

State of Hawai'i
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawai'i 96813

January 10, 2020

Board of Land and Natural Resources
State of Hawai'i
Honolulu, Hawai'i

KAUAI

SUBJECT: Request for a Right-of-Entry to Install a Statue of Kaua'i King Kaumuali'i at Pā'ūla'ūla, Russian Fort Elizabeth State Historical Park, Waimea, Kaua'i
TMK: (4) 1-7-005:003.

PURPOSE: Approve the placement of a 8-foot high bronze statue of Kaua'i King Kaumuali'i by the Friends of King Kaumuali'i within Russian Fort Elizabeth State Historical Park to recognize King Kaumuali'i's significance in Hawaiian history and the location of his royal residence at the park site, ca. 1778-1819.

LEGAL REFERENCE: Hawaii Revised Statutes §171- 55 as amended

LOCATION: Portion of State of Hawai'i lands within Russian Fort Elizabeth State Historical Park in Waimea, Kaua'i and identified by Tax Map Key (4) 1-7-005: por. 003.

AREA: Footprint of the statue with pedestal and supporting concrete slab with rock wall will measure 30' x 30' (900 sq. feet). It will be located in the northwest corner of the 17-acre park to avoid impacting the fort or any historic properties.

ZONING: State Land Use District: Agriculture and Conservation
NOTE: Statue will be located within the Agricultural District
County of Kaua'i: Special Treatment District - Cultural

TRUST LAND STATUS: Acquired after August 1959

DHHL 30% entitlement land pursuant to the Hawaii State Constitution: Yes ___ No X

CHAPTER 343 ENVIRONMENTAL ASSESSMENT:

The Division of State Parks believes that this project will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under Chapter 343, Hawaii Revised Statutes (HRS) and §11-200-8(a)(1), Hawaii Administrative Rules (HAR), and within exemption Class 3 of the Department of Land and Natural Resources Exemption List which exempts construction and location of single new, small facilities or structures [June 5, 2015]. Consultation in regards to this exemption was conducted with the DLNR Office of Conservation and Coastal Lands, DLNR Land Division, County of Kaua'i Planning Department, and the Office of Hawaiian Affairs.

ITEM E-2

CURRENT USE STATUS: Open space between the historic fort structure and Kaumauli'i Highway with setback from the bank of the Waimea River.

CHARACTER OF USE: Statue with interpretive plaque and sign about the cultural and historical significance of King Kaumuali'i.

REMARKS:

Background:

Kaumuali'iokalani was born at Holoholokū, Wailua, Kaua'i to chiefess Kamakahelei and her husband Ka'eokūlani in 1778. With this royal heritage, Kaumuali'i was destined to become the future king of Kaua'i. The chiefly residence of Ka'eokūlani was on the east bank of the Waimea River and Kaumuali'i would also establish his royal compound, including a heiau, at this chiefly and sacred site near the mouth of the Waimea River. Kaumuali'i would meet with foreign visitors at his compound and between 1816-1817, he directed the building of the fort adjacent to his compound under an agreement with the Russian American Company. He would continue to reside in this location until 1819 when he was deposed of his rule by Liholiho (Kamehameha II) and taken to Honolulu. Kaumuali'i only returned once to Kaua'i before dying in 1824.

In 2013, world-renowned artist and sculptor, Saim Caglayan was commissioned by the Friends of King Kaumuali'i to prepare an 8-foot tall bronze statue of Kaua'i King Kaumuali'i. The half-size bronze maquette was completed in 2014 and has been taken around the island to schools and community events by the Friends to share the statue project. The maquette is currently being displayed at the West Kaua'i Technology and Visitor Center in Waimea. Caglayan is now completing the full-size statue. Since 2017, the Friends have applied for grants and conducted community fund-raising events. In 2018, the Friends applied for and received a State Grant-in-Aid (GIA) of \$220,000 to complete and install the statue. The Friends have proposed to locate the statue within Russian Fort Elizabeth State Historical Park because of the site's historical association with King Kaumuali'i.

A site inspection was conducted on June 1, 2018 by the Friends, State Parks, and other community members to discuss the preferred location for the statue. A location at the northwestern corner of the park property on the relatively flat bluff above the Waimea River is recommended (Exhibit A). The location provides a 100-foot setback from the top of the riverbank and about 220 feet mauka (north) of the fort wall. The location was selected to avoid obstructing any significant view corridors while promoting views of the river, Waimea Bay, Ni'ihau, and the uplands of Waimea. The proposed location has been previously disturbed by sugarcane cultivation and military use of the area during World War II. Therefore, no impacts to historic properties and subsurface cultural deposits are anticipated.

Conceptual Plan for the Statue:

The statue will be an 8-foot high, bronze statue of King Kaumuali'i set upon a 6-foot high pedestal base and surrounded by a concrete slab and low rock wall that measures 30 by 30 feet (Exhibit B). When complete, the statue will be bolted onto the top surface of the concrete pedestal faced with basalt rock. A bronze plaque will be placed on one side of the pedestal with information about King Kaumuali'i. The 6' by 6' pedestal base will be centered on a 26' by 26' concrete slab

foundation that allows for 10 feet around the base of the pedestal on all four sides. A 2.5-foot high rock wall will be built around the edge of the concrete slab with an opening on the makai side. The footprint for all the elements is 30' by 30' or 900 sq. feet. Excavation for the base course and framing of the concrete slab should not exceed 18 inches. The schematic renderings are being redrawn with detailed design specifications by a landscape architect. To accommodate accessibility, the crushed coral walkway will be extended to the statue. A plaque and interpretive sign are also proposed to share information about Kaumuali'i.

Consultation:

The Friends of Kaumuali'i, a Kaua'i non-profit organization, have shared the statue project with various communities on Kaua'i through displays at festivals and events, educational presentations at schools, and an exhibit at the Līhu'e Airport. The Friends have gathered support for the project from the County of Kaua'i, Hawaiian Civic Clubs on Kaua'i, Kaua'i Historical Society, Office of Hawaiian Affairs, Alu Like, Kikiaola Land Company, and West Kaua'i Business and Professional Association. The Waimea community sees the placement of the statue at the park as an opportunity to heighten awareness and understanding about the rich multi-cultural history of the site, Waimea and Kaua'i, and recognize the important role of King Kaumuali'i in this history.

State Parks initiated consultation with the National Historic Landmark (NHL) Program of the National Park Service in recognition of Russian Fort Elizabeth as an NHL site. Additional review of the project is being conducted by the Kaua'i Historic Preservation Review Commission (KHPRC) through the Kaua'i County Planning Department and the State Historic Preservation Division.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve the installation of the statue of Kaua'i King Kaumuali'i in the northwestern corner of Russian Fort Elizabeth State Historical Park according to review and approval of the final plans by the Division of State Parks.
3. Approve a right-of-entry to the Friends of King Kaumuali'i (Friends), its officers, agents, employees, volunteers, consultants, contractors, and/or persons acting for, or on its behalf, to carry out the installation of the statue and associated features within Russian Fort Elizabeth State Historical Park, subject to the following conditions:
 - a) Friends agree to release the State of Hawai'i from any claims which the Friends might have against the State of Hawai'i arising out of the occupation or use of Russian Fort Elizabeth State Historical Park and shall be responsible for its own acts;
 - b) The contractors working on the installation and related activities shall procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Right of Entry, commercial general liability insurance, in an amount of at least

\$1,000,000.00 per occurrence and \$2,000,000.00 aggregate, with an insurance company or companies licensed to do business in the State of Hawai'i. The policy or policies of insurance shall name the State of Hawai'i as an additional insured. The policy should also contain the following clause: "It is agreed that any insurance maintained by the State of Hawai'i will apply in excess of, and not contribute with, insurance provided by this policy". The insurance shall cover the entire Russian Fort Elizabeth State Historical Park, including all grounds, buildings and all roadways or sidewalks on or adjacent to the park in the use or control of the Friends;

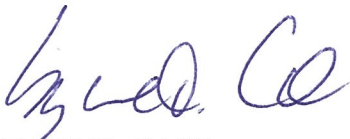
- c) The Friends shall immediately provide written notice to the Department should any of the insurance policies evidenced on its Certificate of Insurance form be cancelled, limited in scope, or not renewed upon expiration;
- d) The Friends agree to assist State Parks with the preparation of required permits and approvals by providing final site plans, plot plans, and cost estimates;
- e) The Friends shall enter into an agreement with the Division of State Parks for the maintenance and repair of the statue, pedestal, slab, rock wall, and plaque within 900 sq. foot area for a period of 10 years; and
- f) The Chairperson or her representative is authorized to negotiate all other terms and conditions of the Right of Entry.

Respectfully submitted,



CURT A. COTTRELL
State Parks Administrator

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson
Board of Land and Natural Resources

Exhibit A – Site Map of Proposed Statue Location
Exhibit B – Conceptual Rendering of the Statue



EXHIBIT A

Proposed location for the King Kaumuali'i statue in the northwestern corner of Russian Fort Elizabeth State Historical Park. The site is between the fort structure and Kaumuali'i Highway and setback from the eastern bank of the Waimea River.

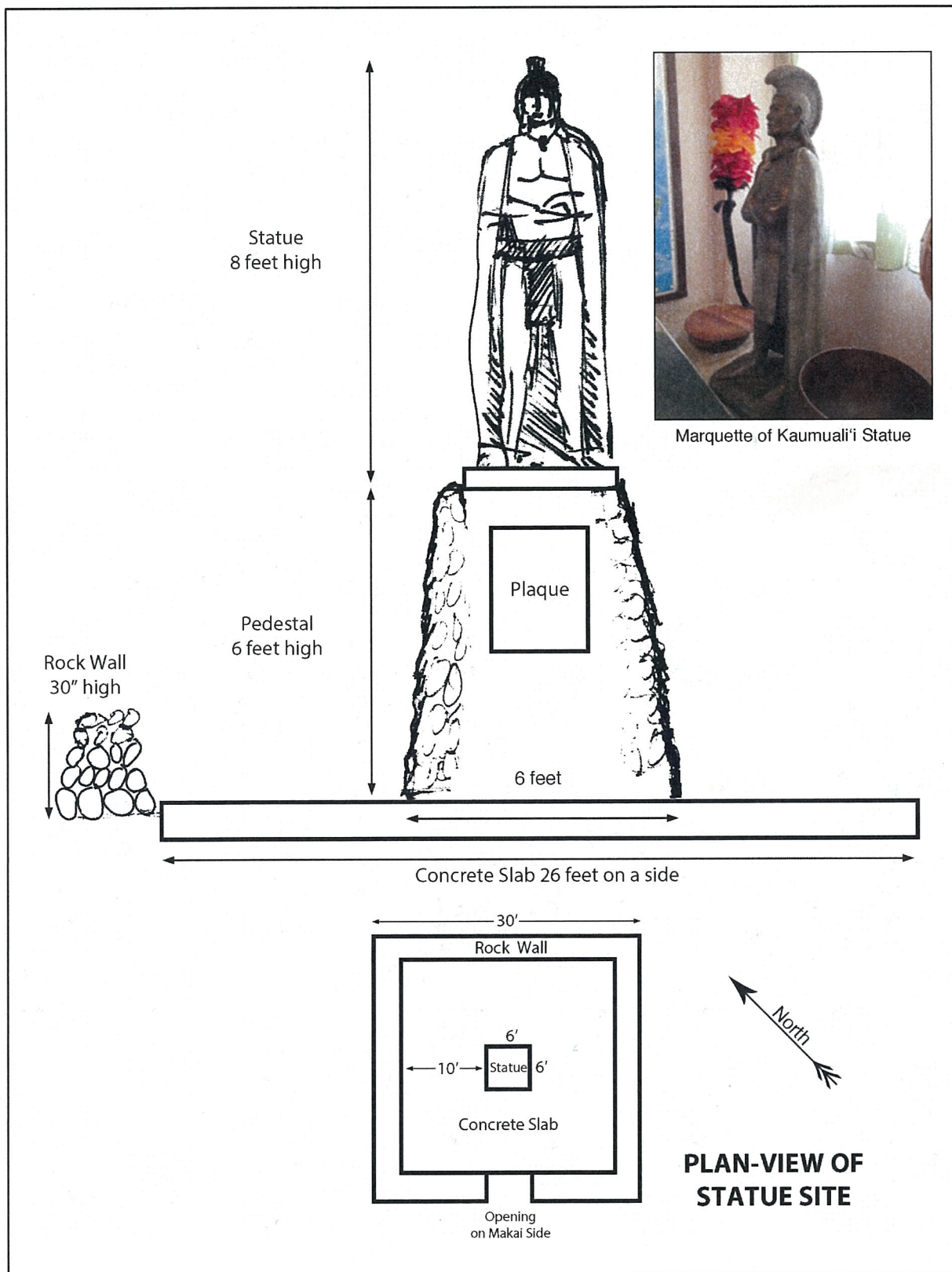


EXHIBIT B

Schematic rendering of the King Kaumuali'i statue and plan-view of the statue site.