

August 2, 2008

20 AUG 6 PM 1 42  
PLANNING DEPARTMENT  
COUNTY OF HAWAII

Ron Terry  
Geometrician Associates  
P. O. Box 396  
Hilo, Hawaii 96721

RE: Draft Environmental Assessment  
Ki'ilae Farms Subdivision  
South Kona, Hawaii  
TMK (3) 8-5-006:001-029; 8-5-007:001-019

Aloha Ron,

I have reviewed the Draft Environment Assessment for the Ki'ilae Farms Subdivision and would like to submit the following comments.

Whether or not, in your opinion, they are environmentally relevant to the Draft EA, I need to address those items that appear to be taken out of context, distorted, and/or inaccurate. Not responding would give the erroneous impression that I agree with those statements or that the statements are accurate.

**3.1.2. Drainage, Water Features and Water Quality**

Page 12      The draft EA states that the Flood Insurance Rate Maps (FIRM) show that the project site is in Flood Zone X, outside the 100-year floodplain. However, the U.S. Army Corp of Engineers have been conducting studies since mid-2007 to update portions of the Flood Insurance Maps for South Kona, to include the Ki'ilae area, which included community meetings to gather information from the general public on flooding for this region. Results of the study, which will also include aerial photography of the region may determine new drainage basins and changes in the current floodplains that may have occurred since 1977. This study will be completed in November 2008.

Exhibit A1 and A2 are newspaper articles reporting the flood damage in South Kona, including Ki'ilae. Exhibit B1 and B2 are photos of the flooding from the Ki'ilae Stream that caused ponding of water on the highway on the north boundary of the Ki'ilae ahupua'a which cause road closures and traffic delays. Exhibit C is correspondence from the U. S. Army Corps of Engineers providing information on the South Kona District Flood Hazard Study.

**SCANNED**  
AUG 07 2008  
By: 044231

I suggest that a final decision on the draft EA be postponed until the final study has been released as its findings may impact the project and its plan to measure and address impacts and mitigation.

### 3.2.2.1 Archaeological Resources

Page 27

The Draft EA states that an additional 12 sites, that include SIHP Site 23151, were identified for preservation. I would like to clarify that this site was originally pegged for data recovery by the developer. Although my persistent efforts to preserve this site was contested by the developer, SHPD ultimately determined that this site was to be preserved in its entirety, forcing a revision of the 2004 Archaeological Preservation Plan.

As per Melanie Chinen's March 30, 2005 letter to Mr. Rechtman, I want to reiterate the revisions she made to the archaeological plan addressing the preservation of Site 23151 that needed to be included before the plan was approved (Exhibit D):

- A 20 foot buffer will be constructed along the boundary wall between the Ki'ilae and Kauleoli ahupua'a where no land alteration or building will be permitted along the preserved length of the wall.
- The Ki'ilae-Kauleoli boundary wall is to be preserved in its entirety to include the 550 meter portion extending mauka of the planned subdivision road.
- The makai portion of the wall that is shared with the adjacent National Park Service acquisition should be undertaken with consultation and coordination with the NPS to assure that any stabilization and reconstruction measures are not in conflict with Park Service policies for the portion of the site lying within their property.
- For the portion of the wall preserved mauka of the NPS acquisition area and the subdivision road, any existing breaches should be stabilized under the direct supervision of a qualified archaeologist and be restricted together dry-stack construction style or a methodology that's results in the appearance of dry-stack masonry. The work procedure must be documented and SHPD must be notified in writing of the action as a means of confirming the implementation of this plan.

- If any additional breaches are necessary, SHPD should be contacted for approval and the above-mentioned conditions fulfilled.
- Future lot owners should be notified of their obligations and options under the archaeological plan.

I suggest that a survey of the boundary wall be done using the original metes and bounds to assure that the reconstruction of breached areas are in the original alignment of the boundary wall.

### 3.2.2.1 Cultural Resources Identifications of Cultural Practices and Resources, Impacts and Mitigation Measures

Page 35 The draft EA suggests that Site 23151 was built in the 1900s. I disagree.

Two short years after acquiring Grant 1575, Atkins conveys his Kauleoli lands to my great-great-grandfather, Henry Clarke in 1857. The Ki'ilae-Kauleoli boundary wall was in existence during his 9 year residence there where the wall served a dual purpose for raising his cattle. A cultural-historical study done by Kumu Pono Associates confirms his ranching activities.

Documented by her baptismal church records, my maternal grandmother, Annie Man Sing Zen Hua/Weeks, was born in 1889 in Waiea, about 6 ahupua'a and 3 miles south of Ki'ilae. In 1902 she moved to Ki'ilae to live with her aunt and uncle, Pipi Kauinui/Kauninui and John Niau. At times she would also live with another uncle, Joseph Kaai, in Ki'ilae. This is where she met her first husband, Charles Hua, and they lived with his family, Ahu, Ka'ainoa, and Keohokii in Ki'ilae. The Ahu, Ka'ainoa, Kahikina, and Keohokii families leased lands in Ki'ilae from Peabody where they lived, farmed, died, and were buried.

My grandmother Annie and my aunty Lei Kaelemakule Collins told my father and I that John Ahu's burial (SIHP 23153) was "built into the wall", signifying that the wall was already in existence. John Ahu died in 1896.

Page 36      The draft EA identifies SIHP Site 23146 as the mauka/makai Ki'ilae Trail. Resource information found at the Kona Historical Society identifies this trail as the Ki'ilae-Keanapa'akai Trail. The 1928 USGS quadrangle map of the project area recognizes the trail as the Ki'ilae – Keanapa'akai Trail. The Keanapa'akai Trail is named in the Dictionary of Hawaiian Place Names found at the Hawaii State Archives and the Ki'ilae-Keanapa'akai Trail is also identified in the 1973 Atlas of Hawaii. A 2007 memorandum from Na Ala Hele to the Hawaii County Planning Dept. identifies the trail as the Ki'ilae-Keanapa'akai Trail.

I would like this trail to be also recognized, identified and referred to as the Ki'ilae-Keanapaakai Trail.

### 3.2.2.1      Cultural Resources

Page 32      The draft EA reports that the developer has set aside an additional 100 acres of the Ki'ilae ahupua'a as a "donation parcel" for preservation purposes.

I commend the developer for making the commitment to preserve 100 acres of the Ki'ilae ahupua'a. At the December 2001 Hawaii Island Burial Council meeting, the developer recognized that this area contains a really good representation of the Kona agricultural field system, as well as other archaeological features, including historic burials.

At the developer's request, Kahu Nancietta Ha'alilio of Puka'ana Congregational Church was asked to host a community meeting whereby the developer could explain the project to the community. Kahu Nancietta agreed but limited the meeting to her congregation and officers of the community non-profit organization, KUPA, Kama'aina United To Protect The 'Aina, of which my wife serves as an officer and board director.

At the June 12, 2007 meeting, the developer said that they had not yet committed to any one particular entity to donate the preservation area to but they were considering donating the land to an existing community land trust with the goal of creating affordable housing. The developer mentioned that Jim Medeiros, Sr. and Jack Kelly of Protect Keopuka

‘Ohana wanted to take the lead on this but the developer said that they had no experience in doing this kind of project. Kahu Ha‘alilio was concerned about the organization receiving the donation parcel and requested that the developer consider KUPA, whose members included residents of the Ki‘ilae ahupua‘a and who are descendants of families who were born, raised, died, and buried there, to help in the management/disposition of the preservation area. The developer was receptive and agreeable to considering KUPA and further said that the 100 acres would end up with a community land trust with several organizations or boards to determine stewardship.

The developer should be commended for considering community viewpoints/participation on this matter and for keeping their options open in considering a local community non-profit group(s) to donate this historic area to. However, it needs to be clarified how the land is to be “preserved” if affordable housing is planned.

#### **Appendix 1b Comments in Response to Pre-Consultation**

May 31, 2008 Correspondence from Geometrician Assn. to Clarence A. Medeiros, Jr.

I want to clarify your reference to the ownership title issue. At the County of Hawaii Board of Appeals BOA-04-013 & 014 hearing in 2005, Hearings Officer Sherry Broder said that the jurisdiction of the ownership of land lies in the Third Circuit Court. So the acceptance by the County Planning Dept. of Ki‘ilae LLC’s title insurance policy is a presumption of ownership only for the purpose of subdivision approval and permits. The fact remains that no quiet title action was done for the lands of Kauleoli that lie within the project area and the only judicial body that can determine ownership, whether exclusive or fractional, is the Third Circuit Court, not the County Planning Dept.

Mr. Ron Terry  
July 2008  
Page 6

### **Summary of Clarence Medeiros Comments & Responses**

I would also like to respond to your matrix of comments and responses to my early consultation in the development of the EA. I want to make it absolutely clear that certain comments in your summary did NOT originate from me. Comments No. 1, 2, 3, 4, 5, 7, 8, 9, 10, 14, 15, 25, 27 & 28 were comments that were made from Jim Medeiros, Sr. and/or Protect Keopuka 'Ohana in their Third Circuit court lawsuits and Board of

Appeal hearings in opposition to the Ki'ilae Estates LLC project. Portions of comments No. 6 & 23 are also comments in opposition to the project that were made by Jim Medeiros, Sr. and/or Keopuka 'Ohana. These comments were included in my pre-consultation response to show that others shared my concerns and/or had other major concerns with the project.

In response to No. 6 & 12, I notified SHPD on numerous occasions about these burials as far back as 2001. Notice of these burials was also in Melanie Chinen's March 30, 2005 letter. Unfortunately, no action was taken by SHPD to protect these burials. I have attached numerous church records that document burials in Ki'ilae and Kauleoli. To say that these burials have been unsubstantiated is a matter on interpretation. The Merriam-Webster dictionary defines the word substantiate as to establish by proof or competent evidence. To me, the burials are substantiated by the attached competent evidence in the form of church records (Exhibits E1 to E8). But for the developer, documentation and kama'aina testimony is not sufficient evidence of burials. Bones have to be excavated to prove their existence – kama'aina testimony and church records are not enough.

In response to No. 16 & 17, the fact still remains that a quiet title action was never done for the ahupua'a of Kauleoli which is within a portion of the project area and the Third Circuit Court is the judicial body, not the Hawaii County Planning Department, that has the jurisdiction to determine ownership, whether exclusive or fractional.

In response to No. 20, the U. S. Army Corps of Engineers have been conducting a flood study to update Flood Insurance Maps for South Kona and will have results from the study in November 2008 that may determine new drainage basins and changes in the current floodplains that may have occurred since 1977.

In response to No. 23, the comment about a tomb destruction was NOT made by me. That comment was made by Jim Medeiros, Sr. and found in his transcript of testimony given in his Board of Appeals testimony in October 2002.

Mr. Ron Terry  
July 2008  
Page 7

In response to No. 30, the *inika* plant might not have been the scientifically correct name to identify the plant used in ancient times for tattooing, but the story handed down is the same. From my great-grandfather and great-great-grandfather down to my father and grandfather and from them down to me – the story is the same. Whether the modern name *inika* or the traditional name of ‘*ilie* ‘*e* was used, the story is the same - that the cave was used by Hawaiian warriors to gather and make ink for tattooing practices.

My father and grandfather had cattle traps near the cave where the *inika* plant grew in abundance during the time when they were living and ranching in Kauleoli and Kealia. And that is how it came to be that our family called the cave the “*inika* cave” as a locational marker. The report says the ‘*ilie* ‘*e* was found in Kauleoli and that supports the plants existence there in earlier times and supports the story of the Hawaiian warriors making ink for tattooing that was passed down by my family.

#### **CIA and Summary of Archaeological Sites by Rechtman Consulting**

Page 16      Mr. Rechtman’s report states the claims of additional undiscovered burials exist within the development area, however, these claims have not been substantiated. I would like to clarify this statement. Attached are some of the numerous church records that document burials in Ki’ilae and Kauleoli. I have notified SHPD on numerous occasions about these burials as far back as 2001. Notice of burials was also noted in Melanie Chinen’s March 30, 2005 letter. In March 2006, I contacted Ms. Chinen to follow-up on the status of the burial issue that was forwarded to the Burial Sites Program. In April 2007, the Hawaii Island Cultural Historian e-mailed Ms. Chinen about my concerns about identifying the specific locations of the Ki’ilae and Kauleoli burials to insure their protection (Exhibit F). He stated that the developer was working with the SHPD-Maui office on a grubbing/grading permit for the project. He further said that he had discussed with Ms. Chinen that the specific locations would need to be protected PRIOR to issuance of any permits. Unfortunately, to date no action was taken by SHPD to address these burials, permits were issued, I was not consulted, and burial sites were destroyed by heavy land clearing equipment.



Mr. Rechtman further states that I pointed out a mound to contain a burial that was later hand excavated by SHPD personnel and a potential descendant was present who found no skeletal remains. The discrepancy I have with this statement is that the site that was excavated is NOT the burial I have made a claim to and a recognized lineal descendant to.

On June 7, 2007 I filed a burial registration form that clearly described the location and features of the burial site. The location and features were again detailed during my site visit to the project area on June 21, 2007 with Jennie Pickett, Asst. Maui Archaeologist, and Kaleo Paik, Cultural Specialist, of SHPD. In the process of locating the Pipi Niau burial site, Jennie Pickett points to a mound of stones she saw and asked me if that could be a burial site. I said that is was possible but it was NOT the site that I was a lineal descendant to and NOT the site I was looking for. Based on what was told and shown to me by my kupuna, the site I was looking for was under the subdivision road. Jennie Pickett's site visit report best describes the burial site as being "gone – gone – gone" (Exhibit G).

Documented by her baptismal church records, my maternal grandmother, Annie Man Sing Zen Hua/Weeks, was born in 1889 in Waiea, South Kona, about 6 ahupua'a and 3 miles south of Ki'ilae. In 1902 she moved to Ki'ilae to live with her aunt and uncle, Pipi Kauinui/Kauninui and John Niau. At times she would also live with another uncle, Joseph Kaai, in Ki'ilae. This is where she met her first husband, Charles Hua, and they lived with his family, Ahu and Keohokii, in Ki'ilae. The Ahu and Keohokii family, leased lands in Ki'ilae from Peabody where they lived, farmed, died, and were buried there.

Alfred Medeiros, Jr., a long-time employee of McCandless Ranch, confirmed in his 2001 oral interview for this project the Pipi Kauinui residence in Ki'ilae and the practice of the old kama'aina to bury family in the vicinity of their residence lots. He specifically remembers burials associated within the area where Pipi Kauinui lived, makai of Mamalahoa (Exhibit H).



In February 2008, Hawaii Island SHPD personnel contacted me to schedule a meeting. At this meeting I was told by the Hawaii Island archaeologist that she would make sure that she would contact me whenever they did any kind of excavation for burials, especially the burial sites that I filed claims to. I was never contacted or consulted, resulting in the excavation of the wrong site. Why a potential descendant was consulted instead of a recognized lineal descendant is a question that needs to be asked and answered. This action comes at the expense of a burial.

I suggest that that the draft EA also include Ms. Pickett's site visit report and her findings and recommendations from our site visit to the project site:

- **Need** accepted Monitoring Plan clearly specifying details of inadvertent discoveries during monitoring; plan should be inclusive of both archaeological and cultural monitors;
- **Need** Addendum completed (Rechtman) to accepted AIS with Clarence's concerns included and possible amendment to existing BTP (or new BTP) to mention presence of the additional previously unknown burial sites;
- **Need** qualified Cultural Historian to process and work closely with archaeologists to resolve outstanding concerns;
- **Need** immediate involvement/enforcement of the preservation/restoration of SIHP 23151 (stated in SHPD letter); re-investigate survey utilizing original metes and bounds to be sure boundary wall is located in original location;
- **Need** verification of all established preservation buffer zones.

I'd like to provide a response to the reference made to the "*Inika* Cave." The *inika* plant might not have been the scientifically correct name to identify the plant used in ancient times for tattooing, but the story handed down is the same. From my great-grandfather and great-great-grandfather down to my father and grandfather and from them down to me – the story is the same. Whether the modern name *inika* or the traditional name of '*ilie* 'e was used, the story is the same - that the cave was used by Hawaiian warriors to gather and make ink for tattooing practices.

Mr. Ron Terry  
August 2, 2008  
Page 10

My father and grandfather had cattle traps near the cave where the *inika* plant grew in abundance during the time when they were living and ranching in Kauleoli. And that is how it came to be that our family called the cave the "*inika* cave" as a locational marker. The report says the '*ilie* 'e was found in Kauleoli and that supports the plants existence there in earlier times and supports the story of the Hawaiian warriors making ink for tattooing that was passed down by my family.

Your favorable consideration to incorporate my comments and suggestions into the draft and Final EA is greatly appreciated.

Sincerely,



Clarence A. Medeiros, Jr.

Attachments

cc: Director, Office of Environmental Quality Control  
Daryn Arai, Hawaii County Planning Dept.  
Pua Aiu, State Historic Preservation Division

# West Hawaii Today

Print Page

## Aerial survey shows extensive damage, water flows outside natural channels

by Jim Quirk  
West Hawaii Today  
jqurk@westhawaii.com  
Friday, November 30, 2007 9:19 AM HST

HILO – The aerial view between Puuloa and Kiilae in South Kona on Thursday revealed Wednesday's heavy rains in West Hawaii scoured soil from the land, South Kona Councilwoman Brenda Ford said.

Ford and Public Works Department officials toured flood-damaged areas via helicopter along Highway 11, as well as mauka and makai of the road, in an effort to determine the damage caused by heavy rain on Wednesday.

The most damage occurred in the portion of South Kona that lies in Hawaii County's sixth district, she said, adding that the farther south the helicopter flew, the more damage there was to see.

Ford said she noticed water flowing outside of natural channels where land had been clear cut for farms and new subdivisions and that it appeared a lot of water was flowing from "way mauka," above forest areas from pastures.

In some places, it appeared as though "ancient river beds have been exposed," meaning that areas where rivers flowed hundreds of years ago now had rivers again, she said.

In many places, it appeared dirt was peeled off the land surface exposing long-buried rock, Ford said, adding "the damages for some properties was extensive."

Rocks, ranging from fist-sized to eight inches in diameter, cluttered the driveways of some homes, she said.

"That size rubble is what the water was moving," Ford said.

In Ford's opinion, the county needs to improve drainage "mauka to makai."

"We need to make sure buildings are more elevated," she said. "We need better mapping (of Federal Emergency Management Agency flood hazard areas)."

Ford is certain Wednesday's flooding event has revealed other areas in West Hawaii that should be considered special flood hazard areas.

One-percent of the island is considered special flood hazard areas, and property owners in those areas are required to carry federal flood insurance.

"These new channels that opened up, they need to be mapped now," Ford said. "They have to be considered."

Ford, who is pushing for more stringent flood control regulations, said the county must not allow any building on or any filling in of water courses.

"Mother Nature put them (flood channels) there for a reason," she said. "Keep them open."

Public Works Director Bruce McClure reported there were seven flood damage reports filed with his department as of Thursday afternoon, but he was certain others that have not been reported.

Copyright © 2008 West Hawaii Today

EXHIBIT

AI

# West Hawaii Today

[Print Page](#)

## The Aftermath After the flood

### Tracking the damage from Wednesday's heavy rains

by Bobby Command  
 West Hawaii Today  
[bcommand@westhawaii.com](mailto:bcommand@westhawaii.com)  
 Friday, November 30, 2007 9:19 AM HST

"It was like a dam broke."

That's how the floodwaters looked when they enveloped David Batuyong's Honaunau home, forcing his family and another to flee at the height of Wednesday's storm.

The Batuyongs were among Kona residents still reeling from the effects of an upper-atmosphere disturbance that collided over Honaunau with Kona's normal afternoon convective activity.

The National Weather Service said the two events combined to produce intense rains that at one point just before 2 p.m. hammered the Honaunau gauge with nearly an inch of rain in 15 minutes.

"That is a big event," said Kevin Kodama, lead hydrologist with the National Weather Service in Honolulu. "I'd say that's raining pretty hard."

Batuyong said it was only moments before waist-deep water was rushing through the house his wife, Valyn, and daughter, Daisy, shared with another family.

"I told everybody to grab anything important and get out," said Batuyong, who said the house is likely ruined. "The water was rising so fast. It's easy to replace possessions, but life you cannot replace."

Dark clouds dumped about six inches of rain in a five-hour period between Kealahou and Kealia, caused numerous flash floods across Mamalahoa Highway, including two flows that blocked traffic just north of Honaunau School and at the Honaunau Post Office.



[Click Photo to Enlarge](#)

The Enos family dog, Jessie, looks on Thursday at a vehicle perched precariously along a gully cut by flash flood waters Wednesday.

what we need to clean up."

In Kiilae, the South Kona Fruit Stand was severely damaged by flood waters along with several homes in the area.

The heavy rains – Kealahou and Kainaliu gauges both topped four inches – were accompanied by an intense electrical storm that knocked out various utilities.

Numerous residences in the area mauka and makai of mile markers 103 and 108 of Mamalahoa Highway were also affected by the runoff, including



Family and friends on Thursday dig out a car that was partially buried by rocks and debris left by Wednesday's flash flood waters at the Turner home just south of the Honaunau junction. Photos by Michael Darden | West Hawaii Today

At the Honaunau gauge, located about 100 yards away from the Batuyong house at the Department of Water Supply pump, rain fell at a rate of 1.86 inches an hour between 1 and 4 p.m. According to Kodama, the two-hour rainfall in the area between 1 and 3 p.m. exceeded the 100-year storm – that means there is a 1 percent chance of that much rain falling on that spot in a year.

On Filipino Dance Hall Road, two women, 77 and 58, had to be rescued from their home by helicopter. Pansy Medeiros and her daughter, Lorna Takizawa, were napping when the waters began rising, according to Medeiros' son, Clarence Medeiros Jr.

"All of the sudden water was all around, and they got scared so they called 911," Clarence Medeiros said. With water flowing around the house, the rescue helicopter was called in to rescue the women.

Unlike the Batuyongs, who are staying with relatives, Clarence Medeiros said the house can be salvaged. "But they don't have electricity, and that's

EXHIBIT

A2



homes on Bruner Road and Rabbit Hill Road in Honaunau and along Napoopoo Road and Middle Keel Road.

Joachim Oster of Rabbit Hill Road stood over a newly carved gully through his four-acre coffee farm. "This gulch is known as Wailapa -- raging waters," said Oster, whose house escaped the flood, but who lost about 50 trees. "It's just gotten filled through the years, but it rushed down and created this in a matter of minutes."

Nearly everyone in mauka Kona was touched by the storm. A bolt of lightning struck the Water Department's Halekii well and caused a water outage to almost all customers in the area south of Bank of Hawaii in Kealahou. While partial service was restored by morning, pressure was weak, especially at higher elevations.

Water officials said the problems had been solved as of 1:45 p.m. However, customers were asked to conserve water and to expect low water pressure until local reservoirs had a chance to be recharged.

The lack of water pressure forced both Kona Hongwanji Preschool and Sunshine Preschool to cancel classes for the day. However, all South Kona public schools were in session, according to Art Souza, Department of Education complex superintendent.

About 7,700 people were affected by power outages when lightning hit distribution and transmission circuits at about 1:30 p.m. While a majority were affected for less than a minute, about 500 people experienced extended outages.

Hawaii Electric Light Co. crews worked through the night and were able to restore power to about 350 customers by Thursday morning. However, about 150 people remained without power by late morning. As of 5 p.m., about 75 people were still without power and crews were scheduled to work until the problems were solved.

Trouble with power and lightning strikes also knocked out cable television service on the south side of the island between South Kona and Hilo. Norman Santos, vice president of operations for Oceanic Time Warner Cable, said a switch that triggers a generator in a "hub" in South Kona failed, causing the loss of service.

"We tried to send someone out, but he called back and said the traffic was too wild," Santos said. "But with this type of equipment, we lose something in an incident like this, and we had crews trying to take care of some isolated pockets this morning."

While all public roads were open by Thursday morning, there was ample evidence of flash flooding across both Mamalahoa Highway and Middle Keel Road.

"I've lived here for 20 years and I've never seen that much water come down before," said Joe Conti, who lives on Napoopoo Road near the area known as Ancient Trail Road.

"It was raining hard, but no big deal," he said. "Then my girlfriend hollered, and our front yard was getting flooded. I've got dirt up to my doorknob on my back door."

At Onouli, water that poured over a retaining wall near Konawaena Elementary School rushed into the front yard of Wilmer and Lilian Koshi. The water also poured into the Kynnersley Ditch, which has overflowed a number of times, threatening the Koshi residence.

"The ditch ran with about seven inches of water," Lilian Koshi said. "But there was no debris in the ditch, and we were OK this time."

Duane Hosaka, Hawaii County Civil Defense officer, said there were numerous calls by people about washed out driveways. "We had a few calls about mud inside their homes," Hosaka said. "We're trying to put together a damage report, but we're still getting calls and it won't be available until tomorrow."

A flash flood watch remained in effect Thursday for the Big Island, but Kodama said the worst of the storm was over. However, he added that there was a chance rain would fall Thursday because of the lingering barometric trough.

"It should slowly stabilize over the weekend as the low moves away to the west," Kodama said.

Another weather front was moving in from the west, and heavy showers were possible on Sunday. "But it won't be as intense as what we saw Wednesday," he said.



Click Photo to Enlarge

Flash flood waters left nearly 2 feet of soil in the bathroom of the Batuyong family home. - Michael Darden | West Hawaii Today



[Click Photo to Enlarge](#)

The Enos family dog, Jessie, stands upon what's left of the family's concrete driveway, among boulders, debris and a damaged vehicle Thursday just south of the Honaunau junction. - Photos By Michael Darden | West Hawaii Today

---

Copyright © 2008 West Hawaii Today



**B1**

**EXHIBIT**





**B2**

**EXHIBIT**





28 July 2008

## INFORMATION PAPER

**SUBJECT:** South Kona District Flood Hazard Study, Kona, Hawaii

1. Purpose: To provide information on the subject project.
2. Points of Major Interest and Facts.
  - a. The South Kona District Flood Hazard Study project is being conducted under the Flood Plain Management Services Program, Section 206 of the Flood Control Act of 1960, as amended, in cooperation with the County of Hawaii, Department of Public Works.
  - b. The South Kona District on the island of Hawaii is currently undergoing an increase in residential development. These areas currently do not have adequate flood hazard maps or older flood insurance maps developed from calculations done in 1977. Without up-to-date adequate technical flood hazard maps, the county will be in a tenuous position of considering future developments and land use planning. If improvements are constructed in the future, the risk for flood damages may be high. The flood problems of the South Kona District are not readily evident due to the lack of well defined stream channels. The island of Hawaii is the newest island of the main Hawaiian Islands and the Kona or leeward side of the island experiences limited rainfall due to the topography and elevation of the islands volcanoes. Most of the rainfall precipitates out over the windward or northeast side of the island leaving the Kona side relatively dry resulting in undefined streams. However, during intense southerly storms, significant flooding has occurred along the Kona or western side of the island.
  - c. The objective of this study is to provide up-to-date hydrologic (flow magnitudes) and hydraulic (flood plain depth and extent) calculations to identify the 10-, 25-, 50-, 100-, and 500-year flood plains and 100-yr floodway, within the floodplain study area of the South Kona District. The County of Hawaii intends to use the results of the study to amend the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps.
  - d. This study is being conducted in two phases. The first phase has collected topographic data and will compute regional or site specific flood flow data and create flood hazard maps for 7 watercourses, including Kiilae Stream. For this phase, topographic quality assured data was completed in June 2008. The remaining phase one work is scheduled to be completed in November 2008. The second phase will build upon the first phase by creating flood hazard maps for 17 additional watercourses. A contract for phase 2 is scheduled to be awarded by September 2008.

LINDA LINGLE  
GOVERNOR OF HAWAII



PETER T. YOUNG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT



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

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING, ROOM 555  
601 KAMOKILA BOULEVARD  
KAPOLEI, HAWAII 96707

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  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

March 30, 2005

Robert Rechtman, Ph.D.  
Rechtman Consulting  
HC1, Box 4149  
Keaau, Hawaii 96749

LOG NO: 2005.0532  
DOC NO: 0503MM15

Dear Dr. Rechtman:

**SUBJECT: Chapter 6E-42 Historic Preservation Review, "Archaeological Preservation Plan for Eleven Sites in the Ki'ila'e Farms Subdivision" (Revised November 2004)  
Ahupua'a of Ki'ila'e and Kauleoli, South Kona District, Hawai'i Island  
TMK (3) 8-5-005:019, 022, 026, 027**

Thank you for your cover letter dated December 7, 2004 and a copy of the above mentioned revised plan (RC-0138) for our review. Your request, on behalf of Mr. Steve Jiran, Ki'ila'e Estates LLC, was received on December 10, 2004.

As with the first and second drafts of this plan (Rechtman, March 2004, June 2004), the revised plan is based on preservation recommendations in the approved inventory survey for 480 acres that includes both Ki'ila'e and Kauleoli ahupua'a ("Archaeological Inventory Survey of the Ki'ila'e Estates Development Area" -Rechtman et al. 2002). Eleven non-burial sites were selected for preservation within Kauleoli ahupua'a as the majority of Ki'ila'e ahupua'a was set aside for eventual acquisition by the National Park Service. Burial sites are treated in a separate Burial Treatment Plan (Rechtman 2003).

The current revised plan responds to our review comments on the second draft dated October 15, 2004 (Log No. 2004.3070, Doc. No. 0410MM11). Our review addressed three main areas of concern: 1) Adjustments to proposed buffers, 2) Adequacy of consultation for Site 23193 as required under Chapter 13-277-3, and 3) Our request that you add Site 23151, the boundary wall between Kauleoli and Ki'ila'e, to the list of preserved non-burial sites.

We specifically asked for adjustments to the proposed buffers for Sites 23165, 23186, 23194, 23188, 23189, 23192, 23193, 23195, 23196 and 23197. All the buffers have been increased per our request. We also asked you to provide the names of the persons who responded during the consultations for the plan. You have included the names Clarence Medeiros Jr. and Kalikolehua Paiva, summarized their comments as being related to land ownership and burials, and forwarded their comments to our Burial Sites Program as we requested.

Regarding Site 23151, the boundary wall between Ki'ila'e and Kauleoli ahupua'a, you have added this site to the list of preserved sites, excluding the 550 meter portion of the site located mauka of the planned subdivision roadway, and added provisions for a twenty foot buffer where no land alteration or building will be permitted along the preserved length of the wall. No specific proposals are set forth for stabilization or re-construction of existing breaches or those that may need to be proposed in the future.

EXHIBIT

**D**



Robert Rechtman, Ph.D.

Page 2

We believe Site 23151 should be preserved in its entirety, to include the portion extending *mauka* of the planned subdivision road. We have carefully re-considered your arguments against this as stated in your June 22, 2004 letter that you submitted with the second draft of this report. However, despite your argument that the 550 meter in question runs through the subdivision lots, and does not follow lot boundaries, we feel that the generous lot sizes as proposed (5 acres) provides ample room for both preservation of the site and use of the parcel.

Regarding stabilization of existing breaches or portions of the wall that may be in unstable condition, we believe you should address stabilization actions as a part of this plan. We believe two provisions should be made: 1) For the *makai* portion of the wall that is shared with the adjacent National Park Service acquisition area, no stabilization actions should be proposed at this time. Consultation and coordination with the NPS should be undertaken in the future with the landowner(s) to assure that any stabilization or reconstruction measures are not in conflict with Park Service policies for the portion of the site lying within their property.

For the portion preserved *mauka* of the NPS acquisition area and the subdivision road, any existing breaches should be stabilized under the direct supervision of a qualified archaeologist and be restricted to either dry-stack construction style or a methodology that results in the appearance of dry-stack masonry. The work procedure shall be documented and our division notified in writing of the action as a means of confirming the implementation of this plan. Should additional breaches be necessary, our division should be contacted for approval and the above-mentioned conditions fulfilled. Future lot owners should be notified of their obligations and options under this plan once approved.

Finally, preservation of Site 23151 in its entirety is also an appropriate response to concerns expressed to our division about this site by Mr. Clarence Medeiros (letter dated June 12, 2004 to MaryAnne Maigret) and about walls in general by Kalikolehua Paiva (letter dated June 11, 2004 to Mr. Martin Quill and copied to Dr. Patrick McCoy). Mr. Medeiros strongly stated his desire that Site 23151 be preserved. We have considered these views in good faith and believe that preservation of the site is an appropriate response. Additional concerns were expressed by both parties regarding undocumented burials within the project area, and these have been referred to our Burial Sites Program.

Please submit these revisions for final approval. We thank your clients for their cooperation throughout the historic preservation review process and for the continued assistance in resolving these outstanding issues.

If you have any questions regarding this review please feel free to contact MaryAnne Maigret in our Hawaii Island Office (329-3690).

Aloha,

  
MELANIE A. CHINEN, Administrator  
State Historic Preservation Division

MM:jen

c: Christopher Yuen, Hawaii County Planning Department  
Kai Emler, County of Hawaii Department of Public Works  
Keola Lindsey, SHPD Burial Sites Program  
Chair, Hawaii Island Burial Council  
Carekine Bell, Director of Honolulu National Historical Park

HUSBAND'S Name (Full) KANOA, KIMEOKA KAUAI, KIMEOKA

TEMPLE ORDINANCE DATA

HUSBAND: Baptized 8 MAY, 1922  
 Endowed 24 JANUARY, 1941  
 Hei No 114 paalamua, Ioa paopoum  
 Relationship of Heir Gd. WIFE

WIFE: Baptized 8 MAY, 1922  
 Endowed 12 MAY, 1922  
 Sealed to Husband  
 Hei No 144 paalamua, Ioa paopoum  
 Relationship of Heir Gd. WIFE

Where was information shown on this family record obtained?

FAMILY RECORDED

Name and address of person submitting this sheet:  
KELI PAKAIA, JOSEPH K. SR.  
P.O. BOX 227  
HONALEI, KONA, HAWAII  
STATE HAWAIIAN MISSION  
WEST KEEL, BRANCH

HUSBAND (2nd husband) (c 22)

Birth ABOUT 1806 Place KOHALA, HAWAII

Chr.

Death ABOUT 1897 Place KILAE, KONA, HAWAII

Burial  Place

Father KANOA Mother (Maiden Name) NOT KNOWN

Mar. DATE NOT KNOWN NO

Other Wives (if any) NO

WIFE MAHE, MALIE (c 22)

Birth ABOUT 1811 Place KAUAEOLI, KONA, HAWAII

Chr.

Death ABOUT 1893 Place KILAE

Burial  Place

Father MAKAHUI, MAHE Mother (Maiden Name) KUALU-MAHE

Other Wives (if any) NO (see (1) Konoji KIHET

No. or Person	CHILDREN (Give names in full in order of birth)	WHEN BORN		WHERE BORN		State or Country	DIED Day Mo. Yr.	MARRIED Date	BAPTIZED	ENDOWED	TO
		Day	Mo.	Yr.	Town						
F 1	ROSE KAHU KANOA	ABOUT	1876	KILAE, KONA, HAWAII	HAWAII	T.H.	1, APRIL, 1947	Date NOT KNOWN To KUPA, KEI KOLAO			
F 2	KAWA		1879				31 4/5	Date Not known			
M 3	WILLIAM KANE KANOA		1883				ABOUT 1922	To IALUALO, HONOLEI			
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											

Place Additional Genealogical and Historical Data on Reverse Side

EXHIBIT **El**

Name (in full) KIHEI, KAMII  
 TEMPLE ORDINANCE DATA

HUSBAND:  
 Baptized 8, MAY, 1922  
 Endowed 25, JANUARY, 1941  
 Heleli'i pa'aua, Jos. Kapoohuna  
 Relationship of Heir GD, NEPHEW

WIFE:  
 Baptized 8, MAY, 1922  
 Endowed 12, MAY, 1922  
 Sealed to Husband  
 Heleli'i pa'aua, Jos. Kapoohuna  
 Relationship of Heir GD, NEPHEW

FAMILY RECEIVED  
 Name and address of person submitting this sheet:  
HELITPAKAHA, JOSEPH K. SR.,  
P.O. BOX 227  
HOKAUNAI, KOHA, HAWAII  
SIGNS HAWAIIAN MISSION  
WATT KEEL, BRANCH

Chr. ABOUT 1890  
 Death ABOUT 1890  
 Burial KIHEI  
 Father DATE NOT KNOWN  
 Mar. DATE NOT KNOWN  
 Other Wives (if any)

WIFE NAIHE, MAIHE (sic-22)  
 Birth ABOUT 1811  
 Chr. ABOUT 1895  
 Death ABOUT 1895  
 Burial MAKAHUII, NA IHE / MANUNU  
 Father YES, second marriage, and had three children (see on other sheet)  
 Other Heir (if any)

Child or Ancestor	CHILDREN (Give names in full in order of birth)	WHEN BORN			WHERE BORN			State or Country	DIED Day Mo. Yr.	MARRIED Date To	BAPTIZED Date	ENDOWED Date	SE TOP
		Day	Mo.	Yr.	Town	County	Date						
M 1	KAMII	ABOUT	1896		KAIHEOLI, KOHA, HAWAII	T.E.		14	4	1870	8, MAY, 1922	16, MAY, 1922	
F 2	KAMII		1899					23	4	1892	8, MAY, 1922	16, MAY, 1922	
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													

Place Additional Genealogical and Historical Data on Reverse Side

Copyright 1941, Ives and Fisher South Coast Branch, Printed in U. S. A. Indicate which child is the direct ancestor of the heir by placing an "X" in front of name.

E2  
 EXHIBIT

Where was information shown on this family record obtained?

TEMPLE ORDINANCE DATA

HUSBAND KURA, KELIIPAKAUA  
 Birth 15, DECEMBER, 1869  
 Chr. \_\_\_\_\_  
 Death 8, MAY, 1912  
 Burial 9, MAY, 1912  
 Father KAHUHELEHU, KURA  
 Mar. DATE NOT KNOWN  
 Other Wives (if any) NO

Where was information shown on this family record obtained?

FAMILY RECORD

WIFE MANIRU, LOUISA KAANDUAKI  
 Birth 4, JANUARY, 1873  
 Chr. \_\_\_\_\_  
 Death 13, JUNE, 1935  
 Burial 14, JUNE, 1935  
 Father NAHE, MANIRU  
 Other Husb. (if any) NO

HUSBAND:  
 Baptized DATE NOT KNOWN  
 Endowed 26, AUG, 1940  
 Heir Helelila, Jos. Keponumalima, O  
 Relationship of Heir SON

TEMPLE ORDINANCE DATA

WIFE:  
 Baptized DATE NOT KNOWN  
 Endowed 26, AUG, 1940  
 Sealed to Husband 26, AUG, 1940  
 Heir Helelila, Jos. Keponumalima, O  
 Relationship of Heir SON

Name and address of person submitting this sheet:  
 KELIIPAKAUA, JOSEPH K. SR.

State \_\_\_\_\_  
 Ward \_\_\_\_\_

Place KAPALIUNA, KONA, HAWAII  
 Place KIILAE, KONA, HAWAII  
 Place KIILAE, KONA, HAWAII  
 Mother (Maiden Name) KALAMAU  
 Place KAPALIUNA, KONA, HAWAII  
 Place KAUEOLI, KONA, HAWAII  
 Place KEEI, KONA, HAWAII  
 Place KEEI, KONA, HAWAII  
 Mother (Maiden Name) KAPOAHEA, KARELA

Male or Female	CHILDREN (Give names in full in order of birth)	WHEN BORN			WHERE BORN		DIED Day Mo. Yr.	MARRIED Date To	BAPTIZED	ENDOWED	SEALED TO PARE
		Day	Mo.	Yr.	Town	State or Country					
M	1 JOSEPH KEPOHUMATEAOULI	16	MAY	1893	KEOKEA, KONA, HAWAII	T.H.		Date 11, APRIL, 1918 To MARY KAHARIMAKAUREHA	18, JUNE 1906	23, AUG, 1940	26, AUG, 1940
M	2 KALALANTALI	25	DEC.	1898	KEOKEA, KONA, HAWAII						26, AUG, 1940
	3										
	4										
	5										
	6										
	7										
	8										
	9										
	10										
	11										
	12										
	13										
	14										

Place Additional Genealogical and Historical Data on Reverse Side

E3

EXHIBIT



54

HUSBAND'S Name (as full) KAALOA  
 HUSBAND: Baptized \_\_\_\_\_  
 Endowed \_\_\_\_\_  
 Hei Keleli paalua, Jos. Kapookamaikes  
 Relationship of Heir NEPHEW  
 WIFE: Baptized 8. MAY, 1922  
 Endowed 12. MAY, 1922  
 Sealed to Husband \_\_\_\_\_  
 Hei Keleli paalua, Jos. Kapookamaikes  
 Relationship of Heir NEPHEW

TEMPLE ORDINANCE DATA

Where was information shown on this family record obtained?  
 FAMILY RECORD  
 Name and address of person submitting this sheet:  
HELIPAKAUA, JOSEPH K. SR.  
P.O. BOX 227  
HONOLULU, KONA, HAWAII  
SOUTH HAWAIIAN MISSION  
WOMEN'S KEEL, BRANCH

HUSBAND KAALOA Place MAILUKU, MAUI  
 Birth ABOUT 1860  
 Chr. \_\_\_\_\_  
 Death ABOUT 1915 Place HONOLULU, OAHU  
 Burial \_\_\_\_\_  
 Father NOT KNOWN Mother (Maiden Name) NOT KNOWN  
 Mar. \_\_\_\_\_  
 Other Wives (if any) \_\_\_\_\_  
 WIFE MANUHI, KAWAKA (1874)  
 Birth 4. JUNE 1865 Place KAULEOLI, KONA, HAWAII  
 Chr. \_\_\_\_\_  
 Death ABOUT 1885 Place KILIAE, KONA, HAWAII  
 Burial \_\_\_\_\_  
 Father NAIHE, MANOHU Mother (Maiden Name) KAPOAHA, KAHOLA  
 Other Wives (if any) NO

No. or Page	CHILDREN (Give names in full in order of birth)	WHEN BORN			State or Country	WHERE BORN			DIED	MARRIED	BAPTIZED	ENDOWED	SEAL TO
		Day	Mo.	Yr.		Town	County	Day					
1	F <u>MALEA</u>	ABOUT	1883		T. H.	KEOKEA, KONA, HAWAII		ABOUT	1884		Child - 1 yr.		
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													

Place Additional Genealogical and Historical Data on Reverse Side

E4

EXHIBIT

**HUSBAND KAWAI, KEO**  
 Birth ABOUT 1850 Place GUMU  
 Chr. \_\_\_\_\_  
 Death ABOUT 1890 Place KEOKEA, KONA, HAWAII  
 Burial \_\_\_\_\_  
 Father NOT KNOWN Mother (Maiden Name) NOT KNOWN  
 Mar. \_\_\_\_\_  
 Other Wives (if any) \_\_\_\_\_

**HUSBAND KAWAI, KEO**  
 Name (in full) KAWAI, KEO  
 Temple Ordinance Data  
 Baptized 8, MAY, 1922  
 Endowed 26, FEB, 1941  
 Hei Keleli paakana, Jos. Mopochumalio  
 Relationship of Heir NEPHEW

**WIFE MANINI, MALAIA**  
 Birth 5, JUNE, 1859 Place KAUTEOLI, KONA, HAWAII  
 Chr. \_\_\_\_\_  
 Death ABOUT 1896 Place \_\_\_\_\_  
 Burial \_\_\_\_\_  
 Father MAIEE, MANINU Mother (Maiden Name) KAPOAHA, KAPELA  
 Other Hrs. (if any) NO

**WIFE MANINI, MALAIA**  
 Name and address of person submitting this sheet  
PELLIPAAKANA, JOSEPH K. SR., P. O. BOX 227, KONA, HAWAII  
SENIOR HAWAIIAN MISSION, WARD KEELI, BRANCH

Male or Female	CHILDREN (Give names in full in order of birth)	WHEN BORN		WHERE BORN		State or Country	DIED		MARRIED	BAPTIZED	ENDOWED	SEI TO PAK.								
		Day	Mo.	Yr.	Town		County	Day					Mo.	Yr.						
M	1 JOSEPH KEANOKU	24	DEC	1876	KEOKEA, KONA, HAWAII	T. H.	374 <sup>b</sup>	9	OCT	1923	Date DATE NOT KNOWN To JULIA MIKOLIANA	5	NOV	1923	4	DEC	1923	19	AUG	19
F	2 JULIA KAWALI	8	OCT	1880	..	..	154 <sup>b</sup>	..	..	..	..	8	MAY	1922	16	MAY	1922	19	AUG	19
M	3 KAWAITANI	25	MAY	1883	..	..	84 <sup>b</sup>	..	..	..	..	8	MAY	1922	16	MAY	1922	19	AUG	19
F	4 KEOLA	4	JUNE	1886	..	..	347 <sup>a</sup>	..	..	..	..	8	MAY	1922	16	MAY	1922	19	AUG	19
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				

Place Additional Genealogical and Historical Data on Reverse Side

ES

EXHIBIT



# CERTIFICATE OF DEATH

South Kona \_\_\_\_\_ DISTRICT Hawaii Deaths  
 BOOK 1896 - 1900

Hawaii \_\_\_\_\_ COUNTY PAGE NO. South Kona 115

Name JOHN AHU

Date of Death September 11, 1896 Sex Male Age 66

Marital Status \_\_\_\_\_

Race or Nationality Hawaiian

Residence Kiilae

Place of Birth \_\_\_\_\_ Place of Death Kiilae

Cause of Death Bronchitis

Duration of Illness \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Resident or Non-Resident \_\_\_\_\_

Attending Physician No One

Cemetery or Place of Burial Kiilae

Date Recorded November 17, 1896

C. B. Reynolds  
LOCAL REGISTRAR

MAY 3 2005

I CERTIFY THIS IS A TRUE COPY OR  
ABSTRACT OF THE RECORD ON FILE IN  
THE HAWAII STATE DEPARTMENT OF HEALTH

Alvin T. Onaka, Ph.D.  
STATE REGISTRAR

EXHIBIT

**E6**

**STANDARD CERTIFICATE OF DEATH**  
TERRITORY OF HAWAII

K 1108

**1. PLACE OF DEATH** Local Registered No. \_\_\_\_\_ File No. \_\_\_\_\_  
(To be inserted by Registrar)

County Hawaii State T. H.  
Township South Kona or Village Kiilae  
City \_\_\_\_\_ No. \_\_\_\_\_ St. \_\_\_\_\_ Ward \_\_\_\_\_

Length of residence in city or town where death occurred 1 yr. mos. \_\_\_\_\_ ds. How long in U. S. if of foreign birth? yrs. \_\_\_\_\_ mos. \_\_\_\_\_ ds.

**2. FULL NAME** Mrs. Makaloa Kahikina  
(a) Residence: No. Kiilae St. \_\_\_\_\_ Ward \_\_\_\_\_  
(Usual place of abode) (If nonresident give city or town and State)

**PERSONAL AND STATISTICAL PARTICULARS**

**3. SEX** Female **4. COLOR OR RACE** Kawain **5. SINGLE, MARRIED, WIDOWED, OR DIVORCED** Widowed  
(Write the word)

**3a. If married, widowed, or divorced** William Kahikina  
(or) WIFE of

**6. DATE OF BIRTH** (month, day and year) Unknown

**7. AGE** Years 72 Months \_\_\_\_\_ Days \_\_\_\_\_  
If LESS than 1 day, \_\_\_\_\_ hrs. or \_\_\_\_\_ min.

**OCCUPATION**

**8. Trade, profession, or particular kind of work done, as splanner, sawyer, bookkeeper, etc.** House work

**9. Industry or business in which work was done, as silk mill, saw mill, bank, etc.** at home

**10. Date deceased last worked at this occupation** (month and year) \_\_\_\_\_ **11. Total time (years) spent in this occupation** \_\_\_\_\_

**12. BIRTHPLACE** (city or town) Hawaii (State or country) Kiilae T. H.

**FATHER**

**13. NAME** Unknown

**14. BIRTHPLACE** (city or town) Hawaii (State or country)

**MOTHER**

**15. MAIDEN NAME** Kekapa

**16. BIRTHPLACE** (city or town) Hawaii (State or country)

**17. INFORMANT** Rebecca Kahikina  
(Address) Kiilae

**18. BURIAL, CREMATION, OR REMOVAL** Date Sept. 11, 1932  
Place Kiilae

**19. UNDERTAKER** Lamuel Kahikina  
(Address) Kiilae

**20. DATE RECORDED** (or Registered) Sept. 11, 1932  
Registrar. \_\_\_\_\_

DATE FILED, Office of Registrar General. OCT - 3 1932

**MEDICAL CERTIFICATE OF DEATH**

**21. DATE OF DEATH** (month, day, and year) Sept. 10, 1932

**22. I HEREBY CERTIFY, That I attended deceased from** Investigative death

I last saw h. alive on \_\_\_\_\_ 19\_\_\_\_ death is said to have occurred on the date stated above, at 2:30 p.m.

The principal cause of death and related causes of importance in order of onset were as follows:

Chai Myocarditis

Coronary Arteriosclerosis

Contributory causes of importance not related to principal cause:

Name of operation \_\_\_\_\_ Date of \_\_\_\_\_

What test confirmed diagnosis? \_\_\_\_\_ Was there an autopsy? \_\_\_\_\_

**23. If death was due to external causes (Violence) fill in also the following:**

Accident, suicide, or homicide? \_\_\_\_\_ Date of Injury \_\_\_\_\_ 19\_\_\_\_

Where did injury occur? \_\_\_\_\_ (Specify city or town, county and State)

Specify whether injury occurred in industry, in home, or in public place.

Manner of injury \_\_\_\_\_

Nature of injury \_\_\_\_\_

**24. Was disease or injury in any way related to occupation of deceased?** \_\_\_\_\_

If so, specify \_\_\_\_\_

(Signed) J. S. Duncan M.D.  
(Address) Kiilae

Instructions on back of certificate

MAR 30 2005

I CERTIFY THIS IS A TRUE COPY OR  
ABSTRACT OF THE RECORD ON FILE IN  
THE HAWAII STATE DEPARTMENT OF HEALTH

Alvin T. Onaka, Ph.D.  
STATE REGISTRAR

EXHIBIT

**E7**

N. B.—Every item of information should be stated EXACTLY. SPECIAL INFORMATION should be given in every instance.

Occupation of Deceased  
 The above stated personal particulars are true to the best of my knowledge and belief.  
 (Informant)  
 Address  
 Entered  
 Filed

Former or Usual Residence  
 How long at place of death  
 Where was disease contracted, if not at place of death  
 Place of Burial  
 Date of Burial  
 Undertaker  
 Address

Write plainly, with unfading ink—This is a permanent record. AGU should be stated EXACTLY. PIV. The CAUSE OF DEATH in plain terms, that it may be properly classified. "Special Information" for persons dying away from home should be given in every instance.

Place of Death  
 County of  
 Township of  
 or Village of  
 or City of  
 If death occurs away from USCAI, RESIDENCE give facts called for under "SPECIAL INFORMATION."  
 FULL NAME  
 Personal and Statistical Particulars  
 Sex  
 Race  
 Date of Birth  
 Age  
 Single, Married, Widowed or Divorced  
 Birthplace  
 Name of Father  
 Birthplace of Father  
 Maiden Name of Mother  
 Birthplace of Mother  
 Occupation of Deceased  
 The above stated personal particulars are true to the best of my knowledge and belief.  
 (Informant)  
 Address  
 Entered  
 Filed

TERRITORY OF HAWAII  
 RECORD OF DEATH  
 If death occurred in a hospital or institution, give its NAME instead of street and number.  
 FULL NAME  
 Medical Certificate of Death  
 Date of Death  
 I HEREBY CERTIFY that I attended deceased from  
 and that death occurred, on the date above stated, at  
 M. The cause of death was as follows:  
 Duration  
 Contributory  
 (SIGNED)  
 SPECIAL INFORMATION only for Hospitals, Institutions, Transients, or Recent Residents.  
 Former or Usual Residence  
 How long at place of death  
 Where was disease contracted, if not at place of death  
 Place of Burial  
 Date of Burial  
 Undertaker  
 Address

EXHIBIT E8



From : <Benjamin.K.Lindsey@hawaii.gov>
Sent : Wednesday, April 25, 2007 7:44 PM
To : Nellie88@hotmail.com
Subject : Fw: Clarence Medeiros descendency claims

Access De
Your reque
cor
"Advertisemen
Personnel
For assistan
E-f
Client-IP: 192.168.1.1
Category:
Advertisements;Product
PG
Browser: Mozilla/4.0 (c

To Melanie.Chinen@hawaii.gov
cc
bcc
Subject Clarence Medeiros descendency claims
04/25/2007 09:41 AM

Aloha Melanie: I wanted to let you know that I have returned several of Clarence Medeiros' pending descendency claims to him prior to my departure from the SHPD. Mr. Medeiros had submitted them to me for review, but I was never able to complete the review. I understand Mr. Medeiros will be resubmitting these claims to the SHPD and I wanted to give you a little background on each. Mr. Medeiros' children and grandchildren are also included in the claims.

1.

2. Ki'ilae, CMI Development. This is the case we have discussed previously. Mr. Medeiros has submitted a burial registration for 80+ undocumented burials within the project area and has filed a lineal descendency claim to these burials. There were concerns about identifying the specific locations of these burials in order to provide protection. I understand the developer has been working with the SHPD-Maui office on a grading/grubbing permit for the project but as we have discussed the specific locations of the burials would need to be protected prior to issuance of any permits.

Mr. Medeiros was previously recognized as a lineal descendant to certain burials within the project area and has submitted a lineal claim for his children and grandchildren to be recognized through his claim.

3.

4.

5.

6.

As I have mentioned, I am available to whomever takes over these cases to provide additional details.

Mahalo, Keola



EXHIBIT

F

Get the latest updates from MSN

MSN Home | My MSN | Hotmail | Search | Shopping | Money | People & Chat

**Nellie Medeiros**

**From:** Jenny.L.Pickett@hawaii.gov  
**Sent:** Tuesday, May 27, 2008 10:48 AM  
**To:** Nancy.A.McMahon@hawaii.gov  
**Cc:** Linda.K.Paik@hawaii.gov; nelliem@hicommmfcu.com; Theresa.K.Donham@hawaii.gov; Hinano.R.Rodrigues@hawaii.gov; Wendy.K.Machado@hawaii.gov  
**Subject:** JP Kiilae Field Notes (June 2007)  
**Attachments:** Kiilae.doc

<p>Nancy A McMahon/DLNR/StateHiUS</p> <p>04/24/2008 11:29 AM</p>	<p>To Hinano R Rodrigues/DLNR/StateHiUS@StateHiUS, Jenny L Pickett/DLNR/StateHiUS@StateHiUS</p> <p>cc Wendy K Machado/DLNR/StateHiUS@StateHiUS</p> <p>bcc</p> <p>Subject Clarence Medieros</p>
--	--

Aloha,

My sincerest apologies in the delay- Per your request: Attached you will find a copy of my Field Notes (typed from my hand-written notes) regarding the Site Visit to Ki'ilae by Kaleo and me in June 2007.

Should there be any questions or concerns-- please do not hesitate to contact me at 243-4641.

Mahalo,

Jenny

Hinano

Do you have any lineal claim records for Clarence Medieros from the Big Island. He seem to believe his documentation was sent to Maui. If so, can you send it back to Kapolei.

Jenny

Clarence Medieors said in June 2007 you visited Kiilae Farms and conducted a site visit. Mr. Medieros said you were going to write a field inspection report. He wanted to know if you did which he would like to get a copy of this report. I am not aware of this so can you update me on this.

Nancy McMahon  
Acting Archaeology Branch Chief and Kauai Archaeologist  
State Historic Preservation Division  
Department of Land and Natural Resources  
Kakuhihewa Building  
601 Kamokila Blvd., Suite 555  
Kapolei, Hawai'i 96707 Kauai Office  
Ph: (808) 692-8015 (808) 241-3690  
Fax: (808) 692-8020 (808) 241-3691  
Cell: (808) 652-1510  
nancy.a.mcmahon@hawaii.gov

EXHIBIT

G



21 June 2007

**Site Visit Ki'ilae Estates:**

**Pickett's Field Notes:**

Arrive on the Big Island early morning- meet Kaleo and we drive to c. 400 acre proposed subdivision—Me & Kaleo meet Clarence etc. (Pete Anderson, Bob Rechtman, Marty Quill, Liz Hauanio and Darrel Grace) at Ki'ilae Estates project area. Several prior SHPD staff previously involved in the project- [We were to inspect roadway corridor area and address Clarence Medeiros's outstanding concerns]. The proposed subject roadway earthwork was complete and the road already set to final grade. Appears to be both County/State infractions because completed roadwork grubbing/grading corridor was much larger than clearly specified- MK review letter for roadway corridor indicates the width of disturbance for the road was 60 feet. [Road MUCH wider than 60 feet and no archaeological/cultural monitoring occurred-(full-time monitoring was slated to occur- according to Rechtman's "accepted mitigation" plan, which I've never seen)]. We discovered there was not an accepted *monitoring plan* because to my knowledge re: the project, SHPD had never formally recommended (NO doubt that monitoring is imperative in this subject area- especially near known human burial areas).

\*Protocol & History & Summary w/Kaleo and Clarence... Clarence and Kaleo both extremely knowledgeable about the area ...Clarence's Grandmother *noho* since c. 1902...his family lived on the property in the current Ki'ilae subject area for many years- Pipi Niau, (*keiki* of John Niau-- family burial, Joseph Ka'ai *pa hale* (*tutuhine* Ana Puhalahua buried along the wall approximately 800 feet *makai* from government highway... {4 existing lineal burial claims})

**Outstanding Concerns of Clarence:**

- 1) Recorded Site (large lava tube w/several generations) orange fencing present
- 2) National Park Service Property (Crypt?) Puoa
- 3) Hale O Pipi Niau Kauninui
- 4) Station 70/71 Known Human Burial

5) Roadway intersection – human burials under current newly graded road  
(?disturbed/displaced? and/or unmarked- *iwi kupuna* not located?)

Rechtman states 3 of the 5 areas have been documented and slated for permanent preservation in the accepted preservation plan- we investigate the other 2 areas (60' permit already grubbed/graded in 2003 the recent action was re-graded & wider area)

**Site Inspections of the following:**

\*SIHP -23140: a series of very well constructed large rock mounds. Many of them had already been completely bulldozed from the road corridor work (not monitored). Near permanent Feature (Fe) #305 (or in close proximity) note: wall is Fe #306. Rechtman says data recovery on mounds in surrounding area. No testing at Fe 305. "30 or 40 mounds tested in the whole project area" Pipi Ni'au- Next to property corner lots 1/49 (Sta 7 plus 00) T # 309  
"Gone...gone...gone..."

\*SIHP -23152 near Kiilae Lot 4: Mound (Ana Puhalahua?) inclusive of earlier project called M-3; located at Property Corner Lots 45/46..Intersection of new road and old dirt road bulldozed in 1999/2000...North Rd *Ahupua`a*/boundary Wall (preserved) running adjacent- Charlie remembers the burial being here... Rechtman says 4 surface Features recorded here but no longer present- (Criteria D NFW) Burial could still remain (subsurface) somewhere and/or possibly have been spread by previous bulldozing activities (1999, 2003 and 2007): Clarence states that 1 of the mounds was his *ohana* and the other 2 belong to Ka`aimikana (AKA Ka'ai) family-- Bob states Data Recovery was conducted on 3 mounds (?). In 2004 Clarence was recognized as lineal descendent to a burial within this Site (Ka`ainoa)...Pipi Naau burial is a new claim just now being brought to light-- in the same area (needs recognition asap)- the claim was not included in 2004 because it was mother's *ohana* and Clarence's brother was handling her affairs at the time.

\*SIHP -23200: (Lot 39 Kaleo points out traditional *hale* site & STA 33 as well) Intersection Rd-D observe orange fencing erected "50 feet from underground cave" (BR) Walked along old Ranch Rd. Features identified at every step- Obviously a very heavily utilized area from pre-Contact through historic times.

\*SIHP -23180-125: Burial identified during Data Recovery: we asked why no buffer "orange fencing will be erected today" (BR & LH) 50-foot interim buffer 25-foot permanent buffer is established protocol- why no buffer??? Access was not granted/we were not taken to the site. Conversation change to: following BTP accepted by SHPD- all known caves w/human remains were sealed. Rechtman et al. did not continue the site inspection when questioned about accurate buffer zones with respect to the erection of orange construction fencing. Based on mere observations; visual buffers do not appear to be in place at all sites slated for preservation- (need to conduct inspection w/pres plan info in order to determine if buffers are adequate/correct and in place). New Big Island staff will be hired soon...

\*Iwi kupuna inside boundary/ahupua`a wall (SIHP 23151) wall slated for permanent preservation (Chinen letter) wall is breeched in several locations. Large section appears to have been impacted by recent road construction. Clarence request to investigate area w/iwi; which was declined because they say it's not part of the current project...etc.

\*Discuss SIHP -23153: Mausoleum build in 1896 (one of Clarence's concerns) located near lower boundary along designated National Park/ Federal Lands. C. 4-6 years ago the land was re-divided along the lower boundary (238 acre area set aside for preservation) they say the site will be preserved in perpetuity- so, they say no need investigate at this point...(future issue to be addressed)

**Additional Information:**

Separate grubbing permit application Pacific Inc. Kai 46 lots EM Rivera 8-5005:019 & 022....Sites: landscaped lots dictated by County- Hilo... Permanent site numbers should be listed on the construction plans and all associated maps. 14 archaeological sites 5 burial sites 2003 data recovery- inadvertent 2 burials at intersection under road

Kaleo, Clarence and I return to Clarence's hale. Look at 2001 planning department contested case hearing- Wayne Leslie & Jimmy M. lineal & cultural descendant: David Franco (Attourney) Michael Moore (Attorney CMI or Kiilae Estates) Jimmy claiming co-lateral descendant. Clarence is recognized descendant. Kalua family (Rechtman AIS 6 burials identified) Between Napo`opo`o & Ho`okena there are at least 15 opelu ko`a (undocumented) Kaupaipai hundreds of pounds of opelu- Jack Kelley (Protect Keopuka `Ohana) and Jimmy filed suit together. Two appeal cases- one in 2001/2 and 2004- Clarence appealed in 2004. The current developers (Ki`ilae Estates) does not have clear title to the *ahupua`a* of Kauleoli (explanation of 1850s James Atkins sold to Henry Clark: Clark had 2 Hawaiian wives: (separate families but no doubt related- land goes to kids) Clark dies in 1866: Attorney goes to England to obtain Power of Attorney to sell property-2000 Title Insurance Marvin Nahe 3.5 acres; 1/2 of 364 acres (interest) McCandless is the silent partner.

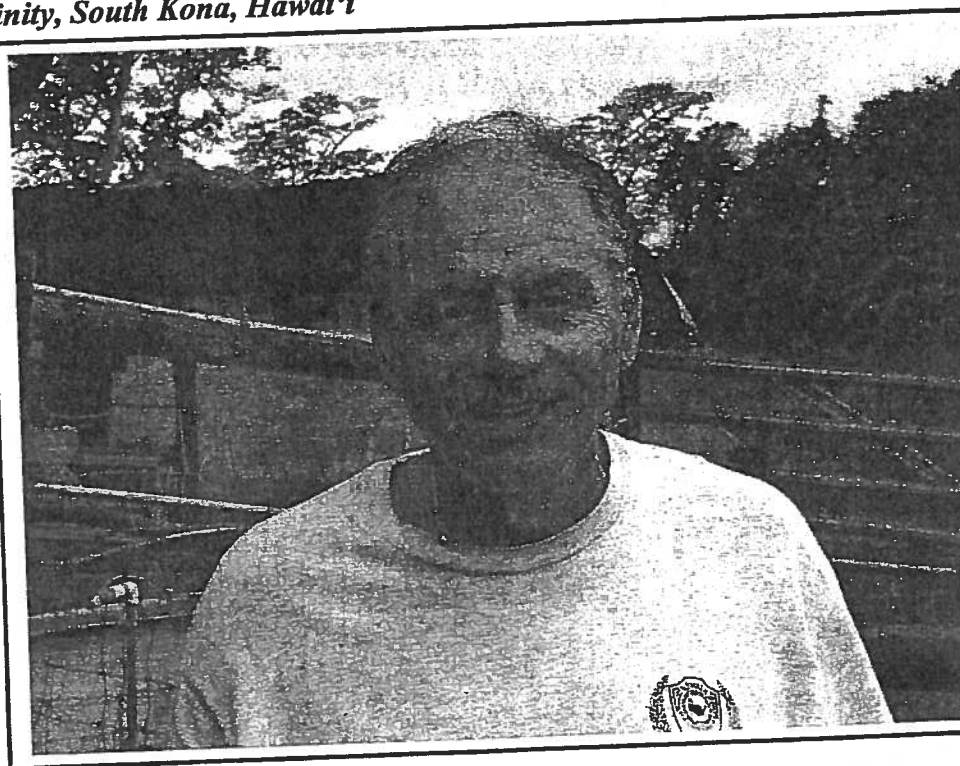
\*\*\*\*\*

Need accepted Monitoring Plan (clearly specifying details of inadvertent discoveries during monitoring; plan should be inclusive of both archaeological and cultural monitors); Need Addendum completed (Rechtman) to accepted AIS w/Clarence's concerns included and possibly Amendment to existing BTP (or new BTP) to mention the presence of the additional previously unknown Burial Sites.... Need qualified Cultural Historian to process and work closely with archaeologists to resolve outstanding concerns...Need immediate involvement/enforcement of the preservation/restoration of SIHP 23151 (stated in SHPD letter); re-investigate/survey utilizing original metes and bounds to be sure boundary wall is located in original location; Also Need verification of all established preservation buffer zones...

\*\*\*\*\*

*Alfred Medeiros Jr. (with his wife, Mary Medeiros)  
Oral History Interview at Ho'okena – February 11 & 14, 2001 with Kepā Maly  
Ki'ilaie-Kauleoli and Vicinity, South Kona, Hawaii'i*

Alfred Medeiros Jr. was born at Kealakekua in 1927. He is of Hawaiian-Portuguese ancestry. His mother, Mary Kalani, was descended from native families of the Kealakekua-Ka'awaloa vicinity. His father Alfred Medeiros Sr., worked for the Henry Greenwell Ranch until 1936, when he moved his family to the McCandless Ranch. From when he was nine years old, Mr. Medeiros lived at



Honokua, and he began traveling (and eventually working) the Ki'ilaie-Honokua lands of the McCandless Ranch. He began working on the ranch in 1941, and as a result of his years of work and his understanding of the unique South Kona Ranching operations and lands, by the mid 1950s, he was appointed ranch foreman. He retired from his job as foreman in 1989.

Mr. Medeiros kindly agreed to share his knowledge of the land, residents, and ranching operations (including cattle movements, land use, and land improvements), presents readers with important background on the lands of Ki'ilaie and Kauleoli (and the larger McCandless Ranch holdings). During the interview, Mr. Medeiros also shared descriptions of the larger community (pointing out areas of residence, identifying homes of old families, and various trails between the lands of Keōkea to Ho'okena).

The following points are among those that are of particular interest to the history of the Ki'ilaie-Kauleoli study area —

Mr. Medeiros recalled that the following families lived in Ki'ilaie and Kauleoli when he was young (some of them continued over to the 1950s), and others, generally associated with the ranching operations, also lived on the lands through the 1960s—

(Keōkea-Ki'ilaie boundary vicinity to Kauleoli on the *makai* side of Māmalahoa Highway): Pipī (Kau'inui); Kane (Annie Kau'inui-Kane); Bill

EXHIBIT

11

Jack – Johnny Torres; Henry Hose family; and Fujimori at the citrus farm; and (on the *mauka* side of Māmalahoa) there was the McKay house (Alex Dowsett's), above the Hose house in Ki'ilae; and the old Hooper house (above the Fujimori citrus farm).

When discussing the practice of families who he'd heard formerly lived in the Ki'ilae-Ho'okena section, he observed that "They said that all the old folks used to go down the beach, and keep farms *mauka*. That's how they used to make their living." He also recalled that it was the practice of the old *kama'āina* to bury family members in the vicinity of their residence lots.

Mr. Medeiros explained that the McCandless Ranch operation was primarily focused on trapping wild cattle which had proliferated on the land.

While working the ranch land in the Ki'ilae-Kauleoli vicinity, they used the *mauka-makai* trails in both lands, in the early 1950s, they also dozed a road along the Ki'ilae-Keōkea boundary out to the *kula* land where Daniel McKay had formerly had a *kula* farm. The area was developed into a trap for the wild cattle. Cattle were lured into the trap with water which was piped in from the Ki'ilae stream.

Other than the dozing for the ranch roads (a later one put in at Kauleoli as well), Mr. Medeiros does not recall that extensive dozing was done on Ki'ilae or Kauleoli. He also does not recall that there was much chain dragging was undertaken in his tenure at Kauleoli or Ki'ilae.

On the *makai* lands (those situated below Māmalahoa Highway), several traps for the wild cattle were developed. These traps included the: McKay Trap (mentioned above); the Ki'ilae (or Paris) Trap, fronting the Waiku'iakekela area, and watered from the well (with a windmill); the Kauleoli Trap and well, watered by a windmill; and the Kauleoli Trap situated right off of the highway on the north side of the Citrus Farm lot. The old Kauleoli *mauka-makai* trail was on the side of this trap as well.

Mr. Medeiros knew of burials in the field of Ki'ilae-Kauleoli and other ranch lands. He noted that some burial sites on the lands were marked by plantings of roses or wild lilies. By his recollection, it was the policy of the ranch hands to leave such sites alone. He specifically remembers burials associated with the area where Pipi Kau'inui lived (*makai* of Māmalahoa); and around the old Peabody-Henriques House (later Kahikina's residence, *mauka* of Māmalahoa).

He has noticed significant changes in the weather over his life time. Before rains were regular and more abundant. The Ki'ilae stream used to flow down to around Māmalahoa Highway, and the ranch pumped water from about a mile *mauka* of the highway to the McKay Trap on the *kula* lands. There was