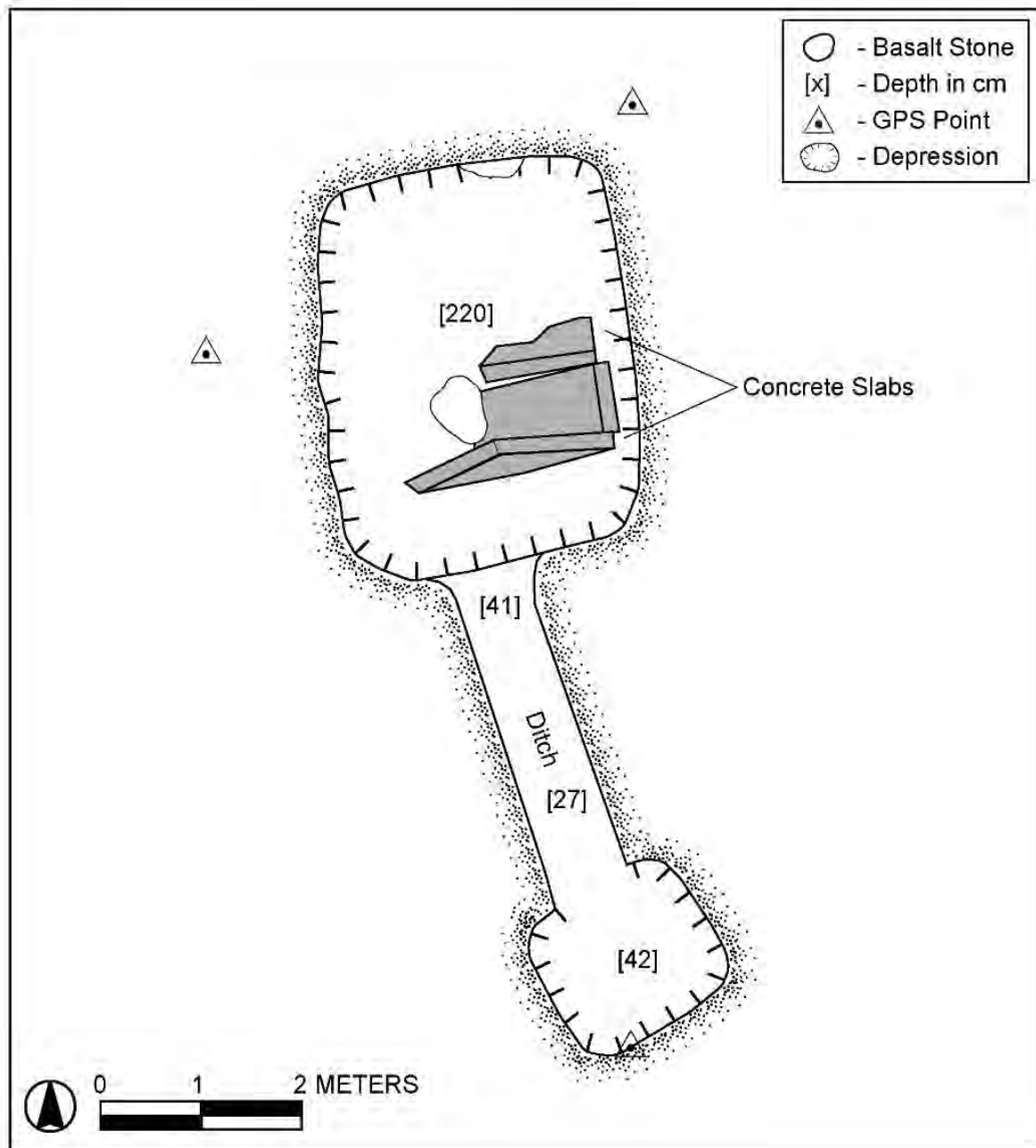


Figure 53. Plan view of SIHP # 50-30-11-2092 (CSH 10)



Figure 54. SIHP # 50-30-11-2092 (CSH 10), ditch and outhouse, view to north



Figure 55. SIHP # 50-30-11-2092 (CSH 10), cesspool, view to east

4.2.10 SIHP # 50-30-11-2093 (CSH 11)

SITE TYPE:	Ditch
FUNCTION:	Drainage
FEATURES:	1
DIMENSIONS:	Approx. 61.7 m long
CONDITION:	Good
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465832.63 m E 2429233.00 m N

DESCRIPTION:

SIHP # 50-30-11-2093 is a plantation-era, earthen drainage ditch measuring 61.7 m long and running roughly east-west (Figure 56 through Figure 58). This is likely a secondary ditch that may have originally connected to the main plantation ditch, which is present farther west, outside of the current project area. A portion of SIHP # 50-30-11-2093 has been buried by a dirt road which allows for shore access, however, the ditch continues east beyond the dirt road and terminates approximately 15 m west of the ocean. The ditch width and depth vary from 0.60 m to 1.6 m wide and 0.48 to 0.60 m deep. Topography in the area is level-to-gently sloping and vegetation consists of *naupaka*, ironwood trees, *'ilima*, *pa'uohi'iaka*, and various types of grasses. The site is located approximately 46 m west of the *makai* project alignment and 22 m east of *mauka* project alignment

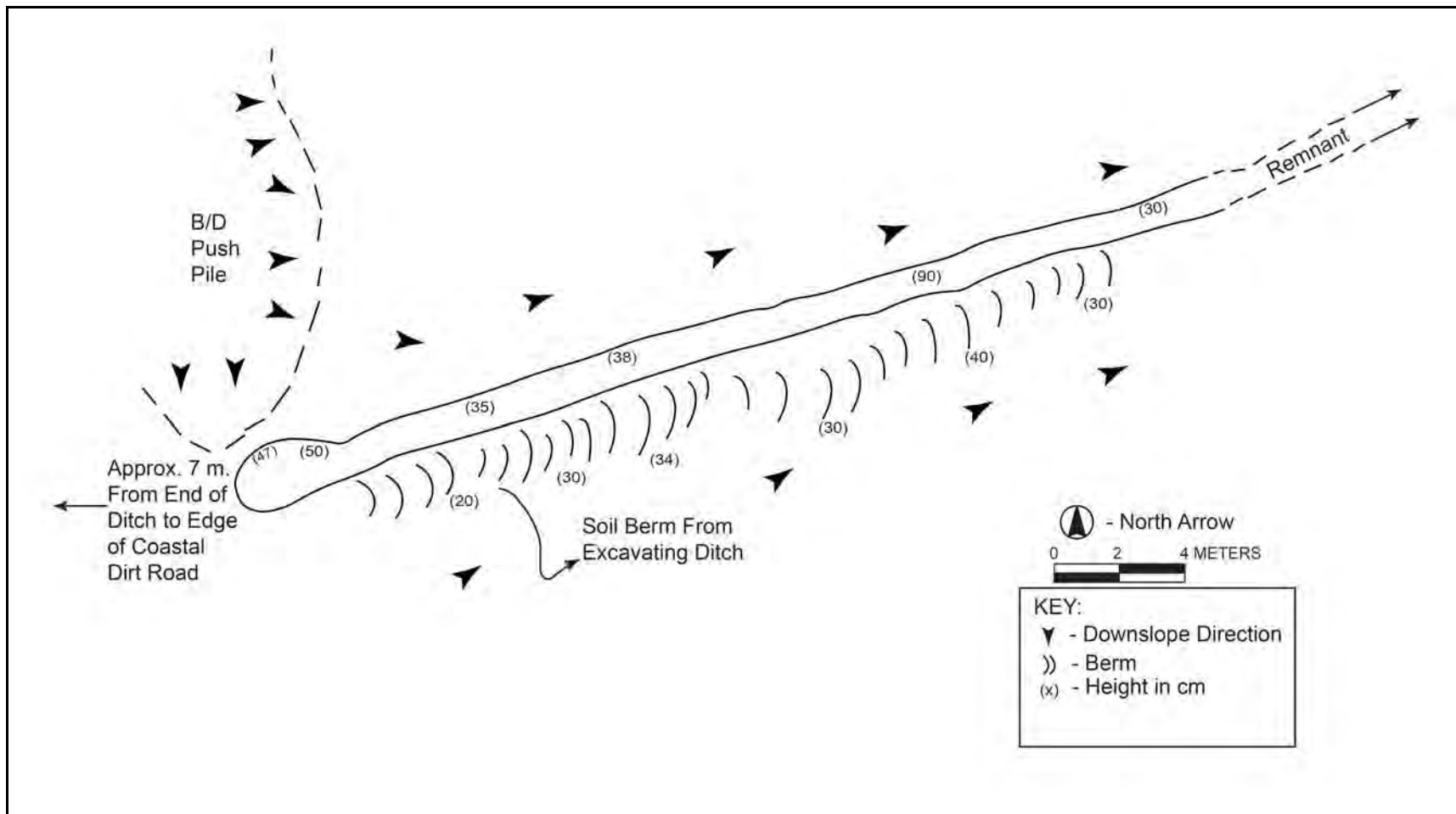


Figure 56. Plan view of SIHP # 50-30-11-2093 (CSH 11)



Figure 57. SIHP # 50-30-11-2093 (CSH 11), view to east



Figure 58. SIHP # 50-30-11-2093 (CSH 11), view to west

4.2.11 SIHP # 50-30-11-2094 (CSH 12)

SITE TYPE:	Terrace
FUNCTION:	Habitation
FEATURES:	1
DIMENSIONS:	Approx. 6.2 m x 5.0 m
CONDITION:	Poor
PROBABLE AGE:	Pre-Contact
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465840.71 m E 2429485.8 m N

DESCRIPTION:

SIHP # 50-30-11-2094 is a pre-Contact habitation site consisting of a terrace measuring 6.2 northeast-southwest by 5.0 m northwest-southeast (Figure 59 through Figure 63). The terrace is constructed of basalt cobbles and boulders stacked one-to-two courses high to a maximum height of 0.35 m. The level interior surface of the terrace consists of soil with loose boulders and cobbles scattered throughout. A single *Cellana* sp. shell and a fragment of coral were observed in the northwestern portion of the interior surface, and a concentration of *Cellana* sp. marine shell was observed in the southern portion of the site, just south of the terrace. Modern trash and rusted metal were also observed on site. A modern fire pit constructed of large basalt cobbles is present in the northeast portion of the site. Store-bought charcoal was observed in the interior of the fire pit. A total of 29 holes were also observed, drilled into the bedrock surrounding the site; their function is unknown. The topography in the area is level-to-gently sloping and vegetation consists of *naupaka*, ironwood trees, *'ilima*, *pa'uohi'iaka*, and various types of grasses.

Subsurface testing was conducted in the northwestern portion of the terrace to determine the extent of cultural material present. No significant cultural material was recovered. The style of construction, as well as the lack of significant cultural material present, indicates this site was likely used as a temporary habitation. SIHP # 50-30-11-2094 is located approximately 5 m southeast of the *makai* project alignment.

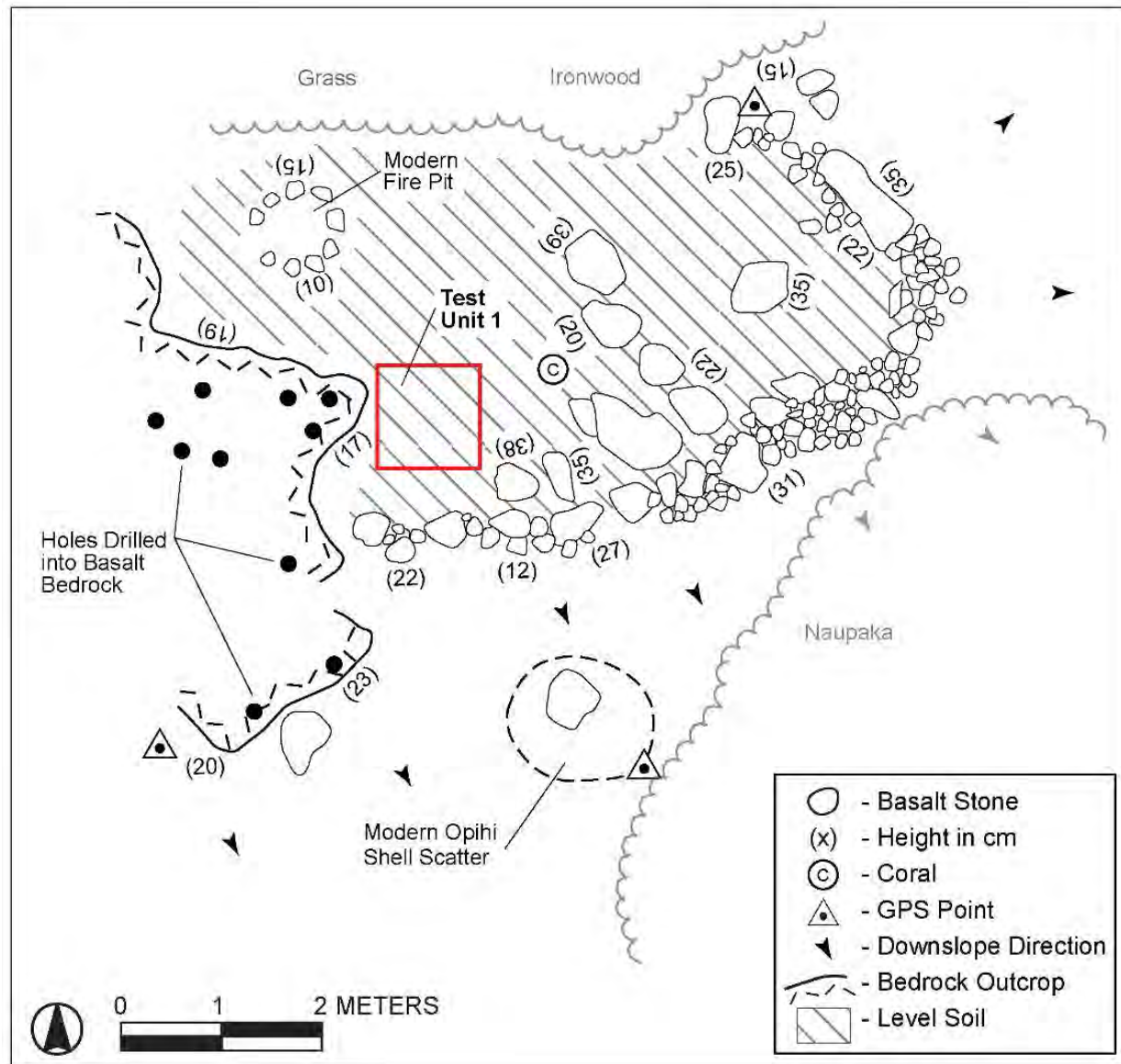


Figure 59. Plan view of SIHP # 50-30-11-2094 (CSH 12)

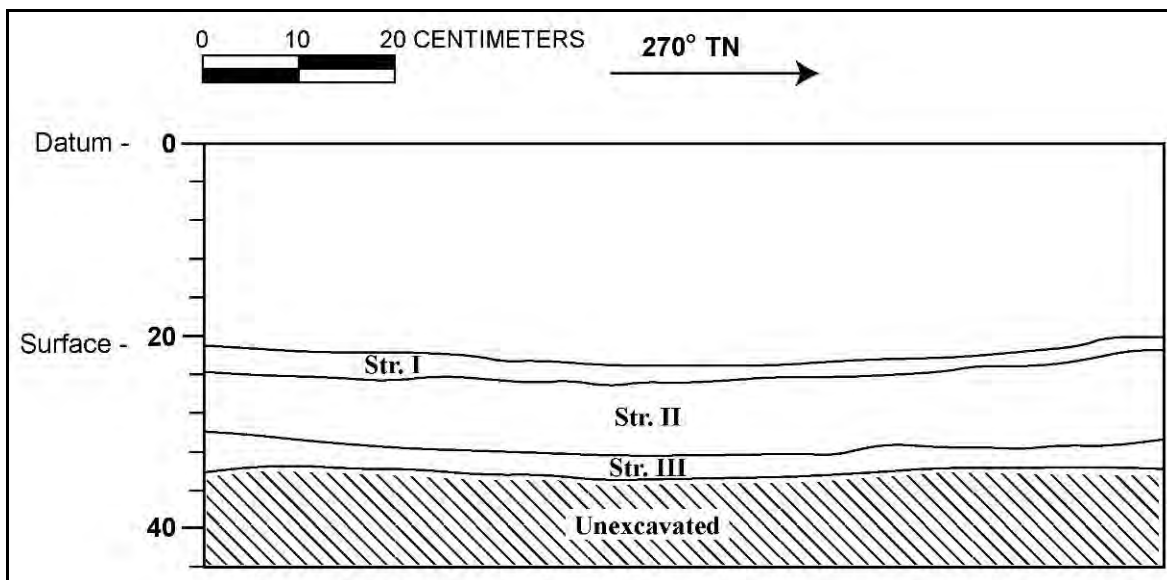


Figure 60. Profile of south wall of Test Unit 1, SIHP # 50-30-11-2094 (CSH 12)



Figure 61. SIHP # 50-30-11-2094 (CSH 12), Test Unit 1, post-excavation, view to north



Figure 62. SIHP # 50-30-11-2094 (CSH 12), Test Unit 1, south wall profile



Figure 63. SIHP # 50-30-11-2094 (CSH 12), view to northeast

4.2.12 SIHP # 50-30-11-2095 (CSH 13)

SITE TYPE:	Scatter
FUNCTION:	Activity area
FEATURES:	1
DIMENSIONS:	Approx. 5.1 m x 2.6 m
CONDITION:	Good
PROBABLE AGE:	Pre-Contact
TAX MAP KEY:	[4] 3-5-01:102
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465804.75 m E 2429765.59 m N

DESCRIPTION:

SIHP # 50-30-11-2095 is a scatter of cultural material measuring 5.1 m north-south by 2.6 m east-west (Figure 64 through Figure 68). Cultural material observed on the surface includes marine shell midden consisting of Patellidae, Neritidae, Thaididae, Conidae, *Cellana* sp., and *Cypraea* sp. Basalt cobbles and pebbles were also observed on the site surface. Subsurface testing was conducted to determine the extent of cultural material present. Approximately 18 kg of shell midden was systematically collected from the unit along with 0.7 kg of charcoal, which was recovered from Stratum IIb. Midden was present on the surface and extended through to a cultural layer (IIb) which was present from approximately 32 to 44 cmbs. The cultural layer contained a strong ash lens, along with a substantial amount of marine shell midden, however no defining fire pit was identified. No other artifacts or features were observed on site.

The topography in the area is gently sloping and vegetation consists of *naupaka*, ironwood trees, *'ilima*, *pa'uohi'iaka*, and various types of grasses. SIHP # 50-30-11-2095 is located approximately 7 m east of the *makai* project alignment.

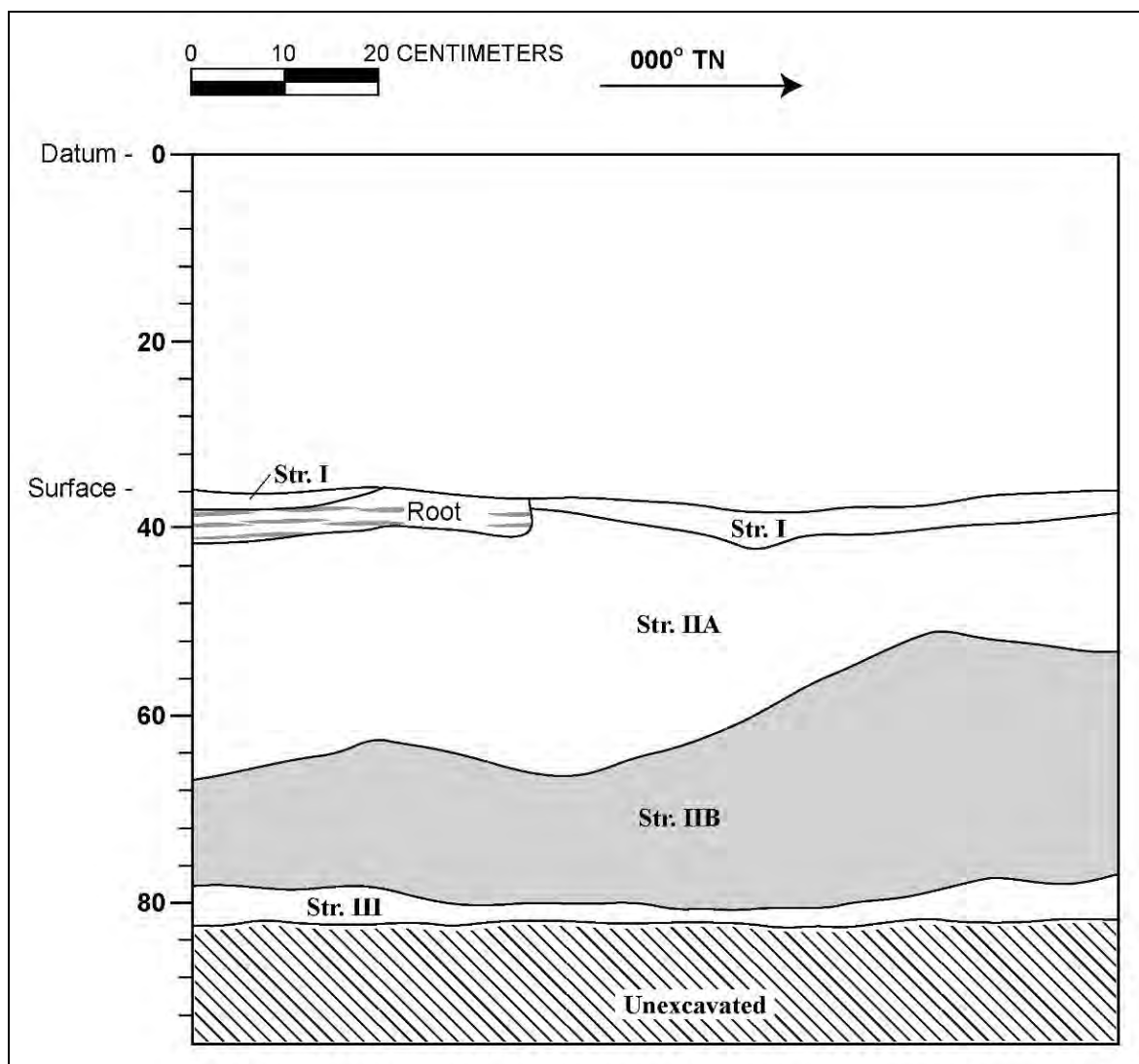


Figure 64. Profile of the west wall of Test Unit 1, SIHP # 50-30-11-2095 (CSH 13)



Figure 65. SIHP # 50-30-11-2095 (CSH 13), Test Unit 1 pre-excavation, view to south



Figure 66. SIHP # 50-30-11-2095 (CSH 13), Test Unit 1 post-excavation, view to north



Figure 67. SIHP # 50-30-11-2095 (CSH 13), Test Unit 1, profile of west wall

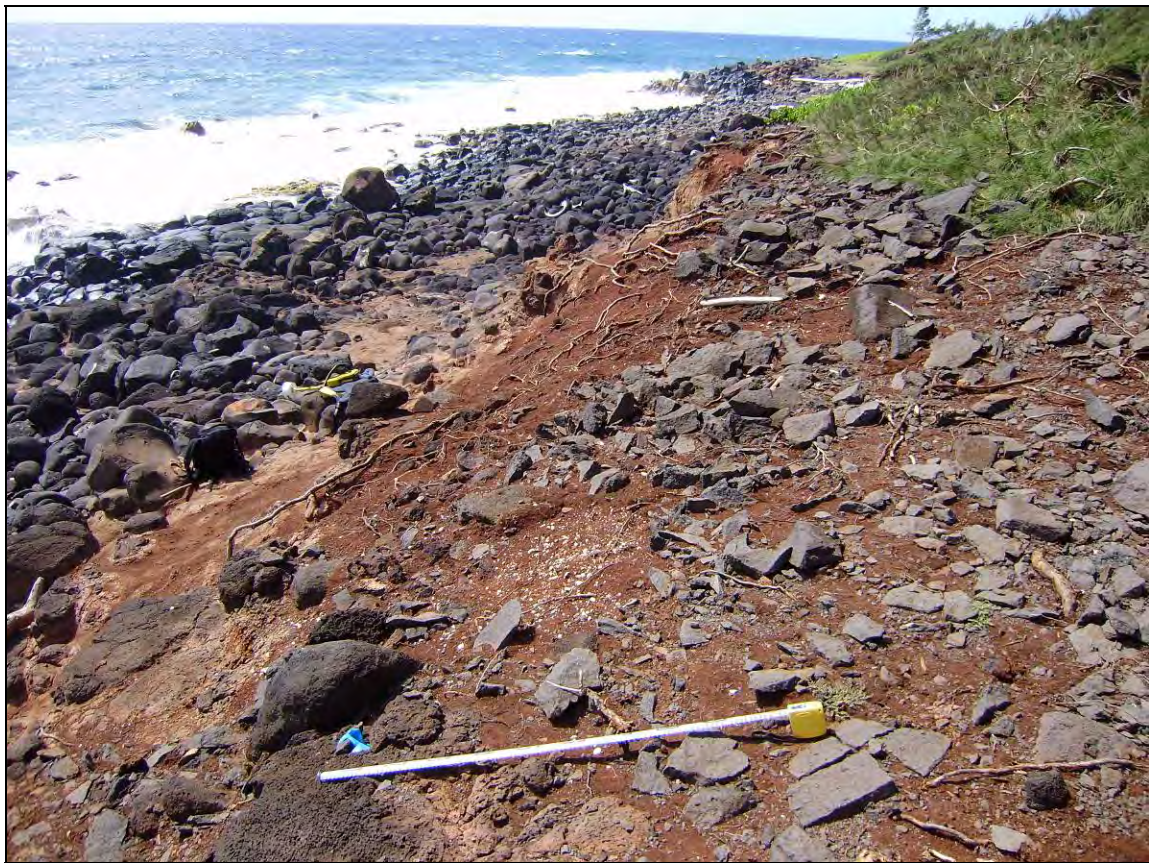


Figure 68. SIHP # 50-30-11-2095 (CSH 13), view to south

4.2.13 SIHP # 50-30-11-2096 (CSH 14)

SITE TYPE:	Ditch
FUNCTION:	Drainage
FEATURES:	1
DIMENSIONS:	Approx. 20.20 m x 0.38 m
CONDITION:	Excellent
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:8
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465839.04 m E 2431788.97 m N

DESCRIPTION:

SIHP # 50-30-11-2096 is a concrete ditch measuring 20.20 m long by 0.38 m wide and running in a northwest-southeast direction (Figure 69 through Figure 71). The concrete contains a large amount of gravel and small cobbles. No cultural material was observed, however a good amount of modern trash was present during recording. Because of its size and style of construction, the ditch is likely the remnant of a residential structure and may be related to the Ahukini Plantation Camp.

The ditch is located on level-to-gently sloping topography and is approximately 10 m west of the ocean and 10 m east of the *makai* project alignment. Vegetation observed includes *naupaka*, ironwood trees, *'ilima*, *pa 'uohi 'iaka*, and various types of grasses.

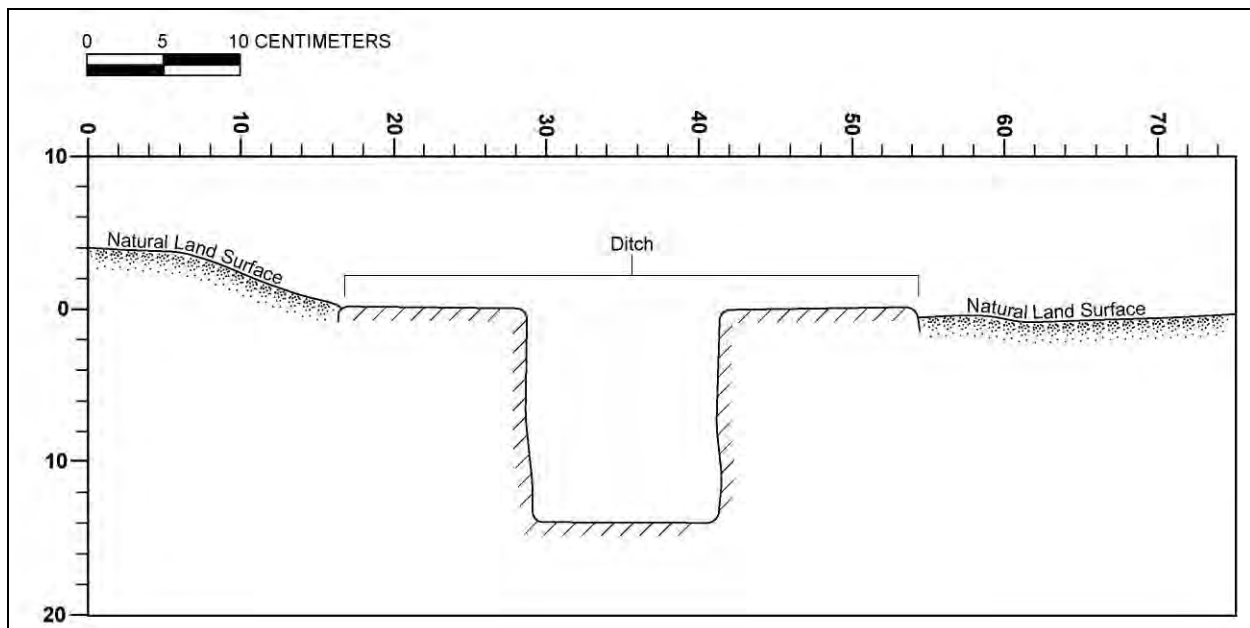


Figure 69. Profile of SIHP # 50-30-11-2096 (CSH 14)

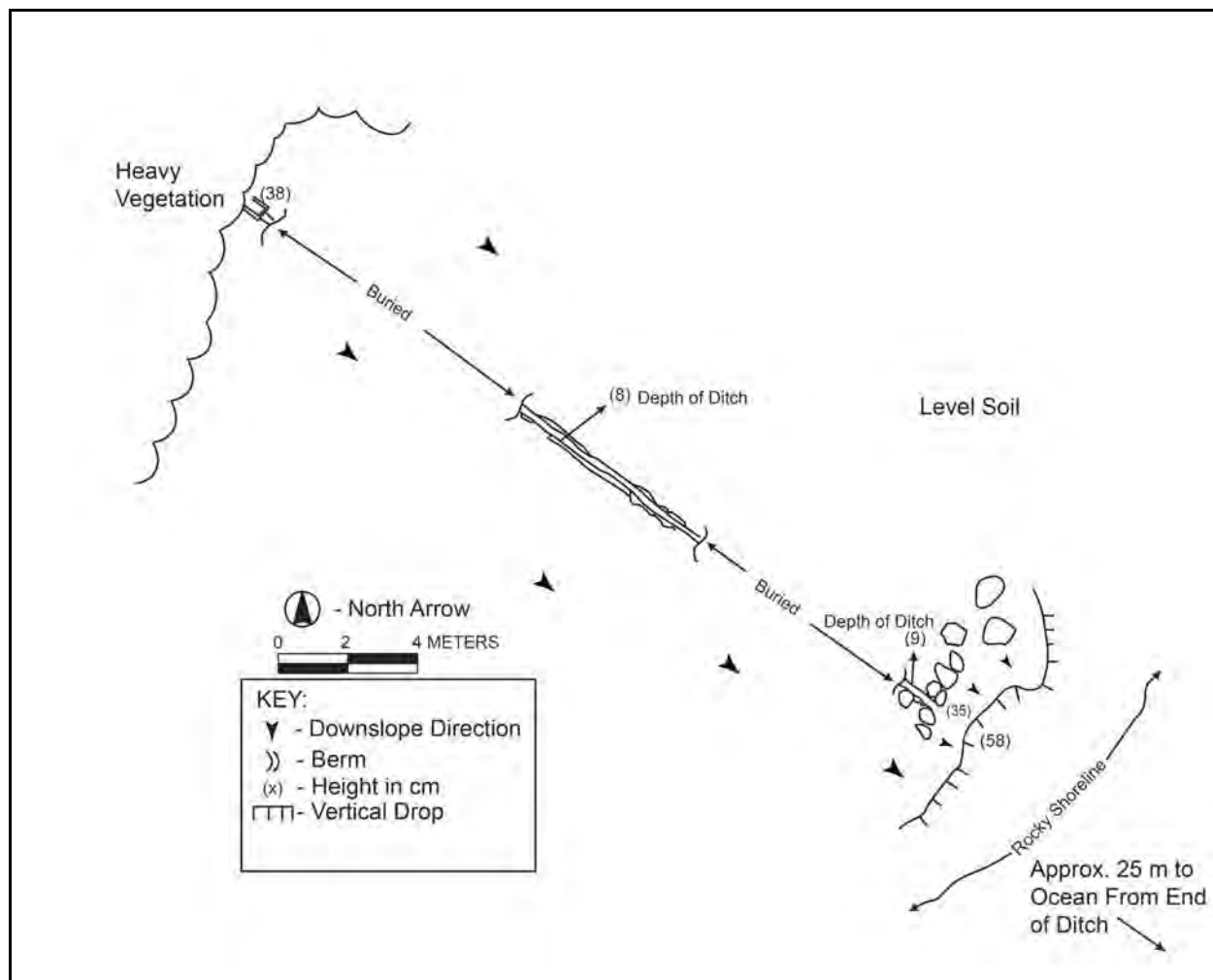


Figure 70. Plan view of SIHP # 50-30-11-2096 (CSH 14)



Figure 71. SIHP # 50-30-11-2096 (CSH 14), view to east

4.2.14 SIHP # 50-30-11-2097 (CSH 15)

SITE TYPE:	Ditch
FUNCTION:	Drainage
FEATURES:	1
DIMENSIONS:	Approx. 15.10 m x 0.55 m
CONDITION:	Excellent
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:8
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465863.95 m E 2431800.81 m N

DESCRIPTION:

SIHP # 50-30-11-2097 is a concrete ditch measuring 15.10 m long by 0.55 m wide by 0.15 m deep and running in a northwest-southeast direction (Figure 72 through Figure 74). The concrete contains a large amount of gravel and small cobbles. A lip is present on the exterior of both sides of the ditch indicating a cover may have been present at one time. No cultural material was observed, however a good amount of modern trash was present during recording. Because of its size and style of construction, the ditch is likely the remnant of a residential structure and may be related to the Ahukini Plantation Camp.

The ditch is located on level-to-gently sloping topography and is approximately 10 m west of the ocean and 15 m east of the *makai* project alignment. Vegetation observed includes *naupaka*, ironwood trees, *'ilima*, *pa'uohi'iaka*, and various types of grasses.

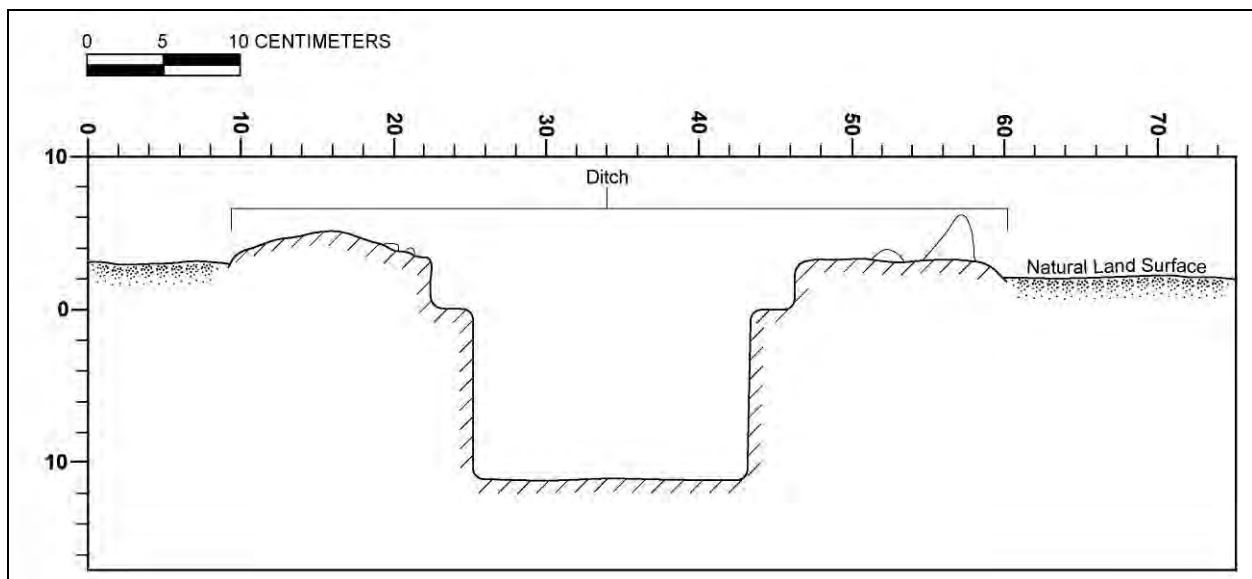


Figure 72. Profile of SIHP # 50-30-11-2097 (CSH 15)

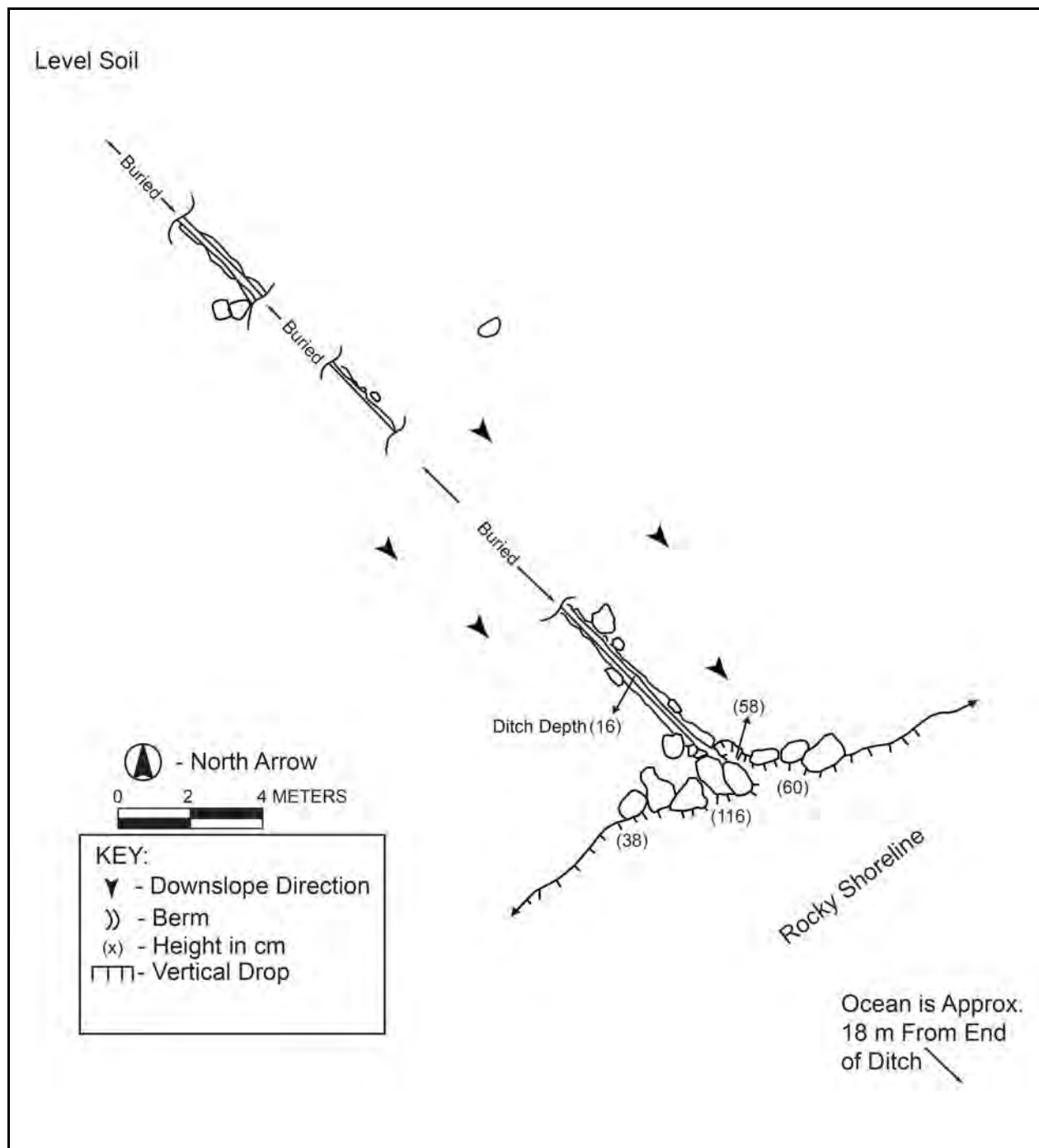


Figure 73. Plan view of SIHP # 50-30-11-2097 (CSH 15)



Figure 74. SIHP # 50-30-11-2097 (CSH 15), view to east

4.2.15 SIHP # 50-30-11-2103 (CSH 16)

SITE TYPE:	Complex
FUNCTION:	Transportation
FEATURES:	5
DIMENSIONS:	Approx. 70 m N-S by 90 m E-W
CONDITION:	Remnant
PROBABLE AGE:	Historic
TAX MAP KEY:	[4] 3-5-01:159
UTM COORDINATES:	NAD 83 UTM Zone 4 N 465628.34 m E 2431754.15 m N

DESCRIPTION:

SIHP # 50-30-11-2103 consists of five features related to the historic industrial complex near Ahukini Landing (Figure 75). The complex was built to support Ahukini Landing and also housed Standard Oil, which supplied petroleum-based products to the eastern half of Kaua'i in the first part of the twentieth century. The features present are in remnant condition and consist of concrete slabs and walls. Features A–D are present on the 1927 Sanborn Fire Insurance map (Figure 76) and 1953 aerial photo (Figure 77), while Feature E is notably absent from the Sanborn Fire Insurance map, but appears in the 1953 aerial photo as two rectangular structures resembling warehouses.



Figure 75. 2009 Google Earth aerial photo showing the location of SIHP # 50-30-11-2103

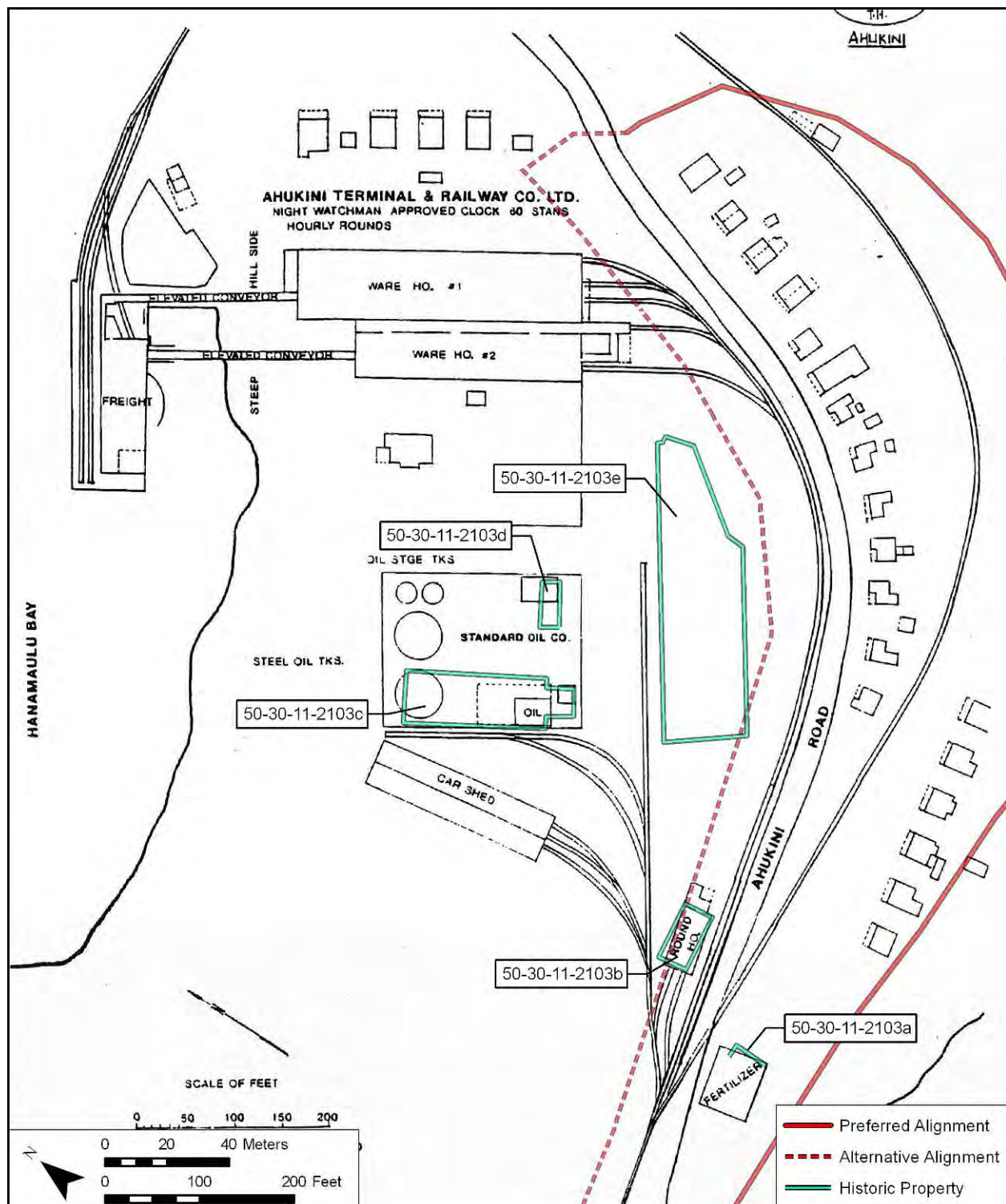


Figure 76. 1927 Sanborn Fire Insurance map with SIHP # 50-30-11-2103 and current project area overlay

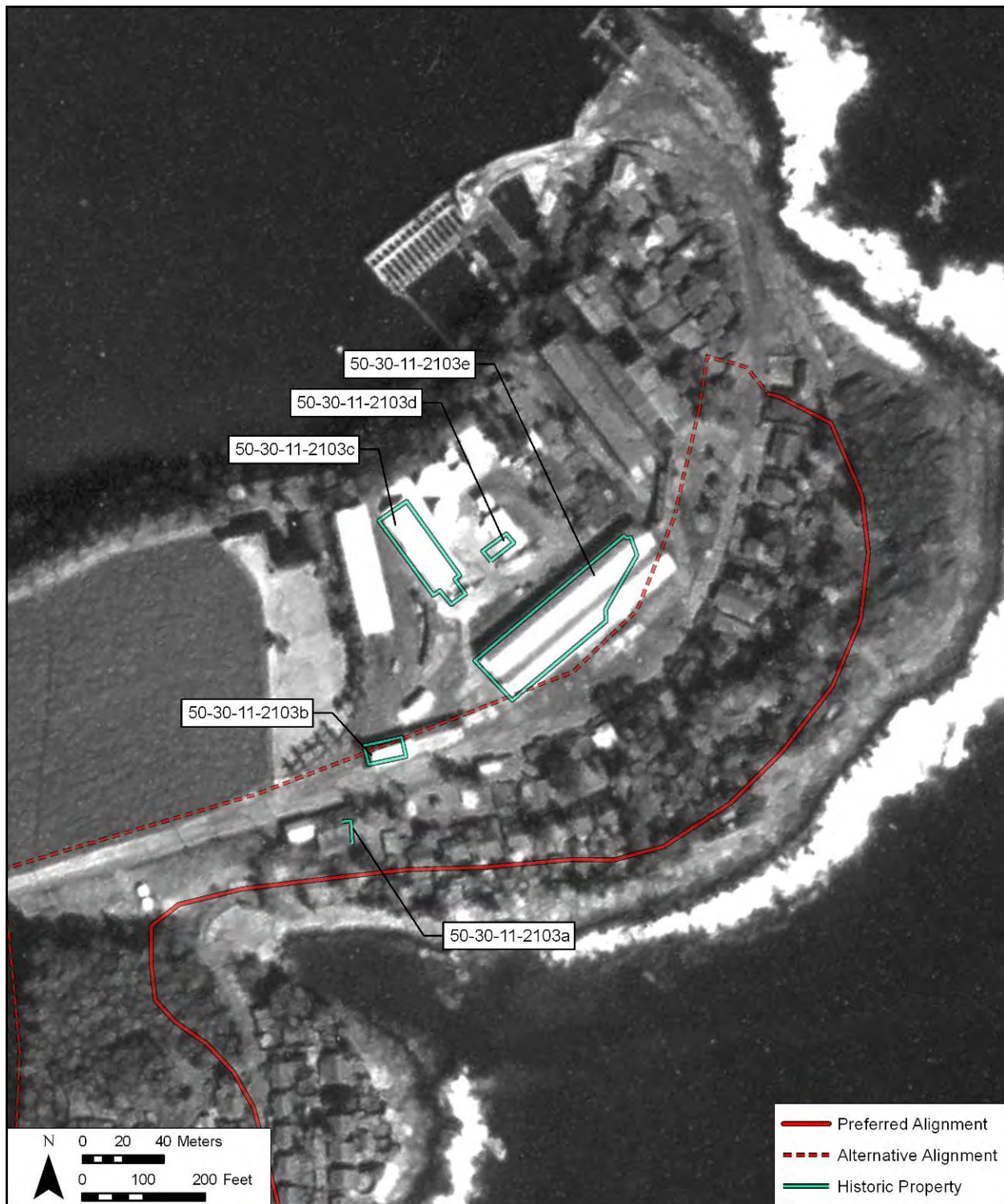


Figure 77. 1953 aerial photo of SIHP # 50-30-11-2103 (R.M. Towill Corporation)

Feature A is the remnants of a fertilizer storage facility (see Figure 75 and Figure 76; Figure 78 through Figure 80). Most of the structure was absent at the time of documentation. All that remained were portions of the north and east walls, and part of the platform. The platform and partial wall measured approximately 18.3 m long on the north side. The wall remnants were between 20 and 30 cm thick. No other defining characteristics were present. Feature A was overgrown by haole koa, vines, and exotic grasses at the time of documentation. The preferred project alignment passes just south of this foundation remnant.

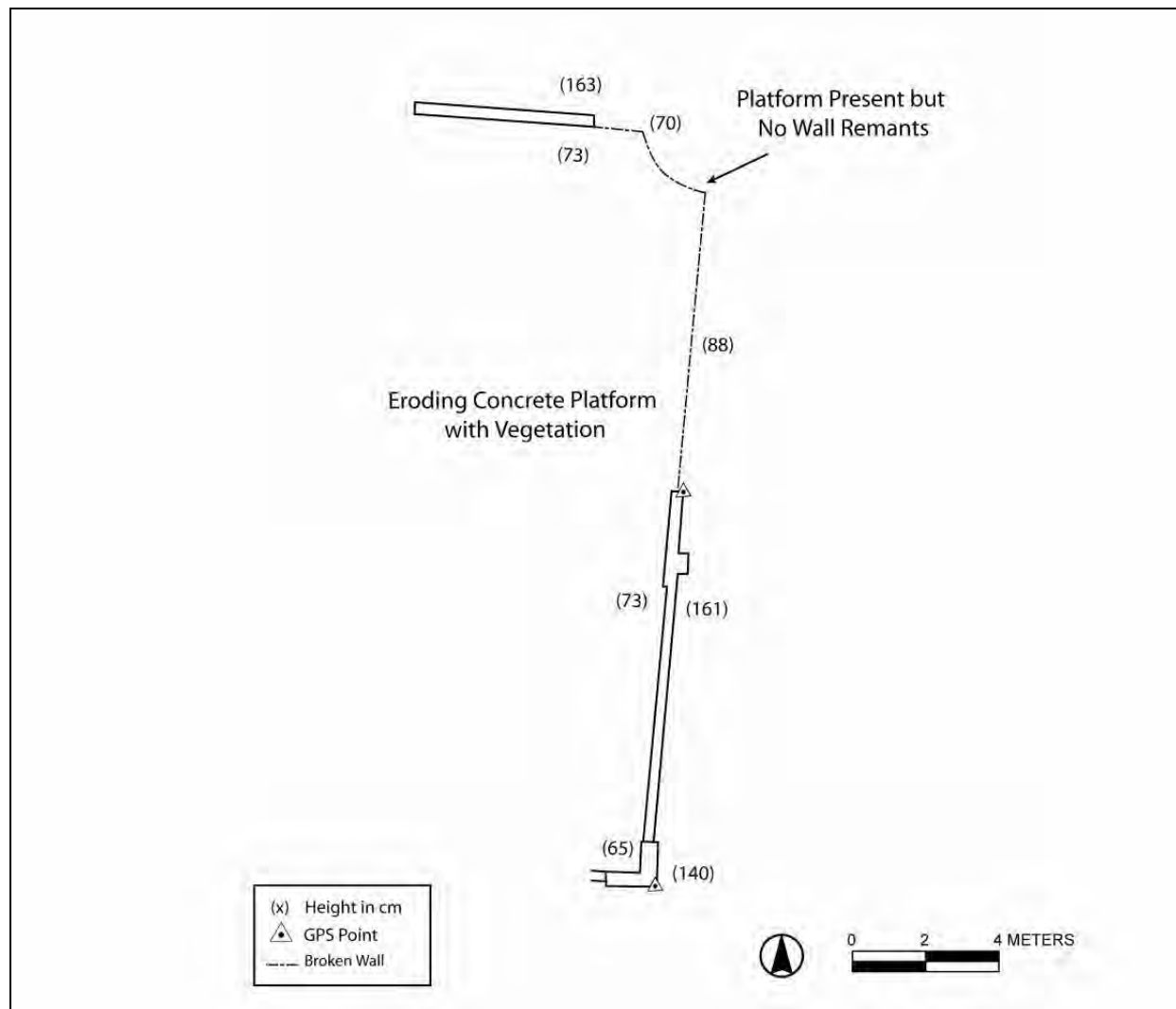


Figure 78. SIHP # 50-30-11-2103 Feature A, remnants of fertilizer storage facility



Figure 79. SIHP # 50-30-11-2103, Feature A, view to southwest



Figure 80. SIHP # 50-30-11-2103, Feature A, view to north

Feature B is the remnants of a building foundation labeled a roundhouse on the 1927 Sanborn Fire Insurance map (see Figure 75 and Figure 76; Figure 81 through Figure 83). The foundation footprint is intact and elevated above the current ground surface. A trough is present in the south-central portion of the foundation, and remnants of steps are also visible. Wooden blocks are bolted to the south-central portion of the foundation, between the trough and the south wall. They appear to be sections of railroad ties, however their original function is unknown. While Feature B is labeled a roundhouse on the Sanborn Fire Insurance map, no railroad tracks or other diagnostic features were observed during site documentation. The foundation was partially overgrown by vines and exotic grasses. The alternative project alignment passes through the northern side of the foundation remnant.

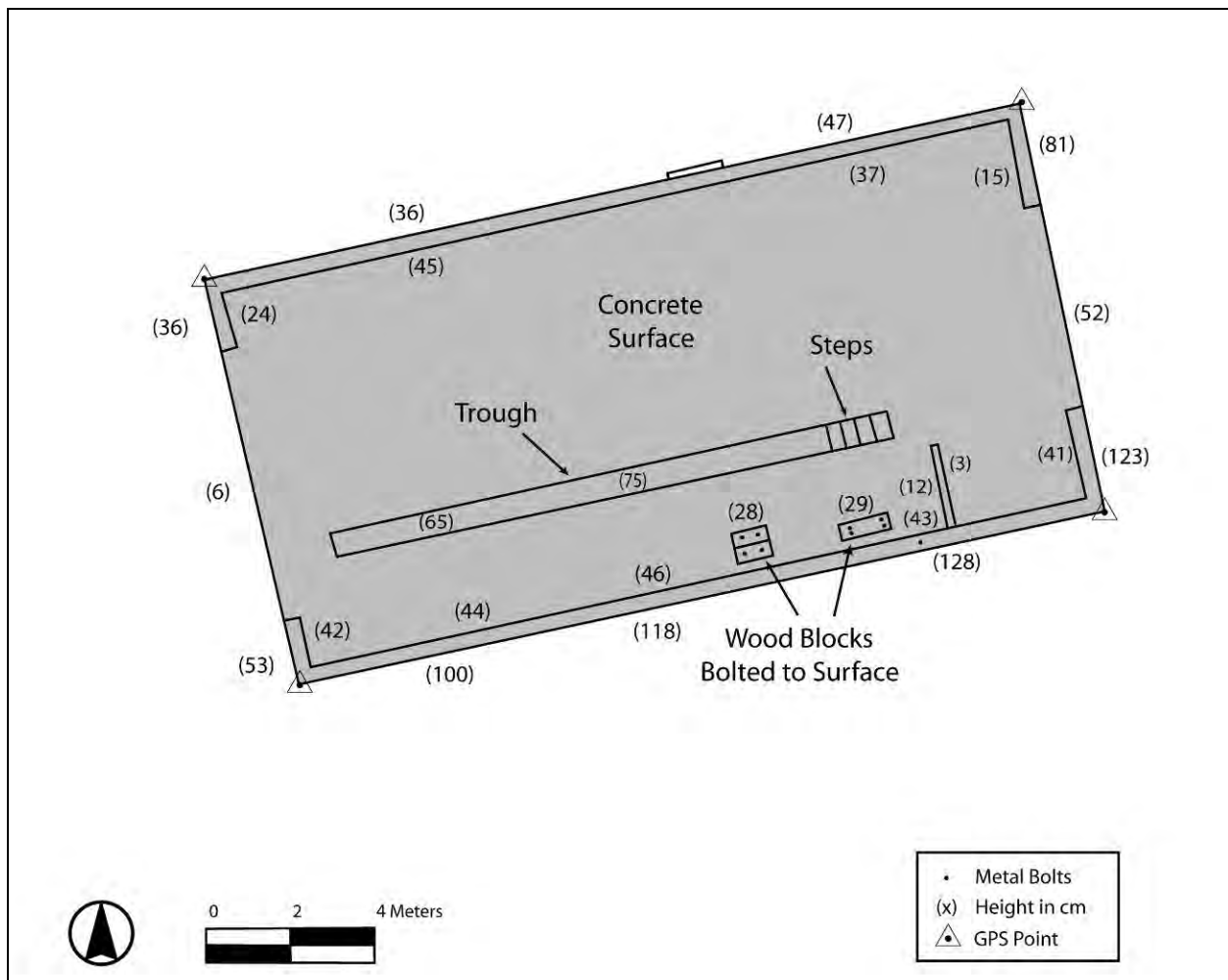


Figure 81.SIHP # 50-30-11-2103, Figure B, roundhouse foundation



Figure 82. SIHP # 50-30-11-2103 Feature B, roundhouse foundation remnant, view to northwest



Figure 83. SIHP # 50-30-11-2103 Feature B, trough, view to east

Feature C is a remnant of the Standard Oil storage facility present on the 1927 Sanborn Fire Insurance map (see Figure 75 and Figure 76; Figure 84 through Figure 86). The foundation consists of two concrete slabs. The northeastern slab is smaller and elevated approximately 12 cm higher than the southwestern slab. The northeastern slab measures approximately 2 m northeast-southwest by 6 m northwest-southeast. The adjacent southwestern slab is flush with current ground surface and measures approximately 11 m northeast-southwest by 6 m northwest-southeast. There are no additional defining characteristics of this feature.

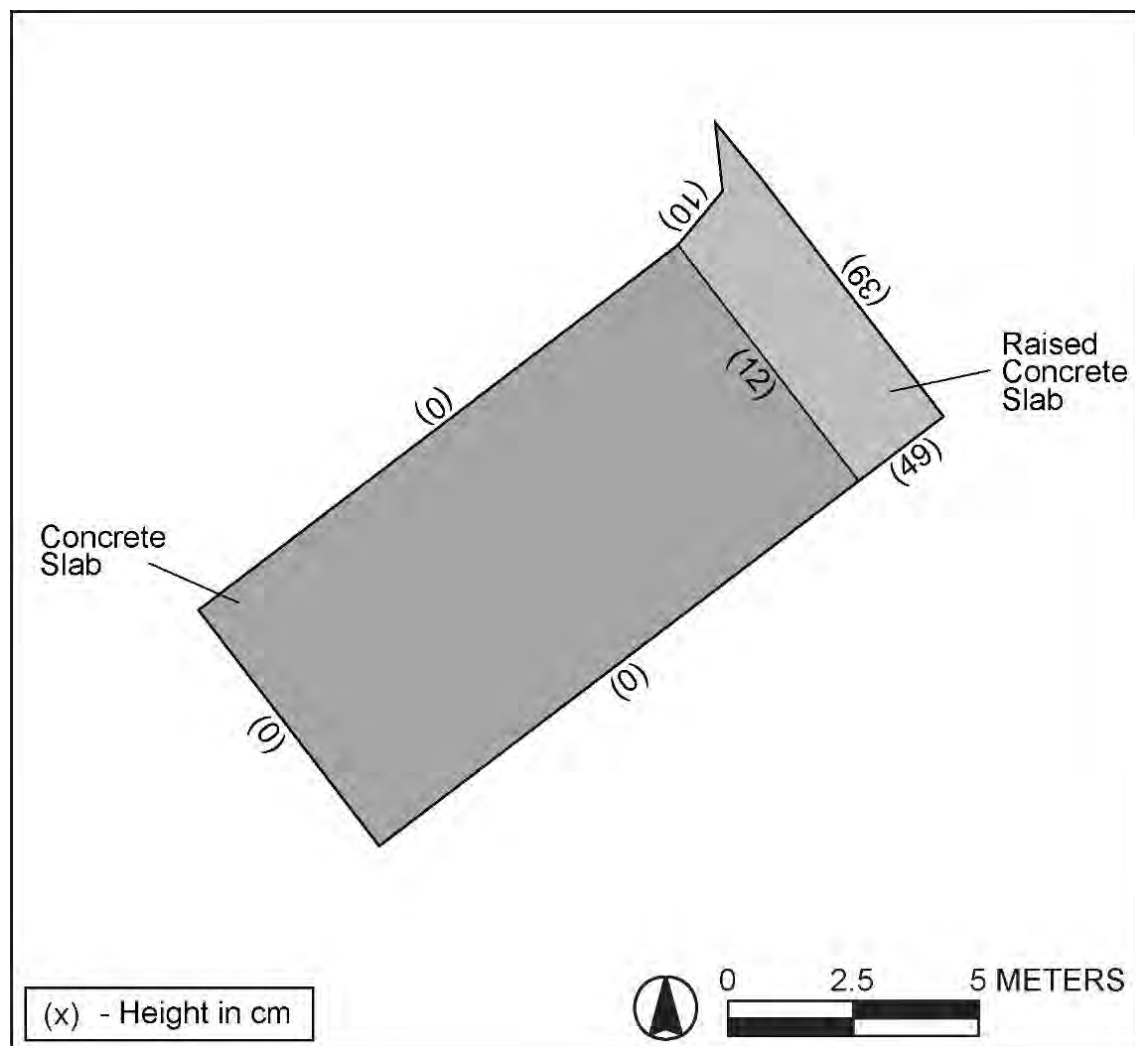


Figure 84. SIHP # 50-30-11-2103, Feature C, remnant of Standard Oil storage facility



Figure 85. SIHP # 50-30-11-2103, Feature C, view to northeast



Figure 86. SIHP # 50-30-11-2103, Feature C, view to northwest

Feature D is also a remnant of the Standard Oil storage facility on the 1927 Sanborn Fire Insurance map (see Figure 75 and Figure 76; Figure 87 through Figure 89). The foundation remnant consists of two adjacent concrete pads, is overgrown by low grasses, and appears to be eroding in some portions. Gravel and asphalt are present along the northeastern side of the larger concrete pad and there are two sections of embedded metal footing remnants on the southwestern side. Gravel and asphalt is also present on the northwestern side of the smaller concrete pad. The larger concrete pad of Feature D measures approximately 45.0 m northwest-southeast by 12.5 m northeast-southwest, while the smaller adjacent concrete pad measures approximately 8.5 m northwest-southeast by 7.0 m northeast-southwest. No other defining characteristics were observed.

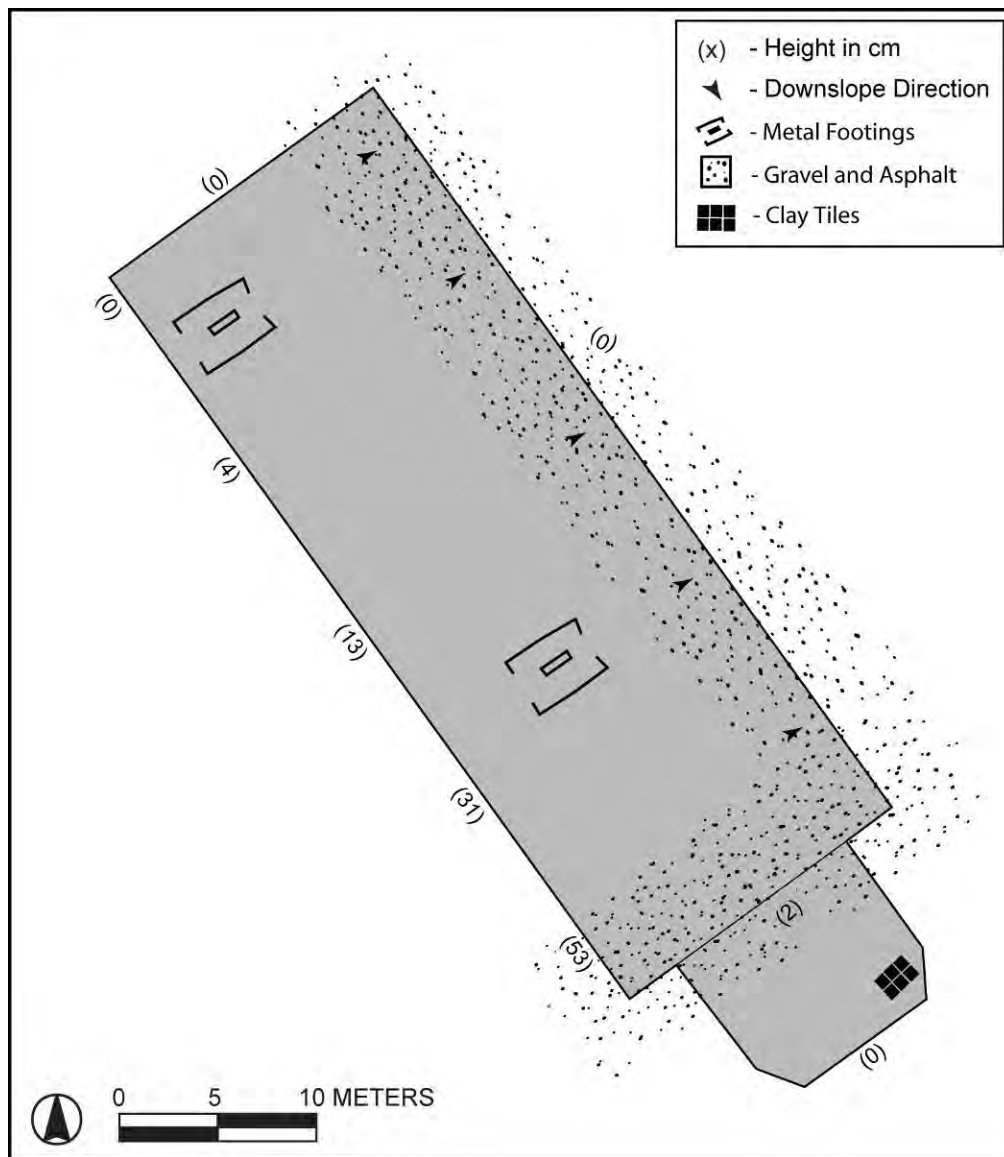


Figure 87. SIHP # 50-30-11-2103, Feature D, remnant of Standard Oil storage facility



Figure 88. SIHP # 50-30-11-2103, Feature D, view to northwest



Figure 89. SIHP # 50-30-11-2103, Feature D, raised concrete foundation, view to northwest

Feature E is the remnants of three sets of narrow gauge tracks imbedded in a concrete slab that is flush with the current ground surface (see Figure 75; Figure 90 through Figure 92). This feature appears in the 1953 aerial photo as two rectangular structures resembling warehouses (see Figure 77). The concrete slab is eroding away and appears to be sediment in some places. No berm or railroad ties are present. The track sets are placed approximately 84 cm apart and the tracks themselves are 12 cm thick. The slab measures approximately 95 m northeast-southwest by 27 m northwest-southeast. No other defining characteristics were observed. The alternative project alignment passes through the southeastern corner of the concrete slab.

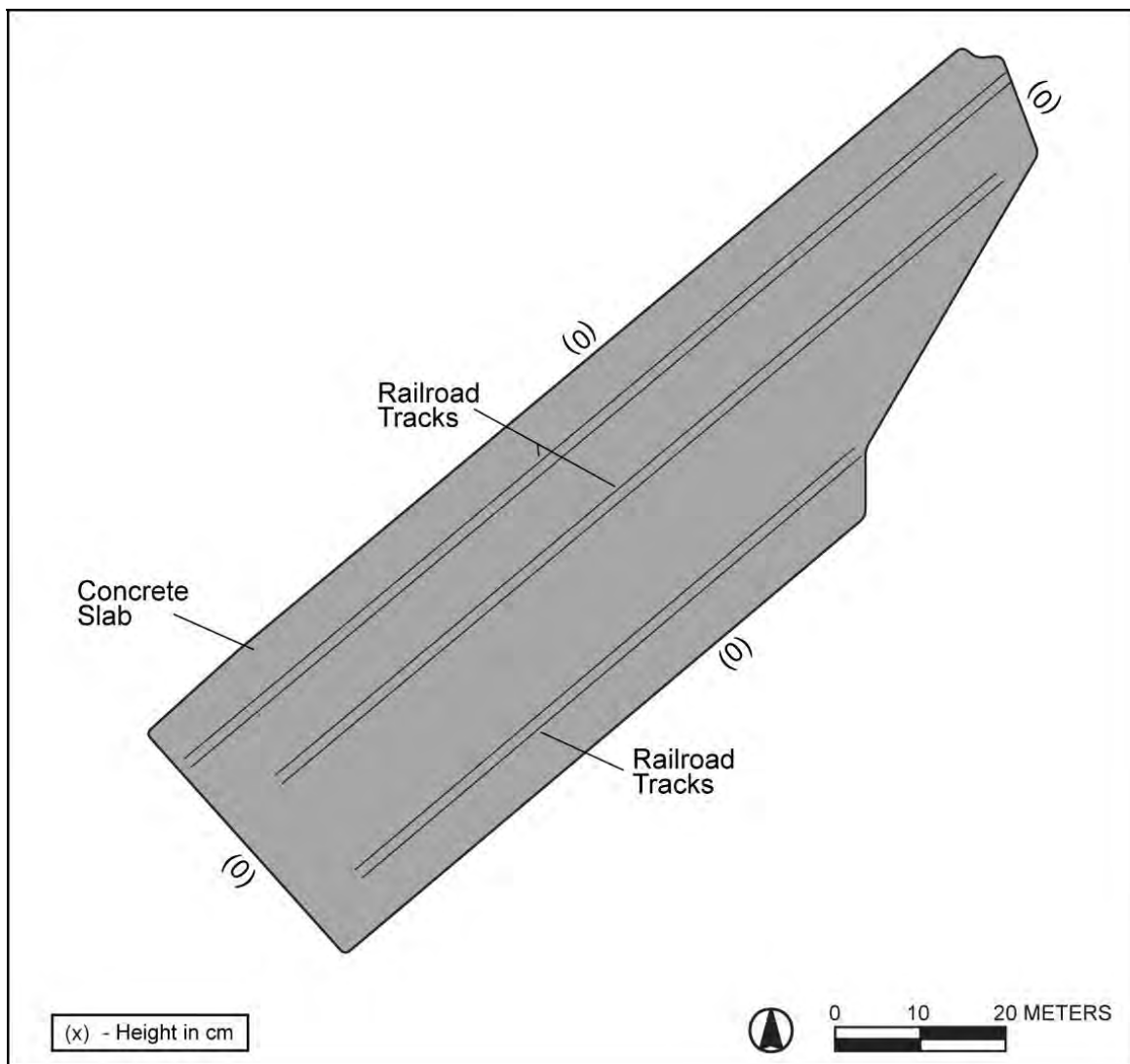


Figure 90. SIHP # 50-30-11-2103, Feature E, railroad track remnants



Figure 91. SIHP # 50-30-11-2103 Feature E, view to northeast



Figure 92. SIHP # 50-30-11-2103 Feature E, railroad tracks, view to northeast

Exhibit 14
Ka Pa'akai Analysis

Ka Pa‘akai Analysis

Article XII, Section 7 of the Hawai‘i Constitution obligates the State and its political subdivisions to protect the reasonable exercise of customarily and traditionally exercised rights of native Hawaiians to the extent feasible when granting permits and approvals under State law. In order to effectuate the State’s obligation to protect native Hawaiian customary and traditional practices while reasonably accommodating competing land use interests, the Hawai‘i Supreme provided the following analytical framework as an outcome of *Ka Pa‘akai O Ka‘aina v. Land Use Commission* (94 Hawai‘i 31, 7 P.3d 1068, September 11, 2000). The framework is referred to as *Ka Pa‘akai Analysis* and consists of three parts:

1. Identify the scope of “valued cultural, historical and natural resources” in the petition area, including the extent to which traditional and customary rights and practices are exercised in the affected area;
2. Determine the extent to which those resources, including traditional and customary native Hawaiian rights, will be affected or impaired by the proposed action; and
3. Identify feasible actions, if any, that should be taken by the applicant to reasonably protect Native Hawaiian rights and practices if they are found to exist.

Project Description:

The County of Kaua‘i, Department of Public Works (DPW) plans to develop a coastal, shared-use path between Nāwiliwili Park and Ahukini Landing in Lihue District on the island of Kauai. A path section is also proposed between Nāwiliwili Park and Niumalu Park. Additional path sections would connect the coastal path to the Lihue Civic Center and Lihue Airport. The project is a key section of Ke ala Hele Makalae, the 16-mile Nāwiliwili to Anahola Shared-Use Path proposed in the 1994 State of Hawaii Master Plan – Bike Plan Hawaii, and in the 2003 Bike Plan Hawaii update. The project will be undertaken in five phases: A, B1, B2, B3 and B4. Phase A is currently in the permitting stage. Phases B1 through B4 will be undertaken later as circumstances allow.

The proposed Phase A of the Nāwiliwili-Ahukini Shared-Use Path Project and consists of the following path segments:

Preliminary Coastal Path Alignment:

- **Segment A** – Ahukini Landing to Ninini Point Lighthouse to Ninini Point Street. The total length of Segment A is 19,000 lf.

This segment will be constructed as a 10- to 12-foot-wide concrete path. Segment A details include:

- The concrete path will be pigmented to match the color of the native soil and be compatible with the appearance of the natural setting.
- The concrete path will be constructed with saw-cuts spaced every 5 feet so that individual panels can be relocated in the future if necessary.
- A 3-foot-wide vegetated shoulder will be created on each side of the path. Use drought tolerant native or indigenous plant species that are common to the local area. If site conditions do not support the establishment and growth of native or indigenous plant species, other non-invasive species may be substituted to ensure soil stability and erosion protection.
- Grading and excavation required for construction of the path and related amenities will be designed to minimize the amount of cut and fill required. The path alignment was selected to take advantage of natural grades to meet ADA accessibility standards for slopes with a minimal amount of ground disturbance and related costs.

- One pre-fabricated bridge span will be installed across an existing drainage way. Three existing drainage culverts will be modified and widened as necessary to accommodate the path and/or joint use of the existing crossing with the existing dirt road, to be determined during design.
- Separation between the path and road will be provided as necessary by means of bollards constructed of boulders, timber, or concrete, or other physical barrier to prevent motor vehicle access on the concrete path. Bollards and/or barriers will be designed and installed to be secure against dislodging by vehicle winch and to have minimal visual impact in the landscape. Public motor vehicle access on the existing dirt road will remain as a permitted use.
- Access across the concrete path will be provided at select locations to allow motor vehicle access to fishing spots on the shoreline. Bollards will be installed at crossings to prevent motor vehicle access onto the concrete path. All other fishing sites along the coast will remain accessible by foot.
- Approximately 3,000 lf of protective fencing will be installed along the path segment between Ninini Point and Timbers Resorts Hōkūala Golf Course Hole 13 and/or around Wedge-tail Shearwater nesting areas. Fencing will be designed to prevent dogs from entering protected areas. Fence materials and construction will be selected for durability in the harsh coastal environment. An inspection / maintenance program will be prepared by the County to ensure that the fence remains intact and in good condition and that necessary repairs are made in a timely fashion.
- A comfort station will be constructed at Ninini Point Lighthouse with men’s and women’s lavatories, drinking fountain, and lighting. Comfort station program details include:
 - Locate the comfort station at the site of the former lighthouse caretaker’s residence to take advantage of a previously disturbed building site.
 - Base the building design on native architectural forms or natural land forms.
 - Use natural materials and colors for exterior surfaces to minimize visual impacts. Avoid use of bright or reflective colors.
 - Keep exterior lighting to a minimum required for safety and security. Lighting will use low-intensity sources that emit long wavelength light (e.g. yellow or amber globes). Light sources will be shielded or angled downward to eliminate glare that would disturb or disorient animals.
 - Use an individual wastewater system or composting toilet for wastewater disposal. Electrical power will be supplied by existing overhead utility lines or photovoltaic cells. A water line will be installed with connection to a water service main on Ninini Point Street.
- A paved parking area will be developed at the Ninini Point Lighthouse with space for 10 automobiles.
- Interpretive signage will be installed at Ninini Point describing:
 - The history of Nāwiliwili Harbor and historic and cultural resources in the vicinity: Hawaiian settlement patterns, Ninini Heiau and Kuhiau Heiau, and development of Līhu‘e Airport.
 - The natural history of the area, including surrounding landmarks and natural features (e.g. Ha‘upu, Nāwiliwili, and Kalapakī), unique flora and fauna and marine animals, and protected bird species known from the area, (e.g. nesting colonies of Wedge-tail Shearwater and Nēnē).
 - Identify views and points of interest.

- Signage will be provided as necessary to inform path users about safety, orientation, conservation efforts, user’s responsibilities, regulatory restrictions and other relevant information.
- Gates will be installed at the path entrance at Ahukini Landing and on the airport perimeter road (Ninini Point Street) to facilitate closure of the coastal area in the event of an airport incident or security operation. Signs at the gate will inform the public of access restrictions related to airport operations and security
- Utility pull-boxes that serve airport facilities and that are located near the shared-use path will be modified so that they can be locked against vandalism and theft.
- No picnic pavilions, picnic tables, or bike racks will be installed along the path corridor between Ahukini Landing and Ninini Point, except for proposed improvements at Ninini Point.

Shared-use Road Segments:

- Segment C – Ninini Point Street from the Segment A Connection to Kapule Highway.
- Segment D – Kapule Highway / Ninini Point Street Intersection to Ho'olaule'a Way. This will be constructed by the landowner.
- Segment G – Ahukini Point to Lihue Airport on Ahukini Road.
- Segment H – Lihue Airport to Kapule Highway. Improvements include striping, stenciling, signage and installation of bike storage lockers.

For the shared-use road segments, improvements will consist of striping and/or stenciling the existing paved roadways and the installation of “shared-use” road signage.

Phase A segments that are to be constructed by Timbers Resort include:

- Segment B – An approximately 5,600-lf segment that is being constructed entirely by Timbers Resort in accordance with Condition No. 9 of Amendment to Special Management Permit SMA (U)-2005-8, Project Development Use Permit U-2005-26, Use Permit U-2005-25, and Class IV Zoning permit Z-IV-2005-30 and Special Permit SP-2008-4; and Condition No. 7 of Zoning Ordinance No. PM-2006-383.
- Segment D – An approximately 2,000-lf portion is within the SMA. The entire segment will be constructed by Timbers Resort under a separate SMA permit.

Project Rationale:

The project will benefit residents and visitors by preserving coastal access; creating a new safe recreational resource; supporting alternative modes of transportation to connect key community centers, including residential neighborhoods, commercial centers, parks, and the airport; and promoting health and wellness.

The existing road system that connects Nāwiliwili Bay, Līhu‘e, and the towns along the windward coast of Kaua‘i provides scant accommodation for non-motorized modes of transportation. Until the development of Ke Ala Hele Makalae was initiated, there had been no dedicated system of paths or lanes for pedestrians and bicyclists to travel between employment centers, parks, and the towns and major civic facilities in the region. Within the subject project corridor, existing pedestrian sidewalks, bike lanes, and paths remain disconnected and ancillary to the motorized vehicle roadways. As a result, there is little to encourage residents and visitors to use non-motorized vehicles as a viable means of transportation. Only the most intrepid bicyclists travel the narrow shoulders along Kapule and Kuhio Highway. The project corridor along the coast is currently open for enjoyment by the public. The segment between Ahukini Landing and Ninini Point in particular provides a wild, open-space coastal experience, relatively untouched by development, located minutes from downtown Līhu‘e. However, the existing dirt access

road and informal trails to the shoreline are unimproved and difficult to navigate without an off-road vehicle. Access to this resource is prohibitively difficult to many members of the public.

The purpose of the project is to support transportation alternatives to the automobile, to provide non-motorized path facilities for pedestrians and cyclists for recreation and fitness, and to preserve coastal areas and access. In addition, the project is being developed to enhance the quality of life for Kaua‘i’s residents by providing a safe and enjoyable place for families, friends, and individuals to play, socialize, and experience the beauty of the coastal open spaces. The project seeks to address access availability to a variety of users of different ages, physical condition, and age levels. Finally, implementation of the Nāwiliwili – Ahukini Shared-Use Path Project will help fulfill the State Department of Transportation’s Bike Plan Hawai‘i, which identifies the need for transportation improvements that support non-motorized modes of travel.

Consultation

On behalf of the Applicant, County of Kaua‘i, planning consultant, R. M. Towill Corporation (RMTC), conducted consultation as part of the National Historic Preservation Act (NHPA), Section 106 process with kūpuna from the project area who have knowledge of traditional cultural practices and resources in the petition area, and conducted background studies, including an archaeological inventory survey and archaeological literature review and field inspection. The information from that consultation research is used as the basis for this the *Ka Pa‘akai Analysis*.

The following individuals and Native Hawaiian organizations, kūpuna and cultural practitioners (NHO’s) provided comments through meetings conducted for the NHPA Section 106 Consultation Process.

Office of Hawaiian Affairs (OHA) and Native Hawaiian Historic Preservation Council (NHHPC)

Consultation with OHA and the NHHPC resulted in the following outcomes:

- OHA clarified that their role is to ensure that all interested Hawaiian’s have an opportunity to participate in the consultation process in a manner that satisfies them.
- Several additional NHOs, individuals and organizations were identified by OHA and the NHHPC as potential consulting parties. All of the recommended names were added to the consultation list and attempts were made to contact them.
- No new information regarding historic properties was identified.
- General concern was raised about potential impacts to Native Hawaiian burials.
- Concern was raised about potential impacts to traditional Hawaiian marine resources from the opening of the path and increased access to coastal areas.
- Concern was raised about closure of motor vehicle access to fishing spots along the coastline.
- Recommendation was made for continued consultation with interested NHOs during the design stage, particularly with respect to the development of an interpretive/educational program for cultural and historic sites in the project corridor.

OHA and the NHHPC were represented at the April 26, 2012 NHPA Section 106 Community Consultation meeting by Ms. Kaliko Santos and Mr. Chris Kauwe respectively.

- Mr. Kauwe reiterated concerns about impacts to traditional Hawaiian marine resources and displacement of Hawaiians from opening of the path. He recommended possible adoption of a Konohiki system of resource management and rule enforcement. Mr. Kauwe is not opposed to the path project.
- Ms. Santos helped identify seven additional Hawaiian families in the project region who NHO meeting participants recommended be contacted. All seven families were interviewed subsequent to the meeting. Five of the interviewees expressed no concerns regarding construction of the path.

Two of the interviewees expressed concern about the proposed path: (i) restricting access to fishing sites, and (ii) generally furthering modern development of the island and comprising the Hawaiian culture, the Hawaiian people, and the Hawaiian islands.

Ms. Cheryl Lovell-Obatake¹

- September 07, 2008 letter from Ms. Cheryl Lovell-Obatake commenting on the project EA.
- February 08, 2010 letter responding to Ms. Lovell-Obatake’s comments.
- April 02, 2012 letter from Hawai‘i Department of Transportation (HDOT) to Ms. Lovell-Obatake summarizing the findings of the NHPA Section 106 Consultation to date and inviting participation in ongoing consultation.
- April 16, 2012 letter from County of Kaua‘i to Ms. Lovell-Obatake inviting her to participate in a NHPA Section 106 community consultation meeting.

Ms. Lovell-Obatake attended the April 26, 2012 NHPA Section 106 Community Consultation Meeting for the project. Consultation with Ms. Lovell-Obatake resulted in the following outcomes:

- Ms. Lovell-Obatake requested to be consulted during the land acquisition stage of the project with respect to unrecorded title to the land possessed by her family.
- Concern expressed over impacts to water quality from runoff from the bike path.
- Recommendation that Paukini Rock be included in interpretation /educational programming related to Nāwiliwili Harbor.
- Ms. Lovell-Obatake requested to be consulted during the development of interpretive educational programming for the path project.
- No additional information regarding historic properties or cultural practices.
- Ms. Lovell-Obatake passed away on August 1, 2014.

Ms. Waldeen Palmeira

At the recommendation of OHA, RMTC contacted Ms. Palmeira as part of the NHPA Section 106 consultation process.

- May 06, 2010 notes from phone call between RMTC and Ms. Palmeira. Ms. Palmeira provided names of six NHOs to contact. Attempts were made to contact all six individuals.
- May 07, 2010 email from RMTC to Ms. Palmeira transmitting project information, copies of correspondence with the NHHPC, NHO consultation contact list, and a copy of the CIE report.
- April 02, 2012 letter from HDOT to Ms. Palmeira summarizing the findings of the NHPA Section 106 Consultation to date and inviting participation in ongoing consultation.
- April 16, 2012 letter from County of Kaua‘i to Ms. Palmeira inviting her to participate in a NHPA Section 106 community consultation meeting.

Consultation with Ms. Palmeira resulted in the following outcomes:

- Ms. Palmeira expressed opposition to the path project and is highly critical of the process for including NHOs in project consultation. She recommended that a consultation meeting(s) be held with Native Hawaiians to discuss the project.
- Ms. Palmeira expressed concern for the cumulative impacts of the overall Ke Ala Hele Makalae path project.
- Ms. Palmeira did not provide new information about historic properties in the project area.
- Ms. Palmeira identified six additional NHOs to be contacted as part of the project. The six individuals were added to the consultation contact list and attempts were made to contact them.

¹ Ms. Cheryl Lovell-Obatake deceased in 2014. Any further consultation should be directed to the representative of the Obatake family.

Ms. Palmeira did not attend the April 26, 2012 NHPA Section 106 Community Consultation meeting. However, two of the NHOs she recommended to include in the contact list (Ms. Aunty Nani Rogers and Ms. Wilma Holi) did attend the meeting.

Ms. Ka‘iulani Edens-Huff

At the recommendation of OHA, RMTC contacted Ms. Ka‘iulani Edens-Huff as part of the NHPA Section 106 consultation process.

- May 10, 2010 notes from phone call between RMTC and Ms. Edens-Huff.
- May 10, 2010 email from RMTC to Ms. Edens-Huff transmitting project information, copies of correspondence with the NHHPC, and NHO consultation contact list.
- April 02, 2012 letter from HDOT to Ms. Edens-Huff summarizing the findings of the NHPA Section 106 Consultation to date and inviting participation in ongoing consultation.
- April 16, 2012 letter from County of Kaua‘i to Ms. Edens-Huff inviting her to participate in a NHPA Section 106 community consultation meeting.

Consultation with Ms. Edens-Huff resulted in the following outcomes:

- Ms. Edens-Huff expressed opposition to the path project in all its locations and forms. She is highly critical of the project purpose of enhancing coastal access. The benefit is not to the Hawaiian people.
- Ms. Edens-Huff will participate in the NHPA 106 process as a Hawaiian Kingdom subject and considers the U. S. Government to be the occupier of a sovereign Hawaiian nation.
- Ms. Edens-Huff recommended that we arrange a meeting with the Hawaiian community to discuss the project and listen to concerns.
- Ms. Edens-Huff did not provide new information about historic properties in the project area and did not identify any additional NHOs to be contacted, deferring to Ms. Palmeira’s recommendations.

Note that Ms. Edens-Huff did not attend the April 26, 2012 NHPA Section 106 Community Consultation meeting.

Additional NHOs Identified during the April 26, 2012 NHPA Section 106 Community Meeting

Seven individuals/families were identified by NHO participants Aunty Nani Rogers, Wilma Holi², and Kaliko Santos at the April 26, 2012 NHPA Section 106 Community Consultation Meeting. They include Joe Polan³, Stanley Oana, Lester Matsushima, Leopold Durant, Roland Durant, Jacob Pia, and Laola Peahu Rapozo.

Interviews were conducted with these individuals on June 13, 15, and 27, 2012. The outcomes of the interviews are as follows:

- Mr. Stanley Oana identified the Hanamā`ulu Pier and railroad bridge, both located outside of the Nāwiliwili – Ahukini project area, as historically significant. He recommended restoring and preserving those historic sites. Mr. Oana also identified the presence of taro lo‘i and fish ponds in the valley on both sides of Hanamā`ulu Stream and recommended restoration of those agricultural uses. This area is also outside of the Nāwiliwili-Ahukini project area. Mr. Oana knows of no heiau sites. He is aware of present use of the coastal areas for fishing.

² Ms. Wilma Holi deceased in 2018. Any further consultation should be directed to the representative of the Holi family.

³ Mr. Joe Polan deceased in 2017. Any further consultation should be directed to the representative of the Polan family.

- Mr. Joe Polan identified the former locations of the sugar storage area, Standard Oil facility and gas tanks, and Harbor Master Bertram’s residence at Nāwiliwili Harbor. He further noted that the McCann family owns property on the right side of Nāwiliwili Bay. He identified no other historic properties or traditional uses.
- Lester Matsushima’s maternal great grandfather (Wahinealohakeo) was the *konohiki* (headman) of Hanamā‘ulu Ahupua‘a. Mr. Matsushima’s grandfather’s house was located in the center of the beach along Hanamā‘ulu Bay. Mr. Matsushima spent much of his childhood there. Mr. Matsushima’s parents worked on and off for the Honokai Plantation. According to Mr. Matsushima, the Plantation Manager’s house also was located on the bay. During the interview, Mr. Matsushima stated 2 fishponds were located within Hanamā‘ulu Bay, on either side of the bay; a fishing spot was located on the point on north side of Hanamā‘ulu Bay; *copra* (coconut) was harvested in the area, and *lo‘i* also were located in the area. Mr. Matsushima also stated the Pu‘ali‘i family had one of the fishponds, that sharks were the Pu‘ali‘i family *‘aumakua*; and that a shark feeding hole was located on the north side of Hanamā‘ulu Bay. Mr. Matsushima stated that the Plantation Railroad tracks were near-by; there was no battle field in Hanamā‘ulu Bay; and that the area used to be comprised of sand dunes, but tsunami of 1947 wiped out the dunes.
- Leopold Durant currently lives in the village of Kapaia, northwest of Hanamā‘ulu Bay. According to Mr. Durant, cultural sites in the vicinity include an *‘akilolo* (wrasse fish) fishing area on top of bluff; *lo‘i*; and a fishing spot. Mr. Durant knew of the fishing spot, *hake nalu* (shark feeding hole) and of the coconut (*copra*) harvesting Lester Matsushima spoke of. Mr. Durant also said Lester Matsushima had *kuleana* land in the area. Mr. Durant’s concern regarding the Kauai bike path was that the bike path may restrict access to Ahukini Point and restrict access to fishing.
- Roland Durant was present during the interview with his father and offered to be interviewed. Roland Durant strongly feels that everything (*lo‘i*; *ahu*, etc.) is connected to the land and to the Hawaiian people and culture.
- Jacob Pia, a friend of the Durant family, present during the interviews with Leopold and Roland Durant, also offered to be interviewed. Mr. Pia is a freediver who indicated he was familiar with the coastal area of Hanamā‘ulu Bay as he frequently dives in this area. Mr. Pia Knew of the 2 fishponds Lester Matsushima spoke of. Mr. Pia also mentioned the *ahu hale*, for locating fish and schools of fish, on Ahukini Point and a fresh water spring. Mr. Pia’s family grew watercress on the point on the north side of Hanamā‘ulu Bay. Mr. Pia also knew of the *kilo* (fishing spot) on the north side of Hanamā‘ulu Bay that Mr. Matsushima spoke of, as well as a *kilo* on the south side of the bay; and on the bottom side of Kawaihau Stream, a spring, and *lo‘i* are still there. In addition, Mr. Pia indicted there could be *heiau*, a birthing area; and petroglyphs in the general area.
- Laola Peahu Rapozo was born in Nāwiliwili, grew up, and moved *mauka*. Mrs. Rapozo stated there were taro patches (*lo‘i*) above the Hanamā‘ulu Railroad Bridge; the Hanamā‘ulu Dairy was in the area where the Hilton Hotel currently is located. Mrs. Rapozo also said the area along stream in Hanamā‘ulu was farmed and that World War II military bunkers were located along the coastline. The Wailua Golf Course area was battleground with villages during the pre-Contact Period (pre-1778) and that Plantation-Era habitation occurred on south bank of Hanamā‘ulu Stream. She had a friend who had lived there and remembered having to take boat to house. Mrs. Rapozo also mentioned that the Pia and Kane families lived by Hanamā‘ulu Bay and that sharks were the families’ *‘aumakua*. Mrs. Rapozo thinks bike paths, in general, are a good thing as they provide access to areas otherwise inaccessible and unseen.

In summary, seven long-term, culturally knowledgeable of the project area were interviewed for the project at the request of Native Hawai‘i organization participants of the April 26, 2012 Community Consultation Meeting. Five of the interviewees expressed no concerns regarding the construction of the

bike path. One of the five interviewees with no concerns believed that the bike path would enrich the community by providing access to the beautiful coastal views which are currently inaccessible and/or unnoticed. Two of the interviewees expressed concerns regarding the construction of the bike path. One concern pertained to continued access to Ahukini Point and restricted access to fishing in the Hanamā'ulu. The second individual who expressed concerns regarding the construction of the bike path believed that development, in general, compromised the Hawaiian culture, the Hawaiian people, and the Hawaiian Islands.

Ka Pa'akai Analysis Determination

The following determination is based on the information provided in the interviews with Native Hawaiian kūpuna and cultural practitioners from the project area, the archaeological inventory survey and archaeological literature review and field inspections prepared for project, and documentation of current conditions in the petition areas.

Cultural Resources and Traditional Cultural Practices

Early consultation with Native Hawaiian organizations and kūpuna from the project area identified the following issues of interest or concern to Native Hawaiians:

- Expressed concern about impacts to water quality from runoff from the bike path.
- Expressed general concern about potential impacts to Native Hawaiian burials.
- Expressed concern about potential impacts to traditional Hawaiian marine resources from the opening of the path and increased access to coastal areas.
- Expressed concern about displacement of Hawaiians as a result of opening of the path.
- Expressed general concern that development, in general, compromises the Hawaiian culture, the Hawaiian people, and the Hawaiian Islands.
- Expressed concern about closure of motor vehicle access to customary fishing spots along the coastline.
- Expressed concern about maintaining continued access to Ahukini Point and Hanamaulu for customary fishing and gathering practices.
- Recommendation was made to consider adoption of a Konohiki system of resource management and rule enforcement.
- Expressed interest in developing appropriate interpretation /educational programming related to Paukini Rock in Nāwiliwili Harbor,
- Emphasized the importance of including Native Hawaiian cultural practitioners in the development of interpretive and educational programming.
- Emphasized the importance of continuing to consult with interested Native Hawaiian kūpuna and cultural practitioners during project development.

The primary customary and traditional practices identified through the consultation relate to access to marine resources along the coastline and nearshore waters for fishing and gathering, and traditional stewardship of those resources to support the perpetuation of the Hawaiian people and culture.

No other specific customary and traditional practices were shared by the participants.

Land Tenure and Land Commission Award (LCA) Properties

The following information is from Section 3.6.1 of the *Archaeological Inventory Survey Report for the Nāwiliwili-Ahukini Bike Path Project Nāwiliwili, Kalapakī, and Hanamā'ulu Ahupua'a Līhu'e District, Kaua'i*, dated January 2014, prepared by Cultural Surveys Hawai'i.

Land Commission Awards

The following information regarding Land Commission Awards is excerpted from the *Final Archaeological Inventory Survey Report for the Nāwiliwili-Ahukini Bike Path Project, January 2014* prepared by Cultural Surveys Hawai‘i, Inc.

Hanamā‘ulu

Land Commission documents for Hanamā‘ulu describe *lo‘i*, *kula*, and house sites along both sides of the Hanamā‘ulu River, extending from the shore up to the village of Kapaia. *Kula* and *lo‘i* lands are often included together in one *‘āpana* (portion of a claim), with house sites belonging to separate *‘āpana*, slightly removed from the floodplain.

There are four claims in the back bay area of Hanamā‘ulu and two claims for house lots (LCA 3650 and 3653) near the beach, south of Kapule Highway. Most of the *kuleana* claims for Hanamā‘ulu are located in lands that have been under sugar cane cultivation for much of the 20th century; occasionally, traditional artifacts can still be found in the cane fields.

Kalapakī

In Kalapakī Ahupua‘a, *kalo* (taro) *lo‘i* claims were on the north side of Nāwiliwili River (the *wauke* land in Claim 3907 on the south side of the river being the sole exception) and along the smaller drainages of Kalapakī and Koena‘awa, where there were also reportedly springs. Two streams, Koena‘awa-nui and Koena‘awa-iki, were also identified in the claims, but neither is named on current maps. These two streams, however, can be seen in an undated photograph on file at the Kaua‘i Museum (see Figure 1).



Figure 1 – Kalapakī Bay, showing location of two streams and their outlets (red Xs) to Kalapakī Bay; Koena‘awa nui stream is on the left and Koena‘awa iki is on the right (undated photograph in Kaua‘i Museum files, see <http://www.hawaii.edu/environment.ainakumuwai.html>)

Most Kalapakī claimants lived at the shore in the *kulana kauhale*, or village, of Kalapakī, located near Nāwiliwili Bay. Several claimants describe their village house lots in relation to the fishponds of Koena‘awa (Koena‘awai-nui and Koena‘awa-iki). There is also a description of the *muliwai*, or estuary, of Koena‘awa-nui.

Claim 3640 mentions a footpath for the ‘ili of Limawela near the shore at the boundary between Hanamā‘ulu and Kalapakī. These documents therefore indicate a north/south path along the shoreline, and other paths going inland from the shore, which is a traditional transit pattern for Kaua‘i *ahupua‘a*.

Paulo Kanoa, Governor of Kaua‘i at the time of the Māhele, claimed both the *ahupua‘a* of Hanamā‘ulu and Kalapakī but was awarded neither. Instead, Victoria Kamāmalu was awarded both *ahupua‘a* under LCA (Land Commission Award) No. 7713:2. A portion of this award (7713:2 part 7) includes land within the present project area. Following the death of Victoria Kamāmalu in 1866, Princess Ruth Ke‘elikōlani inherited her lands. In 1870, Ke‘elikōlani sold large portions of her Kalapakī and Līhu‘e lands to William Hyde Rice of Lihue Plantation. In addition, in 1870, Paul Isenberg purchased the *ahupua‘a* of Hanamā‘ulu from J.O. Dominis, which includes the land of the present airport area. William Hyde Rice made subsequent land purchases from Princess Ruth in 1879:

William Hyde Rice, who already had his own home on the hill east of the mill, bought a large makai section of the *ahupua‘a* of Kalapakī from Princess Ruth in 1879 and there conducted the Lihue Ranch. In later years he sold most of this land to the plantation. (Damon 1931:747)

The large tracts of inland areas (*kula*), not in the river valleys or at the shore, are not described in the claims but were probably in use. This *kula* land at the time of the Māhele belonged to Victoria Kamāmalu. Land use is not elaborated in her claims for Hanamā‘ulu or Kalapakī. Traditional *kula* resources for all claimants would have been medicines, herbs, construction materials such as *pili* grass and trees for building houses, canoes, and perhaps lithic materials for tools. Sweet potatoes and other dryland crops, such as *wauke*, probably were cultivated in patches throughout the area at one time or another.

Nāwiliwili

Victoria Kamāmalu was awarded over two thousand acres of Nāwiliwili *Ahupua‘a* (LCA 7713), along with much of Niumalu, Ha‘ikū and Kīpū, as well as Kalapakī and Hanamā‘ulu. In addition to Kamāmalu’s large award at Nāwiliwili, there were many smaller *kuleana* awards. According to Hammatt and Creed (1993):

Within the valley floor and adjacent to the alluvial plain [in Nāwiliwili] ... are 14 land Commission Awards for which there are testimonies available in the Land Commission records. The awards vary in size between one to two acres and are generally around one acre. The majority of land recorded is for *lo‘i* (wetland agriculture) but *kula* (dryland plots) are present as are a few houselots.

In all there are 54 *lo‘i* recorded. Each award is generally two to three *lo‘i* plots. The largest award comprised eight *lo‘i*; a single award consisted of one *lo‘i*. All awards contained *lo‘i* and nine of the fifteen total awards had *kula* lots. Without exception, the nine awards containing *kula* mention only one *kula* per award. This is of interest because it shows that the alluvial plain was not entirely dedicated to wetland planting and that a small *kula* lot was essential for subsistence agriculture. Some awards at Nāwiliwili mention houselots along the shoreline.

Historic Properties

The County of Kaua‘i identified numerous historic properties within the project area (see Figure 2). Project plans have been modified to avoid potential effects to historic properties and to create opportunities for education and interpretation.

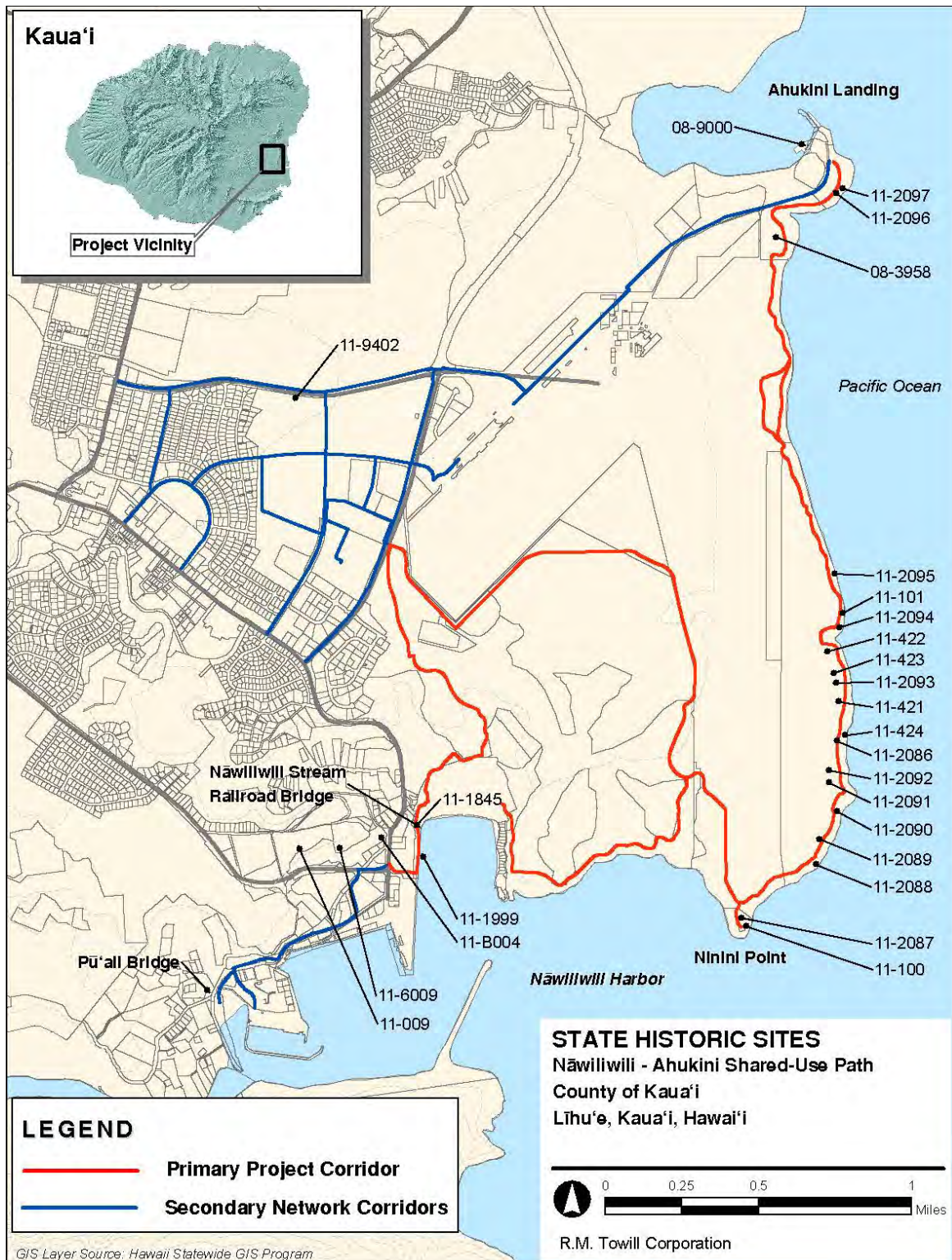


Figure 2 - State Historic Sites

Table 1
Historic Properties Located within the Project Area

SIHP No.	Site Description	Recommendations
50-30-11-009	Kuhiau Heiau. Nāwiliwili; A large paved <i>heiau</i> , whose enclosure covered an area of about four acres; long since destroyed.	Previously documented. No further work. Describe in interpretive display at Nāwiliwili Beach Park
50-30-11-100	Ninini Heiau, near Nāwiliwili Harbor Light. Previously destroyed.	Documented by Thrum as destroyed (Bennett, 1931). Describe in interpretive display.
50-30-11-101	Ahukini Heiau, near Ahukini Point midway between Ninini Point and Ahukini Landing. Previously recorded foundations not re-located, likely destroyed by erosion and Hurricane Iniki in 1993.	Describe in interpretive display.
50-30-11-421	Midden Scatter of marine shells	Previously recorded. No further work.
50-30-11-422*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-423*	Remnant/probable cattle wall	Previously recorded and site updated No further work.
50-30-11-424	Oval Terrace Alignment	Previously recorded. No further work.
50-30-11-1845	Nāwiliwili Stream Railroad Bridge	Preserve existing structure. Adaptive reuse in accordance with historic preservation design guidelines developed in consultation with the SHPD, Architectural Branch. Design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without damaging the existing bridge structure. . On this basis, the Undertaking will not diminish the integrity of the historic property’s location, design, setting, materials, workmanship, feeling and association.
50-30-11-1999	Paukini Rock (in Nāwiliwili Bay)	Previously recorded. Describe in interpretive display.
50-30-11-6009	Nāwiliwili Cemetery	Avoid.
50-30-08-3958	Historic remnants of a piggery.	Previously recorded. No further work.
50-30-08-9000	Ahukini Landing	n/a
50-30-08-9402	Historic Building Remnant at Site of Radio Station KIVM	n/a
11-B004	Historic Cemetery near Nāwiliwili Park	Avoid.
50-30-11-2086*	Pre-contact Terrace Habitation	Preservation. Avoid with a 20-foot

Table 1
Historic Properties Located within the Project Area

		buffer.
50-30-11-2087*	Historic Lighthouse and associated habitation (caretaker’s residence).	Preserve remaining structure. Adaptive re-use of the site and educational signage.
50-30-11-2088*	Military Concrete slab. The base of a communications tower.	Data recovered and recorded. No further work.
50-30-11-2089*	Historic Mounds. Possible Burial.	Preserve in place. Avoid site by establishing a 50-foot buffer. Data recovery program to be undertaken before path construction begins.
50-30-11-2090*	Military. Structural foundation for gun emplacement.	Preserve in place. Avoid site by establishing a 20-foot protective buffer. Install educational signage.
50-30-11-2091*	Historic habitation foundation.	Data recovered and recorded. No further work
50-30-11-2092*	Historic Septic Outhouse and cesspool	Data recovered and recorded. No further work
50-30-11-2093*	Plantation-era ditch drainage.	Data recovered and recorded. No further work.
50-30-11-2094*	Pre-contact/historic terrace habitation.	Preservation. Avoid with a 20-foot buffer.
50-30-11-2095*	Pre-contact Scatter Activity area	Data recovered and recorded. No further work.
50-30-11-2096*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2097*	Historic Drainage Ditch	Data recovered and recorded. No further work.
50-30-11-2103*	Historic Industrial Complex: Ahukini Landing, Ahukini Terminal and Railway Co. Station, Standard Oil Facility, Ahukini Camp	Install educational signage.
--	Pū‘ali (Niumalu) Bridge	Avoid existing bridge with a buffer. Buffer distance to be determined by the SHPD, Architectural Branch.

* Historic sites identified during the archaeological inventory survey of the coastal area between Ahukini Landing and Ninini Point (CSH, April 2010).

Mitigation Policies

The County of Kauai will ensure that the following measures are implemented to avoid and minimize potential impacts to archaeological, cultural, and historic resources and cultural practices:

A. Supplemental Archaeological Inventory Survey

1. The County DPW shall prepare a Supplemental AIS, in accordance with Hawaii Administrative Rules (HAR) 13-13-276, for the “Secondary Network Routes” located in interior lands prior to the design and construction of those alignments.

2. The AIS shall be submitted by the County DPW, after review by the FHWA and HDOT, to the SHPD for review, including opportunity for public comment, in accordance with HAR 13-13-275. Unless the SHPD objects within 45 days after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

B. Archaeological Monitoring Plan

1. The County DPW shall develop an archaeological monitoring plan (AMP), in accordance with HAR 13-13-279, with a combination of on-site and on-call monitoring during all ground-disturbing activities related to the Undertaking.
2. If determined to be necessary by the SHPD, a supplemental AMP will be prepared for future work to construct secondary path alignments, based on the findings of a supplemental AIS to be prepared for those secondary alignments.
3. The AMP shall include provisions for addressing burial treatment that are to be implemented in the event of an inadvertent find during construction activities.
4. The AMP will be developed and implemented by a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology (Federal Register, Vol. 48, No. 190, page 44738-9).
5. The AMP will include the following major elements:
 - a. Archaeological monitoring provisions and procedures to be implemented during the course of the Undertaking's implementation; and
 - b. Specific levels of archaeological monitoring determined to be appropriate for each path section, and
 - c. A follow-up monitoring report for the Undertaking shall be submitted to the SHPD. The monitoring report, containing the location and description of any human burial remains discovered during the course of the Undertaking, shall remain confidential and the precise location data may be provided in a separate confidential index.
6. The AMP shall be submitted by the County DPW, after review by HDOT and FHWA, to the SHPD for a 30-day review. Unless the SHPD objects within 30 days after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

C. Mitigation Measures for Historic Properties

1. To reduce the potential for adverse effects on historic properties, the County DPW shall ensure that the following mitigation measures are incorporated in the design of the Undertaking and in effect prior to commencement of ground disturbing activities.
2. For SIHP Site 50-30-11-2086, a pre-contact habitation terrace, the County DPW shall provide a 30-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
3. For SIHP Site 50-30-2089, a possible burial mound, the County DPW shall provide a 50-foot preservation buffer in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
4. For SIHP Site 50-30-11-2090, a World War II era military gun emplacement related to the defense of Kauai Island, the County DPW shall provide a 20-foot preservation buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.

5. For SIHP Site 50-30-11-2094, a pre-contact habitation terrace, the County DPW shall provide a 20-foot buffer and educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.
6. For SIHP Site 50-30-11-2103, a historic industrial complex at Ahukini Point, the County DPW shall provide educational signage in accordance with a Preservation Plan prepared in compliance with HAR 13-13-277 and approved by SHPD.

D. Adaptive Reuse of Nawiliwili Stream Railroad Bridge, SIHP Site 50-30-11-1945

1. The County DPW shall consult with the SHPD during the design phase of the Undertaking to ensure that the adaptive reuse of the bridge complies with historic preservation design criteria approved by the SHPD Architectural Branch.
2. The County DPW shall design and construct the new bridge deck and railings proposed for the Undertaking to be independent of the existing bridge such that the new bridge components can be removed, if necessary, without doing major damage to the existing bridge structure.
3. The KHPRC and HHF shall be given the opportunity to provide comments on the design of proposed modifications to Nawiliwili Stream Railroad Bridge at the preliminary and pre-final stages.
4. During right-of-way certification and land acquisition for the Undertaking, the County DPW shall conduct research to determine ownership of the Nawiliwili Stream Railroad Bridge and approaches, including a title search, Land Commission Award research, review of County files related to the bridge and related easements, and consultation with the Lovell ‘Ohana regarding unrecorded easement documents.
5. The County DPW shall replace all references to "Duke's Bridge" in the project documentation with "Nawiliwili Stream Railroad Bridge".
6. Prior to undertaking modifications to the Nawiliwili Stream Railroad Bridge, the County DPW shall prepare Historic American Engineering Record (HAER) or Historic American Building Survey (HABS) documentation to supplement the *Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai* final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD. HAER or HABS documentation will be submitted to SHPD for review and forwarded to the National Park Service for inclusion in the Library of Congress.
7. The County DPW shall develop interpretive signage for the Nawiliwili Stream Railroad Bridge in accordance with the Interpretive Plan described below in item H.

E. Mitigation for Pū‘ali (Niumalu) Bridge

1. The County DPW shall consult with the SHPD during the design phase of the Undertaking to ensure that an adequate buffer is maintained between the Pū‘ali (Niumalu) Bridge and a new, shared-use path bridge.
2. Prior to undertaking modifications to the Pū‘ali (Niumalu) Bridge, the County DPW shall prepare HAER or HABS documentation to supplement the *Architectural Inventory Survey and National Register Eligibility Evaluation for Nawiliwili Stream Railroad Bridge and Niumalu Bridge, Island of Kauai* final report dated July 2009, if deemed appropriate by the architectural branch staff of the SHPD.

F. Design Review for Proposed Comfort Station near Ninini Point Lighthouse, SIHP Site 50-30-11-2087

1. The County DPW shall consult with the SHPD during development of design plans for a proposed comfort station at the former site of the Ninini Point Lighthouse caretaker's house to determine appropriate design of structures.
2. The SHPD, KHPRC and HHF shall be given the opportunity to provide comments on the design of the proposed comfort station at the preliminary and pre-final stages.
3. The County DPW shall develop educational signage for Ninini Point in accordance with the Interpretive Plan described below in item H.

G. Treatment of Burial Sites and Human Remains

1. The County DPW shall prepare appropriate documents as required to address the treatment of any burials or other human remains encountered in the course of this project.
2. Documentation concerning the treatment of burials or human remains shall be prepared and processed with the SHPD and Kauai Niihau Islands Burial Council in accordance with HAR 13-13-300.
3. The pertinent provisions of any such documents shall be executed prior to the completion of the undertaking.

H. Preservation Plan / Interpretive Plan

1. The County DPW shall prepare a Preservation Plan in accordance with HAR 13-13-277 for SIHP 50-30-11-2086 – habitation terrace, SIHP Site 50-30-2089 - possible burial mound, SIHP 50-30-11-2090 – gun emplacement foundation, SIHP 50-30-11-2094 – pre/post-contact habitation terrace, and SIHP 50-30-11-2103 – industrial complex.
2. The Preservation Plan shall address interim and long-term preservation and educational and interpretive signage to be provided along multi-use path. Proposed interim preservation measures for the four sites will be submitted to SHPD for review and approval prior to the initiation of ground altering activities within the APE (see Figure 3).
3. The County DPW shall consult with the SHPD, KHPRC, HHF, the Kauai Path organization and Native Hawaiian organizations who actively participated in the NHPA Section 106 consultation process in developing the interpretive signage associated with this Undertaking. Interpretive signage will be developed under the following conditions:
 - a. Interpretive signage will address the themes of each of the historic sites identified near the project.
 - b. Interpretive signage and programming may be developed in stages for various segments of the multi-use path.
 - c. The SHPD will have 60 days from receipt of the submitted interpretive signage materials to review, revise, and approve the proposed signage.
 - d. Development and implementation of interpretive signage improvements can proceed concurrently or after construction of improvements under this Undertaking.
4. The Preservation Plan shall be submitted to the SHPD for review and approval prior to implementation.

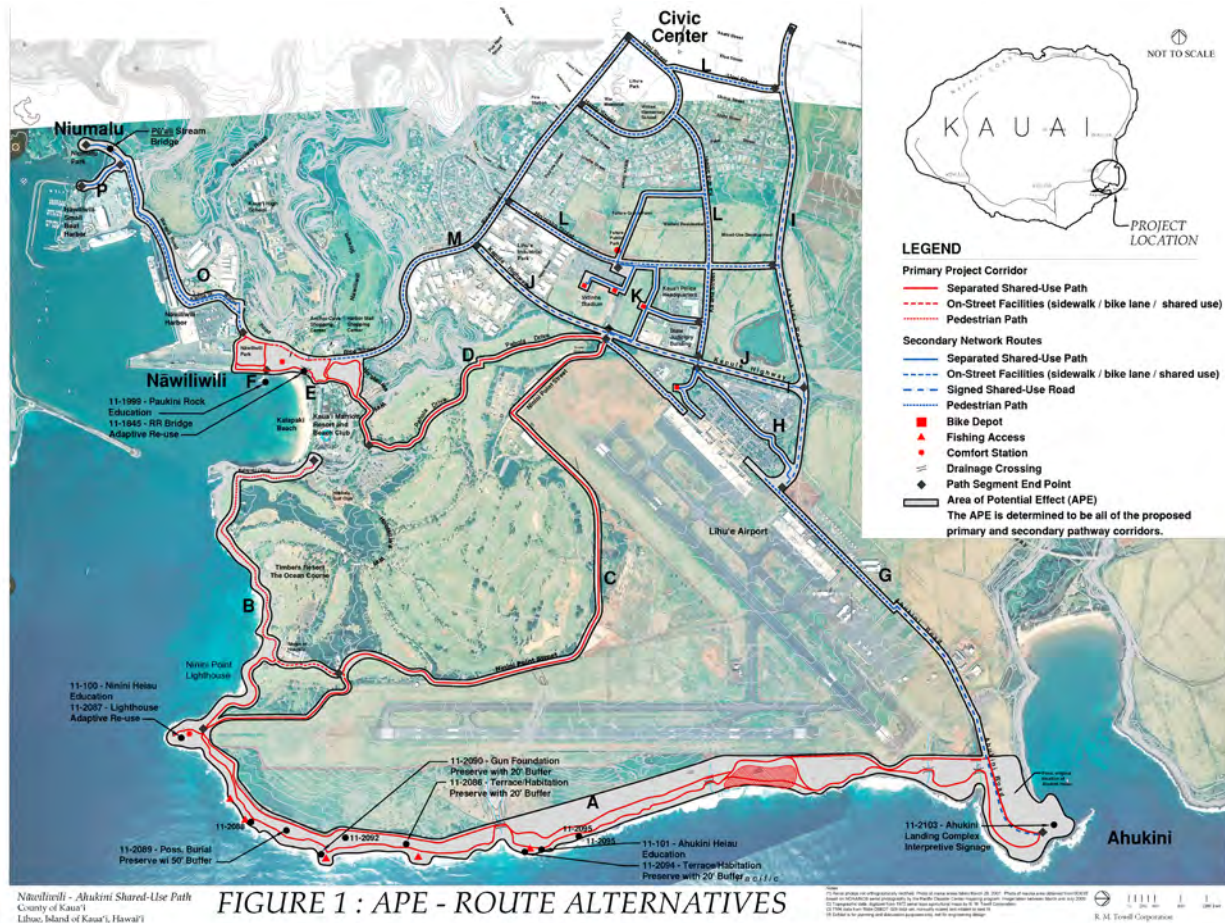


Figure 3 - APE - ROUTE ALTERNATIVES

I. Mitigation during Construction Activities

1. If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.
2. If human remains are discovered, Hawaii Administrative Rules Title 13. Subtitle 13, Chapter 300 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and SHPD and Police Department will be contacted. The appropriate process would then proceed in conformance with Hawaii Administrative Rules §13-300 Subchapter 4 "Procedures for Property Treatment of Burial Sites and Human Skeletal Remains."

Determination

The project will preserve and ensure continued access to the shoreline and coastal areas and will not impose conditions that would prevent traditional and customary fishing, gathering, or other subsistence practices. The project will be designed with drainage features and vegetation ground cover to control and treat storm water runoff and prevent pollutant discharges that could degrade coastal water quality. Interested Native Hawaiian kūpuna and cultural practitioners will continue to be consulted throughout the design and development of the path project.

Based on consultation with kupuna and Native Hawaiian cultural practitioners with knowledge regarding native Hawaiians’ exercise of customary and traditional practices in the project area and vicinity, and the findings of the resource studies, and the mitigation commitments developed through those consultations, the proposed Nāwiliwili-Ahukini Shared-Use Path Project is not anticipated to affect the rights customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua‘a tenants who are descendants of native Hawaiians, and does not affect or impair any Hawai‘i State Constitution, Article XII, Section 7 uses, or the feasibility of protection of those uses.

Exhibit 15
Special Management Area Use Permit Approval



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

FRANCIS DEGRACIA, CHAIR
DONNA APISA, VICE CHAIR
GERALD AKO, MEMBER
HELEN COX, MEMBER
GLEND A NOGAMI STREUFERT, MEMBER
JERRY ORNELLAS, MEMBER
LORI OTSUKA, MEMBER

June 27, 2023

RM Towill Corporation
James Niermann
2024 North King Street, Suite 200
Honolulu, HI 96817

Subject: Class IV Zoning Permit Z-IV-2023-10
Use Permit U-2023-7
Special Management Area Use Permit SMA(U)-2023-10
Shoreline Setback Variance SSV-2023-1
Tax Map Key(s): (4) 3-5-001:004, 005, 008, 009, 085, 092, 102, 102, 109, 128, 158 & 160;
(4) 3-7-002:001 (por.), 3-7-002:999
Līhu'e, HI 96766
COUNTY OF KAUAI, Applicant

Dear Mr. Niermann,

This letter memorializes the action taken by the Kauai Planning Commission effective June 27, 2023 concerning approval of the above subject permits to allow the construction of the Nāwiliwili-Ahukini Shared-Use Path and other associated improvements. The approval is subjected to the following conditions:

1. The proposed development shall be constructed as represented. Any changes to the development shall be reviewed by the Department of Planning to determine whether Planning Commission review and approval is required.
2. The Applicant is advised that should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the Applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division, and the County of Kauai, Department of Planning to determine mitigation measures.
3. The applicant shall develop and utilize Best Management Practices (BMP's) during all phases of development in order to minimize erosion, dust, and sedimentation impacts of the project abutting properties.
4. The applicant shall resolve and comply with the applicable standards and requirements set forth by the State Health Department, State Historic Preservation Division-DLNR, and the County Departments of Public Works, Fire, Transportation, and Water.
5. To the extent possible within the confines of union requirements and applicable legal prohibitions against discrimination in employment, the Applicant shall seek to hire

COUNTY OF KAUAI

Construction of the Nāwiliwili-Ahukini Shared-Use Path and other associated improvements.
Z-IV-2023-10, U-2023-7, SMA(U)-2023-10, and SSV-2023-1

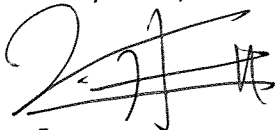
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Kauai contractors as long as they are qualified and reasonably competitive with other contractors and shall seek to employ residents of Kauai in temporary construction and permanent resort-related jobs. It is recognized that the Applicant may have to employ non-Kauai residents for particular skilled jobs where no qualified Kauai residents possesses such skills. For the purposes of this condition, the Commission shall relieve the Applicant of this requirement if the Applicant is subjected to anti-competitive restraints on trade or other monopolistic practices.

6. The applicant is advised that prior to construction, additional government agency conditions may be imposed. It shall be the applicant's responsibility to resolve those conditions with the respective agency(ies).
7. The Planning Commission reserves the right to add or delete conditions of approval in order to address or mitigate unforeseen impacts this project may create, or revoke the permits through the proper procedures should conditions of approval be violated or adverse impacts be created that cannot be addressed.
8. Unless otherwise stated in the permit, once permit is issued, the Applicant must make substantial progress, as determined by the Director, regarding the development or activity within two (2) years, or the permit shall be deemed to have lapsed and be no longer in effect.
9. Prior to building permit approval, the applicant shall secure written confirmation from the Federal Aviation Administration (FAA), Transportation Security Administration (TSA), Department of Transportation-Airports (DOT-A), Department of Homeland Security (DHA), and Air Traffic Control (ATC) that security of the radar, ASR, and airport facilities will not be compromised by the proposed project. No comments received by any of the agencies within sixty (60) days shall be considered "no objections" and the applicant may proceed to building permit review.

If you have further questions regarding this matter, please contact Romio Idica of my staff at (808) 241-4056.

Sincerely Yours,



KA'ĀINA S. HULL

Clerk, Kaua'i Planning Commission

xc: COK – Public Works, Fire, Water, Housing Agency, Finance-Real Property Division
State Health Dept.

Exhibit 16

HRS 343 Finding of No Significant Impact

Final EA with Appendices provided digitally and available online:

https://files.hawaii.gov/dbedt/erp/EA_EIS_Library/2018-02-08-KA-FEA-Nawiliwili-Ahukini-Shared-Use-Path.pdf

NĀWILIWILI – AHUKINI SHARED-USE PATH
Federal Aid Project No. CMAQ-0700(57)
County of Kaua‘i, Hawai‘i

**Final Environmental Assessment/
Finding of No Significant Impact**
Submitted Pursuant to Hawai‘i Revised Statutes, Chapter 343

State of Hawai‘i, Department of Transportation, Highways Division
County of Kaua‘i, Department of Public Works

12/8/17

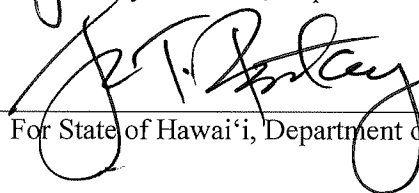
Date of Approval

1/12/18

Date of Approval



For County of Kaua‘i, Department of Public Works



For State of Hawai‘i, Department of Transportation

The following persons may be contacted for additional information concerning this document:

Jade Butay, Interim Director Department of Transportation State of Hawaii 869 Punchbowl Street Honolulu, HI 96813 Ph. (808) 587-2150	Lyle Tabata, Acting County Engineer Department of Public Works County of Kauai 4444 Rice Street, Suite 275 Lihue, HI 96766 Ph. (808) 241-4992
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This Final Environmental Assessment (FEA) documents an evaluation of potential impacts from a proposed coastal, shared-use path from Nāwiliwili Park to Ahukini Landing in Līhu‘e District on the island of Kaua‘i. A path segment is also proposed between Nāwiliwili Park and Niumalu Park. Additional path segments will connect the coastal path to the Līhu‘e Airport and Līhu‘e Civic Center. The proposed project will consist of a 10- to 12-foot wide concrete shared-use coastal path. Bike lane and sidewalk improvements to existing and planned street corridors will provide additional connections through urban areas. Path improvements and amenities will include separated crossings at major drainage ways, educational signage, a comfort station at Ninini Point, adaptive reuse of the Nāwiliwili Stream Railroad Bridge, and various improvements at Nāwiliwili Park to be coordinated with the park’s master plan. The project will benefit residents and visitors by preserving coastal access, creating a new safe recreational resource and supporting alternative modes of transportation to connect key community centers. The project is not anticipated to have significant adverse impact to water quality, air quality, existing utilities, noise levels, social welfare, historic properties, or wildlife habitat. Measures to mitigate short-term and long-term impacts are available and will be implemented in accordance with applicable regulations and/or consultation with appropriate agencies. Anticipated effects will be temporary and will not adversely impact the environmental quality of the area. Therefore, a Finding of No Significant Impact (FONSI) has been issued under HRS, Chapter 343.

Exhibit 17
Landscape Plan

Landscape Plan

Mauka/mountain side

Makai/ocean side

Landscape path shoulders using native groundcover as much as possible, or other naturalized, non-invasive plants.

Path

Right-of-way

Drainage
Flow

Stabilize/restore areas disturbed by unpermitted homeless camps following relocation of the homeless population and clearing of associated materials and debris using native plants only.



Path grades will be constructed to maintain existing drainage patterns, encourage sheet flow, and prevent concentration of drainage runoff that could cause scour and erosion.



Path concrete will be pigmented to match the color of natural soil.