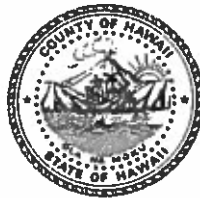


Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-8742

September 15, 1999

#### MEMORANDUM

TO: Richard Wurdeman, Corporation Counsel  
Attention: Patricia O' Toole

FROM: Virginia Goldstein  
Planning Director

SUBJECT: 1) Grant of Easement and Covenants  
2) Declaration of Restrictive Covenant  
1250 Oceanside Partners

Enclosed for your review and comment is a copy of a draft Grant of Easement and Covenants for the Shoreline Park, and draft Declaration of Restrictive Covenant which prohibits the construction of a second dwelling. This is required pursuant to Ordinance No. 96-7 and No. 96-8, and/or Special Management Area Use Permit No. 345.

May we please have your written comments as soon as possible. Thank you for your assistance on this matter.

Should you have any questions, please feel free to contact Alice Kawaha of this Department at 961-8288.

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Enclosures

CONFIDENTIAL

SEP 15 1999



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
Kakuhihewa Building, Room 555  
801 Kamehaha Boulevard  
Kapolei, Hawaii 96707

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
LAND  
STATE PARKS  
WATER RESOURCE MANAGEMENT

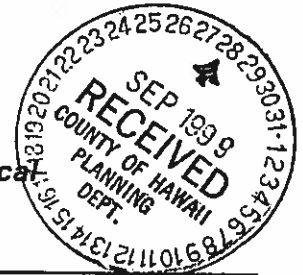
September 15, 1999

Dr. J. Stephen Athens  
International Archaeological Research Institute, Inc.  
949 McCully Street, Suite 5  
Honolulu, Hawaii 96826

LOG NO: 24094  
DOC NO: 9909PM16

Dear Dr. Athens:

**SUBJECT: Sections III (Preservation and Interpretive Plan) and IV (Monitoring Plan) of "Hokulā'a: An Integrated Archaeological Mitigation Plan" (Tomonari-Tuggle and Tuggle 1999) North and South Kona, Hawaii Island**



Enclosed are our comments on Sections III and IV of the subject plan. We have already approved Section II (Data Recovery Plan), and we have approved a separate Interim Protection Plan for sites in most of the golf course fairways. The Burial Treatment Plan, which was submitted separately, is presently under review by the Hawaii Island Burial Council.

Section III Preservation Plan

The discussion of the Preservation Plan Requirements on page 5 makes it clear that the Plan will be executed in two phases. The first phase, consisting of the development of a conceptual plan, has been completed and is presented in this document. The second phase, which will be developed after the completion of the data collection investigations outlined in the Data Recovery Plan, will contain the detailed design plan or interpretive plan (including sign and trail designs, sign text and graphics).

The conceptual plan identifies both short-term (development-related) and long-term (use-related) preservation concerns and the means to deal with these. The plan also identifies specific management areas (the shoreline park, agricultural preserves, golf course, and open and residential areas). The requirements for both short-term and long-term preservation are exhaustively and very acceptably discussed.

Our only comment is that the final buffer zones for all of the preserve sites, some of which might now include more features than originally recorded as the result of the on-going monitoring, must be agreed to by our Division prior to any ground alteration. The approval process would in our view necessitate a field check to ensure that the buffers are adequate.

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Once the buffers are decided then the sites can be fenced. This interim protection measure will be required as a condition of any new grubbing and grading permits.

#### Section IV Monitoring Plan

The only comment that we have concerning the monitoring is that if there is going to be more than one bulldozer operating at any time, there should be more than one archaeological monitor present. Ideally, there should be one archaeologist for each bulldozer. We suggest that this or similar wording be added to the list of monitoring guidelines.

In summary, we can approve the preservation and monitoring plans with the following conditions:

1. A second phase of the Preservation Plan has yet to be approved, the detailed design plan or interpretive plan (including sign and trail designs, sign text and graphics). This second phase will be prepared and submitted for review to the State Historic Preservation Division and the County Planning Department after the completion of the data collection investigations outlined in the Data Recovery Plan. Once these agencies accept the second phase of the preservation plan, it shall be executed. The State Historic Preservation Division shall verify in writing that this plan has been successfully executed, in order for this condition to be deemed concluded.
2. Interim protection measures for the sites to be preserved shall be established prior to any land alteration in new areas. The final buffer zones for all of the sites to be preserved must be submitted to the State Historic Preservation Division and must be agreed to by that Division prior to such new ground alteration. Once the buffers are decided then the sites shall be fenced, and construction crews shall be briefed as to the importance of the sites and the need to protect them. The Historic Preservation Division shall be notified when the fences are in place by the applicant's consulting archaeologist. This interim protection measure will be required as a condition of any new grubbing and grading permits.
3. A number of new features and sites have been found in the course of the monitoring associated with the grubbing of the golf course fairways. Thus, the tables in the Preservation Plan and Monitoring Plan need to be revised. (For example, there are now probably fewer burial sites to be preserved, and, conversely, more non-burial sites possibly requiring further data collection or attention during the monitoring phase.) (Perhaps the easiest, if not only practical, way to accomplish this is to have the firm that is doing the monitoring review the current tables, make the necessary changes, and then give the changes to IARII for final production.)
4. The monitoring plan shall provide for one archaeological monitor to be present for each operating bulldozer.

S. Athens

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If you should have any questions about our review please contact Patrick McCoy (692-8029).

Aloha,

A handwritten signature in black ink, appearing to read 'Don Hibbard', with a large, sweeping flourish at the end.

DON HIBBARD, Administrator  
State Historic Preservation Division

PM:amk

- c. Bob Stuit, Oceanside 1250  
Virginia Goldstein, Planning Department, County of Hawaii