

From: [Simmy](#)
To: [Planning LPC Testimony](#)
Subject: Fwd: Oppose Item #1
Date: Monday, April 20, 2026 11:16:57 AM

Aloha LPC commissioners,

Regards to Item #1 TMK 7-5-010:013

I would like to oppose any further change of zone until all of this letter detailed by SHPD for the preservation of the burial in place, and the implementing additional measures have been completed. As of yet, I don't find any records, and the letter here states, SHPD would ask the "County Planning to defer approvals of any permits on the property until they are completed". There are 197 pages of archeology study done for this property. Hopefully it is contained in this file and all of you have read it. This land is eligible to be listed on the Historic Registry.

I Oppose this condition to this land was Removed! This is Important!

" Should any remains of historic sites such as rock walls, terraces, marine shell concentrations of HUMAN BURIALS BE ENCOUNTERED, WORK IN THE IMMEDIATE AREA SHALL CEASE and the Department of Land and Natural Resources State Historic Preservation Division(DLNR HPD) shall be immediately notified. Subsequent work shall proceed upon an archeological clearance from DLNR HPD when it finds that sufficient mitigation measures have been taken.

Mahalo,

Simmy McMichael

Kailua Kona

LINDA LINGLE
GOVERNOR OF HAWAII



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

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

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

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

YVONNE Y. IZU
DEPUTY DIRECTOR - WATER

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

January 4, 2005

Mr. Charles Adams
P.O. Box 2876
Kailua-Kona, Hawaii 96745

Log No: 2005.0008
Doc No: 0501MM02

Dear Mr. Adams:

**SUBJECT: Chapter 6E-42 Historic Preservation Review, Request for Information on Historic Preservation Review Status for a Parcel in North Kona (Hualalai Gardens)
Ahupua`a of Hienaloli, North Kona, Hawaii Island
TMK: (3) 7-5-010:013**

This letter responds to your request for information on the status of the historic preservation review process for this property, and whether all mitigation commitments for historic sites preserved on the property have been satisfied.

An Archaeological Inventory Survey of the subject property was prepared for United Projects, Inc. in 1990 (Hienaloli 4th, North Kona, Hawaii Island: Archaeological Inventory Survey, Barrera, May 1990). Seven sites were identified during this survey: The Kuakini Wall (Site No. 50-10-28-6762), two platforms (Site Nos. -13,670 and -13,673), a lava bubble (Site No. -13,674), and three rock walls (Site Nos. -13,671, -13,672 and -13,675).

Mitigation Commitments

The agreed-upon measures to mitigate the adverse effect of development on these sites were as follows:

- Preservation of the Kuakini Wall (Site No. -6762)
- Data recovery excavations at the two platforms (Site Nos. -13,670 and -13,673)

A Preservation Plan for the Kuakini Wall (Site No. -6762) was approved in 1992, with specific conditions for buffers and monitoring during construction (see attached copy of Hibbard to Cisco, Log No. 6821, Doc No. 9211KS23, December 2, 1992).

During the course of data recovery work, a human burial was discovered in Site No. 13,673. Subsequent to this discovery, the landowner committed to preserving the burial in place, and implementing additional measures: restoring the burial feature to its original appearance, landscaping improvements, construction of a protective wall, and placement of signs. The specific terms of the preservation in-place agreement for the burial at Site No. -13,673 were provided to the landowner's representative in a letter dated December 6, 1993 (see attached copy of Hibbard to Lim, Log No. 10239, Doc. No. 9312EA07).

State Historic Preservation Division Concerns:

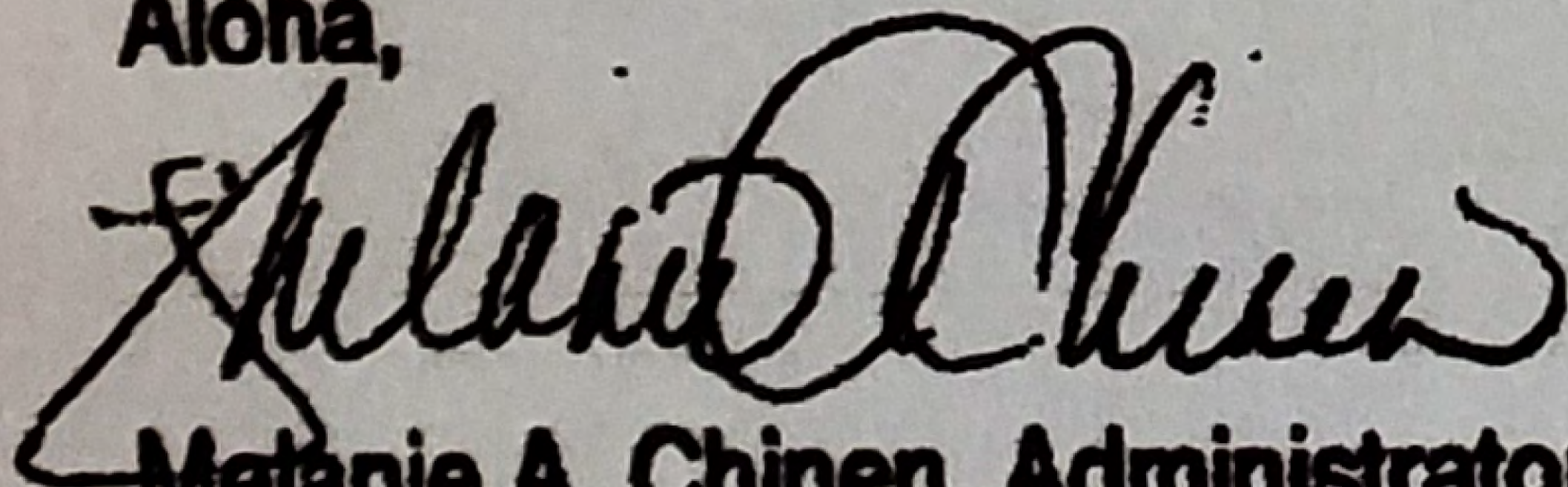
A field check by our division on February 28, 1995 found that not all of the conditions stated in the December 6, 1993 letter had been satisfied at that time (see attached copy of Hibbard to Barrera, Log No. 16732, Doc No. 9603PM08, March 19, 1996). Although the burial feature had been restored, the protective wall, landscaping and signs had not yet been put in place.

Recommendations:

A field check by our Hawaii Island staff can determine whether these measures have been implemented, or you may wish to work with a qualified archaeological consultant to review the compliance with the agreements and inform us of the inspection results. If the mitigation measures have not yet been implemented, we will require your client to complete them immediately, and would ask that Hawaii County Planning defer approvals of any permits on the subject property until they are completed.

If you have any questions, please do not hesitate to contact MaryAnne Maigret in our Hawaii Island office at 327-3690.

Aloha,



Melanie A. Chinen, Administrator
State Historic Preservation Division

MM: slc

C: Christopher J. Yuen, Director, Hawaii County Planning, 101 Pauahi Street, Suite 3, Hilo, HI 96720-3043
Chair, Hawai'i Island Burial Council
Keola Lindsey, Burial Sites Program

JAN 11 2005