

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

May 14, 2021

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:14KD-142

KAUAI

Grant of Term, Non-Exclusive Easement to Aukahi Farm LLC for Access and Utility Purposes, Poipu, Koloa, Kauai, Tax Map Key: (4) 2-8-014: portion of Hapa Road fronting Parcel 009.

APPLICANT:

Aukahi Farm LLC, a Hawaii limited liability company.

LEGAL REFERENCE:

Section 171-13, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Lot 19-B of Hapa Road, situated at Poipu, Koloa, Kauai, identified by Tax Map Key: (4) 2-8-014: portion of Hapa Road fronting Parcel 009, as shown on the attached map labeled Exhibit A to A-2.

AREA:

1.102 acres or 48,000 square feet, more or less.

ZONING:

State Land Use District:	Agricultural / Rural
County of Kauai CZO:	Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain and repair a right-of-way over, under and across State-owned land for access and utility purposes.

TERM:

Ten years.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Fair market annual rent to be determined for the entire term of the easement by independent appraiser, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for the subject project was published in the OEQC's Environmental Notice on March 23, 2020 with a finding of no significant impact (FONSI).

DCCA VERIFICATION:

Place of business registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

APPLICANT REQUIREMENTS:

Applicant shall be required to:

1. Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;
2. Pay for an appraisal to determine fair market rent; and
3. Obtain a title report to ascertain ownership, where necessary, at Applicant's own cost and subject to review and approval by the Department.

REMARKS:

Hapa Road (also known as Poipu Short Cut Road) is identified as Lot 19-B on Land Court Application 956, Map 28, Certificate of Title 15826, showing the State of Hawaii, as owner. The road, with an area of 6.205 acres, was in existence in the late 1800s as a path from Koloa Town to the Poipu Beach area. Hapa Road is listed on the State Inventory of Historic Places as Site Number 50-30-10-992. Its notable features are dry-stacked rock walls along either side of the unpaved portion of the road. Although the walls are missing in some areas, they are still present and visible in other areas. The community also undertook a project to rebuild a portion of the walls.

Aukahi Farm LLC is in the process of consolidating Lot A identified by Tax Map Key: (4) 2-8-012:011 and Lot 180-F of Land Court Consolidation No. 956 identified by Tax Map Key: (4) 2-8-012:001. Plans are to subdivide the consolidated two parcels into seven (7) agricultural lots and one (1) road widening lot for a planned "Subdivision."

At a Planning Commission Subdivision Committee Meeting of March 10, 2009, the Planning Commission granted Aukahi Farm LLC tentative approval of its request for a 7-lot subdivision within the Open zoning district, under Subdivision Application No. S-2009-17, identified as Tax Map Keys (4) 2-8-001:0001 & 011 of Koloa. Aukahi Farm LLC satisfied all conditions imposed by the Planning Commission.

The purpose of the easement is to provide access and utilities over and across a paved portion of Hapa Road to Weliweli Road, an unofficial county roadway, in favor of the Aukahi Farm LLC. In the near future, staff intends to submit a request to the Board of Land and Natural Resources to quitclaim the State's interest in Hapa Road to the County of Kauai. Portions of Hapa Trail, now referred to as Hapa Road, were paved and are currently maintained by the county as a roadway between Koloa Town and Poipu. Since the request for quitclaim of Hapa Road to the county has not yet been presented to the Land Board, Aukahi Farm LLC is requesting an easement from the State to establish its legal access to its private properties. Aukahi Farm LLC has indicated that it has no plans to improve the existing roadway. In the event that the plans of applicant or its successors or assigns change in the future, staff is including a recommendation below that the prior written approval of the Chairperson shall be required for any improvements before they are undertaken.

Comments were originally solicited in August 20, 2014. At that time, the only respondents were the County Board of Water, County Public Works, and Department of Health. All three agencies had no objections to the request.

Comments were also obtained during the Environmental Assessment (EA) process in 2019. The only respondents were the DOH and Ted Blake of Hui Malama O Koloa. At the time, both provided information and neither objected to the request.

Due to amount of time that has lapsed since the FEA process and due to the sensitive nature involved concerning Hapa Trail/Road, staff decided to again solicit comments from various governmental agencies and interest groups.

AGENCIES	COMMENTS
County of Hawaii:	
Fire Department	No response
Planning Department	No response
Police Department	No response
Public Works	No objections, see comments below
Water Department	No response
State of Hawaii:	
DLNR - Historic Preservation	No objections. see Exhibit B
DLNR - Na Ala Hele	No response
Dept of Health	No response
Other Agencies/ Interest Groups:	
Malama Koloa-Ted Blake	Mr. Blake has concerns and intends to provide written testimony or will personally attend the Board Meeting.
Office of Hawaiian Affairs	No objections, see comments below

The County of Kauai, Department of Public Works had no objections to the request, but provided comments that “in the event the ownership of Hapa Road is transferred to the County of Kauai, the subject easement shall be terminated and not run with the land.” Staff is including a recommendation below for automatic termination of the easement upon quitclaim of the State’s interest in Hapa Road to the County of Kauai.

Kamakana Ferreira of the Office of Hawaiian Affairs (OHA) commented that, “under Section 11.3(e) of the FEA indicated that historic sites will be preserved. OHA notes that five sites were identified (SIHP#s 50-30-10-992, -2302, -2301, -3928, -2300) as part of the archaeological inventory survey (AIS) done for this project in 2016. An excerpt from the AIS is included within the FEA, page 16, which states that no further historic preservation work is recommended for the current study area. This seemingly contradicts the commitment to preserve the sites as stated in Section 11.3. Page 18 does acknowledge that the State Historic Preservation Division (SHPD) accepted the AIS with the understanding that there would be “planned avoidance” and preservation in place of sites.

OHA recommends that DLNR ensure the preservation commitments are adhered to by conditioning the easement approval on Aukahi Farm LLC's preparation of a preservation plan completed pursuant to Hawaii Administrative Rules (HAR) Section 13-277 that incorporates the preservation commitments. While "planned avoidance" is proposed, OHA notes that avoidance is a preservation treatment detailed in HAR Section 13-277. As such, the format in HAR Section 13-277 is perhaps the best regulatory construct to follow to ensure that preservation via avoidance is carried out in a strategic manner. Staff understands that the SHPD requirements regarding preservation commitments and planned avoidance relate to the future quitclaim of Hapa Road to the County, and not to the granting of the requested easement. Accordingly, these items will be addressed in the future submittal requesting quitclaim of the road.

Mr. Ted Blake, Executive Director, Malama Koloa, originally had no objections, but does have concerns and will be providing written testimony or intends to personally attend the Board Meeting virtually to express his concerns.

The State Historic Preservation Division had no objections to the issuance of the Grant of Easement for access and utility purposes to Aukahi Farm LLC, but provided recommendations labelled as Exhibit B.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION: That the Board:

1. Authorize the subject request to be applicable in the event of a change in the ownership of the abutting parcel described as Tax Map Key: (4) 2-8-012:001 & 011, provided the succeeding owner has not had a lease, permit, easement or other disposition of State lands terminated within the last five (5) years due to non-compliance with such terms and conditions.
2. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a term non-exclusive easement for access and utility purposes to Aukahi Farm LLC covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current term easement document form, as may be amended from time to time;
 - B. The easement shall run with the land and shall inure to the benefit of the real property described as Tax Map Key: (4) 2-8-012-001 & 011, provided however: (1) it is specifically understood and agreed that the easement shall

immediately cease to run with the land upon the termination or abandonment of the easement; (2) if and when the easement is sold, assigned, conveyed, or otherwise transferred, the Grantee shall notify the Grantor of such transaction in writing, and shall notify Grantee's successors or assigns of the insurance requirement in writing, separate and apart from the easement document; and (3) when the State quitclaims its interest in Hapa Road to the County of Kauai, the easement shall automatically terminate with no refund to Grantee, its successor or assigns for any portion of the easement consideration that may be allocable to the unused term of the easement;

- C. Grantee shall not at any time during the term of this easement, construct or make improvements of any kind to the easement area, except with the prior review and written approval of the Chairperson and upon those conditions the Chairperson may impose;
- D. Review and approval by the Department of the Attorney General; and
- E. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

Wesley Matsunaga

Wesley T. Matsunaga
District Land Agent

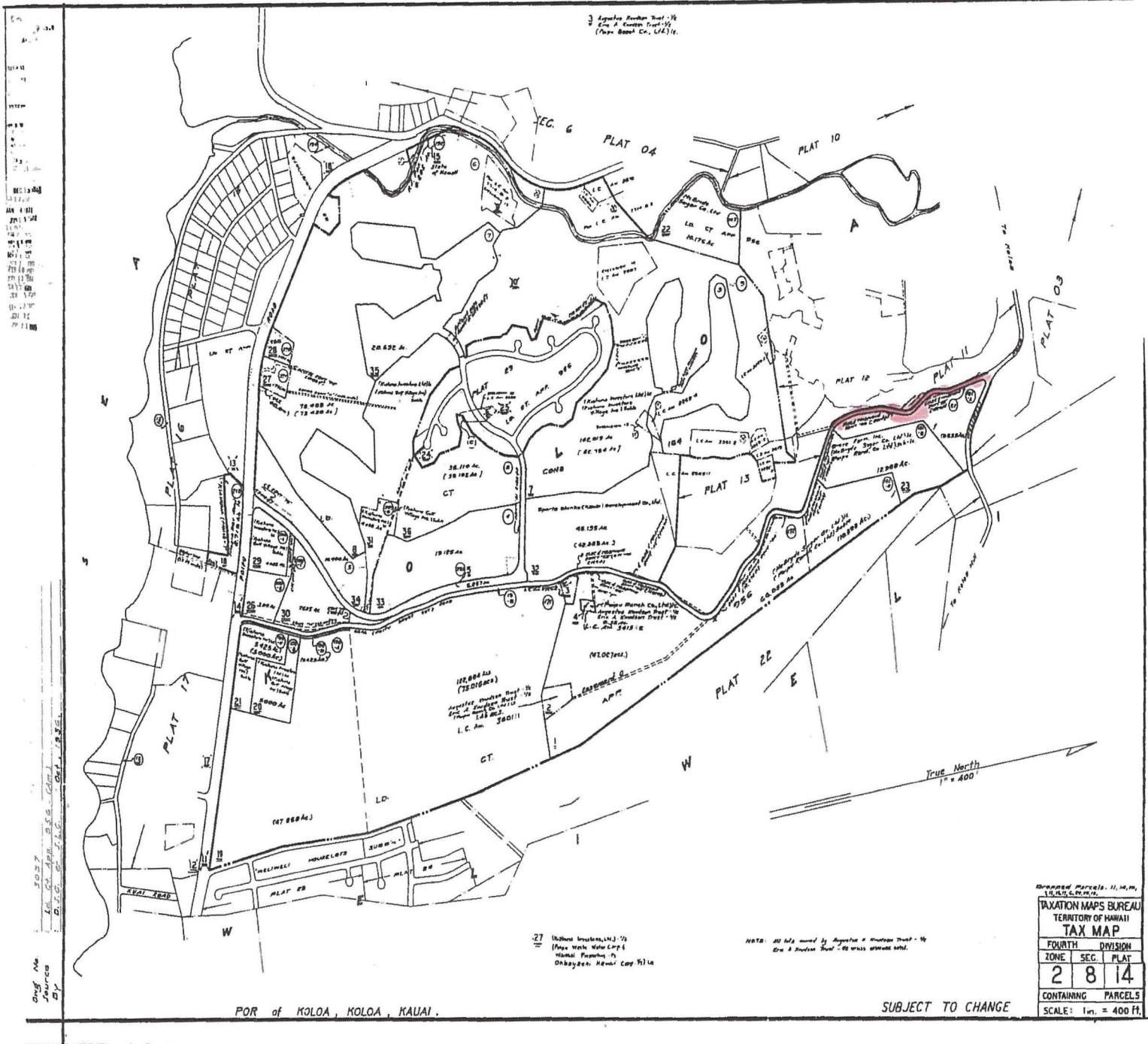
KEM

APPROVED FOR SUBMITTAL:

RJ
Suzanne D. Case

Suzanne D. Case, Chairperson

EXHIBIT A



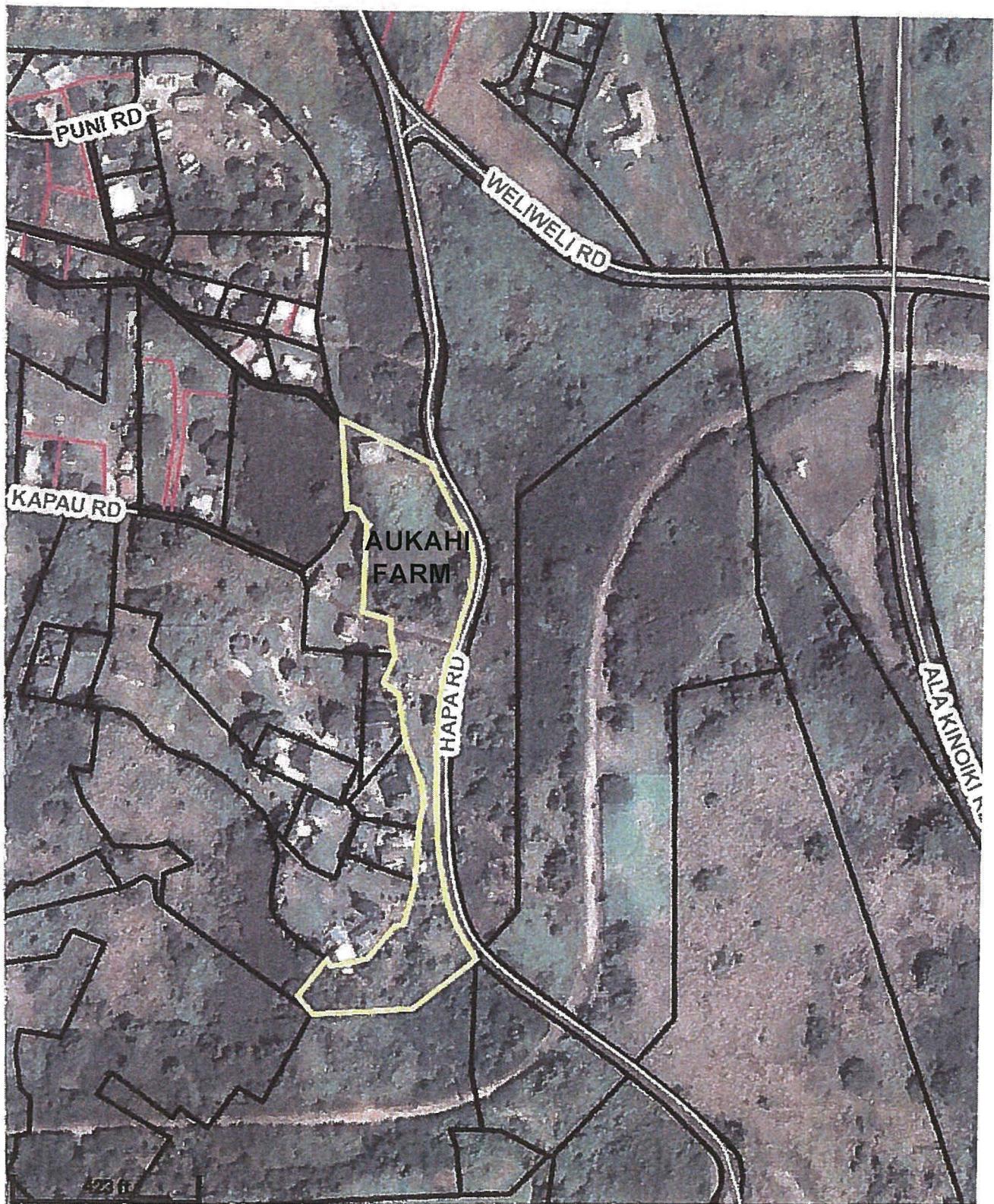
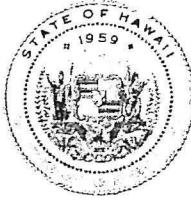


EXHIBIT A-2

DAVID Y. IGE
GOVERNOR OF
HAWAII



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
KAHOOLAE ISLANDS PRESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

February 26, 2021

Wesley T. Matsunaga, Land Agent
Department of Land and Natural Resources
Land Division
3060 Eiwa Street, Room 208
Lihue, Hawaii 96766
Email: Wesley.T.Matsunaga@hawaii.gov

IN REPLY REFER TO:
Project No.: 2020PR34676
Log No.: 2020.02569
Doc. No.: 2102GC14
Archaeology

Dear Mr. Matsunaga:

SUBJECT: **Chapter 6E-7 and 6E-8 Historic Preservation Review –
Grant of Easement for Access and Utility Purposes – Ref. No.: 14KD-142**
Applicant Name: Aukahi Farm, LLC
Kōloa Ahupua'a, Kona District, Island of Kaua'i
TMK: (4) 2-8-014:009

This letter provides the State Historic Preservation Division's (SHPD's) comments for the subject proposal received by our office on October 6, 2020. The Department of Land and Natural Resources (DLNR), Land Division, Kauai Office (KDLO), proposes to issue a Grant of Easement for Access and Utility Purposes to the applicant, Aukahi Farm, LLC. The grant of easement shall provide the applicant the right, privilege and authority to construct, use, maintain and repair a right-of-way over, under, and across State-owned land for access and utility purposes. The submittal indicates that the grant of easement involves a 1.102-acre (48,000-sq.-ft.) portion of the 6.205-acre Government lands of Lot 19-B "Hapa Road" identified as TMK: (4) 2-8-014:009. The easement will provide access and utilities across a paved portion of Hapa Road, an unofficial County roadway, in favor of the Aukahi Subdivision. There are no rock walls along this portion.

The DLNR KDLO is in the process of quitclaiming the State's interest over Hapa Road to the County of Kauai, pending receipt of a survey of the roadway. Portions of Hapa Trail now referred as Hapa Road, have been paved and are currently maintained by the County of Kauai as a roadway between Koloa Town and Po'ipū.

The submittal indicates that Aukahi Farm, LLC is in the process of consolidating Lot A, identified as TMK: (4) 2-8-012:011, and Lot 180-F of Land Court Consolidation No. 956, identified as TMK: (4) 2-8-012:001. The plans are to subdivide the two consolidated parcels (Lot A and Lot 180-F) into seven (7) agricultural lots and one (1) road-widening lot for a planned "Subdivision." The grant of easement will allow access into the proposed subdivision via Hapa Road.

Hapa Road is listed on the State Inventory of Historic Places (SIHP) as Site 50-30-10-992 and has been assessed as significant under Criteria c and d per HRS 6E. The Hapa Road was in place by 1888, when it was mapped as a road from the coast to a Catholic church in Kōloa town. Today it is a single-lane, partially paved mauka-makai road that provides a short-cut alternative to Po'ipū Road as a route from the coast to Kōloa town. A double-stacked, core-filled boulder-and-cobble wall was constructed at some point along each side of Hapa Road as a protective pasture boundary that allowed the driving of cattle along the road during the early 20th century.

ASM Affiliates completed on behalf of Aukahi Farm LLC a document titled *An Archaeological Inventory Survey and Cultural Impact Assessment for the Consolidation/Resubdivision of TMKs: (4) 2-8-012:001 and 011, Kōloa Ahupua'a, Kona District, Island of Kaua'i* (Gotay and Rechtman, April 2016). This report identifies the proposed

EXHIBIT B

project as consolidation of the two parcels and subsequent subdivision into 7 agricultural lots and one road widening lot. The road widening lot will increase the width of the present-day Hapa Road corridor and be dedicated to the Kaua'i County. Additionally, "No physical improvements to Hapa Road will be made as part of the consolidation/resubdivision action" (Gotay and Rechtman 2016:i).

The Gotay and Rechtman (2016) study documented four historical properties, including one previously identified site, a concrete irrigation channel (Site 50-30-10-3926), and three newly identified sites, two kuleana boundary rock walls (Sites 50-30-10-2300 and 50-30-10-2301), and remnants of a rock-lined 'auwai (Site 50-30-10-2302). A 100% pedestrian survey was conducted within the project area using transects spaced 10 meters apart. Also conducted were historical and archival research, oral interviews, a review of previous archaeological studies, and field documentation of the identified sites. The four sites were assessed as significant under Criterion d for their information and Site 3926 (channel) and Site 2302 ('auwai) were also assessed as significant under Criterion a due to their association with the Kola Plantation. Additionally, the sites were evaluated as having been adequately documented and, thus, they were recommended for no further work. None were recommended for preservation and no archaeological monitoring was recommended for the project. None of the historic properties were identified as potential traditional cultural properties (TCPs) on the basis that none of the interviewees identified these sites as significant under Criterion e. Lastly, Gotay and Rechtman (2016) mentioned consideration of preservation and protection of customary and traditional native practices and indicated none of the interviewees expressed concerns that the proposed project would adversely affect such practices or that preservation was recommended.

SHPD accepted the AIS/CIA report (Gotay and Rechtman 2016) in a letter dated September 26, 2016 (Log No. 2016.02268, Doc. No. 1609MN04). SHPD agreed with the site significance assessments and the recommendation of no further work based on adequate documentation of the sites. None of the sites were recommended for preservation.

Previous SHPD Reviews related to the Hapa Road, Site 50-30-10-992

- In a letter dated March 1, 2005 (Log No. 2005.0391, Doc. No. 0502NM10), SHPD accepted the Hammatt et al. (2004) AIS for TMK: (4) 2-8-014:030. The AIS covered 7.6 acres north of Po'ipū Road and identified 8 historic properties: mounds (Sites 50-30-10-539, 50-30-10-540, and 50-30-10-541), a berm (Site 50-30-10-947), a wall (Site 50-30-10-992), and 3 permanent habitation sites (Sites 50-30-10-3756, 50-30-10-3757, and Site 50-30-10-3758 Features A-C). All of the sites were assessed as significant under Criteria C and D [c and d] and it was agreed that a preservation plan would be prepared for the habitation sites and, during construction, interim protection measures would be installed for the habitation sites and for Sites 947 and 992 (Hapa Road wall).
- In a letter dated January 2, 2009 to Stacey T. J. Wong, Trustee, Eric A. Knudsen Trust, SHPD requested the proposed assessment and data recovery plan for the Hapa Road include consideration to avoid breaching the site where the walls are intact and also avoid breaching intact portions of Site 947, the railroad berm.
- In a letter dated January 8, 2009 (Stacey T. J. Wong, Trustee, Eric A. Knudsen Trust to Pua Ai, SHPD Administrator), the Trust stated "The Trust will restore 2,000 LF of the west side of the Hapa Road rock wall beginning from the railroad berm and heading northerly to roughly match the eastern rock wall at each corresponding point, which work shall be completed by January 8, 2029."
- In a letter dated January 8, 2009 (Log No. 2009.0410, Doc. No. 0901PA01), SHPD's review titled, Final Subdivision Map, Eric Knudsen Trust (S-2003-48), SHPD states that in order to mitigate the effect of the proposed 60-ft-wide breach of Hapa Road (Site 50-30-10-992), the "Trust agreed to restore 2,000 linear feet of the west side of the Hapa Road rock wall beginning from the railroad berm and heading northerly to roughly match the eastern rock wall at each corresponding point, which work shall be completed by January 8, 2029."
- In a letter dated February 2, 2009 (Log No. 2009.0620, Doc. No. 0902WT04), SHPD accepted an archaeological data recovery plan for a 60-ft-wide portion of the Hapa Road, Site 50-30-10-992 (Yucha and Hammatt, January 2009). SHPD additionally indicated that "This wall will then be reconstructed after the construction of an access road by a contractor skilled in historic wall building. The Plan should be revised to address the reconstruction of the wall as a commitment made by the Knudsen trust (ltr to Costa, Planning, dated January 9, 2009 from Pua Ai, Administrator, SHPD [Log No. 2009.0410 Doc No

0901PA01]. The breaching of the wall was allowed with the commitment by Knudsen that the west side of the wall 2000 linear feet will be reconstructed, roughly matching the east side.”

- In a letter dated February 24, 2011 (Log No. 2010.1260, Doc. No. 1010MD04), SHPD accepted Simonson and Hammatt (August 2010) AIS for a 2,500-sq.-ft. portion of the Hapa Road (Site 50-30-10-992) which would be breached to create a new road. The letter states that the property owners agreed on January 8, 2009, that a long-term preservation plan for five sites, including Site 992, would be submitted by January 8, 2010. The review also mentions SHPD’s January 2009 review letter (Log No. 2009.0410, Doc. No. 0901PA01) agreeing to a 20-year period for reconstruction of the wall segment damaged by the breach. Additionally, SHPD still needs to receive for review a preservation plan for the entirety of Site 992 (Hapa Road). Note, January 8, 2009 letter did not include preservation for Site 992. It actually stated “Submit long-term preservation plans for sites 900, 911, 912, 966, and 967 by January 10, 2010.”
- In a letter dated June 2, 2011 (Log No. 2010.1260, Doc. No. 1106MD03) SHPD again accepted Simonson and Hammatt (August 2010) AIS for a 2,500-sq.-ft. portion of the Hapa Road (Site 50-30-10-992) which would be breached to create a new road. The letter states that the property owners agreed on January 8, 2009, that a long-term preservation plan for five sites, including Site 992, would be submitted by January 8, 2010. The review also mentions SHPD’s January 2009 review letter (Log No. 2009.0410, Doc. No. 0901PA01) agreeing to a 20-year period for reconstruction of the wall segment damaged by the breach. Lastly, SHPD’s June 2, 2010 letter states that SHPD still needs to review a preservation plan for the site. As noted above, Site 992 was not included in the five sites for preservation in the letter dated January 8, 2009.
- In a letter dated October 6, 2011 (Log No. 2011.1774, Doc. No. 1110MD01), SHPD accepted the Altizer and Hammatt (2011) AIS report for a proposed access road into Po‘ipū Subdivision, TMK: [4] 2-8-014:001 por. The Hapa Road was assessed as significant under Criteria c and d. Since the planned road crossing would have an effect on the historic property, archaeological monitoring was proposed as mitigation. SHPD agreed and recommended the proposed road design include some indication that Hapa Road is being traversed in the affected portion of the area.
- In a letter dated April 24, 2018 (Log No. 2018.00034, Doc No. 1803JA06), SHPD reviewed and requested revisions to a draft document titled *Draft Archaeological Monitoring Report for Replacing a Portion of a Former Wall Segment along Hapa Road Trail SIHP # 50-30-10-992, Kōloa Ahupua‘a, Kōloa District, Kaua‘i, TMK: [4] 2-8-014* (Mālama Kōloa and Hammatt, January 2018). The project included primarily above-ground wall reconstruction. Ground-disturbing activities included pre-reconstruction vegetation clearing and the use of heavy equipment to soften the ground, along a 152-m-long segment of Hapa Road, followed by wall reconstruction.

The draft archaeological monitoring report (Mālama Kōloa and Hammatt, January 2018) has not been revised and submitted to SHPD for review and acceptance. The report indicates that Mālama Kōloa (project proponent and sponsor) reconstructed a long portion of the west wall in the project area, using traditional rock-wall construction practices, with assistance from E Alu Pū, cultural practitioners of traditional masonry, and many community members. When the reconstruction project was initiated, the two wall segments flanking the road included an 84-m-long segment of the west wall that was either fully or partially reconstructed including 27 m fully reconstructed, 10 m where foundation boulders (niho) were set and upper courses were begun, 30 m where most niho were set, and 17 m where vegetation clearing and surface leveling were completed. The fully reconstructed wall incorporates traditional rock sizes and shapes, set traditionally, and topped with flat capstones. As the project began, the project-area segments of the two wall segments flanking the road/trail included an east-wall segment in good condition and a destroyed west-wall segment whose rocks had been nearly entirely removed during years of rock quarrying and construction-related activities.

SHPD Determination

Pursuant to Hawaii Revised Statutes (HRS) §6E-7(d) The State shall not transfer any historic property or aviation artifacts without the concurrence of the department (SHPD) and shall not transfer any burial sites without consulting the appropriate island burial council.

Per HRS §171-36.1 Reservation of rights to prehistoric and historic remains on leased public lands. The board of land and natural resources shall, in leases of public lands retain the rights to all prehistoric and historic remains found on such lands.

SHPD has no objections to the proposed action, *Grant of Easement for Access and Utility Purposes – Ref. No.: 14KD-142*, to Aukahi Farm LLC.

SHPD requests the following outstanding HRS 6E historic preservation commitments be addressed prior to transference of State lands to the County of Kaua'i:

1. Mālama Kōloa and Cultural Surveys Hawai'i, Inc. complete the HRS 6E historic preservation review process for the DLNR-approved Mālama Kōloa project involving reconstruction of a portion of the Hapa Trail. SHPD reviewed and requested revisions to the draft archaeological monitoring report (Mālama Kōloa and Hammatt, January 2018). In a letter dated April 24, 2018 (Log No. 2018.00034, Doc No. 1803JA06) SHPD requested the report be revised and submitted for review and acceptance. This HRS 6E commitment remains outstanding.
2. County of Kaua'i written documentation regarding the status of the Eric A. Knudsen Trust commitment to restore 2,000 linear feet of the west side of the Hapa Road Rock wall beginning at the railroad berm and heading north to roughly match the eastern rock wall at each corresponding point. Per agreement with SHPD, this work is to be completed by January 8, 2029.
 1. If this restoration has not been completed, that this agreed-upon preservation measure be included as a stipulation in the Grant of Easement from the State to the County of Kaua'i.

SHPD also requests within 180 days of the DLNR transfer of Hapa Trail to the County of Kaua'i, the County shall submit a preservation plan for Site 50-30-10-992 that includes the following:

1. Current documentation of the Hapa Road including:
 1. A plan view of the entirety of the site;
 2. A current site condition assessment that identifies the 60-ft-wide breached section, and all other sections of the wall that have been reconstructed since 2000. This assessment shall include appropriate plan views, profiles, photographs, and description; and
 3. A current assessment of site integrity and significance per HRS 6E, including significance per Criterion e (to the Native Hawaiian community).
2. An archaeological preservation plan meeting the requirements of HAR §13-277, including provisions addressing the following:
 1. Maintenance methods (preferably hand tools) and maintenance schedules;
 2. Preservation boundaries and identification of permitted and prohibited activities within the established preservation boundaries;
 3. A consultation process for allowing for and entering into community stewardship agreements for all or a portion of the site; and
 4. A record of consultation with SHPD, OHA, other NHOs, and interested parties regarding preservation boundaries and stipulations, and for handing requests for changes to the preservation plan provisions.

Please contact Susan A. Lebo, Archaeology Branch Chief, at Susan.A.Lebo@hawaii.gov or at (808) 321-9000, for matters regarding archaeological resources or this letter.

Aloha,

Alan Downer

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

cc: Suzanne Case, Chair, DLNR, [REDACTED]
Linda Chow, AG, [REDACTED]
Robert Masuda, Deputy, DLNR, [REDACTED]
Hal Hammatt, CSH, h hammatt@culturalsurveys.com
David Shideler, CSH, d shideler@culturalsurveys.com