

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

September 9, 2022

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

PSF No.: 20MD-053

Maui

Issuance of Right-of-Entry Permit to Kupono Partners LLC to Perform
Archaeological Inventory Survey (AIS), Waiakoa & Waiohuli-Keokea (Kihei),
Wailuku, Maui; Tax Map Keys (TMK): (2) 3-9-001: Seaward of 015, 025, 083,
120, 147 and Landward Portion of 025

APPLICANT:

Kupono Partners LLC, "Applicant", a domestic limited liability company (LLC)

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes (HRS), as amended

LOCATION:

Government lands situated at Waiakoa & Waiohuli-Keokea (Kihei), Wailuku,
Maui, identified by TMKs: (2) 3-9-001: Seaward of 015, 025, 083, 120, 147 and
Portion of 025, as shown on the attached map labeled Exhibit A.

AREA:

7,550 square feet, more or less: portion of parcel 025
2,840 square feet, more or less: seaward of parcel 083
11,320 square feet, more or less: seaward of parcel 120
21,710 square feet, more or less: TOTAL

ZONING:

State Land Use District: Urban (parcel 025)
Conservation (seaward of parcels 015, 025, 083, 120 and 147)
County of Maui: Drainage, Park (parcel 025)
No zoning (seaward of parcels 015, 025, 083, 120 and 147)

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:

Parcel 025 is encumbered by Executive Order 1431 to the County of Maui, for purposes of a memorial park, and Grant of Non-Exclusive Easement S-6002 to Kuponono Partners LLC for purposes of using, maintaining, repairing, replacing, and removing existing monument, revetment and filled land.

CHARACTER OF USE:

Parcel 025: Park and Drainage purposes.
Seaward of Parcels 025, 083 and 120: sandy beach.

TERM OF RIGHT-OF-ENTRY:

Start date to be determined, with one year's duration.

CONSIDERATION:

Gratis is recommended due to the public benefit of beach sand nourishment.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) Section 11-200.1-16 (a)(2) and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to: General Exemption Type 5, "Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource", Part 1, Item No. 12 that states, "Conduct terrestrial and marine archaeological surveys." The exemption notification is attached as Exhibit B.

September 9, 2022

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u> </u>
Registered business name confirmed:	YES <u>X</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u> </u>

BACKGROUND

Applicant would like to perform a small scale beach nourishment (SSBN) project at Kalepolepo Beach Park in Kihei, Maui. Prior to doing the SSBN, Applicant is required to conduct testing for an archaeological inventory survey (AIS). The AIS testing strategy was approved by the State Historic Preservation Division (SHPD) of the DLNR. Applicant is requesting a right-of-entry permit to conduct the AIS. Upon approval of the AIS from the DLNR Historic Preservation Division (SHPD), Applicant will request another ROE to perform the SSBN. Applicant also plans to move the Vancouver monument from the shoreline to another location to be determined.

REMARKS

The current request is to conduct the AIS only. A copy of the AIS design is attached as Exhibit C.

The AIS will address any concerns related to identification of any human remains within the dunes and all identified cultural sites will be fully documented during the AIS process. Only sand deposits that have accumulated over the past 70 years via aeolian or alluvial processes are proposed for excavation testing.

The subsurface testing will be done in the two main locations related to the SSBN project: the sand removal area and the sand placement area. Applicant's contractor will dig trenches using a small excavator with a bladed bucket, which should greatly decrease the impact to any cultural resources that may be encountered. Manual testing will occur if cultural resources are identified to dig trenches. The trenches will be approximately 15 feet long, 3 feet wide and 4-6 feet deep. The proposed location of the trenches is shown on page 19 of Exhibit C.

The purpose of the testing is to assess the presence or absence of cultural resources. Applicant's archaeology contractor is SCS archaeologists and a team of at least four staff will work closely with the machine operators.

There is a small monument to the explorer, Captain George Vancouver, that was placed near the shoreline in 1969 by the original owner of the Maui Lu Resort. The monument is on State owned TMK (2) 3-9-001:086 and is fronted by a rock revetment and surrounded by several tall palm trees. Because the monument turned 50 years old in

2019, and now qualifies as a historic property, it will be recorded, documented, and tested during this AIS. In the future, Applicant intends to relocate the monument to an area which will be decided upon with local cultural and community groups. The rock revetment and palm trees will be removed.

The archaeology contractor submitted their AIS plan to the State Historic Preservation Division (SHPD) via the HICRIS system, and SHPD agreed with the AIS testing strategy.

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

Gratis is recommended for this ROE because the proposed activity is for data collection.

Staff sent a copy of this submittal to DLNR Division of Aquatics Resources (DAR), OCCL, Office of Hawaiian Affairs (OHA), and the Maui County Parks and Recreation Department for their review and comment and they responded as follows:

Agency	Comment
DLNR--DAR	No Comments.
DLNR--OCCL	Agree with Chapter 343 exemption. OCCL Permit not required.
OHA	No response received by suspense date.
County Dept. of Parks & Rec.	No response received by suspense date.

RECOMMENDATION: That the Chairperson

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Kuponon Partners 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 right-of-entry permit form, as may be amended from time to time;
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Issuance of ROE for AIS
To Kupon Partners LLC
Page 5

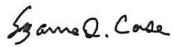
September 9, 2022

Respectfully Submitted,



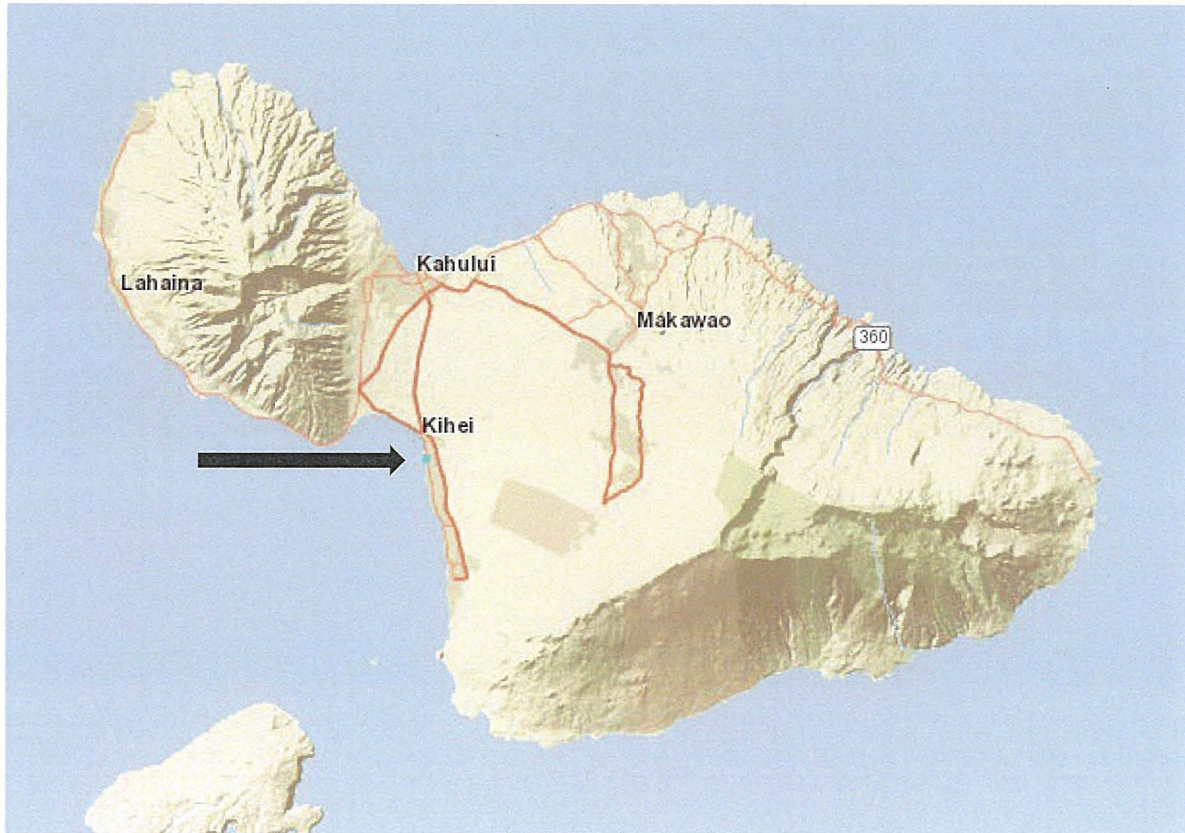
Seiko Machida
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





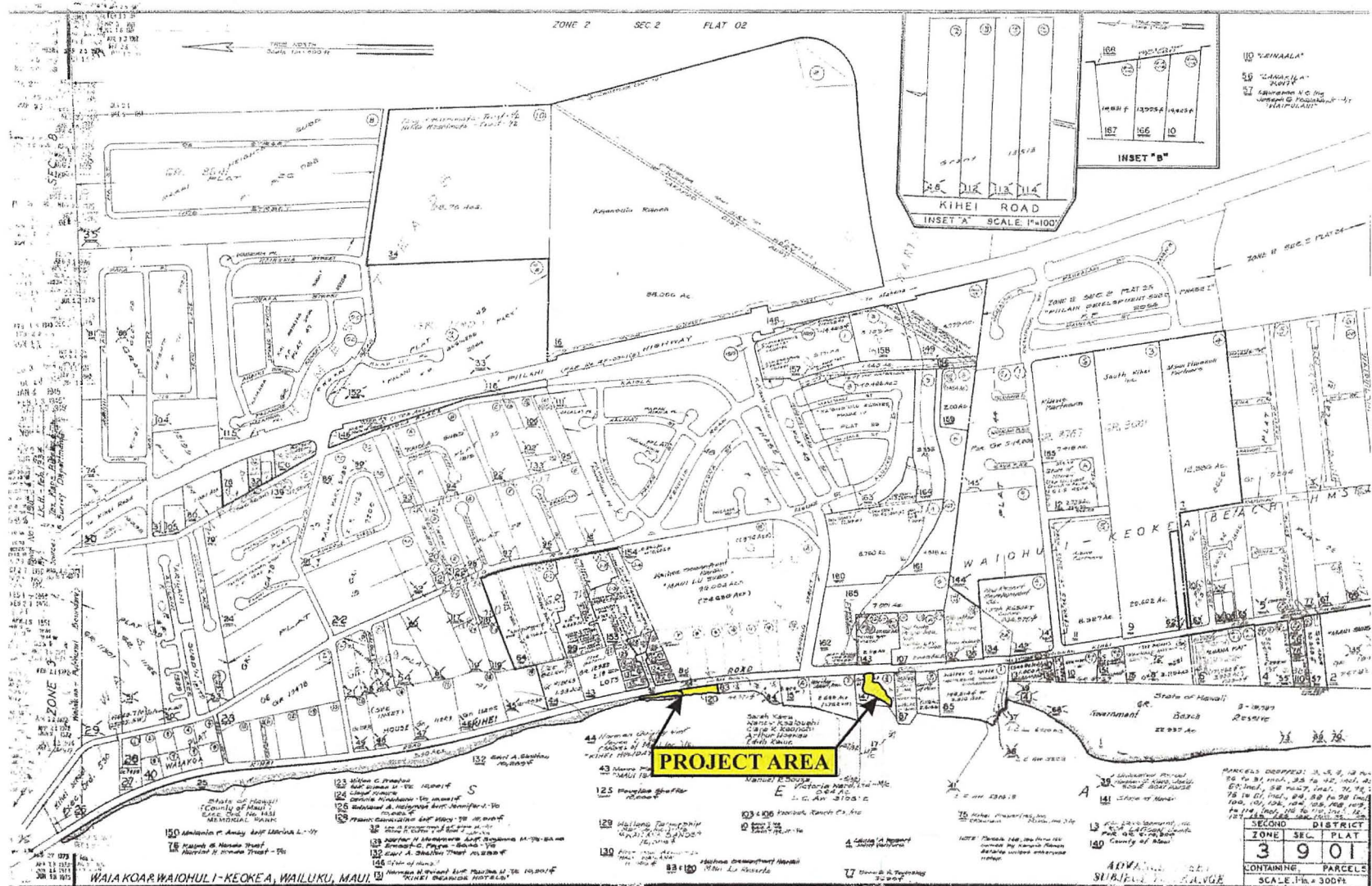
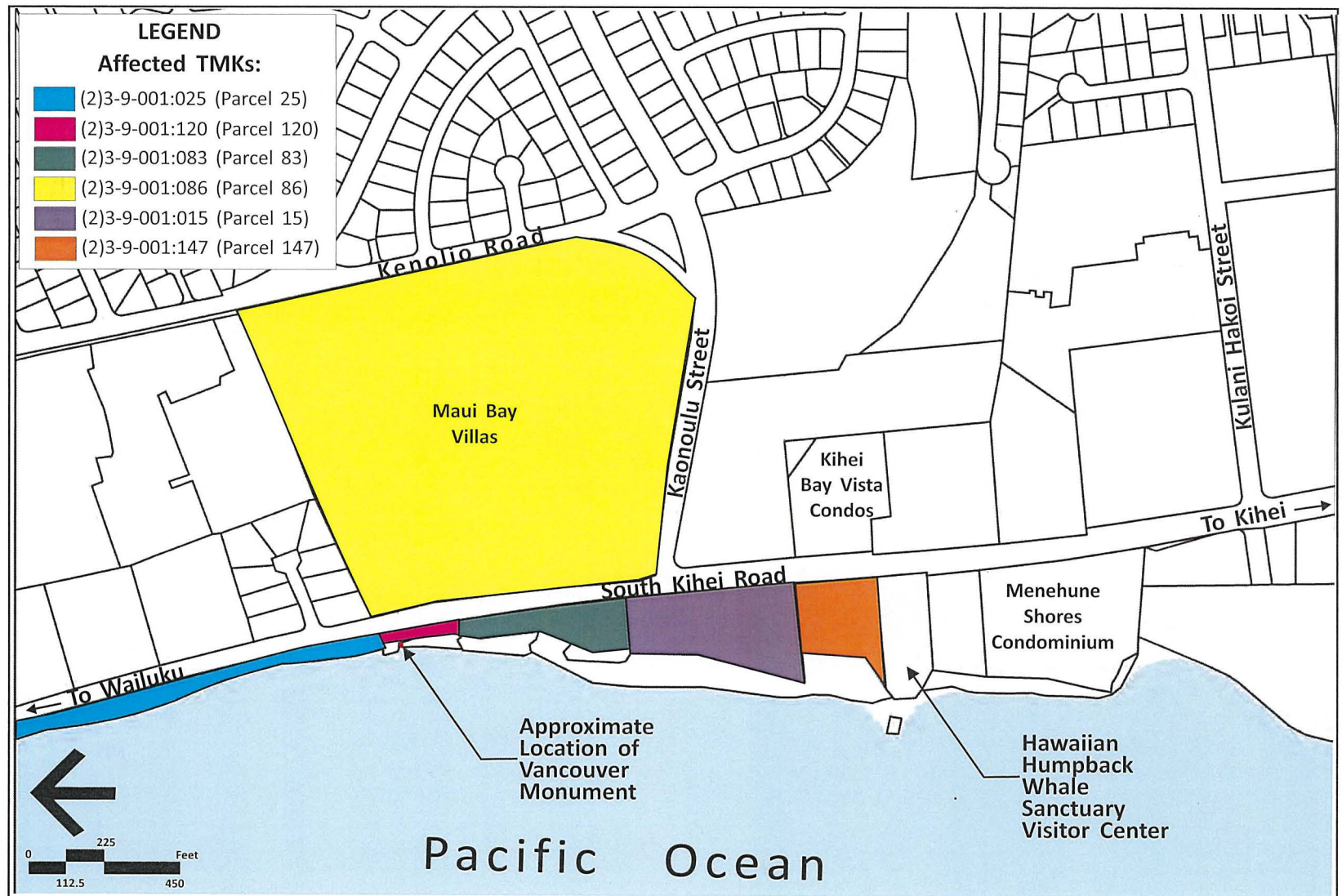


Figure 2: TMK Showing Location of Project Area and Staging and Logistic Plan Areas.



Source: County of Maui, Department of Planning

Kalepolepo Dune Restoration Affected Properties Map

Prepared for: Hilton Grand Villas

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
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SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS) and Section 11-200.1-16 (a)(2), Hawaii Administrative Rules (HAR)

Project Title: Issuance of Right-of-Entry Permit to Kupono Partners LLC to Perform Archaeological Inventory Survey (AIS) , Waiakoa & Waiohuli-Keokea (Kihei), Wailuku, Maui; Tax Map Keys (TMK): (2) 3-9-001: Seaward of 015, 025, 083, 120, 147 and Landward Portion of 025

Project / Reference No.: PSF 20MD-053

Project Location: Government lands situated at Waiakoa & Waiohuli-Keokea (Kihei), Wailuku, Maui, identified by TMKs: (2) 3-9-001: Seaward of 015, 025, 083, 120, 147 and Landward Portion of 025 as shown on the attached map labeled Exhibit A.

Project Description: Applicant requests a right-of-entry permit to conduct an Archaeological Inventory Survey (AIS) as a requirement before performing a small scale beach nourishment project at a later date. A separate right-of-entry permit will be requested for the beach nourishment project.

The AIS will address any concerns related to identification of any human remains within the dunes and all identified cultural sites will be fully documented during the AIS process. Only sand deposits that have accumulated over the past 70 years via aeolian or alluvial processes are proposed for excavation testing.

The subsurface testing will be done in the two main locations related to the SSBN project: the sand removal area and the sand placement area. Applicant's contractor will dig trenches using a small excavator with a bladed bucket, which should greatly decrease the impact to any cultural resources that may be encountered. Manual testing will occur if cultural resources are

EXHIBIT B

identified. to dig trenches. The trenches will be approximately 15 feet long, 3 feet wide and 4-6 feet deep.

The purpose of the testing is to assess the presence or absence of cultural resources. Applicant's archaeology contractor is SCS archaeologists and a team of at least four staff will work closely with the machine operators. Because they are only checking sand deposits that have accumulated over the past 70 years, the archaeology contractor does not anticipate finding cultural resources.

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rules (HAR) Section 11-200.1-16 (a)(2) and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to: General Exemption Type 5, "Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource", Part 1, Item No. 12 that states, "Conduct terrestrial and marine archaeological surveys."

Cumulative Impact of
Planned Successive
Actions in Same Place
Significant?:

No, the request is for a one-year ROE for the archaeology contractor to test the sand for cultural resources. The testing activity should have negligible impacts on the natural environment.

Action May Have
Significant Impact on
Particularly Sensitive
Environment?:

No, staff believes there would be no significant impact to sensitive environmental or ecological receptors. The contractor will only be testing the sand and will be advised to look out for turtles or other sea life in the area and to not work in the area when sea life are present.

MDLO Staff requested comments from DLNR Division of Aquatic Resources (DAR), OCCL, OHA, and the County of Maui Department of Parks and Recreation regarding the subject ROE.

DAR had no comments, OCCL agreed with the Chapter 343 exemption, and OHA and the County Parks and Recreation Department did not respond by the suspense date.

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

**ARCHAEOLOGICAL INVENTORY SURVEY DESIGN FOR THE
KALEPOLEPO DUNE RESTORATION PROJECT IN KIHAI,
KAONOULU AHUPUA'A, KULA (WAILUKU) DISTRICT
MAUI, HAWAII
[TMK: (2) 3-9-001: por. of 025, 120, & 147**

Prepared By:
Michael F. Dega, Ph.D.

**June 2021
Revised March 2022
Revised April 2022
Draft**

Prepared for:
Kupono Partners, LLC. (Addressee)
State of Hawai'i
County of Maui
711 Kapiolani Boulevard, Suite 1100
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SCIENTIFIC CONSULTANT SERVICES, Inc.



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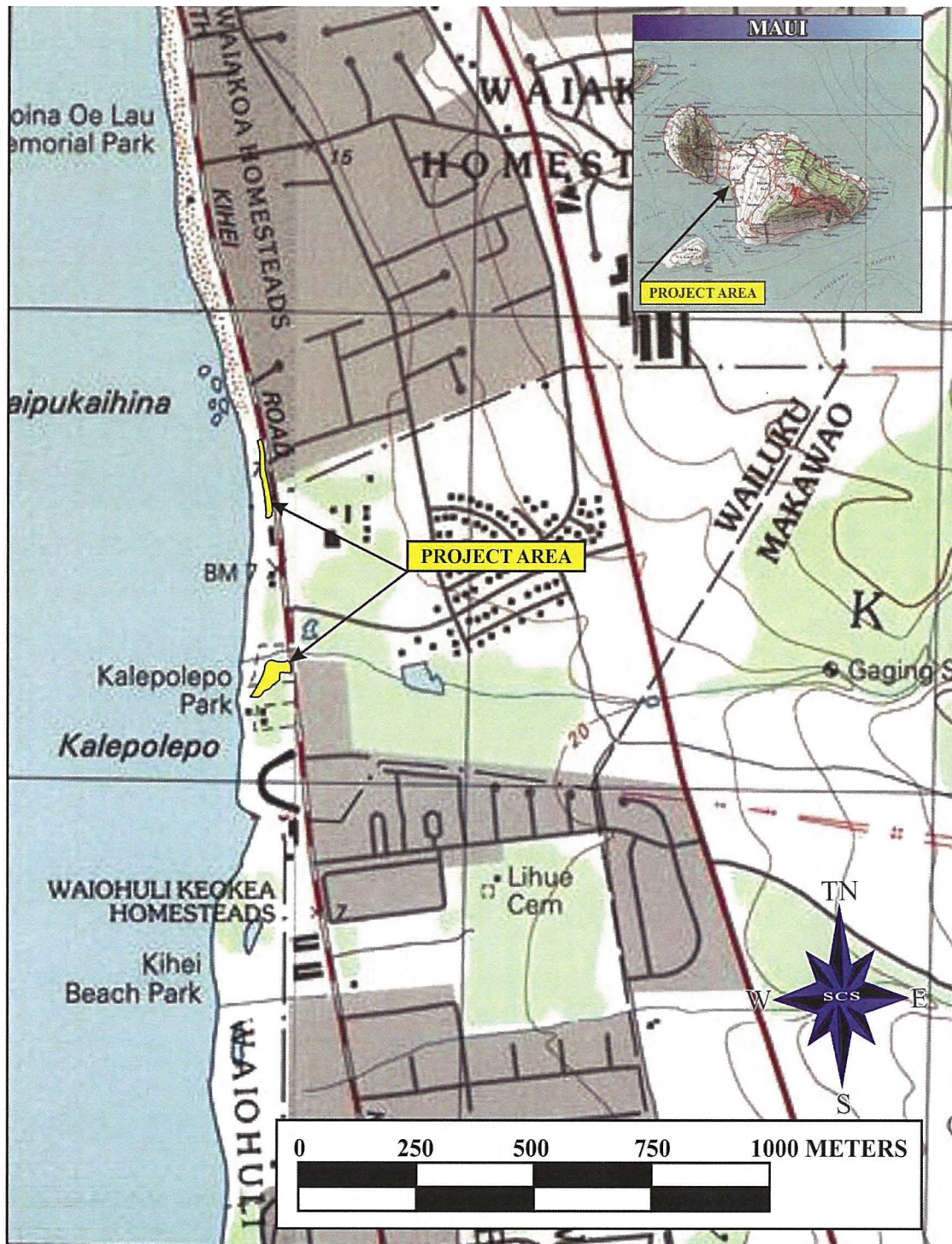
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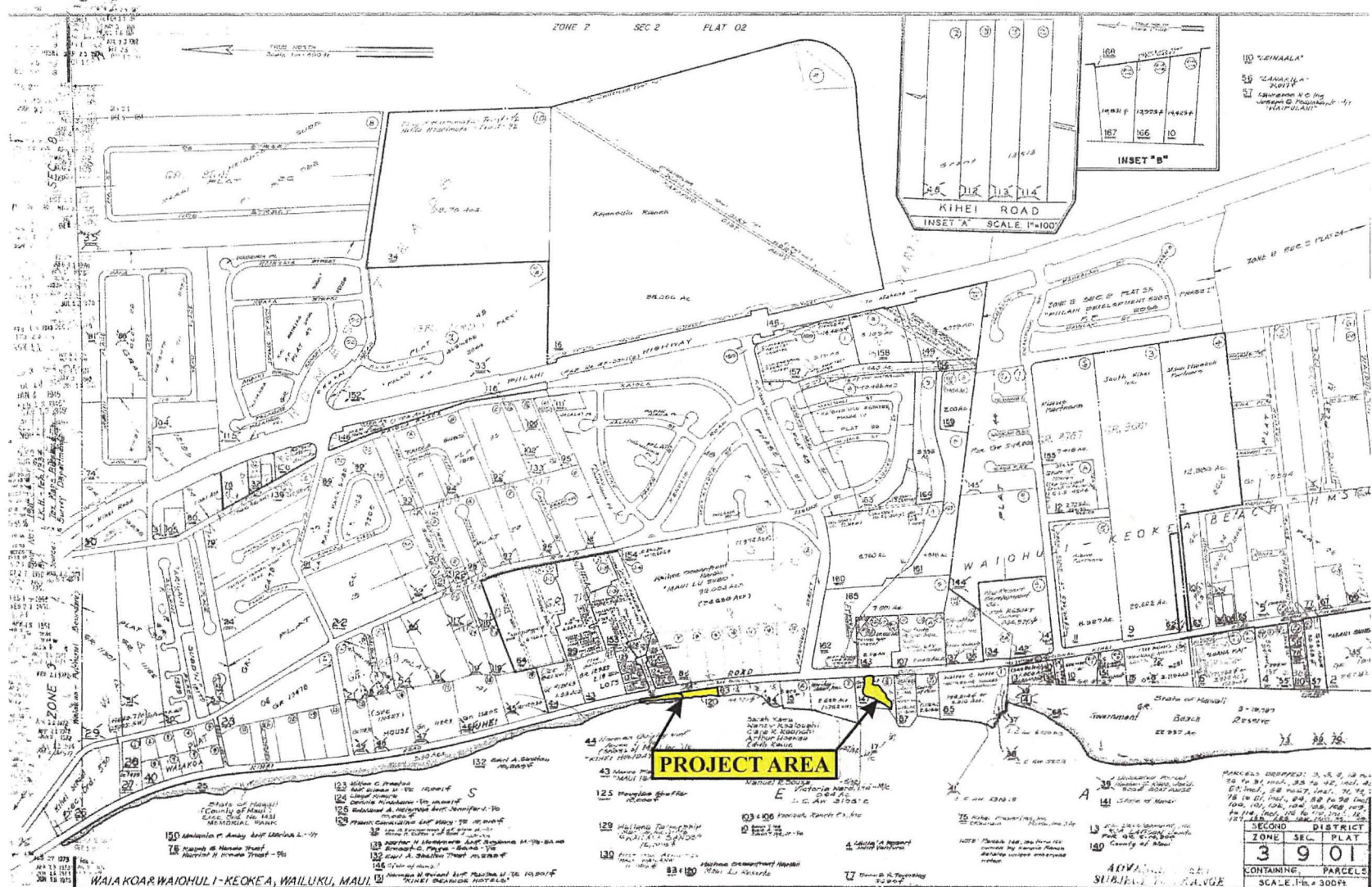
INTRODUCTION

Aeolian wind processes transport substantial amounts of sand for coastal dune formation both behind and parallel to shorelines. The constant and excessive winds of south Maui have created large wind-swept dunes along and fronting Kalepolepo Beach Park in Kihei, Ka'ono'ulu Ahupua'a, Makawao District, Island of Maui, Hawai'i [TMK: (2) 3-9-001: pors. of 025, 120, and 147 (Figures 1 through 4). The biogenic calcareous sand forms dunes that are reliant on wind speed and direction. The dunes in the beach park accumulate by tradewind deposition and are an actively mobile dune system as the winds rarely cease in this area. Erosion, on the other hand, occurs by marine waves and inland stream flood events. This project is the outcome of sand accumulation exceeding the volume of erosion, as noted in a seminal Sea Engineer, Inc. study from 2017.

The project area consists of two main locales: a sand recovery area and a sand deposition area. Archaeological inventory survey (AIS) of these two locations for identification purposes is proposed for this project, following SHPD recommendations (September 15, 2020 Log No:2020.02055, Doc No:2009AM09) and multiple consultations with SHPD-Maui staff, the County of Maui archaeologist, and recognized cultural descendants of the area. The AIS study will address any concerns related to identification of any human remains within the dunes and all identified cultural sites will be fully documented during the AIS process. There are two components to this project: Kalepolepo dune restoration and replenishment and second, further documentation of the Vancouver Monument prior to and during its removal from the dune restoration project area and testing around the monument itself during this AIS. The monument will not be removed until the AIS has been accepted by SHPD. Note that this AISP was accepted by the SHPD on March 9, 2022 but is being revised herein to a smaller project footprint. The County of Maui conducted emergency sand removal of part of this project area (southern flank) and thus, the footprint has become smaller for this project and five less trenches are proposed within the area wherein the County redistributed sand.

For the dune recovery area, only sand deposits that have accumulated over the past 70 years via aeolian or alluvial processes are proposed for excavation testing. For the latter area, the monument, which turned 50 years old in 2019 and now qualifies as a historic property (built in 1969), will be recorded, documented, and tested during this AIS, with its ultimate relocation to occur during this project to an area which will be decided upon with local cultural and community groups.





PROJECT DESCRIPTION

As noted above, there are two main components to this AIS: sand dune removal from one parcel (por. 147) and restoration (pors. 025, 120) and second, AIS documentation of the Vancouver Monument and trenching around it. The main portion of this AIS, the sand replenishment project, is discussed in more detail below, with the monument being addressed as a known historic property in the following pages.

First, sand nourishment and dune restoration will occur within the existing beach and dune areas of several parcels owned by different entities: TMK: (2) 3-9-001: 120 (Kupono Partners LLC.); TMK: (2) 3-9-001: 025 (State of Hawai'i); and TMK: (2) 3-9-001: 147 (County of Maui). Note that TMK: (2) 3-9-001:083 nearby has yielded MNI=2 disturbed human remains, which have been collected and have been re-interred within the same area as identified. This area will not be utilized for any portion of this project.

Approximately 1,250 cubic yards (c.y.) of recently deposited (within the past 70 years maximum), wind-blown beach sand at the south end of the Kalepolepo Beach Park, adjacent to the National Oceanic and Atmospheric Administration (NOAA) Whale Sanctuary facility, will be eventually removed. This sand removal will occur directly south of Kalepolepo Sand Dune, at TMK No. (2)3-9-001:147). In addition to the previously reviewed and approved project limits, an additional area of approximately 0.2 acres on Parcel 147 is included in the expanded project limits. In total, approximately 1,250 c.y. of wind-blown beach sand is proposed to be removed from the Kalepolepo Sand Dune as the result of this project. Figure 5 provides a contemporary project area photo of the sand removal/excavation area. This area will be tested during the AIS (see below).

As part of a dynamic coastal system, this 0.2-acre expanded area accommodates the migration of wind-blown sand over the time that has passed since the last review of the beach nourishment project in December 2018. This expanded area is important to accomplish a primary goal of the project, which is to provide beneficial sand management and shoreline restoration benefits by redistributing excess sand to eroded shoreline areas to the north. As stated previously, only sand deposits that have accumulated naturally via aeolian or alluvial processes within the past 70 years are proposed for excavation. The older, underlying *mauka* sands which have partially evolved *in situ* over time, will not be disturbed.



Figure 5: Photograph of Dune at Kalepolepo for Sand Removal. View to East.

Upon project excavation, after the AIS and permitting has been completed, the sand will be redistributed north of the former Maui Lu Resort along approximately 300 feet of shoreline (TMK No. (2) 3-9-001:025, and makai of 025) ("Sand Placement Area") (Figure 6). While Parcel 25 was always intended to be a sand placement site, this parcel was inadvertently excluded from previous correspondence. No sand will be placed on the beach fronting Kalepolepo Beach Park, Kūlanihāko'i Gulch mouth, or adjacent to Kalepolepo (Kō'ie'ie) Fishpond. Vegetation will be re-established at both the Excavation Area and Sand Placement Areas.

The recovery sand volume estimate is based on the existing topography of the dune field and placement of large trees. The windward slopes of the current frontal dunes will be maintained at an elevation of no less than 5 feet above average existing grade. Sand fencing will be maintained at these slopes and removed from excavation areas. Large kiawe (*Prosopis pallida*) trees will not be removed, but smaller, young trees and kiawe shrubs will be removed where dune sand is being excavated. Local volunteers will construct dune fencing along the new slopes, following completion of excavation. There is approximately 5,200 c.y. of dune sand available for redistribution to the project site. The excavation will only affect newer wind-blown sand deposited over the past 70 years. Figures 7 and 8 show the elevational changes for sand dune removal depths and the final depth after sand has been removed.

As part of the sand removal process, the Vancouver Monument will be removed and the sediment beneath the structure also recovered as part of the sand removal and nourishment project (Figure 9). The monument occurs on Easement 3 of a Grant of Non-Exclusive Easement S 6006, which the County of Maui Real Property Tax Division Map lists as TMK: (2) 3-9-001:180. However, the County has confirmed that Parcel 180 is only a TMK designation for purposes of assessing real property taxes and officially, the monument rests on the easement. As noted below, the area around the monument will be tested during the AIS, prior to any removal of the monument and existing boulder revetment.



Figure 6: Photograph of Sand Deposition Area. View to Northwest.

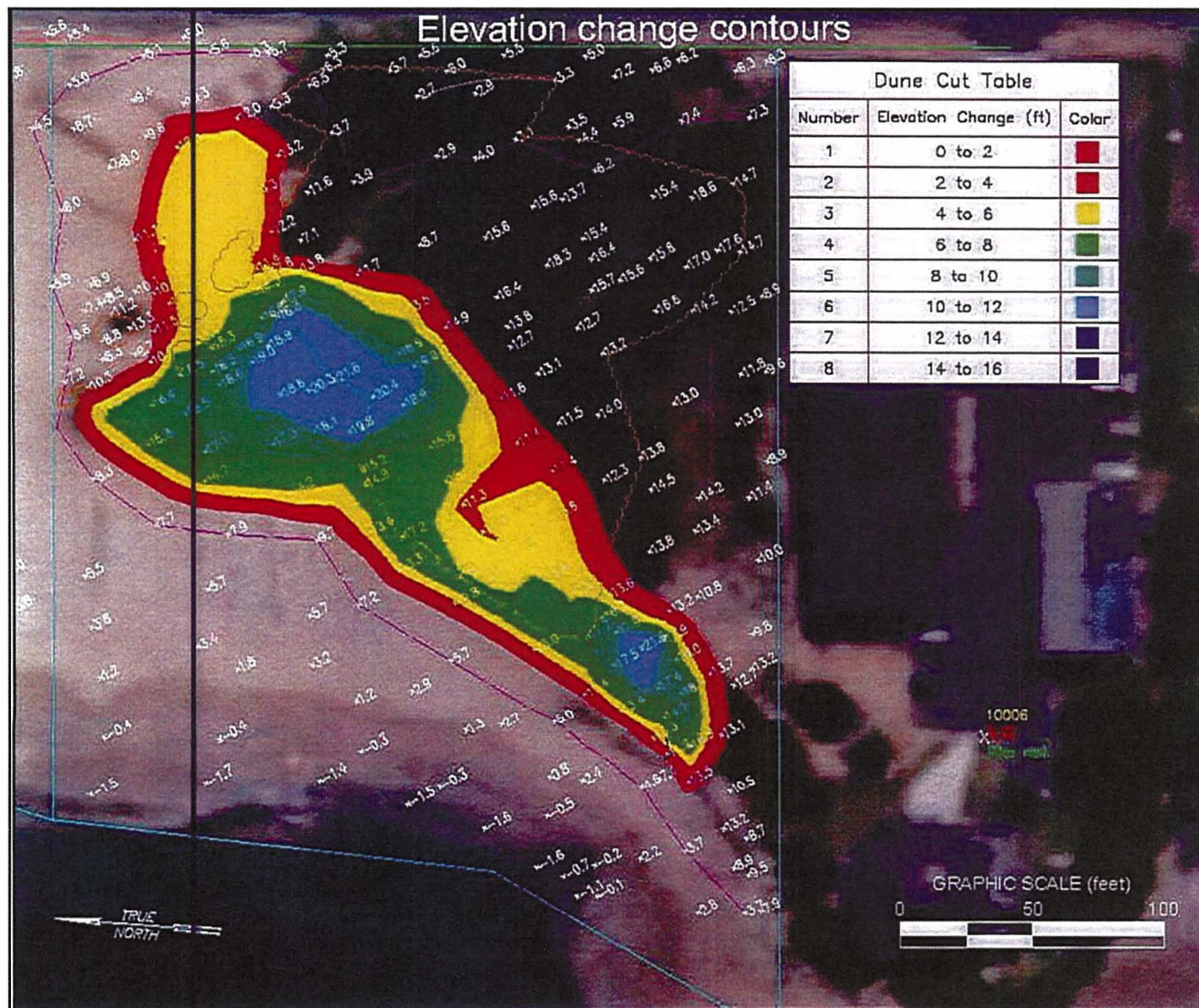


Figure 7: Exhibit showing Project Area and Elevation Changes in the Sand Dunes. The Dune Cut Table show the depth at which sand will be removed from various points in the project area, encompassing only sediments laid in the past 70 years.

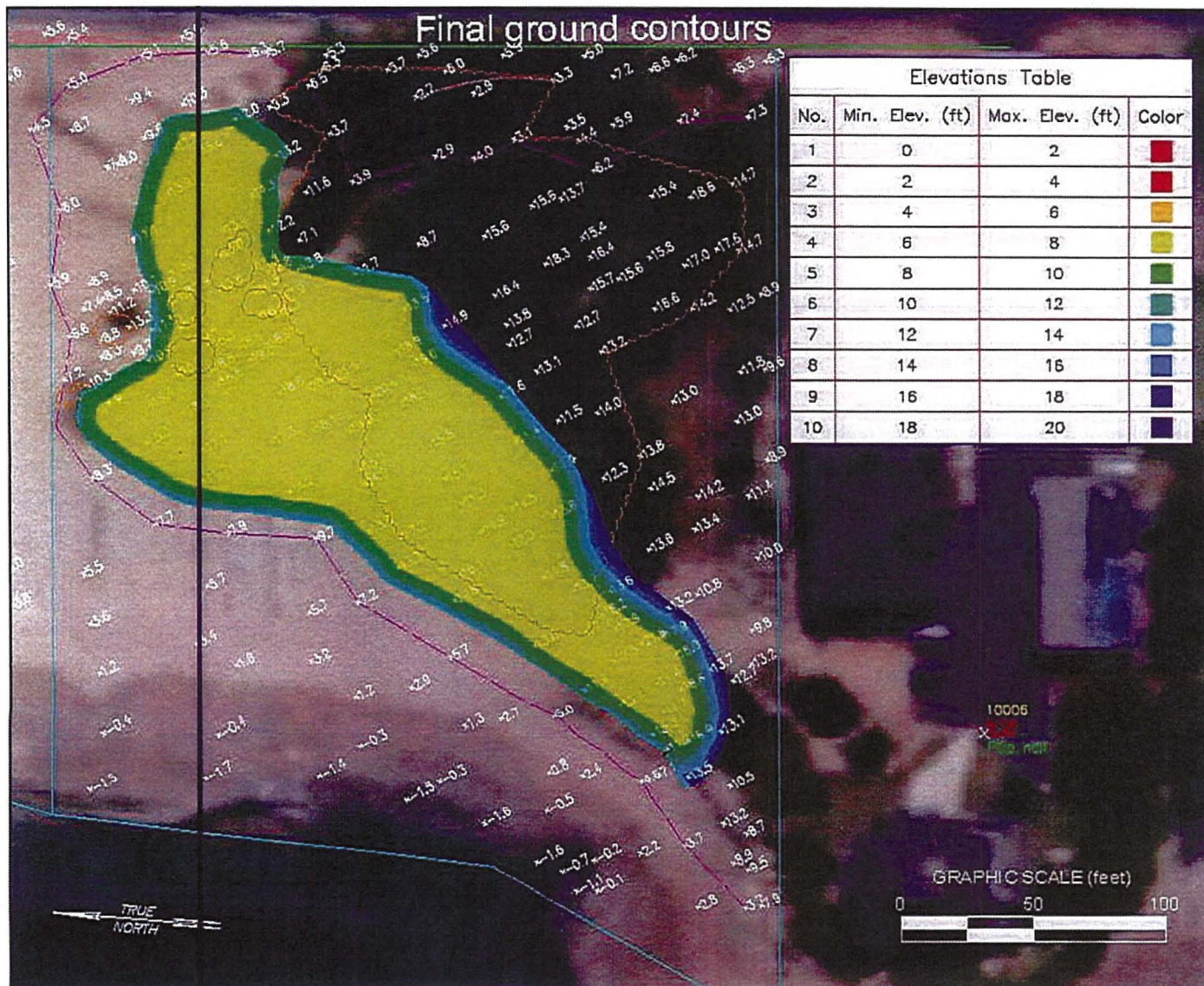


Figure 8: Illustration Depicting Project Area and Final Ground Contours after Sand Removal has been completed.



Figure 9: Photograph of Vancouver Monument. View to West (October 7, 2020).

PREVIOUS ARCHAEOLOGY

Two (2) subsurface features were previously identified and documented in the southwestern (makai) portion of the project area by Allen (2005). No SIHP number was assigned to these features. Feature 1 consisted of a small cobble paving or base segment. Feature 2 was composed of a firepit with associated charcoal and shell. Both features were interpreted to have been constructed/utilized in the 19th/early 20th century. Wetland charcoal deposits were also identified with some frequency but determined to have been kiawe, a Historic introduction, all deposited in secondary contexts. In relation to the current proposed sand removal, Feature 1 occurred at 10.49 ft below surface. The current project will only extend in the 6-8 ft below surface range.

In the environs of the current NOAA building, to the immediate east on the adjacent parcel, Keau (1981a, 1981b) and Neller (1982) documented a platform and separate fenced area they interpreted to be possible Historic-era burials. Of additional importance is the presence of Loko Ko‘ie‘ie occurring in an arc fronting the neighboring NOAA lot. This walled, crescent-shaped fishpond was an activity area for procurement of marine resources but concomitantly, likely had a land-based activity area as well, which could be present in the makai portions of the current project area. It is also possible that burials may be present, although proposed excavations will likely not extend deep enough into earlier sediments to breach these Pre-Contact/Early Contact layers.

State Inventory of Historic Places (SIHP) Site Number [50-50-14- placeholder, TBD] represents inadvertently discovered human remains during work for the Beach Club associated with the Maui Bay Villas. The Beach Club is located on Tax Map Key (TMK) parcel (2) 3-9-001:083. MNI=2 was identified in the sands and were re-buried and protected under a Burial Site Component of a Data Recovery Plan (Chong and Dega 2021).

Very recently (March 10-29, 2022), archaeological monitoring was completed during emergency repairs of South Kihei Road, one portion abutting the southern flank of the current project area (Rapoza and Hammatt 2022). The overall project area occurred in four locations along the southbound lane (makai side) of the roadway near Kulanihaku'i Bridge. Berm reconstruction occurred near Kenolio Park wherein sand was sourced from the dunes adjacent to the whale sanctuary building. Other areas where berm work was required was also sourced from the whale sanctuary area, directly to the south of the current project area. Monitoring did not lead to the identification of any historic properties. Only two beer bottles, collected from the surface near the bridge, were identified. The sands were sterile.

Finally, the 50+ year old monument to the explorer Captain George Vancouver is located in the sand replacement area near South Kihei Road. The monument was constructed on December 22, 1969 and dedicated by the Council of the County of Maui on January 5, 1970 and contains a large rock mounted on a veneer rock platform. The memorial was erected by J. Gordon Gibson. This monument will also be subject to AIS testing during the current project. The monument has already been documented via an RLS study (Appendix A).

METHODOLOGY

There are two main locations for ground altering work related to this project: the sand recovery area and the sand placement area. Testing will be done in the first locale as sand is being removed to replenish the placement area. The sand placement area will be tested as the Vancouver monument is present there.

Subsurface testing is proposed to be accomplished through both systematic sampling and judgmental strategies. For the sand recovery area to the south, trenches will be laid out in systematic fashion to provide equal coverage across that portion of the project area. This means that trenches will be placed to provide equal and non-biased coverage of the project area. This is an effective strategy as it can help determine the boundaries of a site if one is identified and again, provides an equal sample of the project area. For the sand deposition area, trenches will be placed in systematic fashion across the area excepting the Vancouver monument locale. Judgmental trenches will be placed around the monument to assess the presence/absence of subsurface cultural materials either associated with the monument or pre-dating the monument.

All trenching will be accomplished by mechanical means, with excavation being accomplished by smaller machines (350-size excavators to maximum D6 as needed) with bladed buckets, which greatly decreases the impact to any cultural resources that may be encountered. Manual testing will occur if cultural resources are identified. The Principal Investigator would confer with both the SHPD and the Principal Archaeologist for the County of Maui as to a manual testing strategy.

The primary purpose of the project is two-fold: to assess the presence/absence of cultural resources on the sand removal parcel and second, to both evaluate the deposition parcel for presence/absence of cultural materials and to also test around the Vancouver Monument as it is proposed for re-location to a parcel to the east (mauka). Field methods will consist primarily of mechanical testing of the sand dunes, with manual testing to occur, after consultation with the SHPD and the Principal Archaeologist for the County of Maui, if cultural resources are identified within the dune deposits. This appears unlikely as only dunes accumulated over the past 70 years

will be excavated. Surface survey of the parcel has been previously conducted (Ian Bassford, SCS, August 2020; see also Allen 2005) and no sites are present but the Vancouver Monument.

FIELD CREW

The crew will be composed of SCS archaeologists. Michael Dega, Ph.D. is the principal investigator for the project, with Ian Bassford, B.A. commanding the field supervisor role. At least two other archaeological technicians will work on the project, all of SCS-Maui: Derek Butler, B.A., Hugh Coflin, B.A. or Katie Bermudez, M.A. SCS will work closely with the GBI survey crew and machine operators, both who have sub-meter GPS accuracy on their machines.

Figures 10 and 11 show the distribution of trenches in both locations. All trenches will measure 5 m long (15 feet) and 1 m (3 feet) wide. A total of 15 trenches are now proposed for the sand recovery area, nine trenches are proposed for the sand placement area, and four trenches are proposed around the Vancouver Monument. Thus, a total 28 trenches will be excavated for this project. This number has decreased by five trenches due to removal of a portion of the eastern project area due to County of Maui emergency sand removal work in March 2022.

After excavation and recordation of each trench, the trench will be backfilled, unless cultural materials are identified, and consultation with SHPD and County will occur. All excavators will have a flat-edge blade mounted on the bucket, as is normal procedure in sand, as it decreases the likelihood of disturbance to cultural resources. Excavation will start on the S. Kihei Road flank of the project and “walk” into the dune. This excavation methodology often called a “walk in” strategy of excavation and is particularly effective on large and irregular-shaped dunes. Dry sand is not adhesive and when excavated from top down, it generally slumps and quickly fills the excavated area. “Walk in” excavation, on the other hand and as noted by Allen (2005), provides “the best possible stratigraphic control in sand dunes, where deposition and erosion are dynamic, sediment beds are thin and sometimes ephemeral, soil colors and structures are subtle, and important changes are easy to miss” (Allen 2005:28).

As noted above, the goal is to test the sediments that have been deposited in the past 70 years. Thus, original sediments that have formed horizons will remain in place. The maps provided above provide the horizontal and vertical measured extents of the excavated dune (see Figures 8 and 9). As the depths vary, the surveyors will locate each area by different depth and stake out the area prior to excavation. The stakes will be placed across the project area and GPS recorded (sub-meter accuracy) with the depth labelled on each stake for use by the excavator/archaeologists. The figures above show the determined depths and locations for excavation, with the in-ground stakes revealing the depth (see Figures 9 and 10). This strategy will allow the team to identify the limits of the natural soil deposits and avoid excavating them.

If cultural resources are identified and the SHPD and County concur with documentation and manual excavation of the site/feature, all excavated material will be recovered and coded according to horizontal and vertical controls (layer/level). This procedure will involve excavation units, exact distance of observations below an established datum, and placement of material within an identified stratum. Note that a level is internal within a layer and no level will ever cross layer boundaries. Levels will be 10 cm thick unless the level ends upon a new layer. The same coding system (unit number, Layer/level, depth, etc.) will be applied to artifact material, food remains, charcoal samples, subsurface cultural features, sediment samples, and any other material obtained from within the excavation area. All excavated sediment will be screened to maximize recovery of cultural materials. Screening will be accomplished through ¼-inch wire mesh screens with 1/8-inch screens being optional. Following examination of the screened remains, all identified cultural material will be recovered and analyzed. This material could include food remains (vertebrate and invertebrate), artifact remains (lithic, shell tools, etc.), charcoal, and kukui nut fragments. In the event that human remains are identified, all work in the unit will immediately cease and protocol concerning burials will be followed. The remains will be protected *in situ* and the SHPD will be notified immediately of the discovery.

For both mechanical and manual excavation, where possible, all stratigraphy will be documented using standard U.S.D.A. Soil Survey Manual terminology, descriptions, and attributes. These will include Munsell color (hue, chroma, and value for each soil), soil texture, soil structure (form, size, dominance), mottles (color, size, shape), soil consistency (moist or dry, plus wet-stickiness, plasticity, cementation), lower boundary topography and thickness, and inclusions. The presence or absence of any subsurface deposits will be noted and if present, an assessment of the general depth and nature of the deposits will be given. These descriptive data will follow HAR 13-276-5(d)(4)(D)(i).

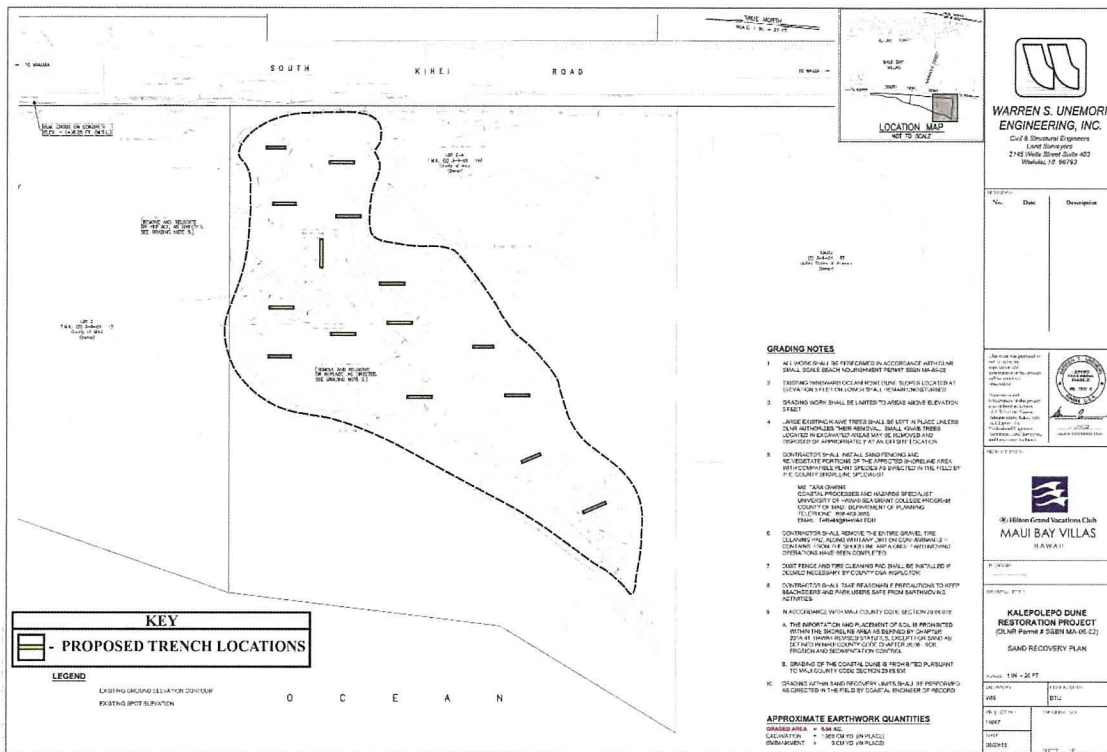


Figure 10: Map showing Distribution of AIS Trenches in Sand Recovery Area.

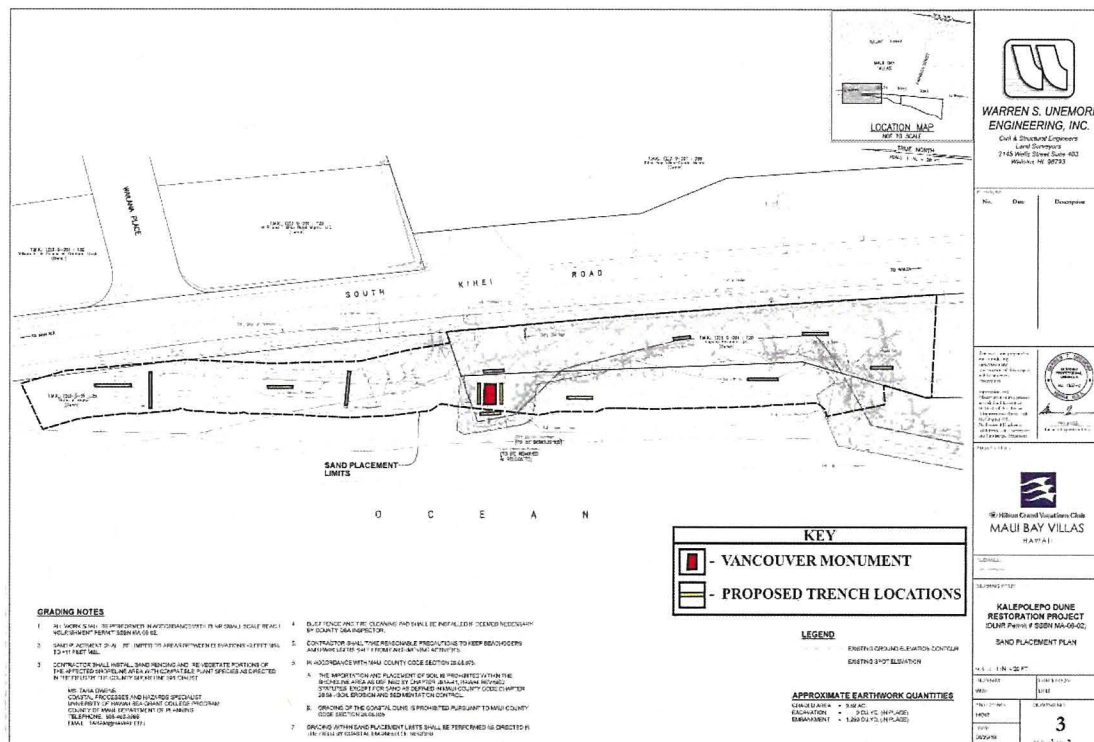


Figure 11: Map showing Distribution of AIS Trenches in Sand Placement Area and Vancouver Monument.

Part of the detailed documentation of exposed subsurface cultural layers or cultural features and layers includes scaled illustration. Profiles will be drawn of the mechanical excavation work, where possible, and at least two walls of each manual excavation unit. Plan view maps will be prepared at the top of each newly identified layer, with depths below surface indicated for the four corners of the unit and the center of the unit. A plan view will also be prepared, wherever possible, at the top and base of any subsurface feature. An overall site map will be prepared showing site boundaries, features, and test units. Charcoal will be recovered from excavation contexts when present. Charcoal for dating will be recovered from discrete subsurface cultural layers or cultural features if present, which would document an "event." Radiocarbon charcoal samples are collected by trowel directly from their *in situ* context and placed directly into sealed aluminum paper sheets. These samples will be coded according to the standard procedure for horizontal and vertical controls. Notations will also be made of any specific subsurface cultural feature being investigated and of the precise depth of the sample below the site excavation datum and below the ground surface. The same measurements will be acquired to date site occupation.

Documentation of all field work activities will be accomplished through standardized forms, detailed scaled drawings, an ongoing log-book, a photographic record including a North arrow indicator (Nikon D3500), and global positioning system (GPS). The locations of all work actions, findings, and relevant geographic reference points will be recorded by a survey-grade (sub-meter accuracy) GPS. SCS utilizes a Trimble Geo 7 X GPS that has sub-meter accuracy but we will also rely on the surveyors who may also record points for the archaeological team using their most accurate systems. Each identified site/feature will be recorded with a unique reference number, GPS coordinates, and annotated with information about what is being recorded.

Note that the SHPD will be notified at the beginning of the fieldwork and if any unanticipated or unusual discoveries are made, including intact burials or disarticulated human remains.

VANCOUVER MONUMENT

The monument is shown in Figure 12 and consists of an interior concrete vault/chamber with veneer rocks surrounding it for natural effect. A large rock is placed in the center. An inscription is present on one flank of the platform discussing the totem poles and another inscription on another flank discusses Vancouver's 1792 visit to Maalaea Bay. The totem poles, which appear in the Figure 13 photograph from the 1970s, have been gone from the site for several decades, and were purportedly removed due to termite and weather damage. At the time of this writing, SCS and others are tracking down several leads on the totem poles and will report if their location is found in the final AIS report.



Figure 12: Photograph of the Vancouver Monument (Photo by John Price).



Figure 13: Photograph of Vancouver Monument with Totem Poles (Photo by John Price).

As part of the sand nourishment program, the existing Vancouver Monument and the rock revetment upon which it is located will eventually be removed. The Vancouver Monument is suggested to be relocated to Parcel 086, *mauka* of S. Kihei Road, or another location nearby in consultation with the community. The removal of this man-made structure is expected to restore the natural beach aquatic environment and to allow for the return of natural coastal processes.

The Vancouver Monument has been erected upon a man-made rock revetment of about 55 feet wide long the shoreline and extends 45 feet across the beach face from the dune to the waterline. The makai boulders are dry at low tide but become submerged at high tide or with swell. The removal of the Vancouver Monument is expected to take 2 days.

The monument rests on a prepared, built-up area with flat spot to rest the monument. A revetment occurs on the seaward flank of the monument (see Figure 12).

LABORATORY METHODOLOGY AND CURATION

Upon completion of all fieldwork, any identified cultural materials and all field notes will be transported to the main SCS laboratory in Honolulu (1357 Kapiolani Blvd, Ste. 850) to be catalogued, processed, and analyzed. Any recovered cultural remains will be separated and sorted into specific material categories (*i.e.*, animal bone, lithic, shell, charcoal, and sediment). Affirmation of shell identification will utilize Kay and Shoenberg-Dole (1991) while faunal remains and lithics will be classified by SCS laboratory staff. Any soils sampled in the field for additional laboratory analysis will be described to the U.S.D.A soil analysis standards listed above. The remainder of the soils will be discarded in the field after having been described as noted above.

After sorting, each artifact material category will be subjected to further analysis. Artifact classes will be divided quantitatively and qualitatively by type, function, and attributes (measurements), with a note to classify all recovered artifacts into pre-Contact or Historic-era materials (Note: pre-Contact artifacts were present during historic times). Artifact material, trait, and function will also allow for building a database for understanding site occupation over time on the property. All cultural materials will be described and tabulated into a project table.

If present, wood charcoal samples preferable for radiocarbon dating will be submitted for taxonomic identification to IARII, Inc. in Honolulu. Upon the completion of the taxonomic identification, select samples would be submitted to Beta Analytic Labs, Inc. (Florida) for analysis. Samples directly associated with a subsurface feature would take precedence for selection. Analysis may include standard radiometric age-determination with C12/C13 isotope correction. Samples too small for standard dating may be subject to AMS (Accelerator Mass

Spectrometry) dating. All recovered cultural material types will be separated for more specific identification, with counts and weights tabulated. Artifacts will be compared with forms and functions of other known specimens, also compared with reference collections. Non-human animal remains (*e.g.*, shells and bones) will be identified to the Genus or other lowest taxonomic unit possible. All collected materials will be temporarily curated at the SCS laboratory in Honolulu.

COMMUNITY CONSULTATION

Consultation for this project has occurred with the SHPD multiple times since 2018 via SHPD directives and responses to the developer, responses to and from the developer, and more recently, Zoom meetings and email exchanges between both parties. The recent meetings with SHPD, County of Maui, and developers were also done with the Principal Archaeologist for the County of Maui (Janet Six, Ph.D.) being present. Recognized cultural descendants of the area, namely Vernon Kalanikau, Foster Ampong, and Alohalani Smith, have been consulted regarding this project from August 2019, commencing with an open, public meeting at the NOAA office in Kihei. Since that meeting, additional correspondence and meetings with the cultural descendants has occurred several times each month, either via email, Zoom calls, or in person visits to the project area. Communication remains open with the cultural descendants, who are not opposed to the project, and consultation will continue as the project develops. Below lists the community meetings for the project.

The personnel conducting the consultation process included representatives from Hilton Grand Vacations (HGV; Steve Jacobson, Tyler Middleton), Rider Levett Bucknall (RLB), and SCS (M. Dega, I. Bassford). Recognized cultural descendants of the area, namely Vernon Kalanikau, Foster Ampong, and Alohalani Smith, have been consulted throughout the process. Note that no additional historic properties were identified in the project area through the consultation process. These same individuals were consulted about the Vancouver Monument. The MLIBC was consulted multiple times, both during their monthly meetings (twice) and on-site visits by the chair and district representative (twice). Section 106 consultation does not apply for this project as no Federal funding or involvement is being conducted.

In addition, Hilton published an advertisement in the Maui News on four separate occasions (May 13 and 16 and July 18 and 21, 2020) asking for descendants of the Kula Kai Moku to come forward to participate in the discussion of this project. Besides the recognized cultural descendants, only one additional person Jade Alohalani Smith, replied to the advertisement.

LIST OF MEETINGS WITH THE COMMUNITY AND CULTURAL DESCENDANTS

- 8/15/19- Community Meeting at NOAA- Discussion of the project history, SSBN power point presentation, removal of the Vancouver Monument and open discussion. Meeting attended by the contractor, County officials, community members, the developer and consultants, and Kula Kai descendants Vernon Kalanikau, Foster Ampong and many others. Total of 31 attendees at the meeting.
- RLB reached out to the Bailey House Museum, the Maui Historical Society, and the Bishop Museum for any interest in the Vancouver Monument. None of these agencies expressed any interest in the monument or could provide any information on who would be interested in the monument.
- 9/2019-4/2020- Numerous correspondences with Vernon Kalanikau and Foster Ampong from August 2019 to April 2020 via email, Zoom calls and in person visits.
- 4/2020- Decision made to advertise publicly in the Maui News for cultural descendants to come forward. Ad was published 4 times, in May, June and July of 2020. Cultural descendants Vernon Kalanikau, Foster Ampong and Jade Alohalani Smith came forward to discuss the project.
- 6/24/2020- Meeting with County of Maui Planning department on next steps for SSBN and Vancouver Monument requirements.
- 8/4/2020- Meeting of the Cultural Descendants of the Kula Kai- Vernon Kalanikau, Foster Ampong and Jade Alohalani Smith in attendance along with HGV, SCS Archaeology, and RLB Construction Manager. During this meeting Foster Ampong expressed his opinion regarding the Vancouver Monument, in summary; *we should examine with more forethought the necessity to re-erect a monument for a Colonial Explorer based on the current worldview regarding monuments to these individuals.* In addition, preservation and burial plan options were discussed.
- 9/23/2020 on site meeting with cultural practitioners and community members. The gathering was at the fishpond site and was spiritual in nature with everyone having a chance to express their mana'o. In attendance; Vernon, Auntie Lei'ohu Ryder, Auntie Maydeen Iao, Uncle Al Lagunero, Jade Aloha Smith, Patty Shelton and Ian Bassford.
- September-October 2020- Ongoing conversations with Vernon, Foster, Jade and also including Tara Owens, Janet Six, Jeff Dack, Michele McClean and HGV, Muneikiyo Hiraga regarding the SSBN project.
- November 4, 2020- Meeting with Vernon, Foster and Jade along with HGV to discuss the preservation and burial treatment plans plus project updates on the SSBN.
- February 3, 2021- Meeting with Vernon, Foster and Jade along with HGV and G70 to discuss the preservation and burial treatment plans plus project updates on the SSBN.
- February 24, 2021- Zoom meeting with Burial Council.
- April 9, 2021- Meeting on site with the Burial Council and SHPD.
- April 21, 2021- Zoom meeting with Burial Council.

- February- May 2021- Continued correspondence with the Cultural descendants on the SSBN project, VM and new burial at the Beach Club. The monument has been classified as a colonial monument by cultural descendants and they have no interest in preserving it.
- May 26, 2021- Site Meeting Attendees: Foster Ampong, Vernon Kalanikau- cultural descendants, Tyler Middleton HGV, Steve Jacobson HGV, Sam Kalihiwa GBI, Jim Stone G70, Patty Shelton RLB, Lon Kawamoto RLB, Ian Bassford SCS. Finalized the burial treatment and preservation plans for both the makai and mauka parcels.
- SHPD Letter dated February 7, 2022 (Project Number 2021PR00188) which led to a subsequent revision in AIS methodology.

REPORTING

Within 10 days of AIS fieldwork completion, an end of fieldwork letter will be completed and submitted to the SHPD for review. Upon completion of field and laboratory work, the draft AIS report, which includes the proposed architectural mitigation, will be authored and submitted to the SHPD for comment and review. The final AIS report will be submitted for addition to SHPD's library. The research report will address the results of the project, as well as the methodologies employed and a project summary, with recommendations for potential future investigation in the project area.

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