



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
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HONOLULU, HAWAII 96813

HRD-13-6633

February 28, 2013

Mr. Jiro Sumada
Acting Director
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i, 96813

Re: Permit Approval for TMK: 3-6-02:4001 Concerns about Cultural and Historic Properties that are Located on the Parcel and Apparent Desecration of Previously Unidentified Historic Properties.

Aloha e Mr. Sumada:

It has been brought to our attention that previously unidentified cultural and historic sites identified by knowledgeable community members have been desecrated on a property located in Wailupe Valley/Aina Haina TMK 3-6-02:4001. It is our understanding that the permit was issued earlier in 2013 and that the State Historic Preservation Division (SHPD) had previously reviewed the permit and issued a "no effect" letter based on a previous archaeological reconnaissance survey of the property conducted in the 90's. It is also our understanding that the community expressed that there were cultural and historic sites on the property prior to the commencement of construction and that the SHPD responded by requesting that an Archaeological Inventory Survey (AIS) be conducted on the parcel prior to construction activities. It is our understanding that an important cultural property was destroyed by grading and grubbing activities on the parcel prior to the completion of the AIS. Photographs with a GPS location were taken by community members and will be provided to the Department of Planning and Permitting (DPP) upon receipt.

While we understand that a review letter may have been received by the DPP indicating that no cultural sites or historic properties were identified on the property, once knowledgeable community members come forward to identify cultural properties we perceive that their

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comments and recommendations be taken into consideration and that the permitting process has the ability to attach conditions to the permit based on these new developments.

We request clarification from the DPP on whether the issued permit has provisions on the landowners responsibilities are in the case of previously unidentified historic properties (inadvertently discovered) within the project area. It is our sincere hope that there are provisions in the permit for this situation and that they require the landowner, or responsible party; to stop all ground disturbing work in the area, notify the SHPD, and develop appropriate mitigation strategies for the now identified historic property(s). If these conditions exist they would provide the most immediate and appropriate actions at this time.

We believe that an AIS should be conducted of the entire parcel, based on information provided by knowledgeable community members and that appropriate mitigation strategies be developed prior to the implementation of the parcels development. At this time all ground disturbing activities on the parcel should cease until such a time that approved mitigation measures, developed after the AIS is completed and consultation has occurred, for identified cultural sites are in place. We respectfully look forward to your response on this important matter. If you have any questions, please contact Lauren Morawski at (808) 594-1997 or laurenm@oha.org.

'O wau iho nō me ka 'oia'i'o,



Kamana'opono M. Crabbe, Ph.D.
Ka Pouhana, Chief Executive Officer

KMC;lm

C; Pua Aiu- Administrator State Historic Preservation Division
Susan Lebo-O'ahu Archaeologist SHPD