

COUNTY OF HAWAII PLANNING DEPARTMENT
BACKGROUND REPORT

PARKER SCHOOL
AMENDMENT TO USE PERMIT NO. 05-001 (USE 05-001)

PARKER SCHOOL has submitted an application to amend Condition No. 11 (Roadway Improvements) of Use Permit No. 05-001, to remove the requirement to complete roadway improvements prior to the issuance of a Certificate of Occupancy for the gymnasium. Use Permit No. 05-001 allows the establishment of an elementary school (grades K-5) and expansion of the Parker School complex on 14.32 acres of land situated within the Agricultural-1 acre (A-1a) and Single Family Residential -7,500 square feet (RS-7.5) zoned district. The subject properties are located between Kapi'olani Road and Waikoloa Stream, Waimea, South Kohala, Hawai'i TMK: (3) 6-5-004:025, 026, 028 and 063.

APPLICANT'S REQUEST

1. **Background:** The original Parker School campus, centered at Kahilu Hall on Lindsey Road, was established in 1975 on TMK's (3) 6-5-004:019, 025 and 027. The bulk of these parcels are zoned Village Commercial (CV). Schools are considered a permitted use on CV-zoned land; therefore, a use permit was not required to establish the original school campus. These properties are currently used as a combined high school and middle school campus (grades 6-12). Use Permit No. 05-001 was issued on December 7, 2005 to allow the establishment of the Parker School elementary school (grades K-5) on a 2.635-acre portion of TMK (3) 6-5-004:025. The Use Permit was amended by the Planning Commission in 2010 to allow expansion of the Parker School complex to include new athletic fields, new gymnasium, renovation of two residences and warehouse, elementary school addition and new middle school on the remainder of TMK's (3) 6-5-004:025, 026, 028 and 063. On June 30, 2020, the Leeward Planning Commission voted to allow for a time extension to Condition No. 6 of Use Permit No. 05-001 in order to complete construction of the school complex for TMK's (3) 6-5-004:025, 026, 028, and 063.
2. **Request:** The applicant is requesting to remove the requirement to complete roadway improvements prior to the issuance of a Certificate of Occupancy for the gymnasium to

read as follows:

Prior to issuance of a Certificate of Occupancy for the middle school [~~or~~ gymnasium] the applicant shall provide the following improvements meeting with the approval of the Department of Public Works, at no cost to the County:

- a. Provide pavement widening, concrete curb, gutter and sidewalk, and incidental drainage improvements along the south side of Kapi'olani Road from Lindsey Road to the middle school entrance and along the east side of Lindsey Road from Kapi'olani Street to the existing sidewalk at the edge of the school's property.*
- b. Install streetlights along the south side of Kapi'olani Road from Lindsey Road to the middle school and any necessary signs and markings.*

This amendment would defer improvements to Kapi'olani Road to be built prior to issuance of a Certificate of Occupancy for the future middle school rather than prior to issuance of a Certificate of Occupancy for the gymnasium, which has been funded and is ready for construction.

3. **Reasons for Request:** According to the applicant, with the COVID-19 pandemic many things have changed for the small independent school. The probability of a significant increase in enrollment anticipated in the Master Plan application for this Use Permit is remote. The school's current goal is to maintain their present enrollment (approximately 325 students) and the current fundraising focus has been shifted to assist in scholarship aid for the existing student body. The applicant has previously raised funds for the proposed facilities through generous gifts from individuals. Many of these gifts previously received have conditions that require that the funds be spent during a certain time period that is rapidly approaching. Based on the preceding, the applicant is requesting to build the gymnasium complex to accommodate the existing enrollment without precluding the possibility of enrollment growth in the future that would require a new middle school. The applicant believes that with no growth in the current enrollment, the off-site improvements on Kapi'olani Road for pedestrian access to the proposed gymnasium are unnecessary at this time and would like to build the gymnasium complex for the use by their current enrollment without making these off-site improvements. Pedestrian access to the new facility would be through the applicants existing campus and

not along Kapi‘olani Road. Should the middle school be constructed to accomodate a significant growth in enrollment, the conditions for improvements to Kapi‘olani Road would still apply.

4. **Supportive Information:** The applicant has submitted the attached in support of the request. (**Planning Department Exhibit 1 – Letter dated April 22, 2021 from Greg Mooers requesting amendment of Use Permit 05-001 and Planning Department Exhibit 2 - Letter from Pa‘ahana Enterprises LLC dated April 27, 2020 containing report on status of permit conditions**)
5. **Landowner:** Parker School.

STATE AND COUNTY PLANS

6. **State Land Use District:** Urban.
7. **County Zoning:** Parcels 25 and 63 are zoned Agricultural-1 acre (A-1a) and parcels 26 and 28 are zoned Single-Family Residential-7,500 sq. ft. (RS-7.5).
8. **General Plan LUPAG Designation:** Medium Density Urban, which may allow village and neighborhood commercial and single family and multiple family residential and related functions.
9. **South Kohala Community Development Plan (CDP):** The South Kohala CDP, adopted by Ordinance No. 08 159 on December 1, 2008 acknowledges the expansion of Parker School as a future development within the Waimea area. Furthermore, the project site is situated within the preliminary boundaries of an area entitled “Town Center Improvements” on the Waimea Town Conceptual Plan in the CDP.

DESCRIPTION OF PROJECT SITE AND SURROUNDING AREA

10. **Project Site:** The project site includes four parcels totaling 14.32 acres. Parcels 25 and 63, located between Kapi‘olani Road and Waikoloa Stream are relatively flat and have been in pasture use for much of the last 50 years. The western portion of parcel 25 contains an approximately 4,000 square-foot elementary school, parking and playground facilities. On the eastern edge of parcel 25 near Kapi‘olani Road there is a wooden and concrete warehouse used for storage. Parcels 26 and 28 are located on Pu‘ukī Road between the existing elementary school and the existing high school on the original Kahilu campus and parcels contain single-family residences.

11. **Surrounding Zoning and Land Uses:** Surrounding properties are zoned Agricultural (A-1a) to the north, Single-Family Residential (RS-7.5) to the west towards Lindsey Road, and Village Commercial (CV-7.5) to the south and east. The Waimea Town Center Plaza, the Kamuela Lodge and the Paniolo Country Inn are located to the south of the campus. The Keck Telescope base facility is located to the southeast. Between the campus and Kapi‘olani Road are four small lot residential properties. To the north, across Kapi‘olani Road are larger properties in agricultural and residential use as well as a church. The Waimea Parkside subdivision is located to the northwest of the campus, northeast of the Kapi‘olani Road/Lindsey Road intersection. Several small residential lots are located along Pu‘ukī Road, north and west of the campus. Parker School’s middle and high school campus is located to the west.
12. **U.S.D.A. Soil Type:** Waimea very fine sandy loam (WMC), 6 to 12% slopes. This soil is used for pasture and irrigated truck crops. Permeability is moderately rapid, runoff is slow, and the erosion hazard is slight.
13. **Land Study Bureau's Productivity Rating:** Unclassified.
14. **ALISH:** Existing Urban Development.
15. **FIRM:** Portions of parcels 25 and 63 along Waikoloa Stream are in flood zone “AE”, which is the special flood hazard area that corresponds to the one hundred-year floodplains. The applicant has completed a drainage study for construction of the school’s sports and activities center, but another drainage study will be needed in the future prior to construction of the new middle school.
16. **Flora/Fauna Resources:** There were no professional surveys conducted of floral or faunal resources, and the applicant believes that there are no threatened or endangered resources on site. Most of the property is covered in kikuyu grass and was in pasture use for much of the last century. There are groves of mature eucalyptus trees and christmas berry along Waikoloa Stream. The two residential properties contain several species of common exotic landscape plantings. Animals in the area are primarily feral cats, rats, mongoose and domestic dogs and cats. Bird life is primarily exotic species of sparrows, finches, doves and other common varieties with seasonal varieties such as California plover.

17. **Archaeological/Historical Resources:** An archeological inventory survey of parcels 25 and 63 was conducted by Rechtman Consulting, LLC in October 2006. The survey found three historic site complexes which included a set of dry stacked stone walls of historic origin that were used to delineate former kuleana parcels, a portion of an old 'auwai (irrigation ditch) along the stream side, and a 1940's era warehouse associated with WWII military Camp Tarawa. On June 15, 2012 human skeletal remains were inadvertently discovered under the schools Theater Building on TMK: (3) 6-5-004:027. School officials contacted the Department of Land and Natural Resources- Division on Conversation and Resources Enforcement where it was determined to be a historic preservation issue and a site visit was conducted by State Historic Preservation Division (SHPD) on June 18, 2012 where human skeletal remains were identified. The SHPD Burial Sites specialist and the Hawai'i Island Burial Council visited the site on June 19, 2012 and the official State Inventory of Historic Places designated the site as SIHP Site 29368. Instead of data recovery, the landowner agreed to preserve the site in place, thus a Preservation Plan was prepared and accepted by SHPD by letter dated October 24, 2012. Pursuant to the approved Preservation Plan, the site was conserved within its original location. Other requirements of the preservation plan include a protective buffer that will extend four feet beyond the location of the remains marked by small boulders with a row of green ki to be planted on the outside of the boulder alignment. The location of the burial along with the buffer area will be surveyed and recorded on a plat map and submitted to the State Bureau of Conveyances and recorded. **Planning Department Exhibit 3 – May 19, 2021 email from Greg Mooers containing October 24, 2012 SHPD letter and Preservation Plan)**
18. **Cultural or Native Gathering Rights:** There is no evidence of any traditional and customary Native Hawaiian rights being practiced on the site, nor existence of any known valued cultural or native resources in the area.
19. **Recreational Resources:** The applicant will provide an easement for a public pedestrian trail along Waikoloa Stream on the subject properties as part of the Waimea Trails and Greenways network. Condition No. 24 of the amended permit requires the easement be granted to the County when required by the Department of Parks and Recreation. In October 2019, Parker School provided a draft Memorandum of Agreement (MOA) to the

County to assure the County that Parker School will dedicate the needed easement when the County is ready to proceed. Until that time, Parker School will retain control of the affected area, including their right to maintain security. Parker School added two adjoining parcels to the MOA in order to make the future trail contiguous through their property.

20. **Traffic:** A traffic impact analysis report (TIAR) was conducted by The Traffic Management Consultant in April 2009 to analyze the impacts of the master plan build-out for the entire Parker School campus, which includes an increase of 220 students from the Year 2010 enrollment of 328 students in grades K-12 to 548 students. Parker School currently staggers school hours by 15 minutes and promotes carpooling and the use of public transportation to minimize the impacts of its existing traffic. The TIAR recommended the implementation of traffic management measures such as increasing on-site parking capacity and hiring parking attendants and special duty police officers to direct traffic off-site during large special events. An approved Traffic Management Plan (TMP) prepared by the applicant's consultant was provided to the Department of Public Works (DPW). The applicant will continue to stagger school start times and implement a carpooling program. Finally, a bus stop shelter has been installed by the County near Waimea Park.

21. **Public Access:** There is no record of a designated public access to the shoreline or mountain areas that traverses the property.

PUBLIC UTILITIES AND SERVICES

22. **Access:** Access to parcels 25 and 63 is from two existing driveways from Kapi'olani Road, a gravel driveway leads to the existing warehouse and a paved driveway leads to the elementary school. Kapi'olani Road is a County-owned and maintained roadway with an approximately 18 to 20-foot pavement in good condition and 2- to 4-foot-wide grass shoulders within a 40-foot-wide right-of-way. According to the Department of Public Works, Kapi'olani Road is substandard based on width and has no sidewalks or streetlights conducive to safe pedestrian access. Access to parcels 26 and 28 is from Pu'ukū Road which intersects Kapi'olani Road about 400 feet east of Lindsey Road. Pu'ukū Road is County-owned and maintained with an approximate 18-foot-wide pavement in good condition and gravel/grass shoulders, all within an approximate 40-foot

right-of-way. Connection from Parker School's existing Kahilu campus (which is accessed from Lindsey Road) to the proposed expanded campus would be via an existing 8-foot-wide asphalt walking path near Waikoloa Stream. When the permit was amended in 2010 to expand the school campus, the Department of Public Works (DPW) recommended the applicant provide pavement widening and curb, gutter, sidewalk and drainage improvements along the south side of Kapi'olani Road in order to provide a safe route to school for students walking or biking between the school and Waimea Park area. DPW also recommended prohibiting expansion of the Lindsey Road parking lot to reduce the traffic volume to/from Lindsey Road, and widening the parking lot driveway entrance to provide safer access and reduce pedestrian/vehicular conflicts. Condition Nos. 10, 11 and 16 of the permit require the applicant to implement these recommendations. By memo dated June 9, 2021, DPW had no objection to the applicant's request to delete the requirement to complete roadway improvements prior to the issuance of Certificate of Occupancy for the gymnasium and deferring the roadway improvements defined in Condition 11 until the construction of the middle school is completed.

23. **Water:** The applicant has secured a total of 12 additional water commitments from the Department of Water Supply (DWS), which are set to expire on October 31, 2021. The applicant has installed some reduced pressure type backflow prevention assemblies at existing water meters, but additional assemblies will be required on any new water meters. Additionally, the DWS requires upgrade of the County water system in order to provide adequate fire flow for fire protection to the proposed development. The applicant has submitted construction plans for the fire protection upgrade to DWS for approval.
24. **Wastewater:** There is no municipal sewer system in Waimea. Wastewater disposal will be via septic system(s) approved by the State Department of Health.
25. **Solid Waste:** Solid waste will be disposed of in an approved landfill by the school or commercial haulers. The applicant will implement the Solid Waste Management Plan approved by the Department of Environmental Management in April 2019.
26. **Essential Services and Utilities:** Electricity and telephone services are available to the site. Police and fire stations are located less than two miles from the site.

AGENCIES' AND ORGANIZATIONS' COMMENTS

27. **Department of Public Works – Engineering Division: Planning Department Exhibit**

4 – June 9, 2021 memo

28. **South Kohala Traffic Safety Committee: Planning Department Exhibit 5 – June 13, 2021 memo**

AGENCIES - NO COMMENTS/ NO CONCERNS

29. Police Department, Fire Department.

AGENCIES - NO RESPONSE

30. Department of Public Works- Traffic Division; Waimea Community Association.

APPLICANT'S RESPONSE TO AGENCY COMMENTS

31. **Email dated June 14, 2021 from the applicant Greg Mooers to South Kohala Traffic Safety Committee (Planning Department Exhibit 6)**

PUBLIC COMMENTS

32. None as of the date of this writing.



Post Office Box 1101
Kamuela, Hawaii 96743
Phone (808) 880-1455
Fax (808) 880-1456
gmooers@hawaii.rr.com

April 22, 2021

COH PLANNING DEPT
APR 26 2021 PM 2:23

Zendo Kern, Director
Planning Department
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Re: Use Permit No. 05-001 (USE 05-0001)
Applicant: Parker School
Subject: Amendment to Condition No. 11
Tax Map Keys: (3) 6-5-004:025, 026, 028 and 063

Dear Director Kern:

Please find enclosed the original and twenty (20) copies of this request and reasons for an amendment to Condition No. 11 of the Use Permit identified above and the original and twenty (20) copies of the completed application sheet. I am also enclosing a check payable to the Director of Finance in the amount of \$250 as an application fee, and a list of neighbors within 300-feet of the subject parcels.

Use Permit 05-0001 was granted by the Hawaii County Planning Commission on December 7, 2005, to allow establishment of an elementary school (grades K-5) on a 2.635-acre portion of TMK: (3) 5-5-004:025. This Use Permit was amended by the Hawaii County Planning Commission on February 26, 2010 to allow the expansion of the Parker School complex to include the remainder of TMK: (3) 6-5-004:025 and TMK's 6-5-004:026, 028 and 063 (14.32-acres). On June 30, 2020, the Hawaii County Leeward Planning Commission further amended this Use Permit by granting our request for a time extension to Condition No. 6 (Complete Construction).

Condition No. 11 of the amended permit requires:

Prior to the Certificate of Occupancy for the middle school or gymnasium the applicant shall provide the following improvements meeting with the approval of the Department of Public Works, at no cost to the County:

- a. *Provide pavement widening, concrete curb, gutter and sidewalk, and incidental drainage improvements along the south side of Kapiolani Road from Lindsey Road to the middle school entrance and along the east side of Lindsey Road from Kapiolani Road to the existing sidewalk at the edge of the school's property.*
- b. *Install streetlights along the south side of Kapiolani Road from Lindsey Road to the middle school and any necessary signs and markings.*

Planning Dept.
Exhibit 1

Mr. Zendo Kern
April 22, 2021
Page Two

With the COVID-19 pandemic many things have changed for this small independent school. The likelihood of a significant increase in enrollment anticipated in the application for this Use Permit is remote. The school's current goal is to maintain our present enrollment (approximately 325). So many of our families have been devastated by the pandemic that our fundraising focus is for scholarship aid.

Our school has previously raised funds for the proposed facilities through generous gifts from individuals and foundations. Many of the gifts previously received have conditions that require that the funds be spent during a certain time-period that is rapidly approaching. If we do not build the gymnasium complex, we may lose these gifts.

We would like to be able to build the gymnasium complex to accommodate the existing enrollment without precluding the remote possibility of enrollment growth in the future that would require a new middle school. We believe with no growth in the current enrollment, the off-site improvements on Kapiolani Road for pedestrian access to the proposed gymnasium are unnecessary.

The school is proposing to return to the Leeward Planning Commission to modify one of the 30 conditions of approval. Condition #11, which requires that the improvements (curb, gutter, sidewalks, street lighting) to Kapiolani Road be made prior to Certificate of Occupancy for the new middle school or gymnasium. We would like to be able to build the gymnasium complex for use by our current enrollment without making these off-site improvements. The pedestrian access to the new facility would be through our existing campus and not along Kapiolani Road.

Should the proposed Middle School ever be constructed to accommodate a significant growth in enrollment, the conditions for improvements to Kapiolani Road would still apply. We propose to simply remove the words "*or gymnasium*" from Condition #11, which would allow for the construction of the gymnasium at this time without these off-site improvements.

I am attaching a summary of the status of compliance with the various conditions of approval for the Use Permit to demonstrate the school's commitment to meeting obligations of the Use Permit. We have invested a great deal of time and money to comply with the conditions.

I would appreciate the opportunity to discuss this request with you and your staff at your convenience. Thank you for your prompt consideration of this request for an amendment to Condition #11.

Sincerely,


Gregory R. Mooers
President

Enclosures

COUNTY OF HAWAII
PLANNING COMMISSION

COH PLANNING DEPT
APR 26 2021 PM 2:23

USE PERMIT APPLICATION
(Type or legibly print the requested information)

APPLICANT: Parker School

APPLICANT'S SIGNATURE: [Signature] DATE: 4/22/2021

ADDRESS: Parker School, David B. Kirk, Board President

65-1224 Lindsey Road

Kamuela, Hawaii 96743

LIST APPLICANT'S INTEREST IF NOT OWNER: President of Board

TELEPHONE: (Bus.) 885-7933 (Res.) _____ (Fax) 885-6322

LANDOWNER(S): Parker School.

LANDOWNER SIGNATURE(S): [Signature] Board President DATE: 4/22/2021
(May be by letter)

ADDRESS: Parker School

65-1224 Lindsey Road

Kamuela, Hawaii 96743

TAX MAP KEY: (3) 6-5-004:025, 026, 028 & 063

STREET ADDRESS OF PROPERTY: 65-1224 Lindsey Road

REQUESTED USE: School.

ZONING: A-1a & RS-7.5 SIZE OF *PROPERTY: 14.32 acres

AGENT: Gregory R. Mooers

ADDRESS: Mooers Enterprises, LLC

P.O. Box 1101

Kamuela, Hawaii 96743

TELEPHONE: (Bus.) 880-1455 (Res.) 880-1454 (Fax) _____

Please indicate to whom original correspondence and copies should be sent.

ORIGINAL: Gregory R. Mooers COPIES: David B. Kirk

(See Instructions on Reverse Side)

Pa`ahana Enterprises LLC

P.O. Box 109

Kealahou, HI 96750

Cell: 345-0854

E-mail: ken@paahanaenterprises.com

Date: April 27, 2020

TO: Mr. Michael Yee, Director via USPS Priority Mail
Planning Dept.

FROM: Ken Melrose

Subject: Parker School Use Permit 05-001
Compliance with Conditions prior to Plan Approval submittal

Since meeting many months ago with Bennett Mark, I have been working to resolve compliance with the many conditions of approval of this Use Permit. This memo is a summary of compliance and is submitted in hopes of your concurrence that we have fulfilled the conditions of approval and may now submit for Final plan Approval.

Condition 1, Compliance: ongoing

Condition 2, Water demand calcs: Demand calculations were submitted and accepted by DWS on September 20, 2018. 12 Water Commitments have been issued, with deposit paid. Copy attached.

Condition 3, install RPBP at each meter: A plumber has installed required RPBP and work has been accepted. See attached final on plumbing permit.

Condition 4, Fire Flow: DWS has agreed with our solution to add an 8" line from Lindsey Road to our Detector Check Valve and improvements have been included in the Offsite improvement plans, sheets C401F-403F, now being circulated for approval by DPW and DWS. Copy of plans dated April 2020 attached.

Condition 5, Adjustments to DWS water system: any adjustments necessary are included in the Offsite plan referenced above and the onsite plans for the installation of the new water meter.

Condition 6, Time to complete: an administrative extension approval was previously granted and a further extension has been submitted, with hearing date at the Leeward Planning Commission yet to be set.

Condition 7, Nighttime lighting: The soccer field has been made and no provision for nighttime lighting have been included.

Condition 8, Enrollment cap: The limits established have been acknowledged and remain the parameters for any future growth of school enrollment. Enrollment for the 2020 school year are Lower School 105, Middle School 86 and Upper School 124, for a total of 315. Given the recent events, total enrollment next year is expected to dip to about 285.

Condition 9, Seating cap: the gym as designed by Urban Works shows bleacher seating for a maximum of 250.

Condition 10, parking lot expansion: Plans to expand the Lindsey Road parking lot have been abandoned. The school has adequate paved and striped parking, as shown in the Shared Parking Agreement recorded on November 27, 2018, copy attached.

Condition 11, improvements along Lindsey and Kapiolani: The construction plans for the widening of and addition of sidewalks along Lindsey Road and Kapiolani Roads have been prepared, undergone several rounds of review and comment and have been re-submitted and are being circulated for approval by DPW and DWS. Copy of plans dated April 2020 are attached.

Condition 12, Gate relocations: the security gate on Kapiolani Road was relocated to be a minimum of 20' off the road many years ago. See attached sheet A 100.

Condition 13, traffic management at drop off: Active traffic management has been in place at the drop off with faculty/staff present to move things along and rules presented to all parents.

Condition 14, Bus shelter: A bus shelter was installed on Kawaihae Road fronting Anuenue Park.

Condition 15, staggered start times: Lower, Middle and Upper school start times are staggered by 15 minutes.

Condition 16, parking lot driveway: The DPW has not required revisions to this driveway off Lindsey Road. It has been widened to 2 lanes. Of note, further improvements are suggested as part of the State's Waimea Regional Safety Improvements program and will be made at the time of those improvements.

Condition 17, Traffic Management Plan: A traffic Management Plan was prepared and has been approved by DPW and Police, copy of approvals attached.

Condition 18, driveways: To our knowledge, all driveways on Puuki and Kapiolani have been installed per DPW requirements.

Condition 19, Drainage: a drainage study was prepared and approved by DPW for improvements onsite, copy attached.

Condition 20, Dust and runoff: The improvement plans include provisions to minimize dust and prevent runoff.

Condition 21, Noise: The improvement plans include standard provisions to control noise during construction.

Condition 22, Ch. 10: The improvements plans include provisions to comply with Chapter 10.

Condition 23, NPDES: An NPDES permit has been issued on 4/4/19 for the project.

Condition 24, AE zone: All improvements proposed are outside the AE flood zone along Waikoloa Stream.

Condition 25, wastewater: An IWS was approved by the Dept. of Health and sized to accommodate the future Middle School as well as the Gym.

Condition 26, Solid Waste Plan: A Solid Waste Management Plan has been prepared and approved by Dept. of Environmental Management on 4/22/19, copy attached.

Condition 27, Trail: After consultation with Waimea Trails and Greenways and the Mayor's office, a Memorandum of Agreement has been prepared and submitted to Dept. of Parks and Recreation and Planning Dept. for acceptance on October 7, 2019. It is being circulated for signatures; copy attached. In that MOA, Parker School voluntarily included the addition of 2 parcels not required by this condition which are necessary for the continuity of the trail along the stream.

Condition 28, historic rock walls: No rock walls will be modified as part of the proposed improvements.

Condition 29, SHPD approval: SHPD approved was issued in 2008, before the soccer field was graded, copy attached.

Condition 30, Compliance with laws: The improvements plans have been prepared in compliance with all laws and rules, to the best of our knowledge.

Condition 31, Annual progress reports: Annual reports have been submitted as required.

Condition 32, Time: The administrative time extension has been granted and a further extension is requested and expected to be heard by the Leeward Planning Commission when county government functions reopen.

Condition 33, revocations potential: Parker School acknowledges the Planning Director's right to initiate revocation and is working diligently to avoid such an occurrence.

Thank you for your time to review with summary of our compliance. We look forward to your concurrence that Conditions of the Use Permit are complied with and we may now submit for Final Plan Approval. Any questions or follow up, please contact me.

Aloha,

Ken Melrose
Project Manager for Parker School

CC: Bennett Mark, Kona office
Jeff Darrow, Planning Dept. Hilo
Gerry Delgado, COO, Parker School, via email
Greg Mooers, consultant for Use Permit extension request, via email

Camero, Tracie-Lee

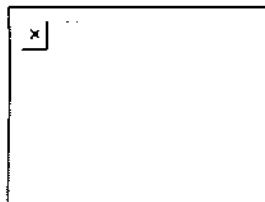
From: Greg Mooers <gmooers@hawaii.rr.com>
Sent: Wednesday, May 19, 2021 9:29 AM
To: Camero, Tracie-Lee
Subject: FW: Parker School
Attachments: ParkerSchoolISHPDApproval.pdf; ParkerSchoolBTP10-8-12.pdf

Tracie-Lee:

Here is the Preservation Plan prepared by Rechtman Consulting and the SHPD approval letter. Please let me know if anything else is required.

Greg

From: Bob Rechtman <brechtman@asmaffiliates.com>
Sent: Wednesday, May 19, 2021 9:22 AM
To: Greg Mooers <gmooers@hawaii.rr.com>
Subject: Parker School



Bob Rechtman Ph.D.
Chief Executive Officer

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www.asmaffiliates.com

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AENA
FIRST DEPUTY

WILLIAM M. YAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCE
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHILAWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

October 24, 2012

Mr. Robert Rechtman
Rechtman Consulting, LLC
507-A E. Lanikaula St
Hilo Hawaii 96720

LOG NO: 2012.2022
DOC NO: 1210.KH06

Dear Mr. Rechtman,

Subject: Burial Site Component of a Preservation Plan for Site 50-10-06-29368 located at Parker School, Waimea Homestead, South Kohala District, Hawaii Island, TMK: (3) 6-5-04:027.

The State Historic Preservation Division has reviewed the above Burial Site Component of a Preservation Plan and find it in compliance with Hawaii Administrative Rules §13-300-40(i). You may proceed with implementing the provisions of the plan.

Please coordinate the reinterment process with Ms. Kauanoe Hoomanawanui.

Should you have any questions or concerns, please contact Ms. Kauanoe Hoomanawanui, Burial Site Specialist at (808) 933-7650 or kauanoe.m.hoomanawanui@hawaii.gov.

Sincerely,

A handwritten signature in cursive script, reading "Hinano Rodriguez", is located below the word "Sincerely,".

Mr. Hinano Rodriguez
Cultural Historian/Acting History & Culture Branch

**A Burial Site Component of a Preservation Plan for
SIHP Site 50-10-06-29368 located at Parker School
(TMK: 3-6-5-04:027)**

Waimea Homesteads
South Kohala District
Island of Hawai'i

FINAL VERSION

PREPARED BY:

Robert B. Rechtman, Ph. D.

PREPARED FOR:

Carl Sturges, Ph.D.
Parker School
65-1224 Lindsey Road
Kamuela, HI 96743

October 2012

RECHTMAN CONSULTING, LLC

507 A1, Lanikaula St. Hilo, Hawaii 96720
phone: (808) 969-6060 fax: (808) 443-0063
e-mail: bob@rechtmanconsulting.com
A PROFESSIONAL CORPORATION AND HONOLULU, HAWAII

**A Burial Site Component of a Preservation Plan
for SIHP Site 50-10-06-29368
located at Parker School
(TMK: 3-6-5-04:027)**

**Waimea Homesteads
South Kohala District
Island of Hawai'i**

RECHTMAN CONSULTING

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INTRODUCTION

On June 15, 2012, human skeletal remains were inadvertently discovered by students attending a summer program at Parker School in Waimea Town, South Kohala District, Island of Hawai'i (Figures 1, 2, and 3). School officials contacted both the Hawai'i County Police Department and the Department of Land and Natural Resources—Division of Conservation and Resources Enforcement. It was determined to be a historic preservation issue, and Department of Land and Natural Resources—State Historic Preservation Division (SHPD) was contacted and on June 18, 2012 a site visit was conducted by SHPD Archaeologist Michael Vitousek. Mr. Vitousek identified that the source of the skeletal material, which he verified as human, was likely a recently excavated trench for the placement of an electrical conduit. He collected several broken and scattered pieces of human bone, mostly cranial and upper torso elements from a single individual. The collected remains (estimated by SHPD to constitute approximately 2% of an entire skeleton) were curated in a safe location at Parker School. Contact information for Parker School is:

Carl M. Sturges, Ph.D.
Headmaster
Parker School
65-1224 Lindsey Road
Kamuela, HI 96743
(808) 885-7933

On June 19, 2012, the area was visited again by SHPD Burial Sites Specialist Kauanoe Ho'omanawanui accompanied by two Hawai'i Island Burial Council (HI BC) members, Leningrad Elarionoff and Maxine Kahaulelio. The location of the find, which is under a corner of the School's Theater Building (Figure 4), was temporarily barricaded with a low white fence and potted plants. DLNR-SHPD directed Parker School to "contract with a State-permitted archaeological firm for the purpose of locating the in situ portion" of the remains (DOC NO 1208KH06). Once identified, then an appropriate treatment could be determined.

Parker School contacted Rechtman Consulting, LLC to conduct a subsurface investigation pursuant to the SHPD directive. On September 13, 2012, Robert B. Rechtman, Ph.D. and Ashton K. Dircks, B.A. (with the assistance of two Parker School students, Maia Tarnas and Tyler McCullough) conducted a subsurface investigation (Figures 5 and 6). additional broken and scattered pieces of human bone were recovered from the soil within the electrical trench (the trench fill was passed through 1/8th inch mesh screening) and the precise location of the in situ portion of the skeleton was identified (Figure 7), and scaled drawings of the discovery area were made (Figures 8 and 9). SHPD was contacted and Burial Sites Specialist Kauanoe Ho'omanawanui accompanied by HI BC member Maxine Kahaulelio visited the location. An on-site decision was made to continue to curate all of the recovered skeletal material (transferred to a *lauhala* basket) and to have the electrical conduits removed so that a "preservation in place" determination could be made. On September 19, 2012, Robert B. Rechtman, Ph.D. and Ashton K. Dircks, B.A. assisted the electrical contractor with the removal and relocation of the conduits. additional disturbed skeletal material was recovered through screening and added to the curated remains. No additional skeletal individuals were encountered. The in situ remains visible in the sides of the trench were covered with *lauhala*, and the trench backfilled with dirt that was retained from the screening process. Two pieces of cardboard were placed vertically in the trench on either of the in situ remains, marking an area for potential reburial of the curated material.

The purpose of this plan is to establish procedures for the long-term preservation of SIHP Site 29368. This plan follows the process described in the applicable sections of Chapter 6E - Historic Preservation (Hawai'i Revised Statutes: as amended), and in the current Administrative Rules (HAR 13§13-300-40) for the treatment of inadvertently discovered burial sites and human remains, approved and adopted by the State of Hawai'i. The information presented within this plan is designed to support DLNR-SHPD in making their determination on the in-place preservation of SIHP Site 29368.

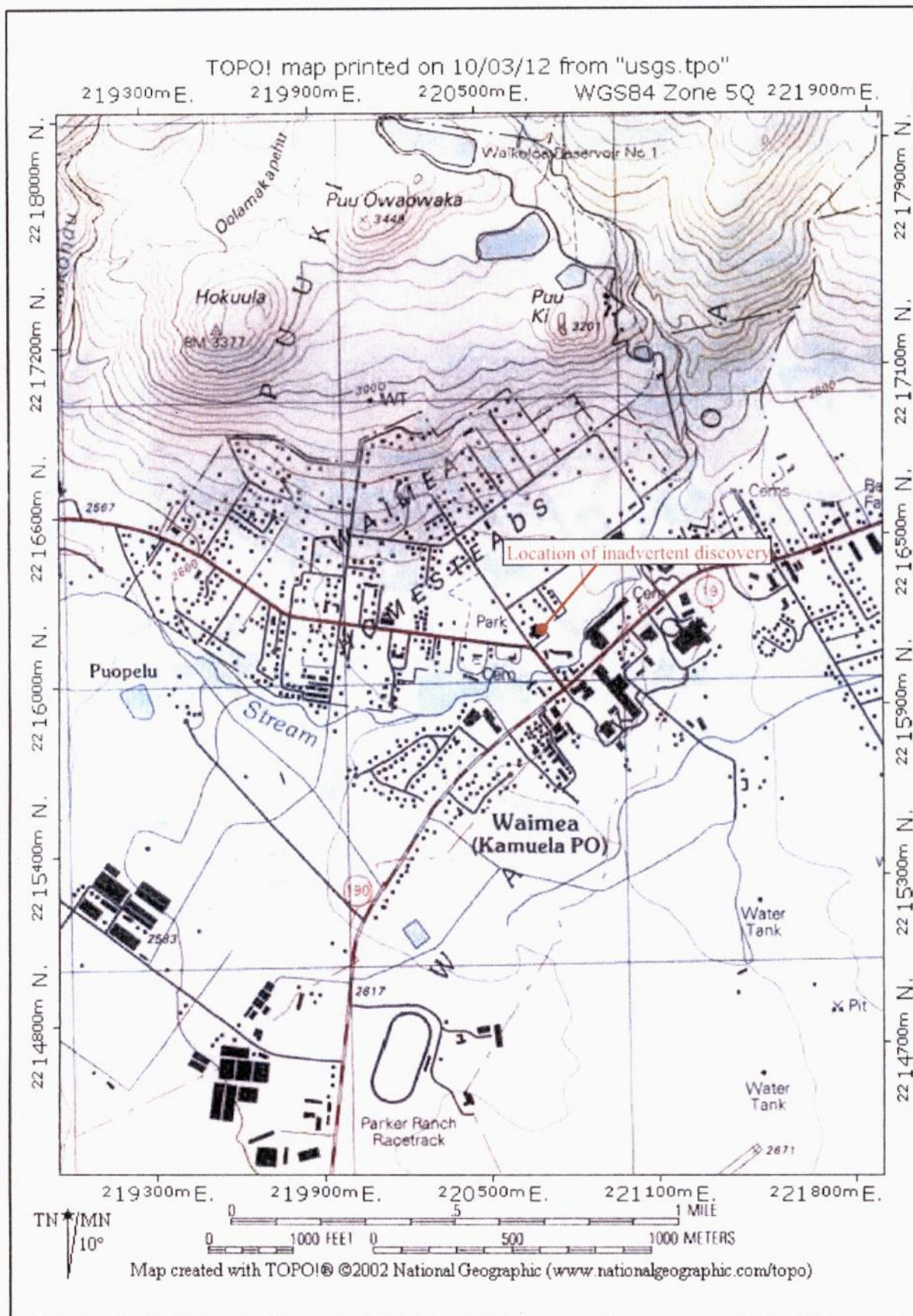


Figure 1. Project area location.

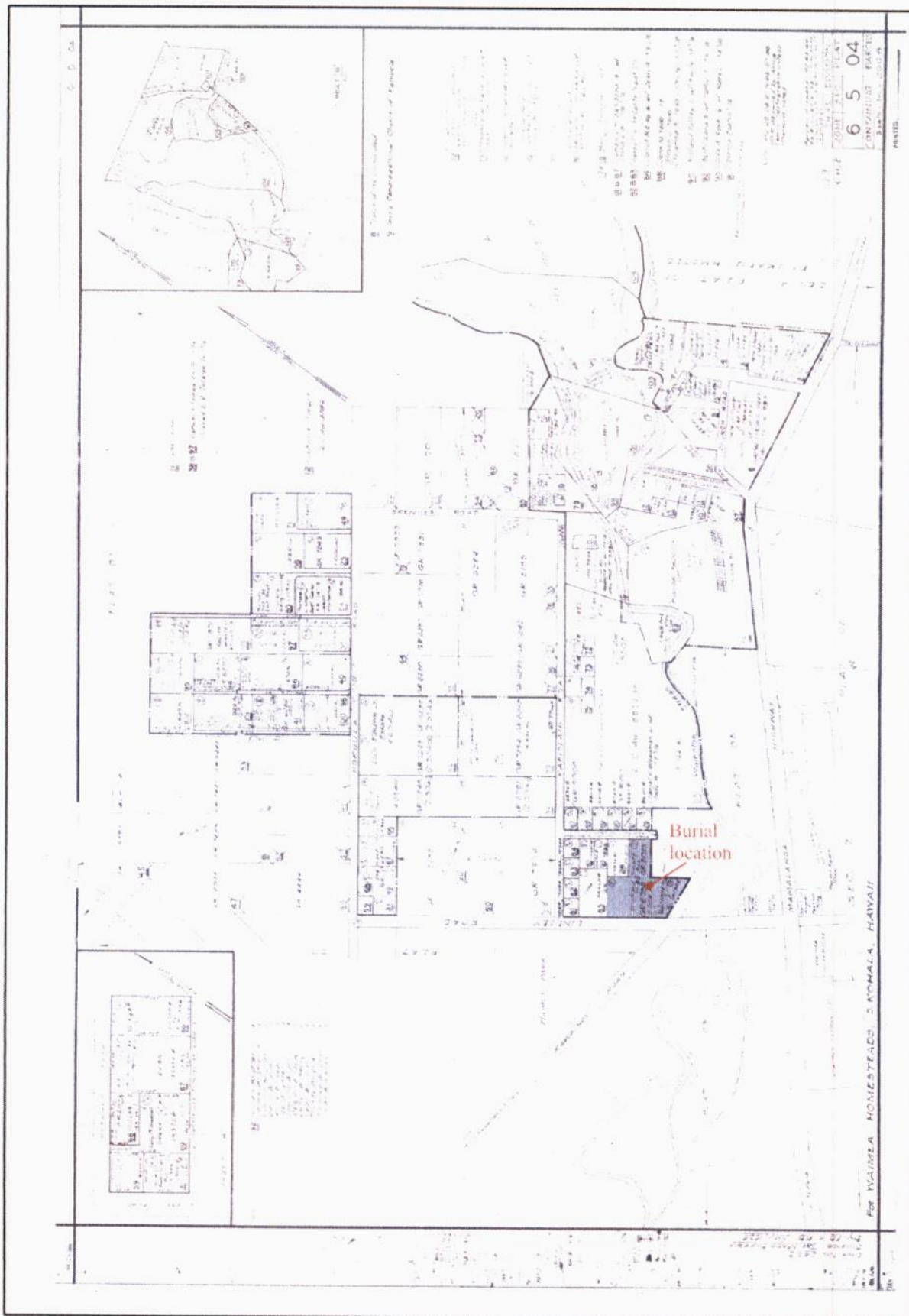


Figure 2. Tax Map Key (TMK): 3-6-5-004 showing the location of the inadvertent burial within Parcel 027..

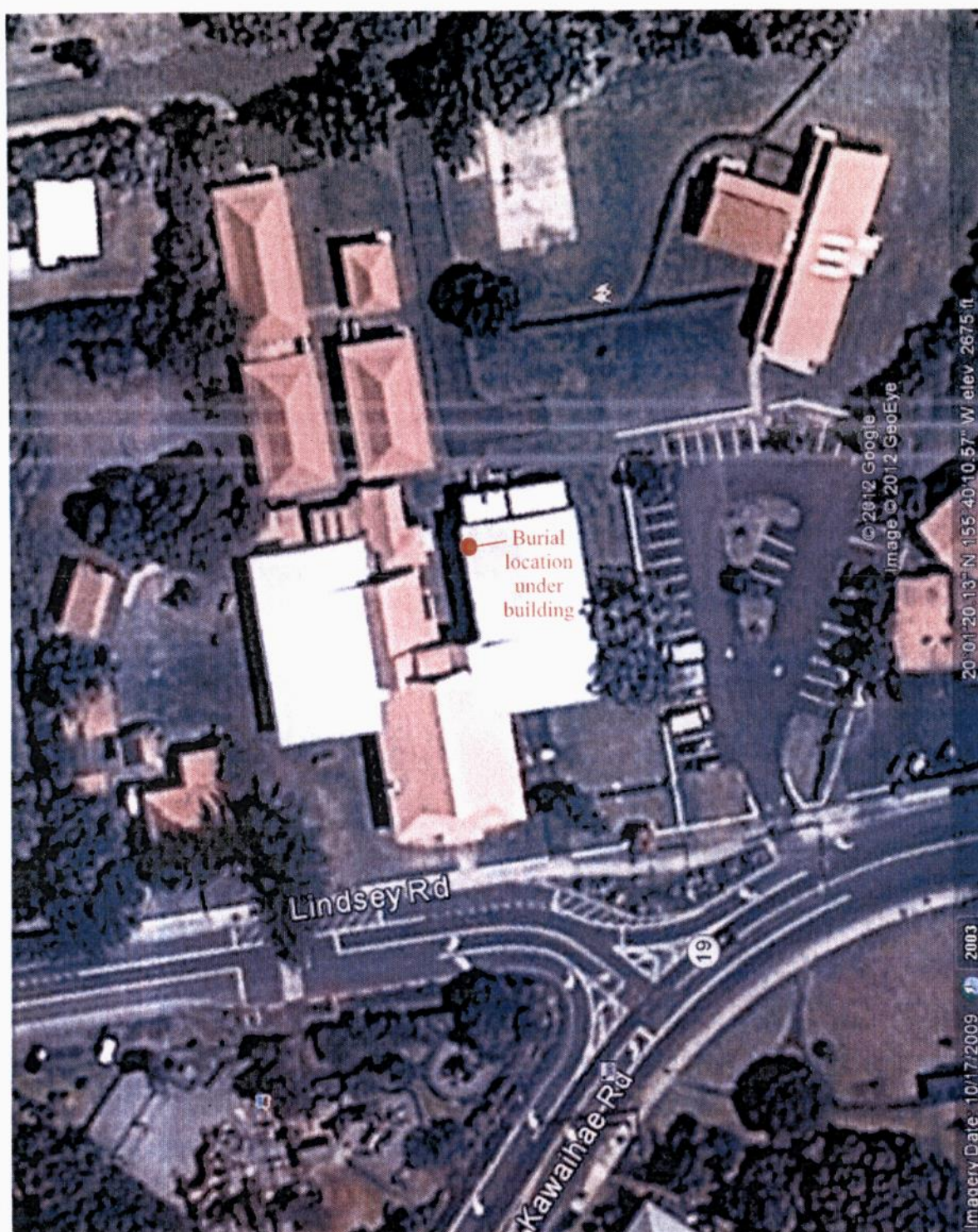


Figure 3. Aerial view of inadvertent discovery location.



Figure 4. Inadvertent discovery area under corner of building, view to the southeast.



Figure 5. Inadvertent discovery area before archaeological excavation.

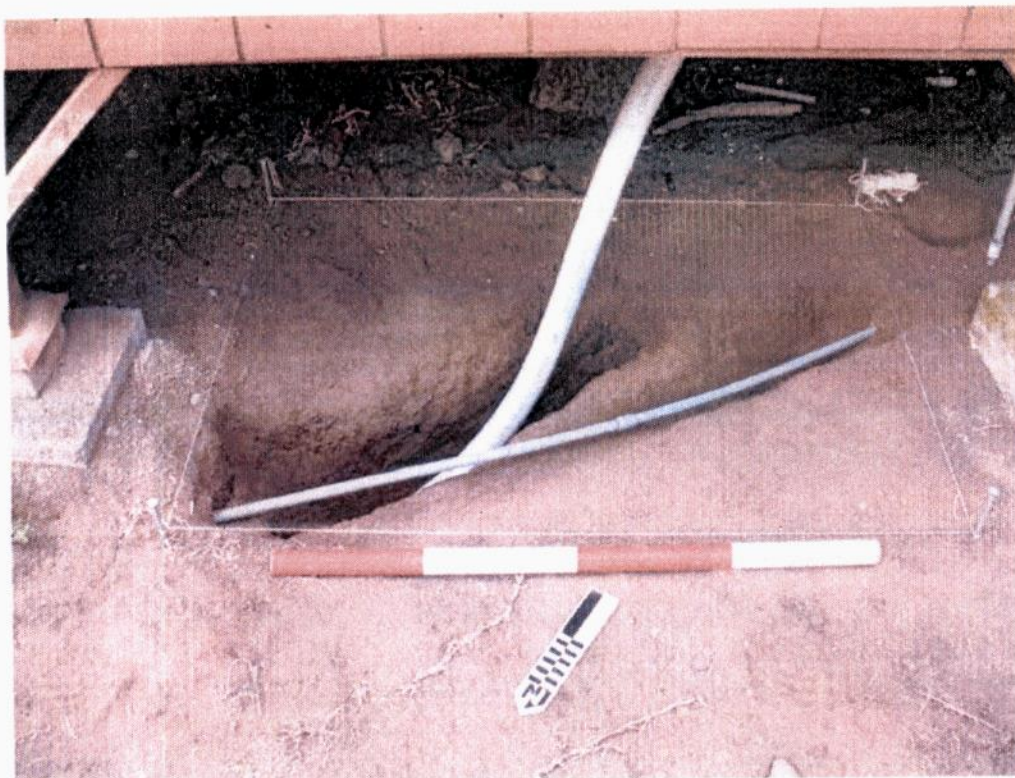


Figure 6. Inadvertent discovery area after archaeological removal of soil from conduit excavations.

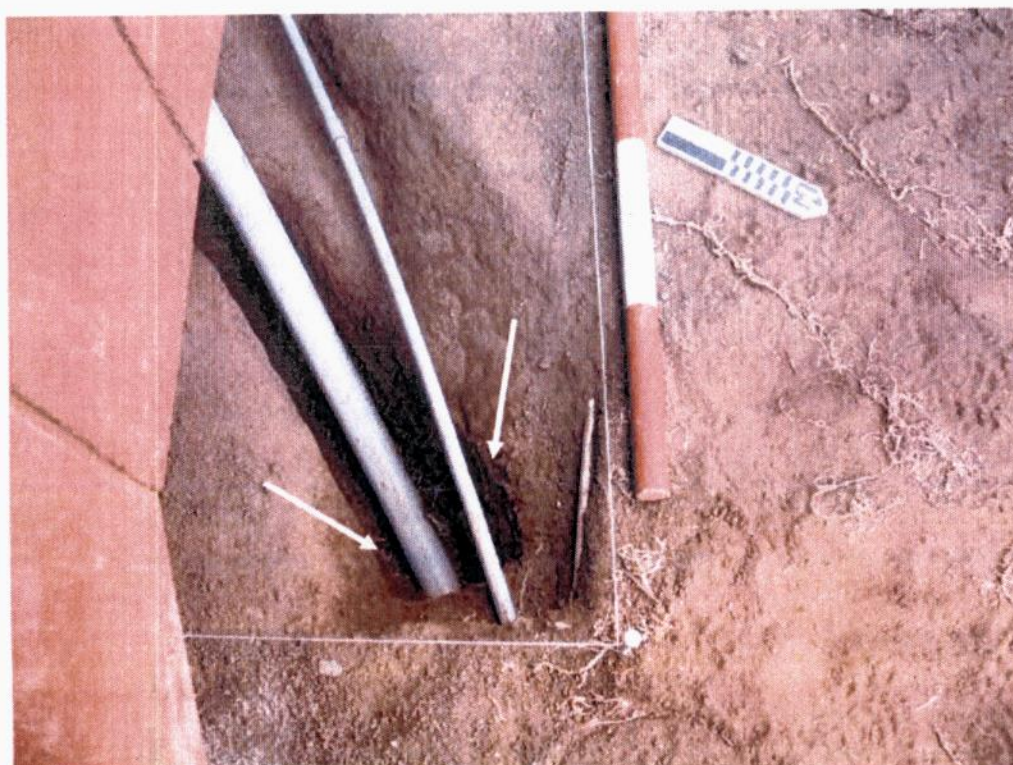


Figure 7. Arrows point to locations of in situ remains on either side of conduit.

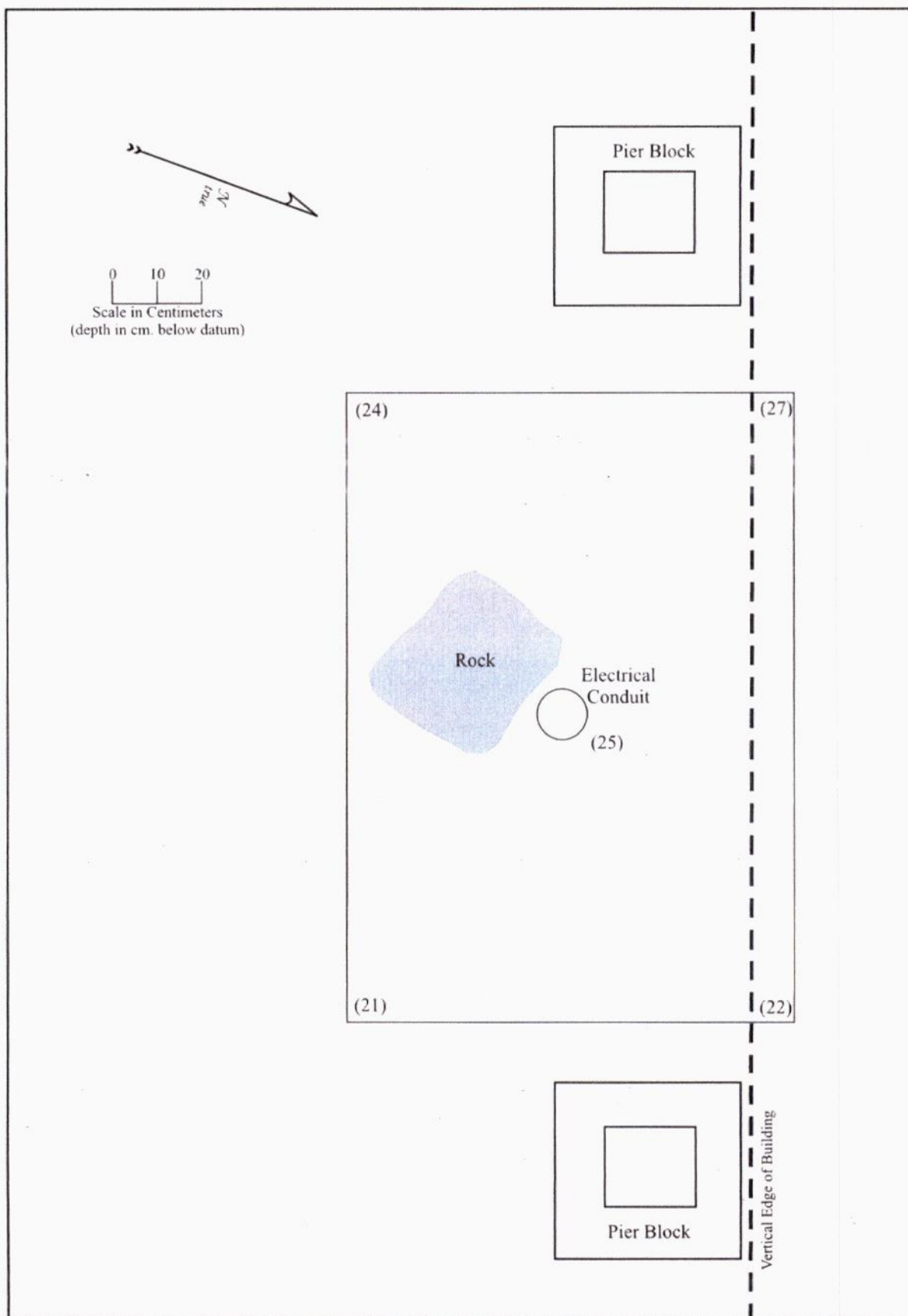


Figure 8. Plan view of test unit prior to excavation.

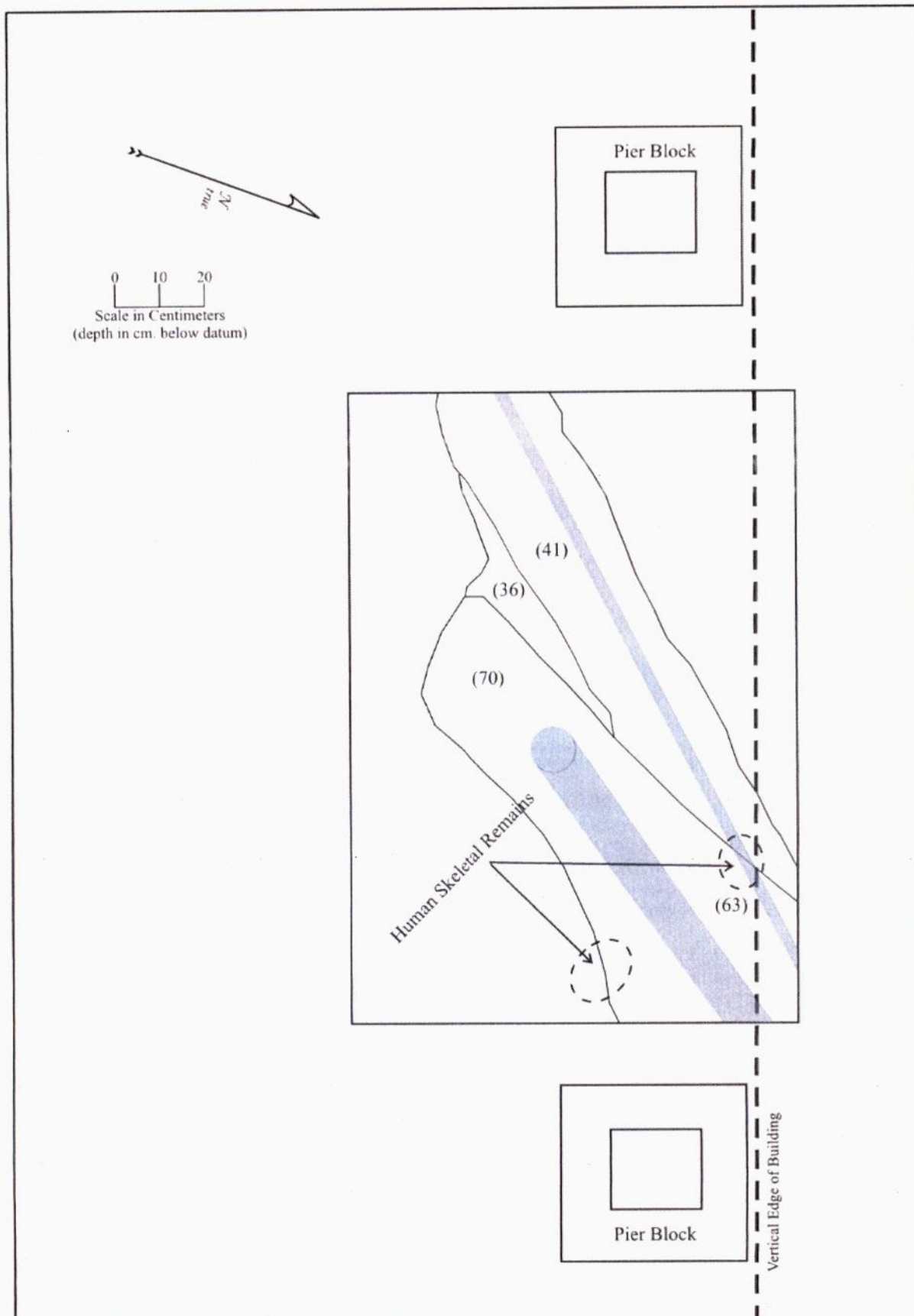


Figure 9. Plan view of re-excavated electrical trench.

BACKGROUND

A brief culture-historical summary of the area is presented in order to better understand the context of the burial site (SIHP Site 2 9368). While the question of the timing of the first settlement of Hawai'i by Polynesians remains unanswered. Several theories have been offered derived from various sources of information (i.e., genealogical, oral-historical, mythological, radiometric), but none of these theories is today universally accepted (c.f., Kirch 2011). The three most popular theories place the first settlement at around A.D. 300, A.D. 600, and A.D. 1000, respectively. What is more widely accepted is the answer to the question of where Hawaiian populations came from and the transformations they went through on their way to establish a uniquely Hawaiian culture. The initial settlement in Hawai'i is believed to have occurred from the southern Marquesas Islands. After arrival to Hawai'i, these fishing and farming people developed new subsistence strategies by adapting their familiar patterns and traditional tools to their new environment (Kirch 1985; Pogue 1978). Their ancient and ingrained philosophy of life tied them to their environment, and along with the conical clan principle of genealogical seniority (Kirch 1984) that they adhered to, societal order was assured. According to Fornander (1969), the Hawaiians brought from their homeland certain universal Polynesian customs and beliefs: the major gods *Kane*, *Ku*, and *Lono*; the *kapu* system of law and order; cities of refuge; the *'aumakua* concept; and the concept of *mana*.

As time passed, a uniquely Hawaiian culture developed. The portable artifacts found in archaeological sites of this period reflect not only an evolution of the traditional tools, but some distinctly Hawaiian inventions. The adze (*ko'i*) evolved from the typical Polynesian variations of plano-convex, trapezoidal, and reverse-triangular cross-section to a very standard Hawaiian rectangular quadrangular tanged adze. A few areas in Hawai'i contained quality basalt for adze production. Mauna Kea on the island of Hawai'i was a well-known adze quarry. The two-piece fishhook and the octopus-lure breadloaf sinker are Hawaiian inventions of this period, as are *'ulu maika* stones and *lei niho palaoa*. The later were status items worn by individuals of high rank, which indicates recognition of status differentiation (Kirch 1985). As population expanded so did the social stratification, which was accompanied by major socioeconomic changes and intensive land modification. Most of the ecologically favorable zones of the windward and coastal regions of all major islands were settled and the more marginal leeward areas were being developed. Continued migrations to Hawai'i occurred from Tahiti in the Society Islands.

The concept of the *ahupua'a* was established during the A.D. 1400s (Kirch 1985), adding another component to a then well-stratified society. This land unit became the equivalent of a local community, with its own social, economic, and political significance. *Ahupua'a* were ruled by *ali'i 'ai ahupua'a* or lesser chiefs, who, for the most part, had complete autonomy over this generally economically self-supporting piece of land, which was managed by a *konohiki*. *Ahupua'a* were usually wedge or pie-shaped, incorporating all of the eco-zones from the mountains to the sea and for several hundred yards beyond the shore, assuring a diverse subsistence resource base (Hommon 1986). The *ali'i* and the *maka'āinana* (commoners) were not confined to the boundaries of the *ahupua'a*; when there was a perceived need, they also shared with their neighbor *ahupua'a ohana* (Hono-ko-hau 1974). The *ahupua'a* was further divided into smaller sections such as the *'ili*, *mo'o'aina*, *pauku'aina*, *kihapai*, *ko'e*, *hakuone*, and *kuakua* (Hommon 1986; Pogue 1978). The chiefs of these land units gave their allegiance to a territorial chief or *mo'i* (king). *Heiau* building flourished as religion became more complex and embedded in a sociopolitical climate of territorial competition. Monumental architecture, such as *heiau*, "played a key role as visual markers of chiefly dominance" (Kirch 1990:206).

Two events or activities associated with native Hawaiian settlement and traditional use of Waimea are worthy of note (Rechtman and Prasad 2006). The first is the invasion of Hawai'i Island by Kama-lāla-walu, ruler of Maui Island. According to Kamakau (1961), Kama-lāla-walu's men landed at Puakō and went up to the grass-covered plains of Waimea:

After Kama-lala-walu's warriors reached the grassy plain, they looked seaward on the left and beheld the men of Kona advancing toward them. The lava bed of Kaniku and all the land up to Hu'ehu'e was covered with the men of Kona. Those of Kau and Puna were coming down from Mauna Kea, and those of Waimea and Kohala were on the level plain of Waimea. The men covered the whole of the grassy plain of Waimea like locusts. Kama-lala-walu with his warriors dared to fight. The battle of Puoaoaka was outside of the grassy plain of Waimea, but the men of Hawaii were afraid of being taken captive by Kama, so they led to the waterless

plain lest Maui's warriors find water and hard, waterworn pebbles. The men of Hawaii feared that the Maui warriors would find water to drink and become stronger for the slinging of stones that would fall like raindrops from the sky. The stones would fall about with a force like lightening, breaking the bones into pieces and causing sudden death as if by bullets.

Maui almost won in the first battle because of Hawaii's lack of a strong champion. Maka-ku-i-ka-lani [representing Maui] was first on the field and defied any man on Hawaii to match strength with him. Maka-ku-i-ka-lani tore Hawaii's champion apart. When Puapua-kea arrived later by way of Mauna Kea, those of Hawaii rejoiced at having their champion. Maka-ku-i-ka-lani and Puapua-kea matched their strength in club fighting on the battle site before the two sides plunged into the fight (Kamakau 1961:58-59).

Once he reached Waimea, Kama-lālā-walu positioned himself on Hōkū'ula, the hill that he was told would serve as a refuge for him and his men (Fornander 1959). In Fornander's description, the battlefield would have extended to Pu'u Kakanihia:

Kamalalawalu, upon arrival thereon, found on reconnoitering that there were neither stones nor trees, but only dirt [on Hōkū'ula]. While they were engaged in a conversation with Kumaikau together with Kumakaia¹, at that time messengers were sent to summon Lonoikamakahiki and Pupuakea. At Kealakekua, in Kona, was the place where Lonoikamakahiki lived. When the messenger appeared before him, he said to Lonoikamakahiki: "Kamalalawalu and Makakuikalani have come to give battle to you both . . . When Lonoikamakahiki heard these things, he questioned the messenger: "Where is the battle to take place?" The messenger replied: "There, at Waimea, on top of that hill, Hokuula, where Kamalalawalu and all Maui are stationed" (Fornander 1959:188).

During that night and including the following morning the Kona men arrived and were assigned to occupy a position from Puupa to Haleapala. The Kau and Puna warriors were stationed from Holoholoku to Waikoloa. Those of Hilo and Hamakua were located from Mahiki to Puukanikanihia [Puukakanihia], while those of Kohala guarded from Momoualua to Waihaka (Fornander 1959:229).

Puapua-kea was the eventual victor of this fight and the warriors of Maui were put to flight (Kamakau 1961:60). After Kama-lālā-walu was defeated, Hawai'i was invaded by Alapa'i-nui, also of Maui. Alapa'i-nui was the only chief recorded as having lived in Waimea.

Alapa'i dwelt in Hilo for a year and then went to live in Waipi'o. Shortly after, he and the chiefs moved to Waimea and others went by canoe to Kawaihae. From Waimea, he went to Lanimaomao, where he fell ill (Kamakau 1961:77).

A second traditional native Hawaiian event or activity that is significantly associated with Waimea is the Waimea Field System. This agricultural complex was one of three large-scale Precontact agricultural systems on the leeward side of Hawai'i Island. The other two were located at Kona and Kohala. According to Burtchard and Tomonari-Tuggle (2002), the Waimea Agricultural System is best known for: 1) spatially limited residential sites; 2) linear, low earthen ridges; and 3) irrigation ditches located along [Waikoloa Stream] on the eastern margins of the system. Cultivated crops included *wauke*, *mamaki*, plantains, bananas, sugarcane, coconuts, *halu*, taro, and sweet potato (Haun et al. 2003). Rechtman and Prasad (2006) suggest that the area was exploited for forest resources possibly as early as the 13th and 14th centuries, followed by agriculture and prolonged residence in the 16th century. According to Barrère, "the cultivating places at Waimea were first expanded to supply the chiefs' needs while sojourning there and at Kawaihae" (1983:27).

In 1823, the missionary William Ellis described the population of Waimea in his journal. He wrote of another missionary's (Asa Thurston) journey through the area, stating:

The soil over which he had traveled was fertile, well watered, and capable of sustaining many thousands of inhabitants. In his walks he had numbered 220 houses, and the present population is probably between eleven and twelve hundred. (Ellis 1969:399)

¹ Kumaikau and Kumakaia, two men from Kawaihae, served as advisors to Kama-lālā-walu. They deliberately deceived Kama into thinking that Hōkū'ula hill would serve as a refuge.

Soon after the arrival of foreigners, the landscape of Waimea began to change dramatically: initially through deforestation from the collection of sandalwood, followed by the introduction of cattle (Rechtman and Prasad 2006). Foraging cattle wreaked havoc on the agricultural fields and were responsible for a flurry of wall building as people tried to keep the feral cattle out of their fields and homes. From the 1820s until the 1840s a sugar mill operated in the Waimea area. New crops, such as Irish potatoes, watermelons, cabbage, onions, tomatoes, mulberries, figs, and beans were also introduced in Historic times. For a while, agricultural products from Waimea replenished the cargo ships at Kawaihae Harbor, and in the late 1840s many of the potatoes grown in the Waimea area were shipped to California to help feed the gold rush (Haun et al. 2003). However, commercial ventures soon replaced traditional agricultural practices, and the Waimea landscape was substantially altered as a result of this post-contact change (Rechtman and Prasad 2006).

The written history from the late 19th to the early 20th century largely reflects news of new settlers, religious endeavors, and commercial pursuits in the region. McEldowney (1983) discusses changes in land use and land ownership before and after the *Māhele*, with the eventual displacement of the Hawaiian community as cattle ranching became fully established in Waimea (Parker Ranch began operating in 1830). In an 1848 description of the Waimea area, it was related that "it can scarcely be said that there is any native population at all" (McEldowney 1983:432). By this time, the native population of Waimea had been severely reduced by disease, displacement, and the ongoing changes in land tenure (McEldowney 1983).

The religious, socioeconomic, and demographic changes that gradually took place in the period between 1790 and the 1840s throughout the Hawaiian Kingdom, promoted the establishment of a Euro-American style of land ownership, and the Great *Māhele* was the vehicle for determining ownership of the native land. During this period, the *Māhele* defined the land interests of the King (Kamehameha III), the high-ranking chiefs, and the low-ranking chiefs, the *konohiki*. The chiefs and *konohiki* were required to present their claims to the Land Commission to receive awards for lands provided to them by Kamehameha III. They were also required to provide commutations to the government in order to receive royal patents on their awards. The lands were identified by name only, with the understanding that the ancient boundaries would prevail until the land could be surveyed. This process expedited the work of the Land Commission and speeded the transfers (Chinen 1961:13).

During this process all lands were placed in one of three categories: Crown Lands (for the occupant of the throne), Government Lands, and *Konohiki* Lands. All three types of land were subject to the rights of the native tenants. Commoners could make claims for land, and if substantiated, they would receive awards referred to as *kuleana*, from the Land Commission. During this period, other land grants were also made to individuals directly from the Kingdom. In 1862, the Commission of Boundaries (Boundary Commission) was established in the Kingdom of Hawai'i to legally set the boundaries of all the *ahupua'a* that had been awarded as a part of the *Māhele*. Subsequently, in 1874, the Commissioners of Boundaries was authorized to certify the boundaries for lands brought before them. The primary informants for the boundary descriptions were old native residents of the lands, many of which had also been claimants for *kuleana* during the *Māhele*. The information was collected primarily between 1873 and 1885. The testimonies were generally given in Hawaiian and simultaneously transcribed in English.

The disposition and distribution of the lands in and around Waimea Town was a complicated issue, and was a matter of much testimony and debate among Commissioners, *kama'āina* informants, and land petitioners. Waimea was a discrete land unit (Figure 10) but considered by some to not be an *ahupua'a*; rather it was considered to be a *kalana* or *'okana*, a unit larger than an *ahupua'a*. To further complicate the issue, some of the land units within Waimea were considered *ahupua'a* and others *'ili kupono*. As a result of the *Māhele* testimony and the Boundary Commission Testimony, many smaller *ahupua'a* names were dropped and the relatively independent *'ili kupono* were given *ahupua'a* status, and except for a portion of the Waikoloa *Ahupua'a* (which was awarded as *konohiki* land), much of the Waimea area was retained as Crown Lands.

Over 140 claims for Land Commission Awards (LCAw.) were made by native tenants within the Waimea area. Nearly all of these claims were for house lots or cultivated sections (Haun et al. 2003). Of the land commission awards reviewed by Kelly and Nakamura (1975:30), over 20% were issued to persons with non-Hawaiian surnames. By the 1870s Waimea had five stores and a hotel (Haun et al. 2003). The economy became cash based and taxes were collected. Foreigners controlled much of the land and most of the businesses, and the native population was largely dependant on these foreigners for food and money (Haun et al. 2003). In 1867 the population of Waimea was estimated to be only four hundred people (Haun et al. 2003).

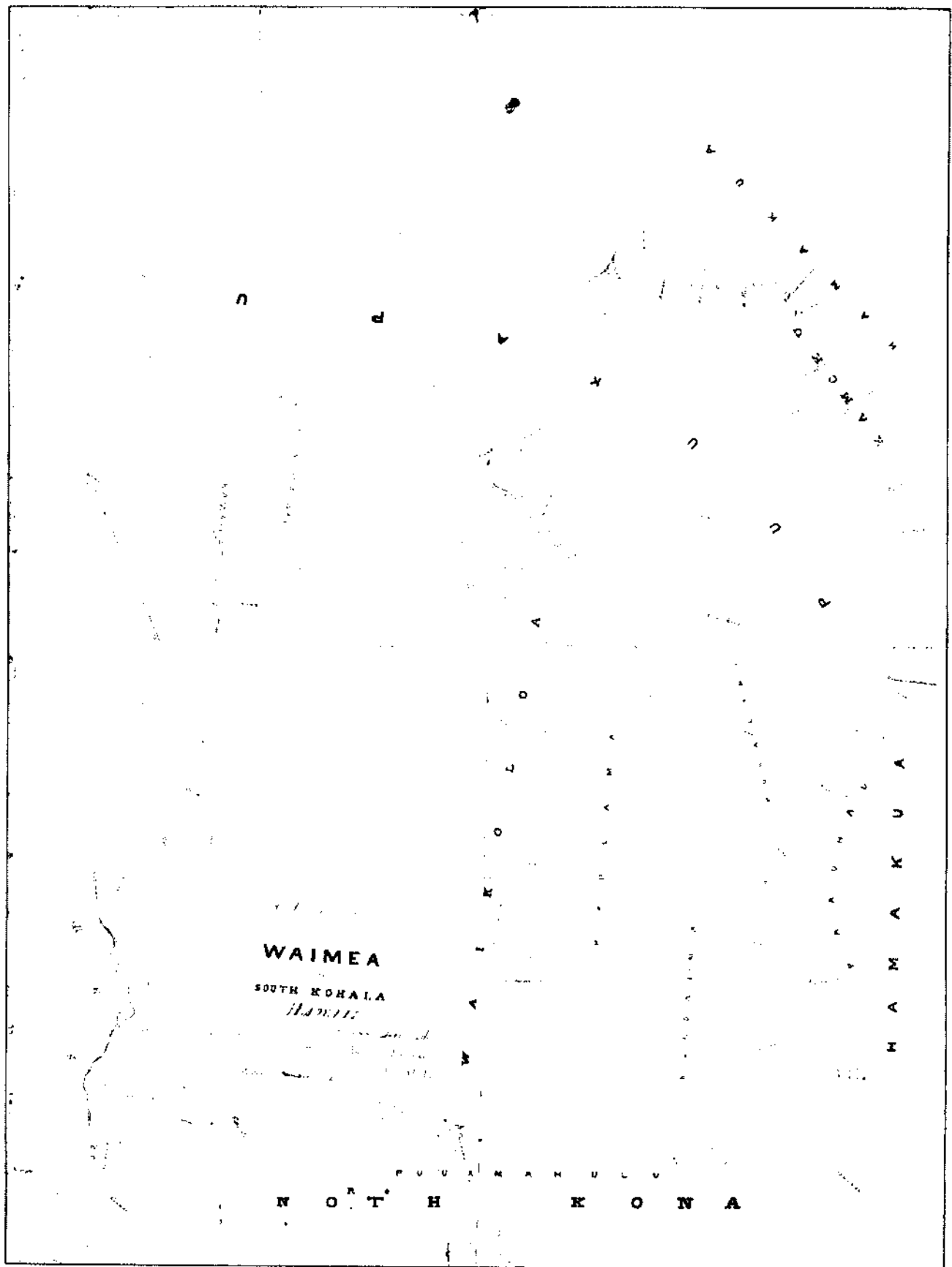


Figure 10. "Waimea Ahupua'a," Hawaii Registered Map 0712 dated 1866.

By the early 1900s Parker Ranch, which had begun operations in the 1830s, was under the direction of Alfred W. Carter, and it had expanded to include over 100,000 acres, acquiring most of the land around Waimea where the ranch headquarters were located (Haun et al. 2003). Cattle ranching was now the major industry in Waimea. Also by 1902 the Waimea Homesteads (Figure 11), within which the subject parcel ultimately became a part (Figure 12), was created by the Territory of Hawai'i and sold as house lots (Soehren 1981). Shortly thereafter, in the period 1915-17 and associated with WWI cavalry training activities Carter built what was called Armory Hall on the current study parcel. Beginning in 1941, months before the bombing of Pearl Harbor, the U.S. Army established an infantry headquarters in the Pu'ukapu area of Waimea (Bergin 2006). After the United States formally entered WWII the earlier Army presence in Waimea expanded into one of the largest multi-force (adding the Navy and Marines) U.S. military camps (Camp Tarawa) and training bases in the Pacific. Large areas of Waimea Town and the surrounding pastures were turned over to the U.S. Government for campsites that housed approximately 20,000 soldiers and as firing ranges for the training U.S. Marines (Brundage 1971). As part of the Camp Tarawa operations, Armory Hall built earlier was renamed Barbara Hall, and the current Parker School Theater Building was built as an attached structure in 1942. By 1945 the U.S. Military had begun to leave the town and life in Waimea soon returned to its small pre-war population that was largely dependant upon the cattle industry.

During more recent times, Barbara Hall was renamed again in 1960 to Kahilu Hall, and in 1976 Parker School was established. Sometime during the early 1990s the Theater Building was expanded through the construction of a rear annex building (the portion of the current Theater Building that is situated above the inadvertent burial discovery). In 1995 Parker School Purchased the land from Parker ranch.

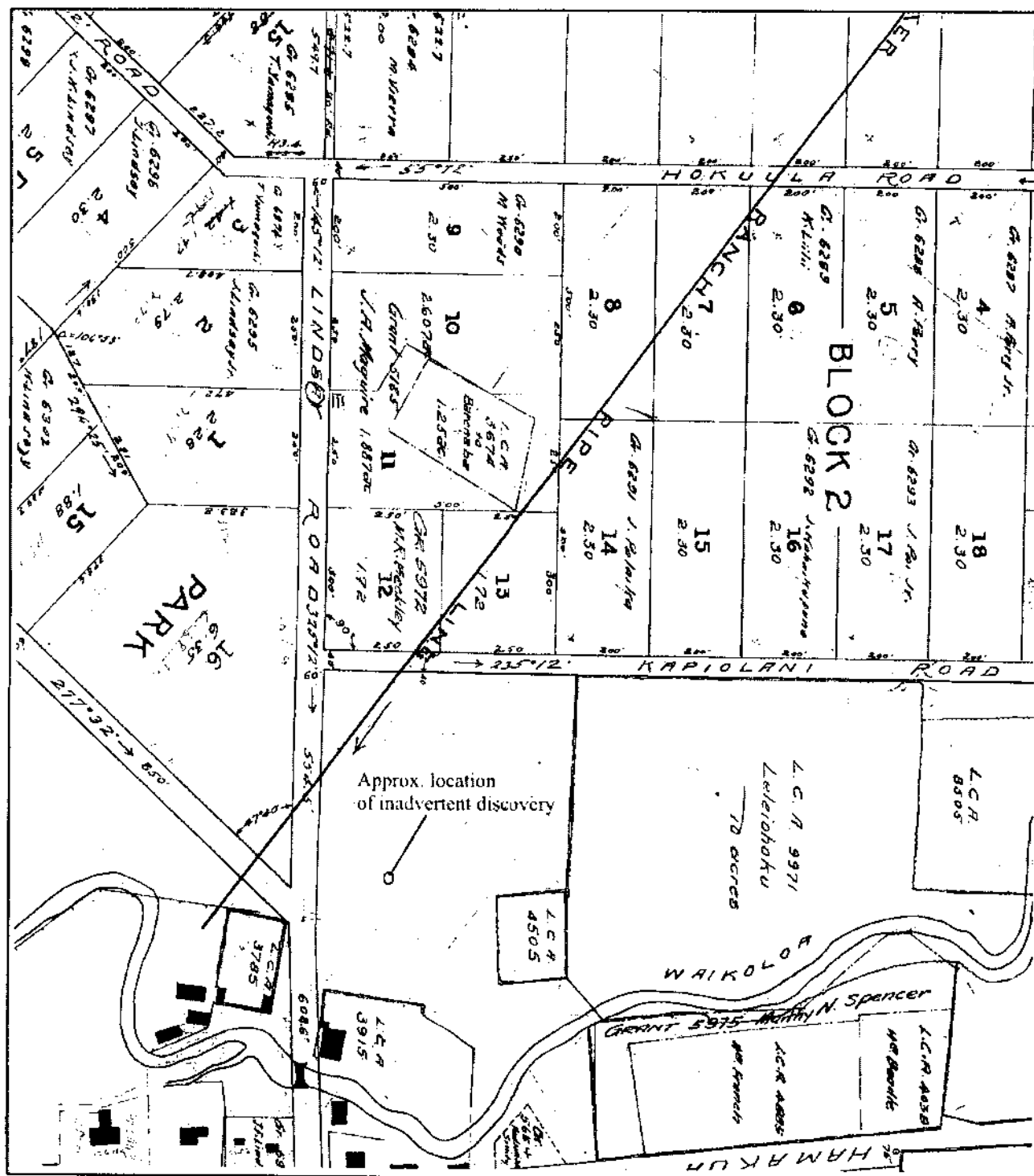


Figure 11. Portion of Hawaii Registered Map 2470 dated 1902 showing Waimea Homesteads.

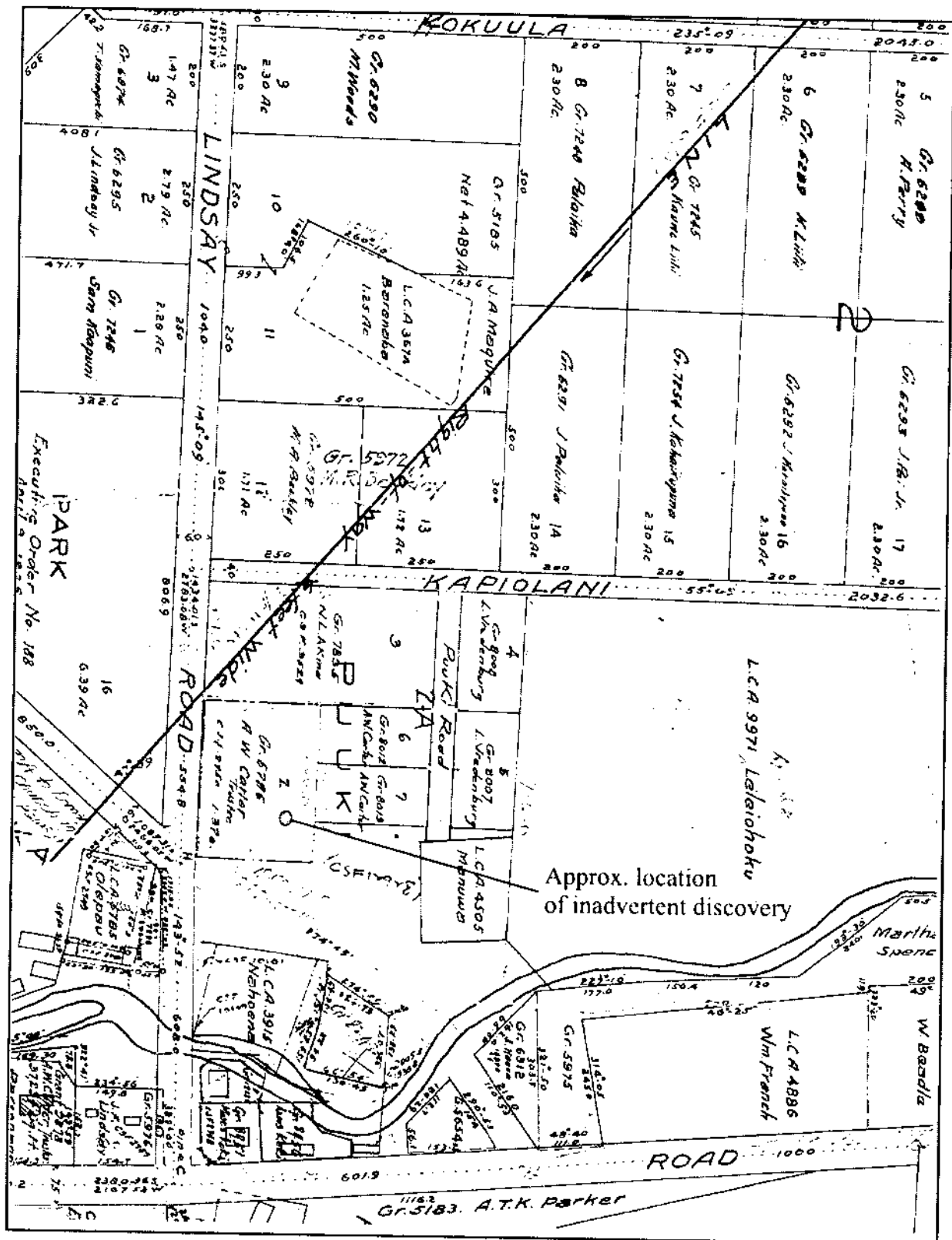


Figure 12. . Portion of Hawaii Registered Map 2575 dated 1915 showing subject parcel as part of the Waimea Homesteads.

SHORT-TERM TREATMENT OF SIHP SITE 29368

As was previously mentioned, during the identification process all of the soil within the electrical trench was passed through 1/8 inch mesh screen and the disturbed skeletal material was collected and placed with the previously collected remains in a *lauhala* basket and curated at Parker School. The screened soil was stockpiled and covered with a protective tarpaulin. The in situ portions of the skeletal remains that were visible in the sides of the electrical trench were covered with *lauhala*, and after the electrical conduits were removed and relocated, the trench was backfilled with the stockpiled soil. Orange construction fencing was placed around the area to serve as a short-term protective barricade.

The burial itself appears to be that of a single adolescent individual possibly in a flexed position on its right side (based on a review of disturbed skeletal elements and the positioning of the in situ portion of the cranium). The body appears to have been oriented in a roughly east/west direction with the head to the west. While other cultural material (historic bottle glass, rusted iron fragments, cut cow bones, and smooth stones) was observed in the electrical trench, none could be positively identified as having been associated with the skeletal remains. Rechtman Consulting, LLC prepared the supporting documentation (including recording UTM coordinates) sufficient for obtaining an official State Inventory of Historic Places (SIHP) site number designation, and DLNR-SHPD assigned SIHP Site 29368 to the discovery.

PERMANENT TREATMENT OF SIHP SITE 29368

With respect to the inadvertent burial discovery at SIHP Site 29368, the proposed treatment is preservation in place. To accomplish this preservation the following, developed in consultation with SHPD staff Kaua noe Hoomanawanui, HIBC member Maxine Kahaulelio, Parker School Headmaster Carl Sturges, and Parker School Maintenance Supervisor Eric Sills (who is also a *kama'āina* of the immediate area), has/will be done:

- 1) All of the disturbed skeletal material has been collected and will be returned to the location of the in situ remains along with all of the dirt from the electrical trench excavation;
- 2) A protective buffer will be established around the inadvertent discovery location. As a practical matter (as the burial is situated under the corner of an existing building in the middle of a school near a high traffic area) the protective buffer will extend four feet beyond the location of the in situ remains (Figure 13). The buffer limits will be marked by the surface placement of small stream-worn boulders of local origin. Within the buffer no future construction activity will be permitted. For enhanced protection, the surface area of the preservation buffer within the boulder alignment will be covered by the placement of 'a'ā cobbles; and in the area that is not under the building, a row of green *ki* (*Cordyline fruticosa*) will be planted on the outside of the boulder alignment (see Figure 13).
- 4) An informational/cautionary sign (Figure 14) will be attached to the side of the building directly above the preservation area indicating that there are culturally sensitive resources in the area. This sign will be of durable material and measure no smaller than 12 inches x 12 inches;
- 5) The location of the burial along with the buffer area will be surveyed and marked on a map of the parcel. This map will be maintained by the Parker School facilities maintenance department, and along with this preservation plan will also be recorded with the Bureau of Conveyances. Once prepared, this map will be submitted to DLNR-SHPD to accompany this plan.

Finally, access for appropriate visitation to SIHP Site 29368 will be afforded to any lineal and/or cultural descendant who has been formally recognized by the HIBC in accordance with the administration procedures contained within HAR 13§13-300-35. Parker School agrees to provide recognized descendants wishing to visit the burial site with a right of access upon reasonable advance notice, subject to the normal conditions that apply to all school visitors. Recognized descendants should contact Parker School for site access.

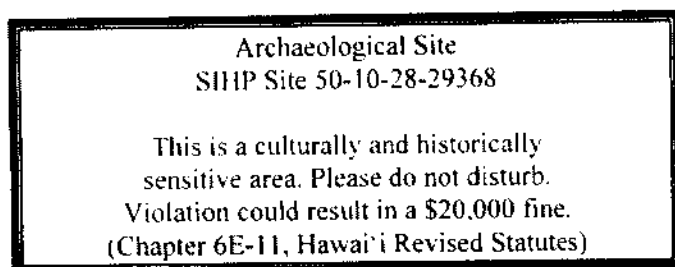


Figure 14. Sample language for informational/cautionary sign.

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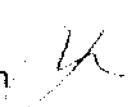
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DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: June 9, 2021

Memorandum

TO: Zendo Kern, Planning Director

FROM: Department of Public Works, Engineering Division 

SUBJECT: **USE PERMIT APPLICATION (USE 05-000001)**

Applicant: Parker School

Request: Amendment to Condition No. 11 (Related to Roadway
Improvements)

TMK: 6-5-004:025, 026, 028, & 063

We have reviewed the subject request forwarded by your memo dated May 13, 2021 and provide the following:

We have no objection to deferring the roadway improvements defined by condition no. 11 of the current use permit until the construction of the middle school. The roadway improvements shall be completed prior to the issuance of a certificate of occupancy for the middle school.

Questions may be referred to Robyn Matsumoto at 961-8924.

Planning Dept.
Exhibit 4

142294

Camero, Tracie-Lee

From: SKTSC South Kohala Traffic Safety Committee <sktscsecretary@gmail.com>
Sent: Sunday, June 13, 2021 6:59 PM
To: Planning Internet Mail
Cc: Camero, Tracie-Lee
Subject: Parker School - Amendment to Condition No. 11 - South Kohala Traffic Safety Committee Comments
Attachments: Parker School Amendment - SKTSC.pdf

Aloha,

Please find attached comments from the South Kohala Traffic Safety Committee regarding Parker School's request to amend Condition No. 11 of their Use Permit Application.

Mahalo,
James

--
James Hustace
Chairman | South Kohala Traffic Safety Committee
sktscsecretary@gmail.com

Planning Dept.

Exhibit 5

142376

South Kohala Traffic Safety Committee
P.O. Box 2874
Kamuela, HI 96743
SKTSCsecretary@gmail.com

June 13, 2021

County of Hawai'i, Planning Department
Aupuni Center
101 Pauahi Street, Suite 3
Hilo, HI 96720

Attention: Director Zendo Kern

Subject: Parker School; Use Permit Application (USE 05-000001); Amendment to Condition No. 11 (Related to Roadway Improvements); TMK: 6-5-004:025, 026, 028, & 063

Aloha Director Kern,

The South Kohala Traffic Safety Committee (SKTSC) held a discussion at its June 8, 2021 meeting regarding the Use Permit Application Amendment from Parker School. The South Kohala Traffic Safety Committee is grateful to be a part of this process, providing an opportunity for community members to weigh in on projects that may impact traffic safety in South Kohala.

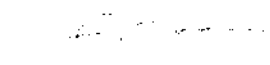
Please accept this letter in opposition to the proposed amendment. Unfortunately, no representatives of the applicant joined this public forum to provide further feedback, reasoning, and assuage public concerns.

At the recent SKTSC meeting, community members were concerned by several issues that would be brought about by the amendment to Condition No. 11. While access to the gymnasium complex is stated to be accessed via an internal corridor, public access and vehicular access can only be made via Kapiolani Road. Therefore, the gymnasium will bring additional traffic to this residential road and raises a concern that users of the gymnasium complex will need to additionally utilize the pathways and pedestrian safety measures to move safely in this external corridor. There are also concerns if the amendment is approved, it will further delay the proposed roadway changes that were meant to provide necessary safety.

SKTSC has consistently been favorable towards the expansion of Parker School. It is, however, paramount that these proposed measures and plans minimize traffic safety risks to Parker School students, employees, and the rest of the community while the applicant moves forward with their expansion. The goal of SKTSC is to ensure that the level of service on adjacent roads is not further reduced and consequential increased risk of traffic injury, death, and/or property damage is avoided.

Thank you for allowing the South Kohala Traffic Safety Committee an opportunity to comment and weigh in on this project. Please feel free to contact me with any questions at sktscsecretary@gmail.com.

Mahalo,


James Hustace, Chairman
South Kohala Traffic Safety Committee

Camero, Tracie-Lee

From: Greg Mooers <gmooers@hawaii.rr.com>
Sent: Monday, June 14, 2021 10:13 AM
To: SKTSCsecretary@gmail.com
Cc: Camero, Tracie-Lee
Subject: Parker School Use Permit

20210614 10:13 AM

James Hustace
Chairman
South Kohala Traffic Safety Committee
P.O. Box 2874
Kamuela, Hawaii 96743

Re: Parker School Use Permit Amendment (USE 05-0001) to Condition No. 11

Dear Mr. Hustace:

The Planning Department has forwarded comments from your committee regarding our proposed amendment to the Use Permit for Parker School.

As you note in your letter the applicant was not represented at this meeting. We were not informed that our application would be considered by your committee at this meeting or I would have been present to address the concerns raised in your letter. I am not sure how you notify applicants when their applications will be considered, but I was not made aware of this meeting.

Given the time constraints it is not possible for your committee to re-consider the application at another meeting because it is my understanding is that today is the deadline for comments. I would be happy to attend a meeting in the future if you believe this would be instructive for your committee members.

I would like to clarify some concerns raised in your letter regarding our proposed amendments. Please know we too are concerned about the safety of our students and the community as a whole. We believe very strongly that the proposed action is both safe and in the best interest of our students and the community.

As noted in our application Parker School is **not expanding** at this point, we are trying to maintain the enrollment we currently have during these trying economic times as a result of the pandemic. Our desire is to construct the gymnasium that we have been raising funds for over the past few years. Some of these funding commitments will be jeopardized should we not proceed. Our intention is to use this facility for our current student enrollment. There will be no increase in enrollment as a result of this facility being constructed and there will be no increase in either vehicular or pedestrian access to the facility.

I note that currently fewer than 10 students each day walk to school along Kapiolani Road. This will be unchanged with the construction of the gymnasium. I also note there is a community trail easement along Waikoloa Stream through the campus that allows for safe pedestrian access to this area of our campus as well.

Should the economy improve and the school enrollment should grow in the future and we construct the Middle School that was envisioned in the original Use Permit, we would be responsible for making the improvements to Kapiolani Road. We share your concerns for safety with an expanded enrollment as envisioned in the Use permit and confirm our commitment to address impacts caused by this expansion. Simply put, this gym will not increase the enrollment and will not increase the impacts at this time.

Planning Dept.

Exhibit 6 142380

Should you have any questions or want me to attend a future meeting of your committee please contact me at this email address or call at 880-1455.

Sincerely,

Gregory R. Mooers
President