

## **Appendix D**

**Cultural Impact Assessment for Lydgate Park-Kapa‘a Bike and Pedestrian Path Phases C & D, CMAQ-0700(49), South Olohena, North Olohena and Waipouli Ahupua‘a, Kawaihau District, Kaua‘i Island, TMK: [4] 4-3-001, 002, and 007: Various**

Prepared by Kuhio Vogeler, Margaret Magat, and Hallett H. Hammatt  
[Cultural Surveys Hawaii, Inc.], January 2012

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for Lydgate Park-Kapaa Bike & Pedestrian Path Phases  
C&D, CMAQ-0700(49),  
South Olohena, North Olohena and Waipouli Ahupua‘a  
Kawaihau District, Kaua‘i Island  
TMK: [4] 4-3-001, 002, and 007:various**

**Prepared for  
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Kailua, Hawai‘i  
(Job Code: WAIPOULI 4)**

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## Prefatory Remarks on Language and Style

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### **A Note about Hawaiian and other non-English Words:**

Cultural Surveys Hawai'i (CSH) recognizes that the Hawaiian language is an official language of the State of Hawai'i, it is important to daily life, and using it is essential to conveying a sense of place and identity. In this report, CSH uses italics to identify and highlight all foreign (i.e., non-English and non-Hawaiian) words. Italics are only used for Hawaiian words when citing from a previous document that italicized them. CSH parenthetically translates or defines in the text the non-English words at first mention, and the commonly-used non-English words and their translations are also listed in the *Glossary* (Appendix A) for reference. However, translations of Hawaiian and other non-English words for plants and animals mentioned by community participants are referenced separately (see explanation below).

### **A Note about Plant and Animal Names:**

When community participants mention specific plants and animals by Hawaiian, other non-English, or common names, CSH provides their possible scientific names (Genus and species) in the *Common and Scientific Names of Plants and Animals Mentioned by Community Participants* (Appendix B). CSH derives these possible names from authoritative sources, but since the community participants only name the organisms and do not taxonomically identify them, CSH cannot positively ascertain their scientific identifications. CSH does not attempt in this report to verify the possible scientific names of plants and animals in previously published documents; however, citations of previously published works that include both common and scientific names of plants and animals appear as in the original texts.

## Abbreviations

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APE	Area of Potential Effect
CIA	Cultural Impact Assessment
CSH	Cultural Surveys Hawai_i
DPW, PW	State of Hawai_i, Public Works Division
DOH/OEQC	Department of Health/Office of Environmental Quality Control
FEA	Final Environmental Assessment
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
GPS	Global Positioning System
HAR	Hawai_i Administrative Rules
HRS	Hawai_i Revised Statutes
KNIBC	Kaua_i/Ni_ihau Island Burial Council
LCA	Land Commission Award
OHA	Office of Hawaiian Affairs
RM	Registered Map
SDEA	Supplemental Draft Environmental Assessment
SHPD	State Historic Preservation Division
SIHP	State Inventory Historic Property
TCP	Traditional Cultural Property
TMK	Tax Map Key
U.S.	United States

## Management Summary

<b>Reference</b>	Cultural Impact Assessment for Lydgate Park–Kapa_a Bike and Pedestrian Path, Phases C and D, CMAQ-0700(49), South Olohena, North Olohena and Waipouli Ahupua_a, Kawaihau District, Kaua_i Island, TMK: [4] 4-3-001, 002, and 007:various (Vogeler, Magat and Hammatt 2012)
<b>Date</b>	January 2012
<b>Project Number</b>	Cultural Surveys Hawai_i (CSH) Job Code: WAIPOULI 4
<b>Project Location</b>	The Proposed project is on the makai side (ocean side) of Kūhiō Highway, extending from Papaloa Road to Waipouli Beach Resort.
<b>Land Jurisdiction</b>	State of Hawai_i, County of Kaua_i
<b>Agencies</b>	State of Hawai_i Department of Land and Natural Resources/State Historic Preservation Division (DLNR/SHPD); State Office of Environmental Quality Control (OEQC); U.S. Department of Transportation, Federal Highway Administration
<b>Project Description</b>	The proposed Project area extends from Papaloa Road, between Kauai Sands Hotel and the Aston Islander on the Beach, north through the County's beach reserve and along the coastal bench makai of the undeveloped parcels and Courtyard Kauai Coconut Beach (formerly Kauai Coconut Beach Resort). The Project area continues just mauka (inland) of Mokihana of Kaua_i and the Bullshed Restaurant (currently a parking lot) and along the southern bank of Uhelekawawa Canal (currently a landscaped strip) to Kūhiō Highway. The Project area crosses Uhelekawawa Canal as a cantilevered attachment to the existing highway bridge or an independent single span bridge, where it would connect to the existing multi-use path at Waipouli Beach Resort
<b>Project Acreage</b>	Approximately 8.6 acres
<b>Area of Potential Effect (APE) and Survey Acreage</b>	For the purposes of this Cultural Impact Assessment (CIA), the APE is defined as the specific area of the Lydgate Park–Kapa_a Bike and Pedestrian Path Phases C&D, CMAQ-0700(49). While this report is focused on the Project APE, this study area includes the entire South Olohena, North Olohena and Waipouli Ahupua_a

<p><b>Document Purpose</b></p>	<p>The Project requires compliance with the State of Hawai'i environmental review process (Hawai'i Revised Statutes [HRS] Chapter 343), which requires consideration of a proposed Project's effect on cultural practices and resources. At the request of Kimura International, Inc., CSH conducted this CIA. Through document research and ongoing cultural consultation efforts, this report provides information pertinent to the assessment of the proposed Project's impacts to cultural practices and resources (per the <i>Office of Environmental Quality Control's Guidelines for Assessing Cultural Impacts</i>) which may include Traditional Cultural Properties (TCP) of ongoing cultural significance that may be eligible for inclusion on the State Register of Historic Places, in accordance with Hawai'i State Historic Preservation Statute (Chapter 6E) guidelines for significance criteria (HAR §13-275) under Criterion E. The document is intended to support the Project's environmental review and may also serve to support the Project's historic preservation review under HRS Chapter 6E-42 and Hawai'i Administrative Rules (HAR) Chapter 13-275</p>
<p><b>Community Consultation</b></p>	<p>Throughout the course of this assessment, an effort was made to contact and consult with Hawaiian cultural organizations, government agencies, and individuals who might have knowledge of and/or concerns about traditional cultural practices specifically related to the Project area. This effort was made by letter, email, telephone and in-person contact. The initial outreach effort was started in November 2010 and ended on December 2012</p>
<p><b>Results of Background Research</b></p>	<p>Background research for this Project yielded the following results:</p> <ol style="list-style-type: none"> <li>1. Although Waipouli and Olohena (north and south) hold significance individually, it is their proximity to Wailua Ahupua'a, which helps to define their importance. Because Wailua was the religious and political center of Kauai, mo'olelo (story, history) abound related to the area. Using illustrative place names of Waipouli, Wichman introduces the notion of a Mokuna-hele, or "traveling district" (Wichman 1998:82). While the scope of this CIA is focused primarily on Olohena (North and South) and Waipouli, Wailua is of such significance that many of the mo'olelo pertaining to the wahi pana (legendary place) of Wailua are included herein, such as the story of Kaumuali'i, the legend of Kawelo, and the story of Māui.</li> <li>2. The place names of the area also refer to water resources. Waipouli means the "dark water" (Pukui, Elbert, and Mookini 1974; Wichman: 1998; Thrum 1922). The boundary between Waipouli and Kapa'a is <b>Ka-lua-pā-lepo</b>, "pit for dirty dishes;"</li> </ol>

between Waipouli and Olohena is **Kaunana-wa'a**, ~~m~~“mooring place for canoes” (bold in original; Wichman 1998:82). Waipouli is also noted for Mākaha-o-Kūpānihi, ~~a~~“a deep pool set aside for the ali'i (chief) to bathe in” (Wichman 1998:83). Farther down the coast is Wailua.

The most popular and literal meaning of the place name Wailua is ~~t~~“two waters,” perhaps referring to the two main forks (north and south) that flow together to form the Wailua River. However; as Lyle Dickey forcefully clarifies (1917:15), ~~t~~“his explanation never seems to occur to a native Hawaiian.” Instead, Dickey and Kamakau refer to the chief, Wailua-nui-haono, as the source for the name (1917:14). Other meanings include ~~w~~“water pit” referring to the pools at the bottom of several waterfalls along the river's course (Damon 1934:360). The social, religious, and political importance of Wailua, in part, appears to be related to the water resources of the river and nearby area.

3. Wailua (particularly coastal Wailua) was known as a pu\_uhonua or place of refuge (Smith 1955:15). Pu\_uhonua were places of peace and safety for transgressors and non-combatants in times of strife. I (1959: 138) specifically states that Holoholokū was a pu\_uhonua, a place ~~t~~“to which one who had killed could run swiftly and be saved.” Wichman (1998:70) asserts that the pu\_uhonua was at Hikina-a-ka-lā while Dickey (1917:15) maintains that the pu\_uhonua was actually at neighboring Hauola.
4. A portion of the mo\_olelo of Kawelo relates to Waipouli, as well as North and South Olohena. In Green and Pukui's account, Kawelo's brother, Kamalama, distributes the lands in the ~~p~~“plain between Waipouli and Wailua which Ka-ma-la-ma had selected as a suitable place” for settlement.
5. Maps from the 1800s indicate that that a shoreline trail once crossed all four ahupua\_a (land division, usually from the uplands to the sea). As early as 1833, a map by Ursula Emerson shows a coastal trail near the Project area (Figure 11; Emerson 1833:107). An 1878 Government Survey Map by C. S. Kittredge, shows that this trail just mauka of the Project area has perhaps become a road (Figure 12). By 1910, the course of this trail appears to have become a road, the contours of which closely match the current Kūhiō Highway (Figure 13).
6. Kukui Heiau lies very close to the Project area: ~~K~~“Kukui, ~~e~~“eandlenut tree” or ~~e~~“enlightenment,” was a huge walled heiau (shrine, temple) located on the headland of Lae\_ala-kukui,

	<p>point of the scent of kukui” (Wichman 1998:83). Flores, in his <i>Historical Research of the Coco Palms Property</i> (2000), describes a connection between Kukui Heiau and Hikinaakalā Heiau in Wailua: “Although this site is in the <i>ahupua‘a</i> of Olohena, it provides an alignment with Hikinaakalā in delineating the confines of this safeguarded bay” (Flores 2000:II-6). Kukui Heiau was placed on the National Register of Historic Places on May 18, 1987 (NRIS #8600027: National Register).</p> <p>7. Archaeological research shows that burials are likely to be found in the sandy areas near the beach. Besides the burial ground at Coco Palms, previous archaeological studies (see Table 1) indicate that in the last 20 years at least 69 burials have been uncovered in the makai Wailua to Waipouli area.</p> <p>Five studies lie directly north of the Project area, on the Golding property (State Inventory Historic Property or SIHP # 50-30-08-1836): Folk et al. 1991, Hammatt 1992, Hammatt et al. 2000, Ida et al. 2000, McCurdy and Hammatt 2008 (Figure 16). Burials, artifacts, and features were found during these studies. According to Hammatt (1992) and McCurdy and Hammatt (2008), a total of 50 burials were unearthed at this site. Nearly four hundred artifacts (396) were recovered, and the site assigned SHIP # 50-30-08:1836 (Figure 10).</p> <p>In 1991, Cultural Surveys evaluated the site as “being culturally significant (Criterion E) because of the association of humans [sic] burials in <i>makai</i> areas of the site” (Hammatt 1991b:52). The Rosendahl and Kai study (1990), directly under a portion of the Project area, also found a cultural layer and burials. In addition, the Perzinski et al. study (2001), further south, but still under the Project area, also found a cultural layer and burials.</p> <p>8. R. Lane’s 1929 map, traced from a M. D. Monsarrat map based upon an 1886 survey, charts the disposition of the ten Land Commission Awards (LCAs) of Waipouli (Figure 19). Eight of the awards included separate <i>āpana</i> (parcels) for taro <i>lo‘i</i> (Irrigated terrace, especially for taro) and <i>pāhale</i> (house lots). Kula (pasture) and <i>lo‘i</i> associated with these awards were located within and adjacent to the extensive swamp. No one in the claims mentions sweet potatoes, although Handy and Handy (1972:424) suggested they would have been grown along the coastal plain.</p> <p>9. The 1893 C. J. Willis Map (Figure 20), along with the Lane’s 1929 LCA map of a portion of Olohena (Figure 19), and the LCAs on the 1996 US Geological Survey Map (Figure 17)</p>
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	<p>together show North Olohena made up mostly of Kiaimoku's grant, and South Olohena of Grant 5264 to R. P. Spaulding for Lihue Plantation (419 Acres). The one LCA claimed and granted is inland on Konohiki Stream (LCA 3831; see Table 3 and Figure 17, Figure 19 and Figure 20).</p> <p>10. By 1935, Handy (1940:67) found no kalo (taro) being cultivated. The terraces had been taken up by rice, sugar cane, sweet potato and pasture. However, Handy (1940) explains that, <del>Waipouli</del>, Olohena (North and South), and Wailua are ahupua_a with broad coastal plains bordering the sea, any part of which would be suitable for sweet potato plantings; presumably a great many used to be grown in this section. There are a few flourishing plantations in Wailua at the present time” (Handy:153).</p> <p>11. After 1898, with the influx of American citizens to Hawai_i, according to Edward Joesting, in <i>Kaua'i: A Separate Kingdom</i>, real estate values rose and sugar plantation increased. By the mid-1900s, with greater interisland plane travel, development continued on Kaua_i. By the 1970s, there was <del>a</del> Kaua_i-wide rule banning high-rise development” (Beacon:20). By the 1990s, <del>the</del> backshore of Waipouli Beach is lined with long rows of tall ironwood trees. A shoreline pedestrian trail is used by strollers and joggers.... Although most of the Waipouli shoreline is developed or privately owned, six public rights of way provide access to the beach. They are all marked and easy to locate” (Clark 1990:9).</p>
<p><b>Results of Community Consultation</b></p>	<p>Kama_aina (Native-born, one born in a place) and kūpuna (elders) with knowledge of the proposed Project and study area participated in semi-structured interviews for this CIA in February 2011. CSH attempted to contact 41 individuals for this CIA report, of which 14 responded via email or phone, five provided written statements (two of which are OHA and SHPD responses), four participated in formal, individual interviews and ten participated in a group interview. As of this writing, the group interview has not been approved for this report. Thus, 17 people were interviewed for this report.</p> <p>A summary of the information gathered from the community consultation is presented below with a breakdown of specific cultural resources:</p> <ol style="list-style-type: none"> <li>1. The Project area and environs, in particular the shoreline, has a long history of use by Kānaka Maoli (Native Hawaiians) and other kama_aina (Native-born) groups for a variety of past and present cultural activities and gathering practices. Several</li> </ol>

	<p>participants discussed the spiritual nature of Wailua and its numerous wahi pana, sharing mo_olelo about heiau, pōhaku (rock), iwi (bones), and the activities of spirit people. Community interviewees noted the importance of wai or water and abundance of marine resources such as tilapia, mullet, spiny lobster and a_ama crab, traditional fishing methods and the preparation of chum, the need to respect iwi kūpuna (bones of ancestors) and other cultural resources, and the observance of correct protocol and attitude in beginning a project.</p> <p>2. <b>Wahi Pana.</b> The responses regarding wahi pana and mo_olelo relate primarily to Wailua Ahupua_a. As Mr. Milton K. C. Ching explains: “In the old days, there were no boundaries. Although there were boundaries in maps that say this is Waipouli, this is Wailua, this is Kapa_a, Hawaiians that lived here traversed back and forth for fishing and stuff. There wasn’t really a boundary. They survived and lived.” Thus, the wahi pana and mo_olelo of the area draw few distinctions between Waipouli, Olohena (North and South), and Wailua Ahupua_a. Both OHA and SHPD letters suggest that cumulative impacts of the Project on both known and unknown traditional practices and cultural resources should be addressed due to the spiritual nature and fragile character of the Project area.</p> <p>For this Project, the specificity regarding phases C and D of this multi-use path does not seem to resonate with many of those consulted for this study. Some describe the cumulative impact of projects as an atmosphere of unresolved sadness, indicated specifically in OHA’s letter. There are individual ahupua_a and separate wahi pana, but some responses (OHA, SHPD, Mr. Diego-Josselin, Mr. Ako, Mr. Ching) draw connections between wahi pana, linking Waipouli, Olohena and Wailua into one larger context.</p> <p>3. <b>Wai (Water, Liquid).</b> In one interview, Makaīwa and Papaloa are the off-shore resources specifically identified as impacted by the Lydgate Park–Kapa_a Bike and Pedestrian Path, Phases C and D. Ms. Sophronia Noelani Diego-Josselin, in her reference to the <i>Declaration on the Rights of Indigenous Peoples</i>, further mentions the right of Indigenous Peoples “to maintain and strengthen ... waters and coastal seas and other resources.” SHPD, in its statement, discusses the need for access to water resources: “The department is mindful that traditional access in the project area to cultural places mauka for resources in the general ahupua_a and/or to the ocean should be considered in your study that may impact the general community as well as cultural practitioners.”</p>
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	<p>Mr. Ching, in his interview, describes Uhelekawawa Canal and the fish, like tilapia and mullet, in that shallow waterway. The Project would pass directly over this canal.</p> <p>The importance of these water resources may be summarized in the Kawalo mo_olelo, which is an account regarding the protection of fishermen and fishing. Smith explains the advice from the old man who saw Kawalo turn into a shark once he learned from passersby of their intent to go fishing: “He [the old man] said that from then on, never to tell anyone when they were going fishing. If anyone asked, they were to say they were going awana (also auana, auwana: wandering), or going wandering, but never to say they were going fishing” (Smith 1955:8). The advice is that fishing, and water resources, should be kept secret for fear that others may use that information. Though all may not be known of these water resources, the maintenance of these areas is important for the Project and for the community that lives near this Project.</p> <p>4. <b>Historical and Cultural Properties.</b> The responses from OHA, SHPD, Ms. Diego-Josselin, as well as archaeological sites and studies in the area, all indicate that historic properties are a primary concern for this Project. Ms. Diego-Josselin summarized the cultural concerns regarding these sites in the following paragraph:</p> <p>Native Hawaiian’s religion and spirituality are rooted in the land or AINA. Sacred sites provide the physical foundation for mo‘olelo or stories, that connect each new generation to their ancestors and weaves them into their culture and defines their identity. The protection of sacred sites, and defending the ability to conduct rituals and ceremonies at these sites in <u>privacy and without disruption</u>, are therefore vital to maintaining and passing from generation to generation the distinct identities, traditions, and histories of our people.</p> <p>5. <b>Heiau.</b> The heiau closest to the Project area is Kukui Heiau. Ms. Diego-Josselin asserts that there has been a “failure to provide adequate Parking for those wishing to visit Kukui Heiau for traditional customary practices.” Ms. Diego-Josselin also contends that Kukui Heiau should be included within the Wailua Complex of Heiau, echoing studies that show the alignment of heiau such as Kukui Heiau to others like Hikinaakalā in Wailua (Flores 2000:II-6).</p> <p>Historically, there were more heiau in Wailua than in other ahupua_a on Kaua_i (Bennett 1931). This fact is significant for some community participants. Mr. Ching, during his interview, noted this genealogical, cultural and psychological link between the</p>
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	<p>people of Waipouli and Olohena and the heiau of Wailua.</p> <p>Heiau offer a larger cultural and psychological link to for many people in this study and for communities of these ahupua_a. These heiau, as the focal point of the Wailua through Waipouli community, help expand the context for discussion of cultural impacts.</p> <p>6. <b>Ilina (Grave).</b> Ilina are the main concern of the community participants interviewed for this study. Ilina offer a substantive genealogical link to the ancestors and the land. At least five participants in this CIA specifically mention the possibility of finding burials within the Project area.</p> <p>Noting that he does not agree with some decisions made by the Kaua_i/Ni_ihau Burial Council, Mr. Ching states his preference for preserving burials in place. Ms. Cheryl Lovell-Obatake recommends –SHPD and PW [Kaua_i County, Public Works Division] require that the applicant have a certified archaeologist on site during any and all ground/underground disturbances; such as extracting of trees and relocating them. I am concerned about Native Hawaiian burials and funerary objects connected to Native Hawaiian burials.”</p> <p>Both Mr. Valentine Ako and Mrs. Beverly Muraoka caution that more iwi (bones) will be found in the current Project area. Mr. Ako believes that there will likely be graves found in the sandy areas of the Project area and Mrs. Muraoka relates the same concern. Both of them note the possibility of finding more iwi in Coco Palms. Mr. Ako emphasizes that iwi found in the ahupua_a must stay in that ahupua_a. If iwi are discovered, he recommends keeping them in place in the ahupua_a where they were found, preferably in an inconspicuous place and then holding a good burial service.</p> <p>OHA similarly cautions about the discovery of bones along the beach. And SHPD is –concerned with any ground disturbance work which may uncover burials or burial sites in sandy areas such as this project.”</p> <p>7. <b>Ala Hele (Pathway, Route, Road).</b> Regarding the course of the multi-use path, there were varying opinions. Mr. Ako contends that the area by the Coconut Marketplace will need a stoplight there or an overpass, –because traffic is so heavy, that there could be accidents.” He believes the traffic should be on Papaloa Road before it goes down to Kauai Sands Hotel. Mr. Ching remains skeptical about the viability of the proposed multi-use path, noting lack of users in a previous path near the beach. Mrs. Sally Jo Manea has specific recommendations for</p>
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	<p>the multi-use path, calling for buffers in areas where the cars and people are going to be sharing the same route. She calls for the path to be kept on the coast, as it would offer both <del>ph</del>physical and mental therapy” and be <del>a</del> wonderful way to keep healthy!”</p>
<p><b>Recommendations</b></p>	<p>Based on the information gathered from archival documents, previous archaeological reports, and community consultation detailed in this CIA report, CSH recommends the following measures to mitigate potentially adverse impacts on cultural, historical, and natural resources, practices, and beliefs:</p> <ol style="list-style-type: none"> <li>1. In light of statements made by several of the participants in this study including OHA, SHPD, Mr. Ako, Mr. Ching, and Ms. Diego-Josselin about the connections between wahi pana and the ahupua_a of Waipouli, Olohena and Wailua, CSH recommends that discussions of the Lydgate Park–Kapa_a Bike and Pedestrian Path, Phases C and D, CMAQ-0700(49) include the larger context of the many projects within the Wailua area and the consideration of the cumulative impacts of the overall Project.</li> <li>2. Makaīwa and Papaloa are the off-shore resources specifically identified as impacted by the Lydgate Park–Kapa_a Bike and Pedestrian Path, Phases C and D, CMAQ-0700(49) Project. In addition, SHPD and other participants discussed the need to protect access to cultural resources in the ahupua_a a including water and marine resources in the ocean. Therefore, CSH recommends that the Project continue to provide access to these vital water resources.</li> <li>3. As there continues to be Native Hawaiians and other kāma āina residents who are culturally active in the area, CSH recommends that ongoing cultural practices for plant gathering, fishing, surfing and ceremonial reasons, including visits to the Project area and vicinity, continue to be recognized, protected and accommodated.</li> <li>4. Keeping in mind that the closest heiau to the Project area is Kukui Heiau which is listed on the National Register of Historic Places, CSH recommends that Kukui Heiau continue to be protected and preserved.</li> <li>5. Besides the burial ground at Coco Palms, previous archaeological studies (see Table 1) indicate that in the last 20 years, at least 69 burials have been uncovered in the Wailua to Waipouli makai areas. Most of these burials have been found in sand. Archaeological research and participant interviews suggest that burials may be found along the route of the Project area. CSH recommends that cultural and archaeological monitors be present during any ground disturbance. CSH also recommends that kūpuna</li> </ol>

	<p>are consulted prior to ground disturbance so that a comprehensive agreement is established regarding burials in the vicinity of the Project area.</p> <ol style="list-style-type: none"><li data-bbox="516 323 1435 499">6. Due to community consultation results where participants like Mrs. Manea suggested the use of buffers if the multi-use path will be located by the highway and will be shared by both cars and people, CSH recommends that in the event that such a route is considered, buffers should protect those on the path from cars on the road.</li><li data-bbox="516 520 1435 735">7. Based on community consultation results where participants like Mrs. Muraoka urges for the observance of correct protocol to be followed, CSH recommends that community members with longstanding connections to the area should be consulted regarding the Project and the preservation, restoration and interpretation of the cultural resources of the area.</li></ol>
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## Section 1 Introduction

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### 1.1 Project Background

At the request of Kimura International, Inc., Cultural Surveys Hawaiʻi (CSH) is conducting a Cultural Impact Assessment (CIA) for Lydgate Park–Kapaʻa Bike and Pedestrian Path, Phases C and D, CMAQ-0700(49), South Olohena, North Olohena and Waipouli Ahupuaʻa, Kawaihau District, Kauaʻi Island, TMKs ([4] 4-3-001, 002, and 007:various). The County of Kauaʻi will construct, own and maintain the multi-use path. The project will be funded in part by the U.S. Department of Transportation, Federal Highway Administration. The Project area is depicted in Figure 1 (aerial photograph), Figure 2 (U.S. Geographical Survey) and Figure 3 (TMK map of Project area). All phases of the multi-use path are depicted in Figure 4.

This CIA will be used for a Supplemental Environmental Assessment. The EA will focus on a preferred alternative that extends from Papaloa Road, between Kauai Sands Hotel and Aston Islander on the Beach, then north through the County’s beach reserve and along the coastal bench makai of the undeveloped parcels and Courtyard Kauai Coconut Beach (formerly Kauai Coconut Beach Resort). The preferred alternative continues just mauka of Mokihana of Kauaʻi and the Bullshed Restaurant (currently a parking lot) and along the southern bank of Uhelekawawa Canal (currently a landscaped strip) to Kūhiō Highway. The preferred alignment crosses Uhelekawawa Canal as a cantilevered attachment to the existing highway bridge or an independent single span bridge, where it will connect to the existing multi-use path at Waipouli Beach Resort. On the northern end of the Project area, the EA will also assess use of an existing beach access located south of Kapaʻa Missionary Church, as well as a stretch adjacent to and makai of Kūhiō Highway between the beach access and Uhelekawawa Canal (approximately 580 feet).

### 1.2 Document Purpose

The Project requires compliance with the State of Hawaiʻi environmental review process (Hawaiʻi Revised Statutes [HRS] Chapter 343), and thus, the Project must consider the proposed Project’s effect on cultural practices. CSH is conducting this CIA at the request of Kimura International, Inc. Through document research and ongoing cultural consultation efforts, this CIA provides information pertinent to the assessment of the proposed Project’s impacts to cultural practices and resources (per the *Office of Environmental Quality Control’s Guidelines for Assessing Cultural Impacts*). This information may include assessment of Traditional Cultural Properties (TCP) of ongoing cultural significance that may be eligible for inclusion on the State Register of Historic Places, in accordance with Hawaiʻi State Historic Preservation Statute (Chapter 6E) guidelines for significance criteria (HAR §13–275–6) under Criterion E, which states to be significant an historic property shall:

Have an important value to the Native Hawaiian people or to another ethnic group of the state due to associations with cultural practices once carried out, or still carried out, at the property or due to associations with traditional beliefs, events or oral accounts—these associations being important to the group’s history and cultural identity.

The document is intended to support the Project's environmental review and may also serve to support the Project's historic preservation review under HRS Chapter 6E and Hawai'i Administrative Rules Chapter 13-275.

### 1.3 Scope of Work

The scope of work for this CIA includes:

1. Examination of cultural and historical resources, including Land Commission documents, historic maps, and previous research reports, with the specific purpose of identifying traditional Hawaiian activities including gathering of plant, animal, and other resources or agricultural pursuits as may be indicated in the historic record.
2. Review of previous archaeological work at and near the subject parcels that may be relevant to reconstructions of traditional land use activities; and to the identification and description of cultural resources, practices, and beliefs associated with the parcels.
3. Consultation and interviews with knowledgeable parties regarding cultural and natural resources and practices at or near the parcels; present and past uses of the parcels; and/or other practices, uses, or traditions associated with the parcels and environs.
4. Preparation of a report that summarizes the results of these research activities and provides recommendations based on findings.

### 1.4 Environmental Setting

The proposed Project area lies on the east side of Kaua'i. The southern end of the Project is situated within the South Olohena Ahupua'a, and the cul-de-sac at the northern end lies within the Waipouli Ahupua'a. Thus, the Project area traverses three ahupua'a: Waipouli, North Olohena, and South Olohena. Because the southern end of the Project lies near Wailua Ahupua'a, an area rich in cultural sites and history, this CIA will include information related to the makai portion of Wailua Ahupua'a.

These four ahupua'a are located within the central area of the Līhu'e basin and are exposed to the prevailing northeast trade winds with 40 to 50 inches of rainfall annually at the seashore and 75 to 100 inches in the upland mountainous area. The shoreline of both Olohena Ahupua'a and Waipouli Ahupua'a is shallow topsoil above lava bedrock and there is shallow reef along the shore (Figure 5).



Figure 1 Aerial photograph of project Area (Google Earth 2010)

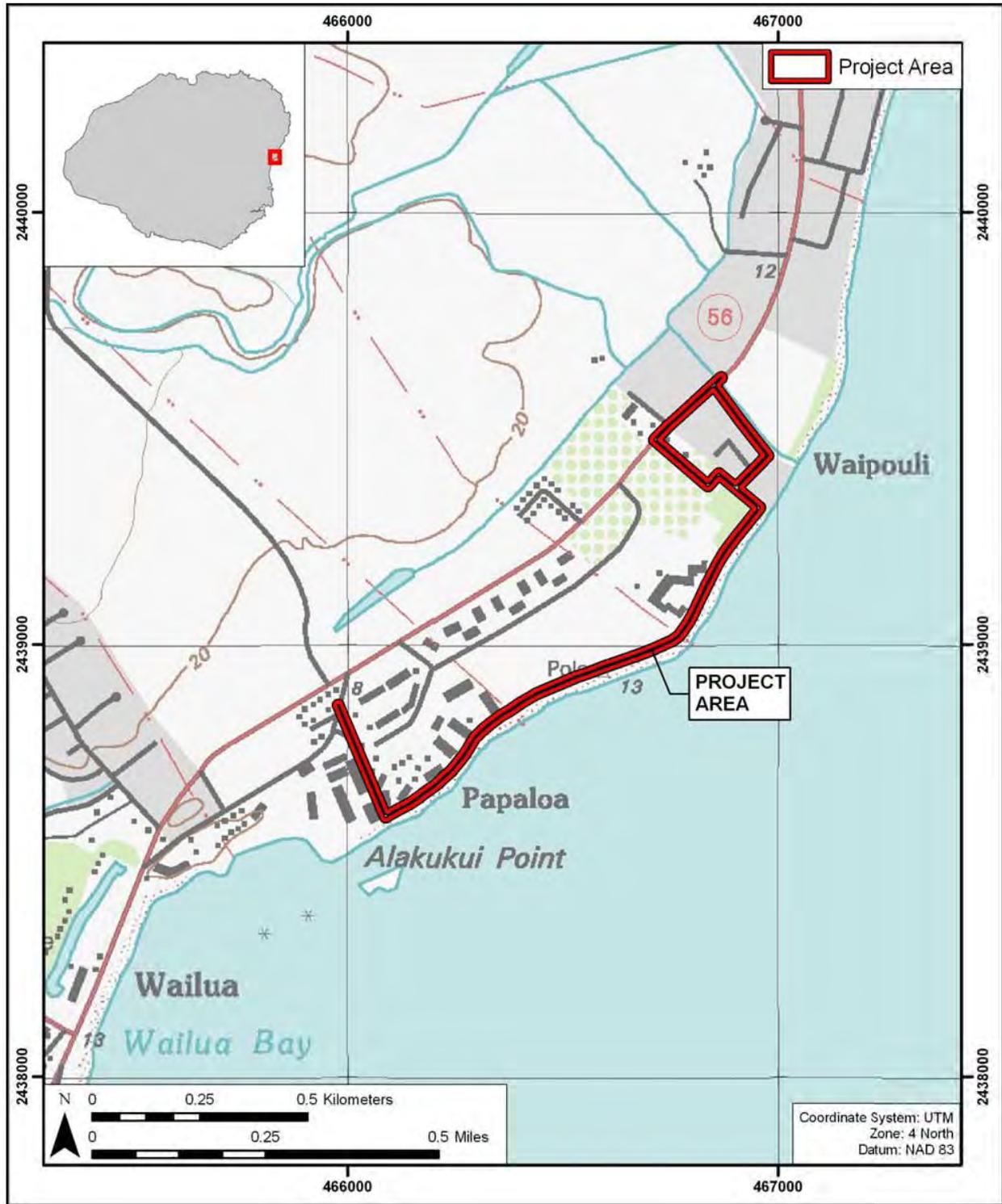


Figure 2. U.S. Geological Survey 7.5-minute topographical map (1996 Kapa\_a Quadrangle) showing project area

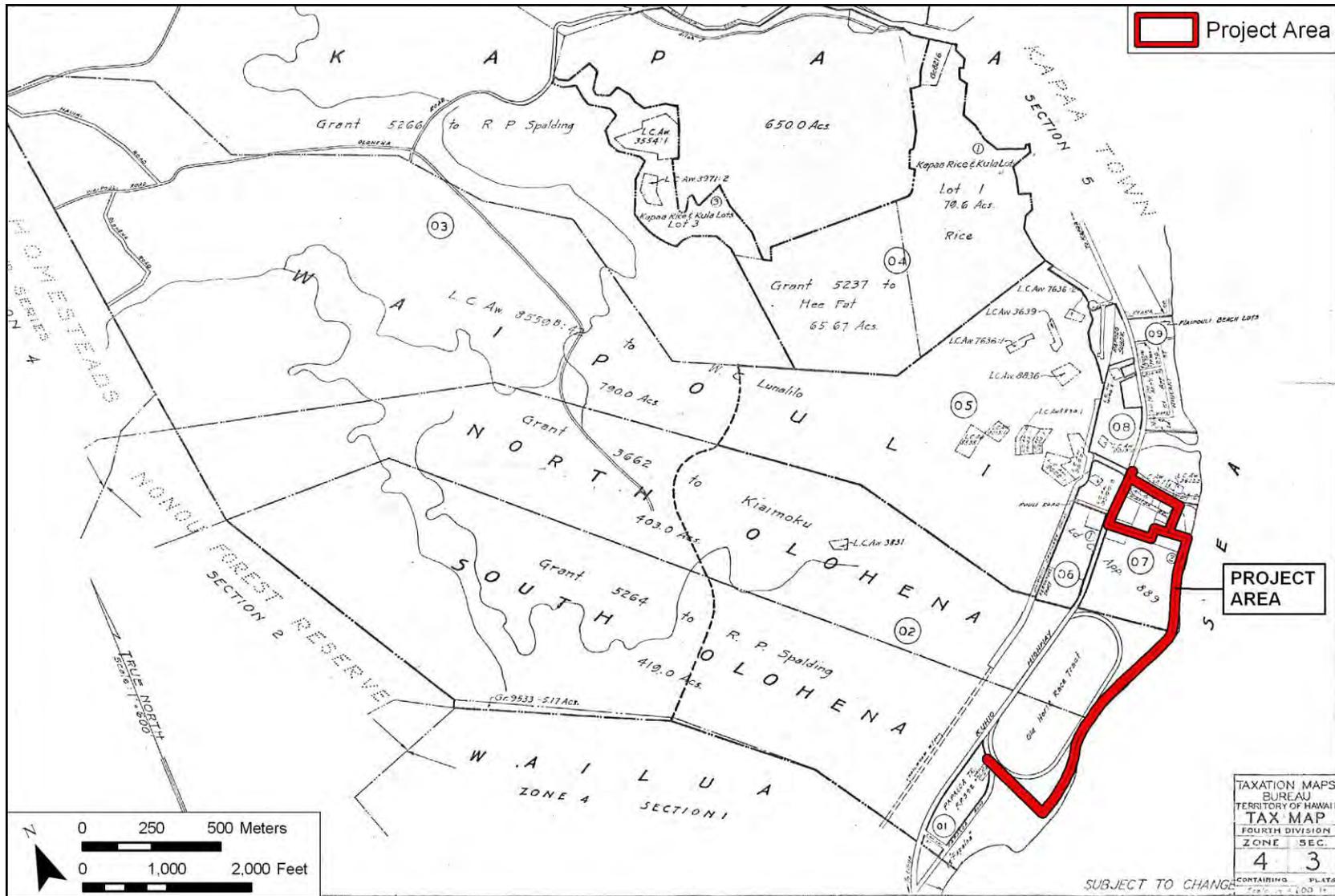


Figure 3. Tax Map [4]4-3-001, 002 and 007, including other properties in Waipouli and Olohena Ahupua'a

CIA for the Lydgate Park-Kapaa Bike & Pedestrian Path Phases C&D, CMAQ-0700(49)

TMK: [4] 4-3-001, 002, and 007:various

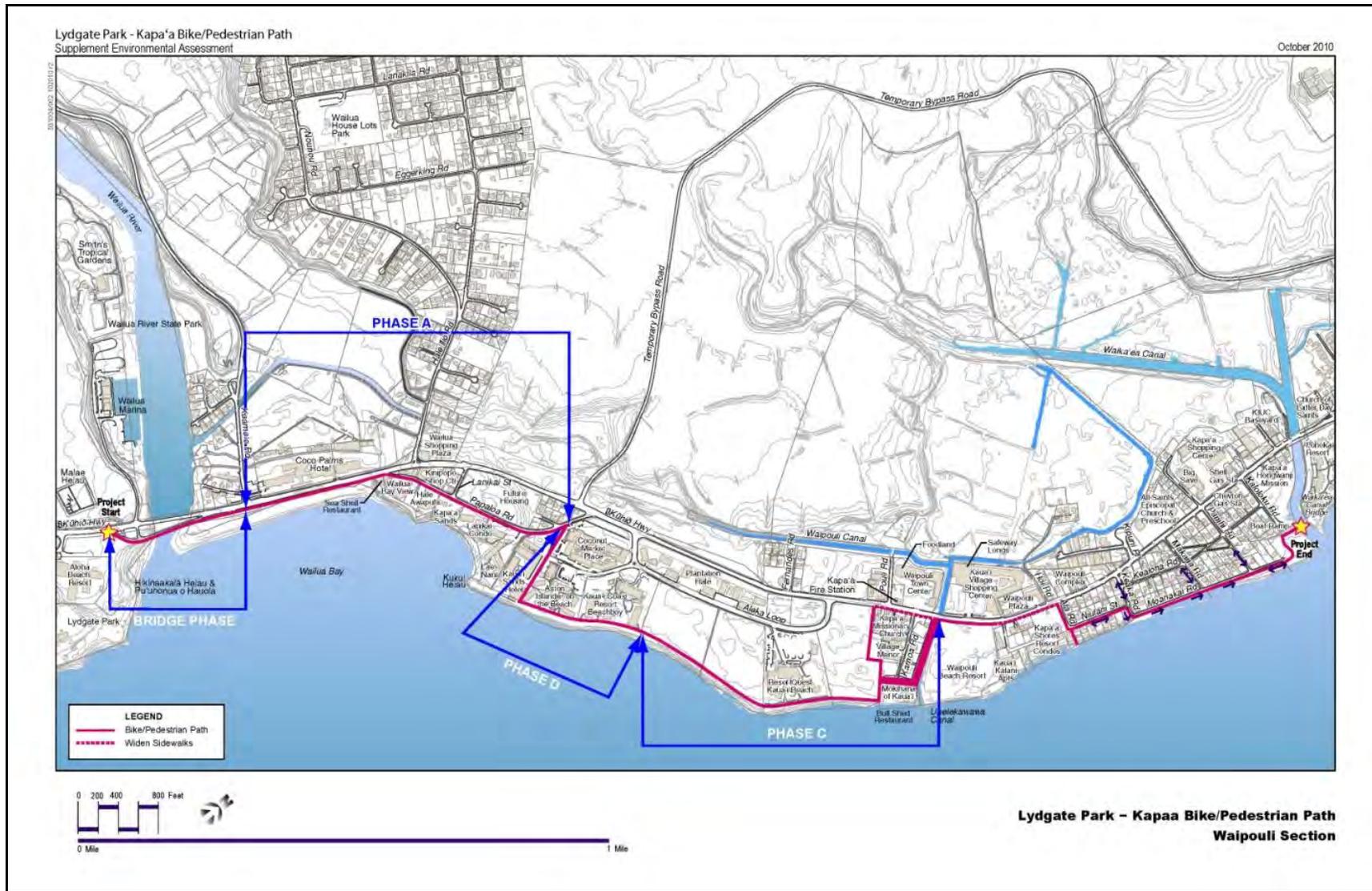


Figure 4. All Phases of Lydgate Park–Kapa\_a Multi-Use Path (Map courtesy of Kimura International)

CIA for the Lydgate Park-Kapaa Bike & Pedestrian Path Phases C&D, CMAQ-0700(49)

TMK: [4] 4-3-001, 002, and 007:various

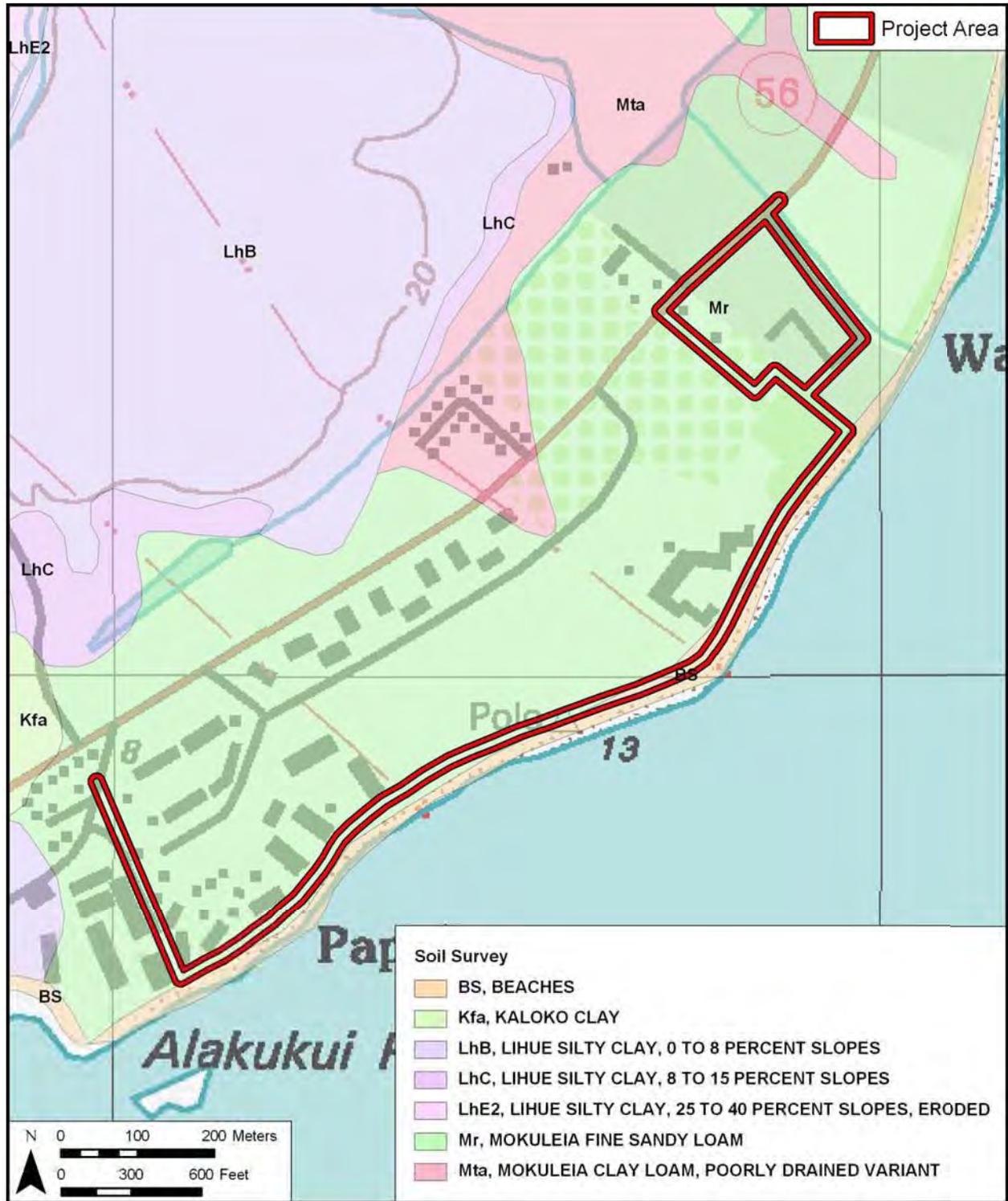


Figure 5. Soil information over U.S. Geological Survey topographic map (soil information from Foote et al. 1972)

## Section 2 Methods

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### 2.1 Archival Research

Historical documents, maps and existing archaeological information pertaining to South Oloheua, North Oloheua and Waipouli Ahupua'a, Kawaihau Moku and the Project area vicinity were researched at the CSH library and other archives including the University of Hawai'i at Mānoa's Hamilton Library, the State Historic Preservation Division (SHPD) library, the Hawai'i State Archives, the State Land Survey Division, and the archives of the Bishop Museum. Previous archaeological reports for the area were reviewed, as were historic maps and photographs and primary and secondary historical sources. Information on Land Commission Awards (LCAs) was accessed through Waihona Aina Corporation's Māhele Data Base ([www.waihona.com](http://www.waihona.com)), as well as a selection of CSH library references.

The definitive source for Hawaiian place names is Pukui et al.'s (1974) *Place Names of Hawai'i*, but additional place name translations and interpretations were also gleaned from Soehren's "Hawaiian Place Names" database on the internet (<http://www.ulukau.org>), historical maps, Land Commission documents available at the Hawai'i State Archives or on the internet at <http://waihona.com>, and from other place name texts such as Clark (2002), Wichman (1998), and Thrum (1922).

For cultural studies, research for the Traditional Background section centered on Hawaiian activities including: religious and ceremonial knowledge and practices; traditional subsistence land use and settlement patterns; gathering practices and agricultural pursuits; as well as Hawaiian place names and mo'olelo, mele (songs), oli (chants), ʻōlelo no'eau (proverbs) and more. For the Historic Background section, research focused on land transformation, development and population changes, beginning in the early post-European Contact era to the present day (see Scope of Work above).

### 2.2 Community Consultation

#### 2.2.1 Sampling and Recruitment

A combination of qualitative methods, including purposive, snowball, and expert (or judgment) sampling, were used to identify and invite potential participants to the study. These methods are used for intensive case studies, such as CIAs, to recruit people that are hard to identify, or are members of elite groups (Bernard 2006:190). Our purpose is not to establish a representative or random sample. It is to "identify specific groups of people who either possess characteristics or live in circumstances relevant to the social phenomenon being studied.... This approach to sampling allows the researcher deliberately to include a wide range of types of informants and also to select key informants with access to important sources of knowledge" (Mays and Pope 1995:110).

We began with purposive sampling informed by referrals from known specialists and relevant agencies. For example, we contacted the SHPD, Office of Hawaiian Affairs, Kaua'i Island Burial Council (KNIBC), and community and cultural organizations, such as Mālama Kaua'i, Ka'ie'ie Foundation, Hui Ho'okipa o Kaua'i and various Hawaiian Civic Clubs on Kaua'i for their brief response/review of the Project and to identify potentially knowledgeable individuals with

cultural expertise and/or knowledge of the Project area and vicinity, as well as, other appropriate community representatives and members. Based on their in-depth knowledge and experiences, these key respondents then referred CSH to additional potential participants who were added to the pool of invited participants. This is snowball sampling, a chain referral method that entails asking a few key individuals (including agency and organization representatives) to provide their comments and referrals to other locally recognized experts or stakeholders who would be likely candidates for the study (Bernard 2006:192). CSH also employs expert or judgment sampling, which involves assembling a group of people with recognized experience and expertise in a specific area (Bernard 2006:189–191). CSH maintains a database that draws on over two decades of established relationships with community consultants: cultural practitioners and specialists, community representatives and cultural and lineal descendants. The names of new potential contacts were also provided by colleagues at CSH and from the researchers' familiarity with people who live in or around the study area. Researchers often attend public forums (e.g., Neighborhood Board, Burial Council and Civic Club meetings) in (or near) the study area to scope for participants. Please refer to Table 4, Section 6, for a complete list of individuals and organizations contacted for this CIA.

CSH focuses on obtaining in-depth information with a high level of validity from a targeted group of relevant stakeholders and local experts. Our qualitative methods do not aim to survey an entire population or subgroup. A depth of understanding about complex issues cannot be gained through comprehensive surveying. Our qualitative methodologies do not include quantitative (statistical) analyses, yet they are recognized as rigorous and thorough. Bernard (2006:25) describes the qualitative methods as “a kind of measurement, an integral part of the complex whole that comprises scientific research.” Depending on the size and complexity of the Project, CSH reports include in-depth contributions from about one-third of all participating respondents. Typically this means three to twelve interviews.

### **2.2.1 Informed Consent Protocol**

An informed consent process was conducted as follows: (1) before beginning the interview the CSH researcher explained to the participant how the consent process works, the Project purpose, the intent of the study and how his/her information will be used; (2) the researcher gave him/her a copy of the Authorization and Release Form to read and sign (Appendix A); (3) if the person agreed to participate by way of signing the consent form *or* by providing oral consent, the researcher started the interview; (4) the interviewee received a copy of the Authorization and Release Form for his/her records, while the original is stored at CSH; (5) after the interview was summarized at CSH (and possibly transcribed in full), the study participant was afforded an opportunity to review the interview notes (or transcription) and summary and to make any corrections, deletions or additions to the substance of their testimony/oral history interview; this was accomplished primarily via phone, post or email follow-up and secondarily by in-person visits; (6) participants received the final approved interview, photographs and the audio-recording and/or transcripts their interview if it was recorded. They were also given information on how to view the Draft CIA Report on the OEQC website and offered a hardcopy of the report once the report is a public document.

If an interviewee agreed to participate on the condition that his/her name be withheld, procedures were taken to protect his/her confidentiality (see Protection of Sensitive Information below).

### 2.2.2 Interview Techniques

To assist in discussion of natural and cultural resources and cultural practices specific to the study area, CSH initiated semi-structured interviews (as described by Bernard 2006), asking questions from the following broad categories: gathering practices and mauka and makai resources, burials, trails, historic properties and wahi pana. The interview protocol is tailored to the specific natural and cultural features of the landscape in the study area identified through archival research and community consultation. These interviews and oral histories supplement and provide depth to consultations from government agencies and community organizations that may provide brief responses, reviews and/or referrals gathered via phone, email and occasionally face-to-face commentary.

#### 2.2.2.1 *In-depth Interviews and Oral Histories*

Interviews were conducted initially at a place of the study participant's choosing (usually at the participant's home or at a public meeting place) and/or—whenever feasible—during site visits to the Project area. Generally, CSH's preference is to interview a participant individually or in small groups (two–four); occasionally participants are interviewed in focus groups (six–eight). Following the consent protocol outlined above, interviews may be recorded on tape or a digital audio device and in handwritten notes, and the participant photographed. The interview typically lasts one to four hours, and records the “who, what, when and where” of the interview. In addition to questions outlined above, the interviewee is asked to provide biographical information (e.g., connection to the study area, genealogy, professional and volunteer affiliations, etc.).

#### 2.2.2.2 *Field Interviews*

Field interviews are conducted with individuals or in focus groups comprised of kūpuna and kama\_āina who have a similar experience or background (e.g., the members of an area club, elders, fishermen, hula dancers) who are physically able and interested in visiting the Project area. In some cases, field visits are preceded by an off-site interview to gather basic biographical, affiliation and other information about the participant. Initially, CSH researchers try to visit the Project area to become familiar with the land and recognized (or potential) cultural places and historic properties in preparation for field interviews. All field activities are performed in a manner so as to minimize impact to the natural and cultural environment in the Project area. Where appropriate, Hawaiian protocol may be used before going on to the study area and may include the offering of ho\_okupu (offering, gift), pule (prayer) and oli. All participants on field visits are asked to respect the integrity of natural and cultural features of the landscape and not remove any cultural artifacts or other resources from the area.

Building on open-ended and semi-structured approaches, field interviews included the structured methods enumerated in the above section. In some cases, participants may create a community resource map by surveying the Project area with the researcher/s in order to identify significant cultural and natural features of the landscape. If the participant was comfortable sharing the location of resources, they were geo-referenced using GPS and included on the

cultural resource map. If the participant preferred to keep the location private or only to identify its general location, the specific location was *not* recorded.

### 2.2.3 Protect Sensitive Information

It is sometimes the case that participants in cultural studies agree to contribute their comments or be interviewed for a study on the condition that their names are withheld from the report. Their reasons for doing so vary from concern about protecting the identity of resource collectors and/or revealing the precise location of certain natural and cultural resources to opposition to the proposed Project. For the interviewee who agrees to participate on the condition that his/her name is withheld from public disclosure, CSH takes all precautions to make sure his/her contribution remains confidential. The confidentiality of subjects is maintained via protected files. For this reason, CIA reports sometimes include a subsection of Summaries of Kama‘āina –Talk-Story” Interviews entitled, Additional Statements.

## 2.3 Compensation and Contributions to Community

Many individuals and communities have generously worked with CSH over the years to identify and document the rich natural and cultural resources of these islands for cultural impact, ethno-historical and TCP studies. CSH makes every effort to provide some form of compensation to individuals and communities who contribute to cultural studies. This is done in a variety of ways: individual interview participants are compensated for their time in the form of a small honorarium and/or other makana (gift); community organization representatives (who may not be allowed to receive a gift) are asked if they would like a donation to a Hawaiian charter school or nonprofit of their choice to be made anonymously or in the name of the individual or organization participating in the study; contributors are provided their transcripts, interview summaries, photographs and—when possible—a copy of the CIA report; CSH is working to identify a public repository for all cultural studies that will allow easy access to current and past reports; CSH staff do volunteer work for community initiatives that serve to preserve and protect historic and cultural resources (for example in, Lāna‘i and Kaho‘olawe). Generally our goal is to provide educational opportunities to students through internships, share our knowledge of historic preservation and cultural resources and the State and Federal laws that guide the historic preservation process, and through involvement in an ongoing working group of public and private stakeholders collaborating to improve and strengthen the Chapter 343 environmental review process.

## Section 3 Traditional Background

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### 3.1 Overview

The sections below will discuss topics as they relate to the four primary ahupua'a of this study: Waipouli, North Olohena, South Olohena, and Wailua. While the study area does not fall directly within the Wailua Ahupua'a, because of the cultural and historical significance of Wailua, this ahupua'a is included in the discussions below. In each section, the depictions will follow a north to south pattern, beginning with Waipouli, ending with Wailua (see Figure 6 and Figure 7).

### 3.2 Place Names and Wahi Pana

#### 3.2.1 Waipouli

Waipouli means the "dark water" (Pukui, Elbert, and Mookini 1974; Wichman: 1998; Thrum 1922). The name of the wind that breezes through the ahupua'a of Waipouli is called the Inuwai (Nakuina 1992:53).

Wichman describes the meaning of many places within Waipouli Ahupua'a:

On the seacoast, the boundary between Waipouli and Kapa'a is **Ka-lua-pā-lepo**, "pit for dirty dishes." The boundary with Olohena was at **Kaunana-wa'a**, "mooring place for canoes." There were six house clusters, called villages in the Māhele records, whose names give an insight into the ancient society: **Kānelimua**, "man overgrown with moss"; **Maka-lokoloko**, "eyes swelling up in tears"; **makamaka-ole**, "without intimate friend"; **Mokuna-hele**, "traveling district"; **Nā-hale-ka-wawā**, "houses where there is lots of noise" (bold in original; Wichman 1998:82)

Waipouli is also noted for Mākaha-o-Kūpānihi, meaning "Kūpānihi is fierce" or "star of Kūpānihi" (Wichman 1998:83). Mākaha-o-Kūpānihi "was a deep pool set aside for the ali'i to bathe in. Mākaha is a star near the Pleiades. It and another star named Mākohi-lani were patrons of fighters. Kūpānihi was the god invoked by experts when carving out a canoe" (Wichman 1998:83).

Waipouli is mentioned in a version of the legend of Kaililauokekoa, a female chief of Kapa'a and daughter of La'a and granddaughter of Mō'ikeha. Thomas Thrum (1906:83–84) explains that:

[Kaililauokekoa's] greatest desire was to play konane [kōnane: ancient game resembling checkers], a game somewhat resembling checkers, and to ride the curving surf of **Makaīwa** (*ke'eke'e nalu o Makaīwa*), a surf which breaks directly outside of Waipouli, Kapa'a. She passed the larger part of her time in this matter every day, and because of the continual kissing of her cheeks by the fine spray of the sea of Makaīwa, the bloom of her youth became attractive as a torch on high, 'so unsurpassed was her personal charm. (bold in original)

Wichman describes Makaīwa as “a well-known surf near the [Wailua] river mouth” (1998:67). The meaning he offers for Makaīwa is “mother of pearl eyes’ (like those in a feathered image)” (Wichman 1998:67).

Waipouli is also the place where Hi\_jaka and Lohi\_au were reunited. Initially, Hi\_jaka had returned Lohi\_au to Pele, only to discover that Pele had not protected Hi\_jaka’s grove of lehua trees (ōhi\_a), as Pele had promised. Hi\_jaka, heartbroken, having travelled to Kaua\_i to find Lohi\_au and return him to Pele, and having already fallen in love with Lohi\_au, then kissed Lohi\_au. And Pele, realizing what had occurred, killed Lohi\_au. Wichman explains: “Pele covered Lohi\_au with lava and Hi\_jaka returned to Kaua\_i, vowing never to see her sister again. Two of Pele’s brothers took pity on Lohi\_au and brought him back to life.” Eventually, Lohi\_au and Hi\_jaka met in Waipouli during a game of kilu (an ancient game: see glossary). They married and lived “the rest of their lives together at Hā\_ena” (Wichman 1998:82–83).

As a final note, a portion of the mo\_olelo of Kawelo relates to Waipouli as well as North and South Olohena. In Green and Pukui’s account, Kawelo’s brother, Kamalama, distributes the lands in the “plain between Waipouli and Wailua which Ka-ma-la-ma had selected as a suitable place” for settlement:

There the men received each portion and settled down to cultivate the land, while Ka-ma-la-ma turned toward the hills. The men made lo\_i, or taro patches, and set out such food-plants as they thought would flourish in this new land. They planted twelve breadfruit trees, one for each taro-patch, and, in order to have a name signifying unity, they called the place “The twelve breadfruit,” because the trees all came from a single mother-plant. They also wanted to commemorate the twelve men name “Breadfruit” [ulu] who had come with the party. These trees were famous in ancient days and even now their report is in the mouths of men.

*A pau kana haawi ana, ua huli aku ia o Kamalama no ke Kuamoo. A noho ihola lakou i na loi' kalo, na ano mea ai a pau a lakou i manao ai i pono no ka noho ana o ia aina malihini. A kanu ihola no hoi lakou he umikumamalua mau kumu ulu;-- hookahi kumu ulu o ka loi' ho'okahi;-- pela a pau na loi' kalo he umikumamalua;-- i kumu hoalike me ko lakou mau inoa,--mai ka ulu kaukahi a ka ula umikumamalua, i mea hoomanao hoi na na mea a pau, i na ulu umikumamalua. Aole paha i nele ka hoomanao ana o ka poe a ka wa kahiko i keia mau ulu kaulana, a hiki wale no i keia manawa e—o mau nei ia mau ulu i ka waha o na kanaka. (Green and Pukui 1936: 86–88)*

### 3.2.2 Olohena (North Olohena and South Olohena)

North Olohena and South Olohena are ahupua\_a with rich histories, but the meaning of the name Olohena is unclear. Pukui, Elbert and Mo\_okini do not offer a meaning for the name Olohena. Clark and Wichman also do not provide a meaning for Olohena. Ulukau (Soehren:2010) explains that the name is “A traditional Polynesian place name; meaning unknown. Variant spelling of Olohana” (Soehren:2010). Pukui, Elbert and Mo\_okini do note that, “A heiau for human sacrifices on the ridge was called Mahe-walu, short for Māhele-walu, eight divisions” (1976:170). In South Olohena there is also Ka-iki-hāuna-kā Heiau, as well as, Kukui Heiau near to the Project area. Discussions of these heiau are in Section 3.5 below.

North along the coast from Kukui Heiau is Papalooa, a village and a beach (Soehren 2010). The name, Papalooa, ~~pa~~pa" meaning reef and ~~loa~~loa" long, appears to refer to the reef offshore (Pukui 1986). There is also an account from 1880, which may be referring to a reef off Papalooa Beach. The citation, from the Order of the Lords Commission of the Admiralty (1885), is as follows: ~~In~~ 1880, a small steamer was observed secured to a buoy off Wailua, apparently inside a reef, as breakers were observed all around to seaward."

### 3.2.3 Wailua

The most popular and literal meaning of the place name Wailua is ~~two~~two waters," perhaps referring to the two main forks (north and south) that flow together to form the Wailua River. However; as Lyle Dickey forcefully clarifies (1917:15), ~~this~~this explanation never seems to occur to a native Hawaiian." Instead, Dickey refers to the chief, Wailua-nui-haono, as the source for the name (1917:14). Kamakau similarly (1976:7) states that:

Wailuanui-a-Ho<sub>u</sub>ano was born in Ewa, O<sub>u</sub>ahu, and his descendants went to Kaua<sub>i</sub> and to Maui, and wherever they settled they called the land after the name of their ancestor. Wailua was a song of La<sub>a</sub>akona, ancestor of the Ewa family by Ka-ho<sub>u</sub>ano-o-Kalani. His name, Wailuanui-a-Ho<sub>u</sub>ano, came from adding the name of his mother.

Other meanings include ~~water pit~~water pit" referring to the pools at the bottom of several waterfalls along the river's course (Damon 1934:360), a ~~ghost or spirit~~ghost or spirit" (Kikuchi 1973:5), and a ~~spirit of one seen before or after death, separated from the body~~spirit of one seen before or after death, separated from the body" (Wichman 1998:67). Perhaps even more plausible is the explanation that the term comes from the name of the high chief: Wailuanuiaho<sub>u</sub>ano. Regarding the variety of sweet potato named ~~Wailua~~Wailua," it was also ~~presumably~~presumably introduced from Wailua, Kaua<sub>i</sub>" (Pukui and Elbert 1986:379).

By tradition, Wailua was conceptually divided into parts with ~~Wailua Nui Ho<sub>u</sub>ano~~Wailua Nui Ho<sub>u</sub>ano" (~~Great Sacred Wailua~~Great Sacred Wailua") the name of a marked or sacred area associated with the ali<sub>i</sub>. As described by Wichman, ~~Punauikaia<sub>u</sub>ina~~Punauikaia<sub>u</sub>ina, leader of the settlers from the Marquesas, placed a kapu (taboo, prohibition) on the land on either side of the river from the sea to the top of the range that divides the shore from the uplands. This area was named Wailua Nui a Ho<sub>u</sub>ano" (Wichman 1998:63, see also Smith 1955:20–21). Wichman notes that, ~~Punauikaia<sub>u</sub>ina~~Punauikaia<sub>u</sub>ina himself seems to have borne this name and there is a confusion as to whether Wailua Nui a Ho<sub>u</sub>ano is the name of a particular chief, or of the land only, or both" (1998:179). As Smith (1955:26) explains: ~~in~~in the old days of the early Hawaiians, the common people used to live way up in the valley and hills and the *Ali'i* down here in the lower part of Wailua." The area restricted to the residence of ali<sub>i</sub> is understood as Wailua Nui a Ho<sub>u</sub>ano.

Because Wailua was the religious and political center of Kaua<sub>i</sub>, mo<sub>o</sub>lelo abound related to the area. While the scope of this CIA is focused primarily on Olohena (North and South) and Waipouli, Wailua is of such significance that many of the mo<sub>o</sub>lelo pertaining to the wahi pana of Wailua are included below.

#### 3.2.3.1 Wailua River

Wailua, as the largest river in the archipelago, was proverbial for its waters, as in the saying (Pukui 1983:178) ~~Ka wai hālau o Wailua~~Ka wai hālau o Wailua" (the expansive waters of Wailua). One story of the origin of the Wailua River relates that the giant Kauaho fled from the hero Kawelo to Hanalei

—where he lay down and so backed up the waters of the Hanalei river that they broke through the mountain and flowed down to Wailua.” (Dickey 1917:23) Another story of the damming of waters is that an ancient chief had the waters of the Wailua River dammed at the location of a whirlpool, half a mile above Wai\_ehu Falls (a.k.a. Wailua Falls) where he wished to have an awa (kava) feast. (Dickey 1917:35). After the feast the river was returned to its course. The tannin-rich waters of the Wailua have invited speculation regarding the source of the water’s color. A tradition of Waikoko-o-Hina (~~the~~ blood-water of Hina”), a place above Wai\_ehu Falls (Wailua Falls) explains that: ~~Hokau~~ injured Hina and caused her blood to flow down the river, making it red and giving it its bloody name. At Kalua the redness of the river stops because of tabu” (Dickey 1917:35).

### 3.2.3.2 *Wailua Beach* (‘Aliō)

The early name for Wailua Beach is Aliō. As early as 1885, Lahainaluna Schools describes ~~the~~ sacred sands of Alio” (218). According to this description, Aliō ~~is~~ located at and in the middle of Wailua” (218–219). In Fornander’s ~~Song~~ for Kamuali\_i,” there is also reference to ~~The~~ shore grown hau bark of Alio” (*Ka ilihau pa kai o Alio*) (Fornander VI 1920:482). And Wichman (2003), in *Nā Pua Ali ‘i o Kaua ‘i*, refers to ~~the~~ sands of Aliō beach at Wailua” (32).

### 3.2.3.3 *Mo‘olelo of Caves in Wailua*

There are numerous accounts of storied caves at Wailua of which Māmāakualono (the ~~Fern~~ Grotto”) is the most famous. For some caves, names are remembered and for others the names appear to have been lost or are only known through association with legendary characters. Some of the most famous caves are discussed briefly below.

**Anahulu:** Anahulu was said to be the name of a cave in Wailua Valley where Kamalau stayed on his way to loot Poli\_ahu Heiau (Dickey 1917:30)

**Hauma:** Hauma was said to be the name of a cave in Wailua Valley where the sister of Kamalau stayed on their way to loot Poli\_ahu Heiau (Dickey 1917:30)

**Kaluamōkila:** Kaluamōkila cave at Pu\_u Kī was associated with mo\_o (lizard, dragon) and the mother of Kaumuali\_i.

**Kauela:** Stories give various names and spellings for shark demi-gods of Wailua but often associate these beings with underwater caves. Wichman (1998:72) relates that the shark Kauela ~~used~~ to live in a cave near the mouth of the river. The present-day cement bridge was built over it and Kauela has had to find a new home.”

**Ke-ana-o-Kawelowai:** Dickey (1917:23) explains that behind Wai\_ehu (Wailua Falls) was once Kawelowai, ~~eave~~ of Kawelo-wai,” an underwater cave that was reached by swimmers by diving under the falls with a weighted rope tied about one’s waist (Wichman 1998:79). Wichman contends that ~~in~~ olden days Wailua chiefesses hid here in times of war.”

**Keoniewa:** The cave of Keoniewa was said to be a cave where the giant Kauahoa Kame\_eui spent the night when he went to visit the ruling chief Aikanaka in the Nounou Mountains (Dickey 1917:23)

**Māmā‘akualono:** The cave of Māmāakualono, was the home of a beauty who scorned the advances of the demi-god Maui and is the traditional name of the “Fern Grotto” located near the junction of the north and south forks of the Wailua River (Dickey 1917:33).

**Manu‘ena:** The cave of the mudhens the demi-god Māui branded for withholding the secret of making fire was said to be at Manu‘ena (Wichman 1998:73; understood as near Holoholokū Heiau, see discussion below under Section 3238: “Māui”).

#### 3.2.3.4 Coconut Groves

Some historic accounts have suggested that coconut groves in Wailua had some traditional cultural importance. Bennett (1931:127) included a “sacred coconut grove” as part of his site 106 (State Inventory Historic Property or SIHP # 50-30-08-106 in Figure 10; Holoholokū Heiau). Handy and Handy (1972:172) refer to Wailua, Kaua‘i as “the site of the famous sacred grove belonging to the reigning *ali‘i*.” Flores (2000: III-1–III-4) has carefully documented the history of the coconut plantations of Wailua and vicinity. He concludes that these Wailua plantations date to a coconut plantation begun ca. 1892 by Ernest Lindemann. However, this cultural significance of the Wailua coconut groves may be a fairly recent phenomenon. Dickey (1917:17) tells a story that when dividing coconuts between the people of Puna (the early district that included Wailua) and the people of Kōloa, the Puna people “used up theirs. Hence until very lately, when the white people planted coconuts, coconuts grew in Kōloa but not in the Puna district of Kaua‘i.” The lack of coconut groves may thus offer insight into the low population numbers in the areas outside of Wailua.

#### 3.2.3.5 Ka‘iliauokekoa

Legendary accounts tell of the beautiful maiden named Ka‘ililauokekoa, referred to as the daughter of La‘a and granddaughter of Mō‘ikeha and Ho‘opoi kamalanai or as the daughter of Mō‘ikeha and Ho‘opoi kamalanai in other versions. Ka‘ililauokekoa is said to have been born in Wailua at Malae Heiau (SIHP # 50-30-08-104 in Figure 10) and lived with her parents in Kapa‘a near the surf of Maka‘iwa. It was during a time when Kaua‘i was divided into two kingdoms, with Wailua being the headquarters of the Windward Chiefs. She is associated with a famous kōnane game that led to the naming of the Wailua peak Nā-‘ili-a-Ka‘auea. She was lured to the uplands of Wailua to an area called Pīhanakalani (or Hanahanapuni) by the melodious sounds of the nose flutes played by Kauakahiali‘i. His home was within a canopy created by blossoming ‘ōhi‘a lehua trees whose branches overhead were tightly woven together and decorated with the feathers of those numerous birds found in this area. There is also mention of a fishpond (or “magic fishpond”) in the vicinity that supplies Kauakahiali‘i, his adopted mother Waha, and his sister Kahalelehua, with fresh fish (Beckwith 1970:538–544; see also Dickey 1917:26–28, 35–36 and Rice 1923:106–108).

#### 3.2.3.6 Kawalo (Kauela, Kawelu, Kawelomahamahaia) and Kūhaimoana, the Shark God

One of the most popular traditions of Wailua is that of a certain shark-man deity whose name is variously spelled as “Kawelu” (Knudsen 1946:83), “Kawalo” (Smith 1955:67) and “Kauela” (Wichman 1998:72). In the following extended quote, the Smith family tells the story of the shark/man of Wailua, Kaua‘i (1955: 65–74; see also Knudsen 1946:83):

Further up the left fork of the Wailua River, are some old Hawaiian burial caves. There are seven in all, but only two can be seen from the river. Just about a

hundred feet from these burial caves are two large rocks. One is on the hillside about fifty feet from the riverbank and the other is in the middle part of the river. When the tide is very low and the water is clear, this rock in the water can be seen very clearly. There are three stones all together, one on land, one in the water and one at the mouth of the Wailua River near Lydgate Park. The rock on land can be seen at all times from a boat. This rock is called the Shark Stone and is shaped like a pup tent.

The people say that there was a man by the name of Kawalo who used to live on the left fork of the Wailua River. He could hear quite a distance away when any canoes were coming down the river. As the sound of the canoe got closer, he would go to the riverbank and call out, "Good morning, where are you going?" The people would say, "We are going fishing." Then Kawalo would say, "The weather is good and I hope you have good luck." Very happily they would paddle on down the river and out to the big blue ocean to fish, [and] think that their fishing would be very good that day. But instead, something would happen, some of them would get hurt or bitten by a shark, and fishing would be very bad that day. The men would go home very unhappy.

A few days later some other men wanted to go fishing, so they got in their canoes and paddled down the river. When they got close to Kawalo's place, they could see him on the riverbank waiting to greet them. They could hear him call out, "Good morning, where are you going?" The men in the canoes would answer, "We are going *holo holo* [to go out for pleasure] or going visiting." And then Kawalo would say no more and go back to work in his taro patch. Then these men would paddle down the river, but instead of going *holo holo*, they would go fishing and their luck would be very good. After they were through fishing, they would paddle back home very fast and very happy because their luck had been so good. In fact, they had so many fish that they made a *lū'au* or a feast to celebrate their good luck.

While the *lū'au* was going on, the first group of men who went fishing who had such bad luck, became suspicious and said to their friends that they thought Kawalo was some kind of god. Whenever he asked them if they were going fishing and they said yes, they had bad luck. So this first group of men planned to go fishing again, but this time they decided to get one of the men from their village to watch Kawalo while they were gone. This man was to come down along the riverbank and hide behind a very large rock close to Kawalo's house, and, if at any time he noticed Kawalo doing anything suspicious, the man was to warn the fishermen.

On this second fishing trip, after the men told Kawalo of their intent to go fishing, Kawalo again transformed into a shark. The man who had been hiding in the bushes, tried to warn these honest fishermen, "but the wind was so strong, it carried his voice away from the fishermen. They did not hear him, so the shark got his victims." When the man finally returned to his village, the following occurred:

One of the older men called the whole village together so they could decide what to do. He said that from then on, never to tell anyone when they were going fishing. If anyone asked, they were to say they were going *awana*, or going wandering, but never to say they were going fishing. The rock on the land was Kawalo’s home while he was on land, and the one in the water, his home while in the river. The third rock at the mouth of the Wailua River was his home when he was out to sea (Smith 1955:8).

The Knudsen account (1946:84) also makes reference to three specific rocks associated with the shark-man of Wailua, one of which was “a great flat rock shaped like a poi pounding board, where he was supposed to have pounded his poi.” Wichman (1998:72) associates this story with the shark deity Kūhaimoana.

Dickey (1917:29, see also 1917:33) tells a post-Contact account of one of these shark rocks (which he says “is an ancient shark demi-god”) located on the makai end of a ridge that separates the two northern branches of the Wailua River. Dickey clarifies, “A piece is broken off this stone. This was done by Humaninie, who was sent from Hawai‘i to destroy all idols. Once an attempt was made to dig up this rock but the leader died in the attempt and all who assisted him caught the leprosy and since then the rock has not been disturbed” (1917:29).

### 3.2.3.7 *Kaumuali‘i at Wailua*

Although historical records seem to associate Kaumuali‘i, chief of Kaua‘i, more with his home at Papa‘ena‘ena in Waimea, Kaua‘i, he is also said to have often lived at Wailua. Smith (1955:20) places Kaumuali‘i’s Wailua residence on the north bank of the river within the area known as Wailua Nui a Ho‘āno and associates him with the “King’s Highway” or “King’s path.” The name “King’s Highway” is used for both the Wailua River itself and the parallel approximate alignment of the present Kuamo‘o Road on the north bank (Smith 1955:35–27). Dickey (1917:34) claims that Kaumuali‘i used to jump down the Wai‘ehu Falls (Wailua Falls).

A passing reference to Wailua is given in the “Kaumuali‘i Chant” by Kapaekukui (Fornander 1920 VI: 481–482):

Ascending from Wailua to Maunakapu	<i>E pi‘i ana Wailua i o Maunakapu</i>
The land of Kawelomahamahaia	<i>Ka ‘āina o Kawelomahamahaia</i>

### 3.2.3.8 *Legends of Kawelo*

In the *Legend of Kawelo* (Fornander 1919: 2–59), the great hero of Kaua‘i was born in Hanamā‘ulu, but his grandparents soon moved with him to Wailua. Kawelo was brought up with two relatives: ‘Aikanaka, the son of the ruling chief of Kaua‘i and the giant Kauahoa, another culture hero associated with Hanalei. Kawelo was a very great eater (*ikaika loa ... ma ka ‘ai ana*). and had such a voracious appetite that his grandparents grew weary, and to induce him to leave the house, they made him a canoe. After many adventures on O‘ahu, Kawelo learns that his parents are being mistreated on Kaua‘i by Aikanaka. Kawelo returns to Wailua on a double canoe (*mau wa‘a nui*). Kawelo chanted as follows:

<i>E Kamalama iki kuu pokii,</i>	Say little Kamalama, my younger brother,
<i>I Wailua ka ihu o na waa e</i>	Point the bow of the canoe towards Wailua,
<i>I Wailua, e.</i>	Yes, towards Wailua. (Fornander 1919:32)

With the help of his brother, Kamalama, Kawelo succeeds in defeating Kauahoa and Aikanaka and rules Kaua'i from his home in Hanamā'ulu.

Pukui's (1951:111) account is much the same with Kawelo returning to aid his parents announcing, "We go at once to meet the men of Aikanaka. Steer for Wailua." Thorpe's (1924:157) account of "Kawelo or the Lei of His Parents" is similar, mentioning that Kawelo's grandparents carried the little keiki with them when they moved to Wailua.

Westervelt's account of "Kawelo" contends that Kawelo, Aikanaka and Kauahoa were all born the same day and were taken to Wailua as infants where they were brought up near each other (1968:173; see also Thrum 1923:149 *ff.*). Again Kawelo's return to save his parents has him landing at Wailua where the fighting begins (Westervelt's 1968:183)

The chant *Mele Ahiahi*, or *Evening Song*, is a remembrance of Kawelo at Wailua:

*He ahiahi kapu no Kawelo* Sacred is the evening of Kawelo,  
*I holoholo 'ku iloko Wailuanui-a-hoano* Who traveled about Wailuanui-a-hoano.

(Fornander 1920 VI:418–419)

### 3.2.3.9 Māui at Wailua

Some of the great feats of the pan-Polynesian demigod Māui are said to have taken place at Wailua. When Māui tried to pull the islands together with his fabulous fishhook at Wailua Bay, seven of his kapu-breaking brothers were turned into stones at the mouth of the Wailua River (Dickey 1917:17; Wichman 1998:70–71). Near the pōhaku piko (birthing stones) of Holoholokū Heiau (see Figure 8 and Figure 9), Māui, first learned the secret of making fire from the alae (mudhens) and branded them with the red mark that species bears to this day (Dickey 1917:17–18). Wichman (1998:73) associates the place names "Papa alae" ("Plain of the mudhens") and "Manu ena" ("red-hot bird") with this legendary event.

Dickey (1917:29–30) explains that on both sides of the ridge that separates the two northern branches of the Wailua River, near an area called Kamahualele, (understood to be just east of Poli'ahu Heiau) are marks of this demigod, Māui:

On the south side, in the water near the landing place of the present [1917] poi factory, is a stone called the fishing weight of Māui. To the north in the stream is a sharp stone, the canoe of Māui, also his fishhook Manaiakalani. The horizontal strata marks on the north side of the stream are marks made by the malo [loincloth] of Māui when put there to dry after he had been out fishing.

It is further said that Māui's home was just above the Waioloia waterfall (also seemingly called the Ōpaeka'a and Wailuaiki waterfall) and that Maui's jawbone (Papaniho o Māui) is a little below the top of the hill." (Dickey 1917:32).

Other landforms associated with the Māui tradition are the brothers of a beauty named Māmāakualono. She refused to marry Hina's son Māui, and so Hina dammed up the entire south fork of the river, causing the waters to rise almost to the cave where Māmāakualono lived (associated with the popular "Fern Grotto"). When Māmāakualono jumped into the river to swim for her life, Hina removed the dam and Māmāakualono was swept out to sea. "She had three

brothers, Niolopa<sub>a</sub>, Kōlea and Uleli (Ulili) living above her who may still be seen there as stones.” (Dickey 1917:33; see also Wichman 1998:77).

### 3.2.3.10 Nounou (Sleeping Giant) Mountain Range

The Nounou Mountain range was understood as the fortress of Aikanaka from which he waged warfare against Kawelo. Dickey (1917:24) relates the name to their final battle: “Aikanaka had collected there a large number of stones and a terrific battle with stones followed and therefore the hill has been called Nounou,” or stone battle, from that day to this.” Pukui et al. (1974:167) explain that the name literally means “throwing,” and similarly contend that it refers to the last stand of the tyrant Aikanaka. The popular name for the landform, “Sleeping Giant,” would appear to have been traditionally associated with Aikanaka’s gigantic warrior Kauahoa in the Kawelo tradition.

Wichman (1998:75–76, following Rice) summarizes two very different traditions for the Sleeping Giant given below.

One legend of the Sleeping Giant says his name was Puni. While he was sleeping a fleet of war canoes from Oahu attacked. Puni’s friends, the Menehune, tried to wake him up. They prodded him and poked him to no avail. Finally they threw huge rocks on his stomach, which bounced off and landed in the sea near the war canoes. The Oahu fleet turned and sailed back home. The following morning the Menehune came to wake Puni up – but they could not. He was dead, for several rocks they had thrown during the night had fallen into his mouth as he snored and choked him to death.

Another legend tells of a giant named Nunui. Wherever he stepped, he created a deep hole that the villagers planted with bananas. Nunui was very gentle and was popular with everyone. When the ruling chief wanted to gather rocks from upper Wailua and ‘ōhi‘a lehua logs from the high mountains, Nunui got them all and helped build the heiau Kukui, which is noted for the incredibly large stones used in its walls. After a huge feast, Nunui was tired and lay down to rest. He is still sleeping there and may wake up any day.

### 3.2.3.11 Pae-ki‘i-māhū-o-Wailua Petroglyphs

The Pae-ki<sub>i</sub>-māhū-o-Wailua (“Row of Homosexual Images at Wailua”) petroglyphs were carved on a number of boulders on the south side of the mouth of the Wailua River and have several associated traditions. Dickey (1917:16) offers that: first, the rocks formed part of the wall of the puuhonua when the course of the Wailua River was different; second, the petroglyphs are the hieroglyphics or first attempts of an ancient sculptor of idols; third, that when the brothers of the demigod Māui violated a command not to look at the stern of the canoe, seven of them were turned to stone at the mouth of the Wailua river (see also Wichman 1998:70); and fourth, that the goddess Kapo<sub>u</sub>lakīna<sub>u</sub> turned eight chiefs to stone in her anger that they were not interested in women. These Pae-ki<sub>i</sub>-māhū-o-Wailua petroglyph rocks were designated by Kikuchi as SIHP 50-30-08-105A which was an intentional effort to include them as part of the Wailua Complex of Heiau National Historic Landmark Complex (SIHP # 50-30-08-502)

### *3.2.3.12 Pu'uhonua or Place of Refuge at Wailua*

Wailua (particularly coastal Wailua) was known as a pu\_uhonua or place of refuge (Smith 1955:15). Pu\_uhonua were places of peace and safety for transgressors and non-combatants in times of strife. I (1959: 138) specifically states that Holoholokū was a pu\_uhonua, a place to which one who had killed could run swiftly and be saved.” Wichman (1998:70) asserts that the pu\_uhonua was at Hikina-a-ka-lā while Dickey (1917:15) maintains that the pu\_uhonua was actually at neighboring Hauola.

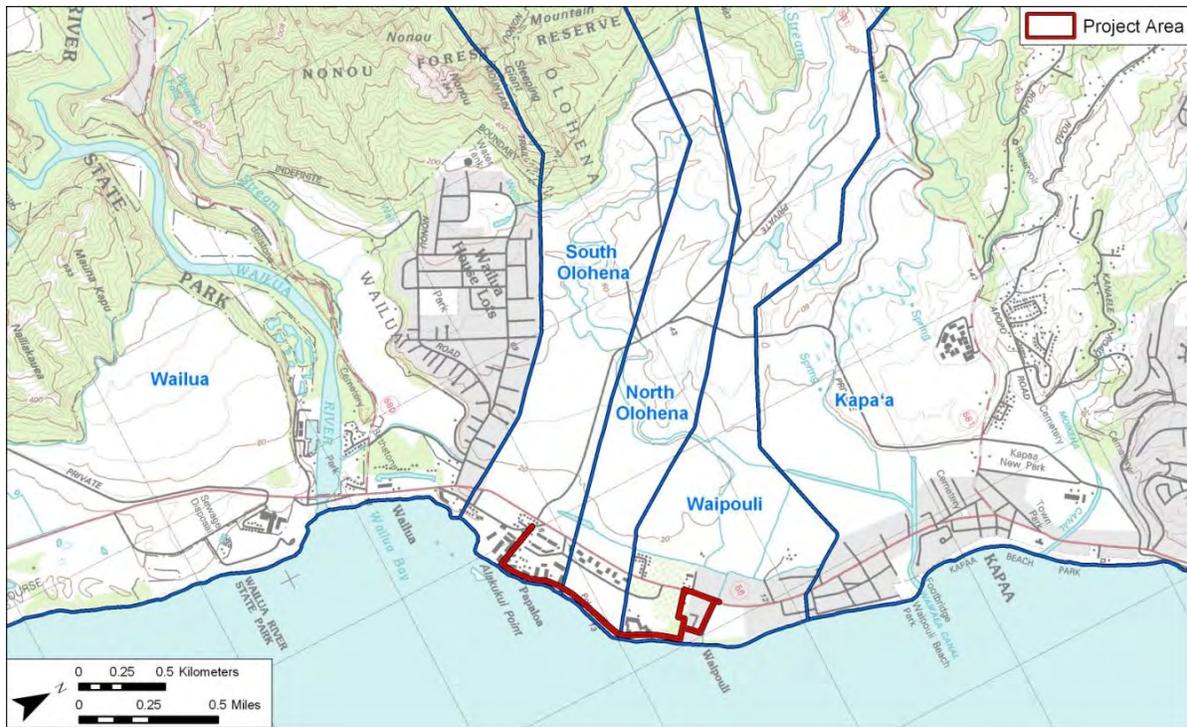


Figure 6. U.S. Geological Survey Ahupua\_a Boundaries near the Project Area

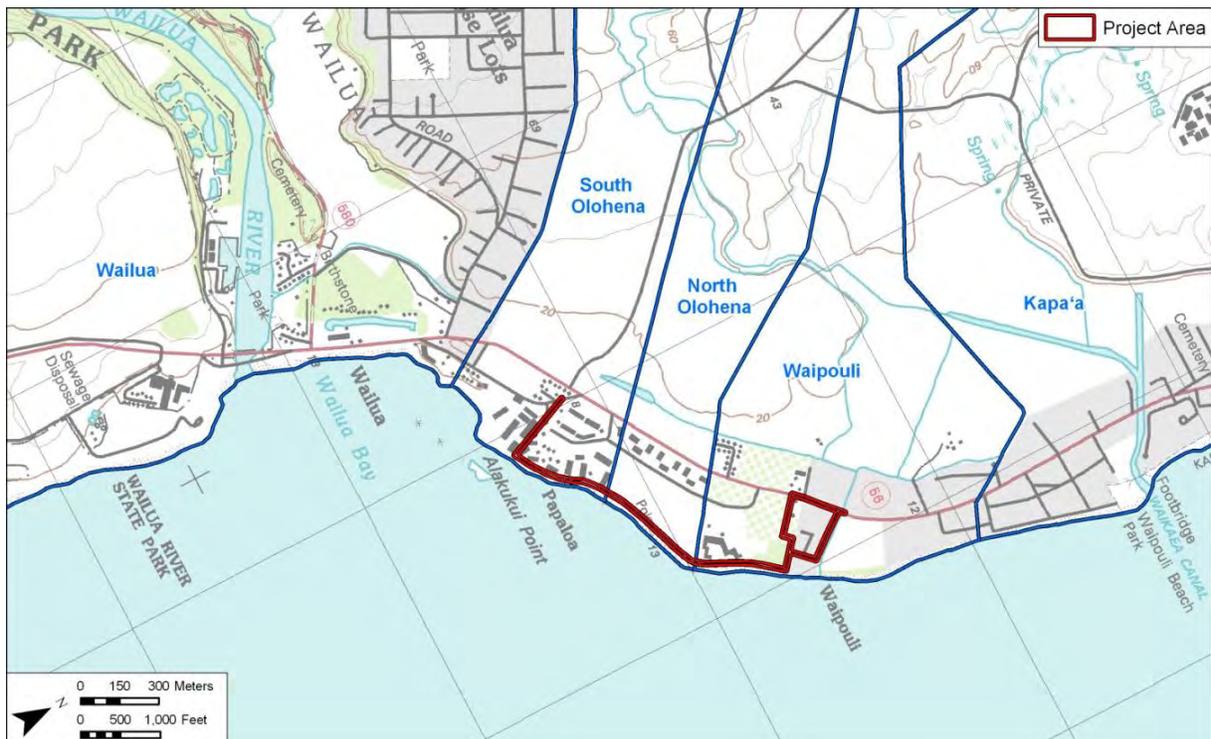


Figure 7. Closer view of U.S. Geological Survey Ahupua\_a Boundaries near the Project area

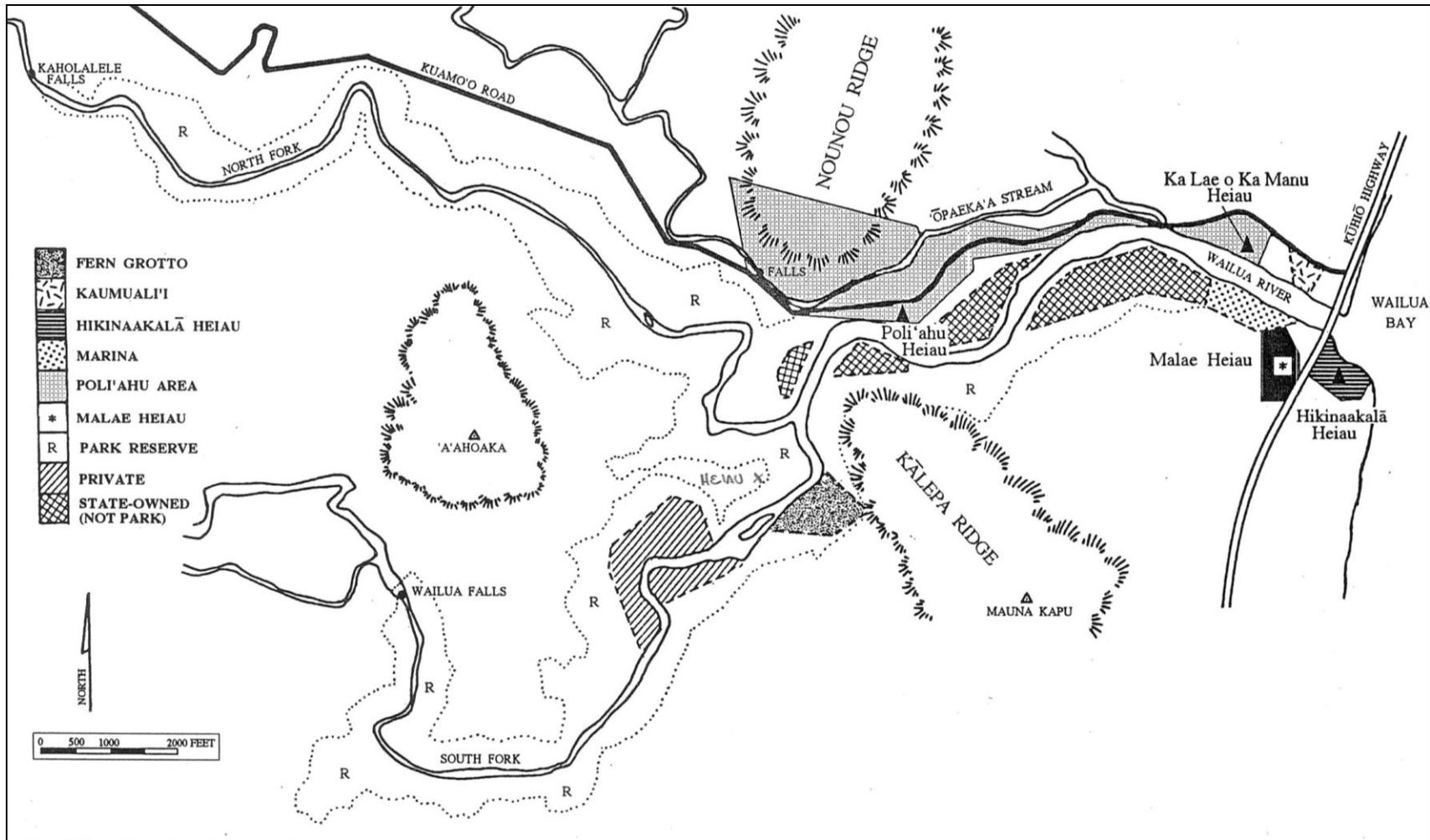


Figure 8. Map of the location of the seven heiau of Wailua (some locations approximate: modification of figure in Yent 1987:5)

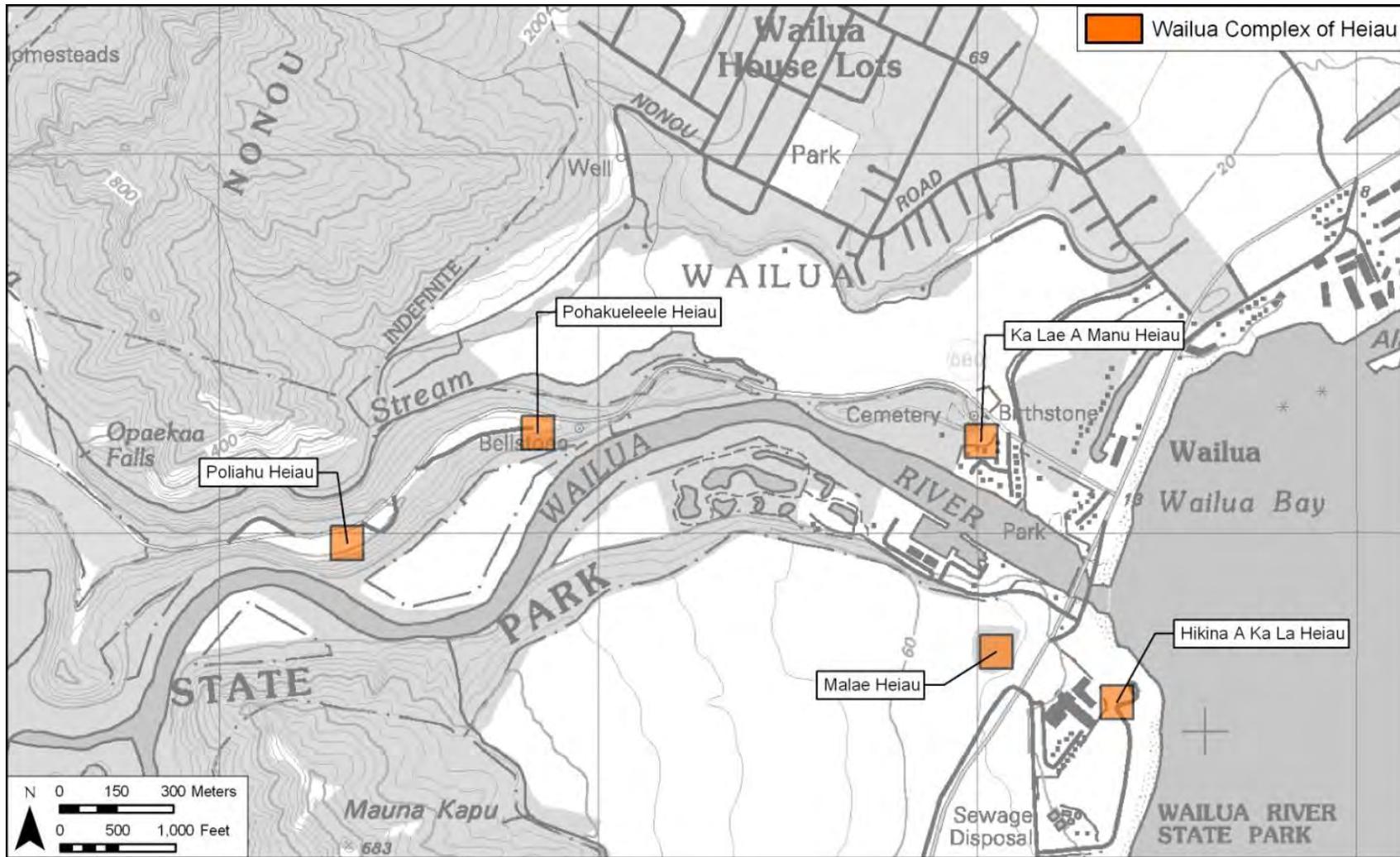


Figure 9. The Wailua Complex of Heiau of Wailuanuiho\_āno

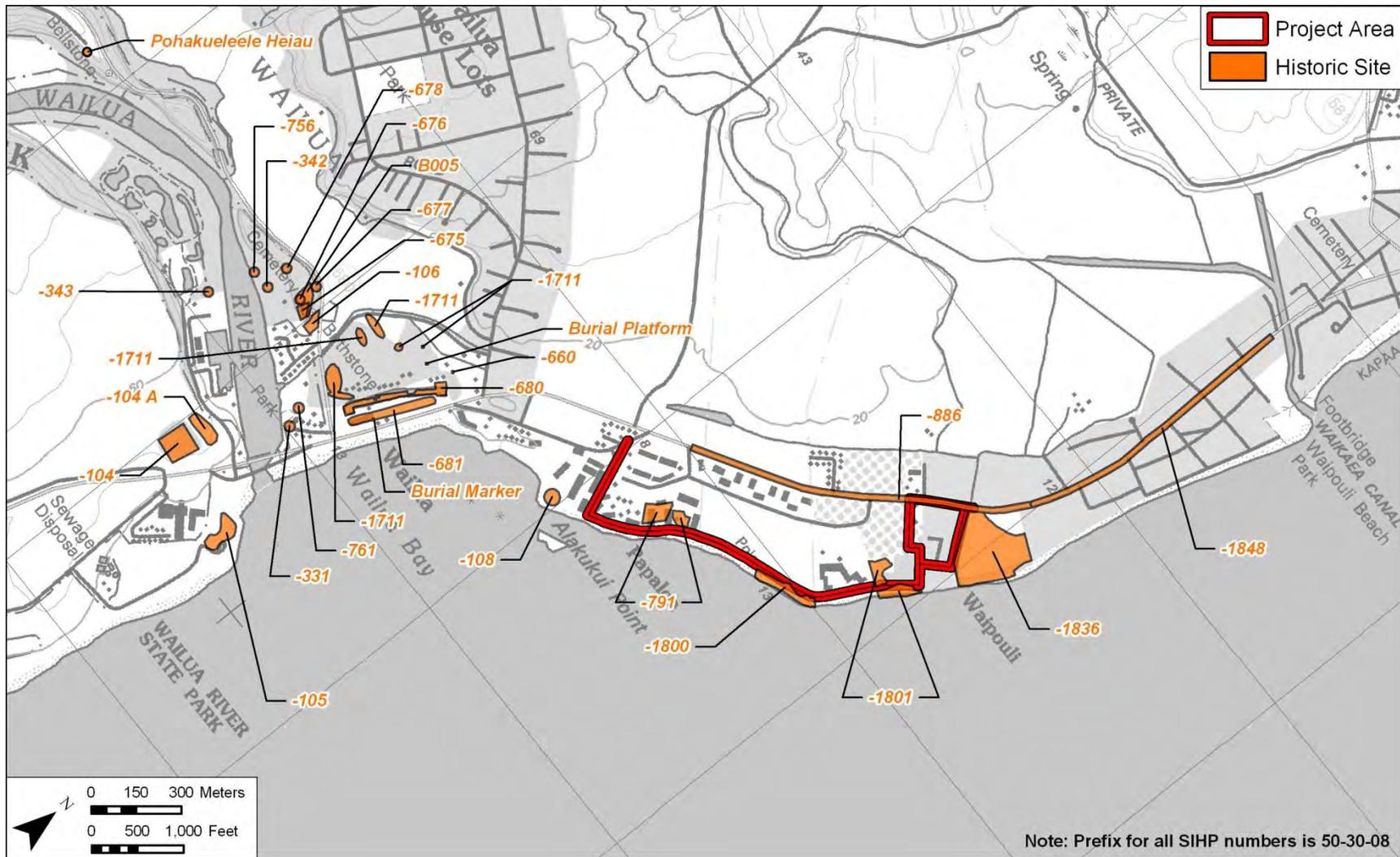


Figure 10. Archaeological Sites in Coastal Wailua Ahupua\_a through Waipouli Ahupua\_a (50-30-08 plus suffix)

### 3.3 Subsistence and Settlement

When discussing the important sites of Waipouli Ahupua'a through Wailua Ahupua'a, it is important to note that few Land Commission claims mention these areas. The flatlands between the dunes and Kālepa Ridge contain swampy areas fed by springs along the base of the ridge that may have allowed limited kalo cultivation on the margins of the marsh (Handy 1940:68).

The Wailua River, along both shores, was the most important high-status area on Kaua'i in pre-Contact times. This area was the royal center where the high chiefs carried on their business when they were not traveling about the island(s), and where they entertained visitors. Today we see a small portion of this royal center when we look at the remnants of five of the heiau (where official decision making was carried out), the Hauola Pu'uhoonua (place of refuge), the birthstones, the royal coconut grove, the bell stone and the royal fishponds. There exist no visible surface remnants of the chiefly homes, the supporting lo'i and kula lands, the places of recreation, the burial place called Mahunapuoni, or Mahunapu'uone (just makai of Kapule's fishponds), the fish traps and the canoe landings.

### 3.4 Ala Hele: Trails

Maps from the 1800s indicate that that an ocean trail once crossed all four ahupua'a. As early as 1833, a map by Ursula Emerson shows a coastal trail near the Project area (Figure 11; Emerson 1833:107). An 1878 Government Survey Map by C. S. Kittredge shows that this trail just mauka of the Project area has perhaps become a road (Figure 12). By 1910 the course of this trail appears to have become a road, the contours of which closely match the current Kūhiō Highway (Figure 13).

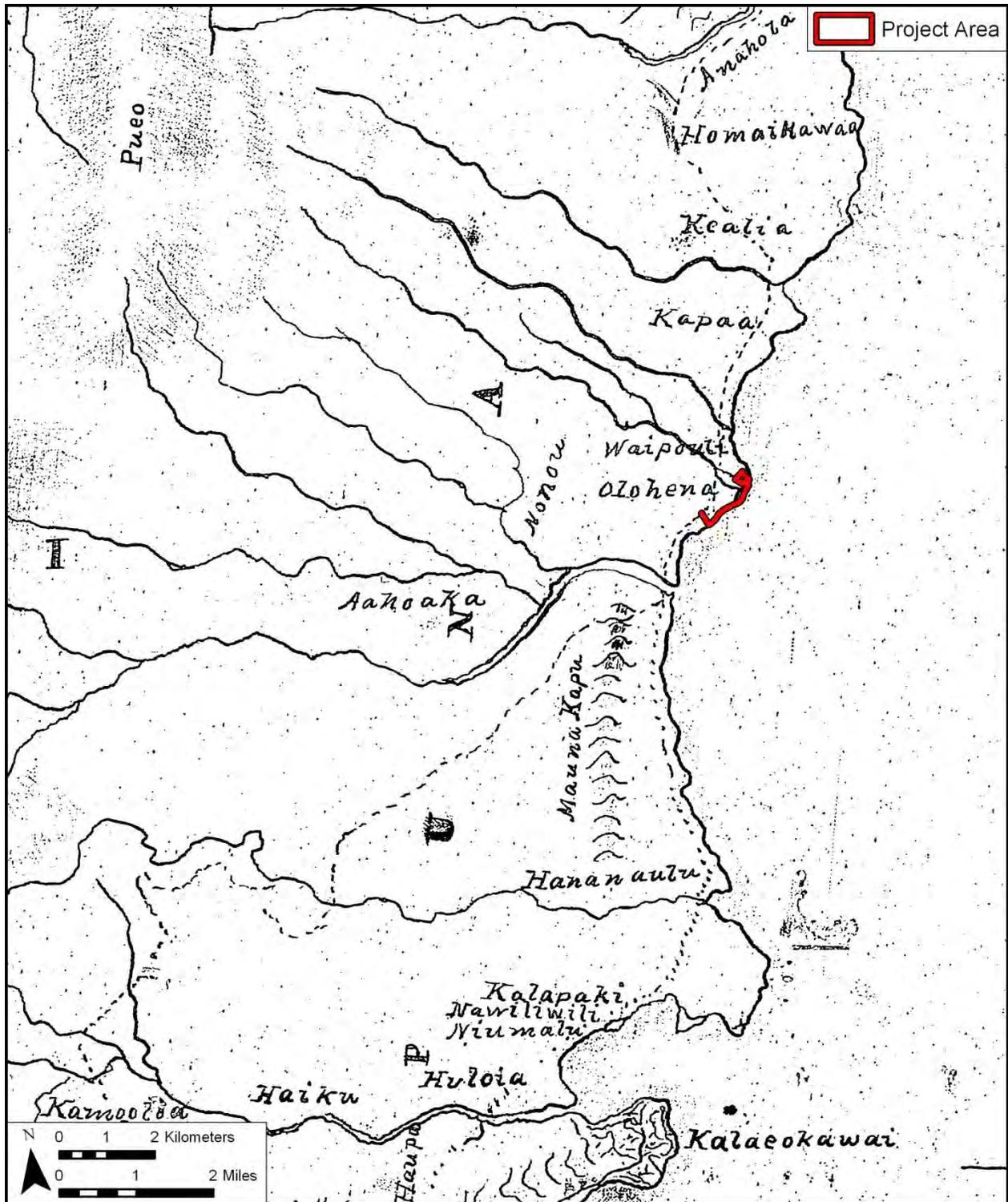


Figure 11. 1833 Emerson Map (RM 432), depicting a coastal trail near the Project area

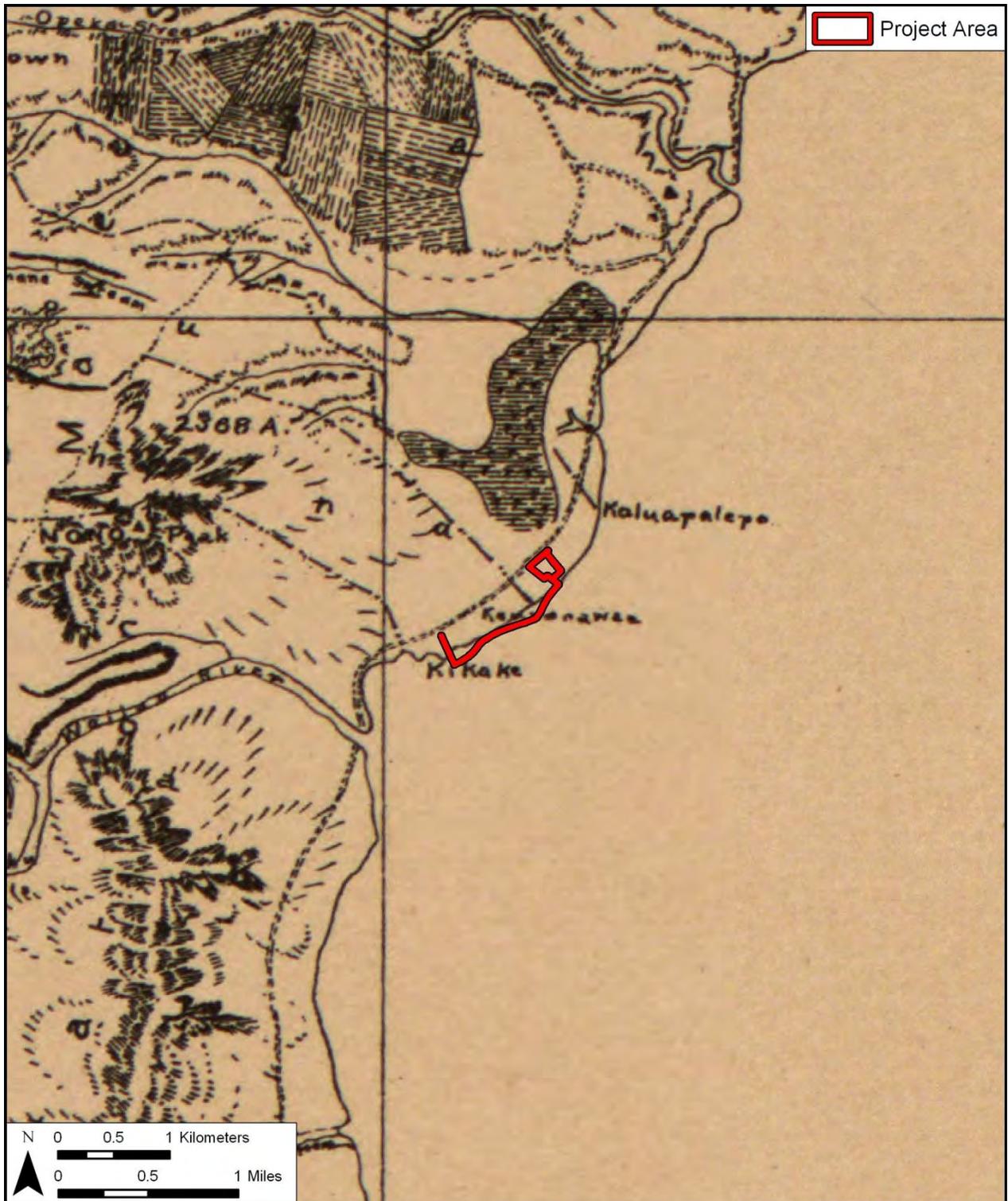


Figure 12. 1878 Kaua'i Island Government Survey Map (C. S. Kittredge)

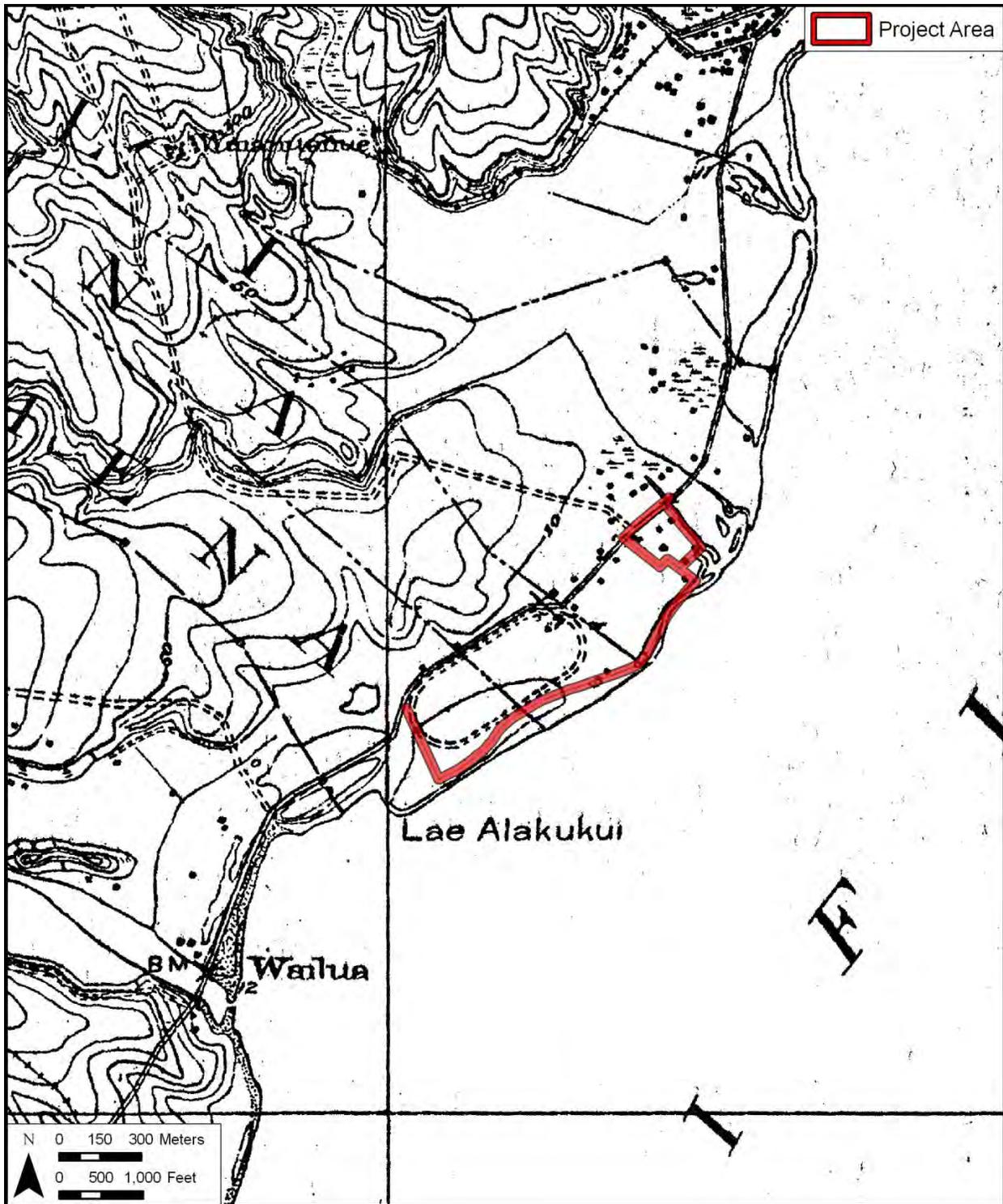


Figure 13. 1910 U.S. Geological Survey Map of south Kapa\_a, Kapa\_a quadrangle.

### 3.5 Heiau

The heiau located within these four ahupua'a exist primarily within Olohena (North and South) and Wailua Ahupua'a. Thus the discussions of heiau will not focus on Waipouli Ahupua'a.

#### 3.5.1 Olohena (North and South)

In addition to Māhelewalu, at the summit of Olohena, where eight main land divisions converge (see Section 3.2.2 above), Wichman describes another sacrificial heiau Olohena. Wichman explains that, "After Kawelo defeated Aikanaka, he built a heiau in Olohena that he named Ka-iki-hāuna-kā, 'little striking blow.' It was built as a place to make an offering to his war god of the first enemy warrior to have been killed in battle. This would have been one of the warriors Kawelo killed as his canoe was carried onto shore" (1998:81–82). Wichman also explains that, "Nearby there was a special house built for ho'opāpā, the art of riddling. It was surrounded by a fence made of the bones of those who had lost the game. Its name was Hale-pā-iwi, 'house enclosed with bones'" (82).

Another heiau in Olohena, near the Project area, is Kukui Heiau. Wichman's explanation of Kukui Heiau reflects the story of Nunui in Section 3.2.3.10 above:

Kukui, "candlenut tree" or "enlightenment," was a huge walled *heiau* located on the headland of Lae-āla-kukui, "point of the scent of kukui." This *heiau* is built of extremely large stones, some of them weighing several tons. The giant Nunui collected the stones and put them in position and gathered the 'ohi'a *lehua* logs from the mountains to build all the structures within the walls. After it was built, he was tired and stretched out on the nearby hilltop, where he still sleeps. (Wichman:83)

Flores, in his *Historical Research of the Coco Palms Property* (2000), describes a connection between Kukui Heiau and Hikinaakalā Heiau in Wailua:

Although this site is in the *ahupua'a* of Olohena, it provides an alignment with Hikinaakalā in delineating the confines of this safeguarded bay. There were also two stone lamps in the vicinity of this site that were said to have been used by fishermen for the purpose of locating fishing grounds and assisting canoes when entering the bay area at night. Portions of the walls presently in disrepair were said to have been constructed with large upright slabs. These large upright slabs that were incorporated into the wall facings are unique archaeological features in Hawai'i, but are commonly found in the *marae* (temple sites) of the leeward Society Islands (Flores 2000:II-6).

Kukui Heiau was placed on the National Register of Historic Places on May 18, 1987 (NRIS #8600027: National Register).

Thrum (1906:77) relates in his story "Kalelealuaka," an account of a man from Kaua'i who came to Wailua O'ahu "in search of a human body to offer as a sacrifice at the temple of Kahikihaunaka at Wailua, on Kaua'i." Kalelealuaka fetches what he believes is a corpse (in reality the unconscious hero Ka'ōpele) and places it "along with the corpse of another man, on the altar of the temple at Wailua." Dickey's and Wichman's accounts have Ka'ōpele offered at

Kukui Heiau (Dickey 1917:19; Wichman 1985:106). Ka\_ōpele recovers, marries and sires a child Kalelealuaka. –Kalelealuaka went over to Wailua, where he witnessed the games of the chiefs.” He engages the king in boxing and kills him (Thrum 1906:83). Ka\_ōpele soon moves on to other adventures on O\_ahu.

### 3.5.2 Wailua

There were more heiau in Wailua than in other ahupua\_a on Kaua\_i (Bennett 1931). As mentioned above, the lower portion of the river valley, makai of Nonou ridgeline to the north and Mauna Kapu to the south, was known as Wailuanuiho\_āno, or alternately Wailuanuilani. The State of Hawai\_i’s pamphlet on *Poli‘ahu Heiau: Wailua Complex of Heiau* explains that, –Wailuanuiaho\_ano, translated as the great sacred Wailua, refers to the lower portion of the Wailua River basin and is named for an ali\_i who lived in the 14<sup>th</sup> Century.” Wailuanuiho\_āno was an area so sacred that it was kapu to maka\_āinana, or commoners. According to Dickey (1917), only the ali\_i, their kahuna and retainers could reside or visit there. At least seven major heiau have been recorded in this relatively small area of the ahupua\_a (Ching 1968:28). The Wailua Complex of Heiau was declared a National Historic Landmark in 1962 (Figure 8 and Figure 9). It is important here to offer some detail regarding the significance of a few of the heiau in Wailua.

#### 3.5.2.1 Hikina-a-ka-lā

Hikina-a-ka-lā (–Rising of the Sun”) Heiau on the south side of the mouth of the Wailua River seaward of Kūhiō Highway was said to have been the pu\_uhonua or place of refuge of Wailua. The heiau was designated as site 105 (SIHP # 50-30-08-105) by Bennett (1931:125–126), and this complex was included as part of the Wailua Complex of Heiau National Historic Landmark (SIHP # 50-30-08-502). The Hawaiian historian John Papa Ī\_ī (1959: 138), however, specifically states that Holoholokū was the pu\_uhonua. Wichman (1998:70) gives some details including mention of the former presence of houses for the priests and refugees, presence of a pōhaku piko or umbilical cord rock (see Dickey 1917:15) analogous to that at Holoholokū Heiau and of a practice where –those who had recovered from an illness dove into the water five times, a purification of the body after sickness” (see also Flores 2000:II-5) The Hauola site and the Pae-ki\_i-māhū-o-Wailua petroglyphs are often regarded as part of the Hikina-a-ka-lā complex.

Dickey specifically associates the name Hikinaakalā with:

A long narrow *heiau*, containing graves of a family that desecrated it by cultivating within its walls. It is reported that on the nights of Kāne the sound of drum and *ūkēkē* [musical bow] played by spirits, may still be heard. This long narrow *heiau* form with two rows of uprights is quite unusual in Hawai\_i but is rather characteristic of the religious shrines of the northern Society Islands suggesting possible affinities. (Dickey 1917:15)

There is also a connection between Hikinaakalā and Kukui Heiau in that the alignment between the two heiau using stone lamps provided the outline of Wailua Bay (see above, Flores 2000:II-6).

### 3.5.2.2 *Malae Heiau*

Malae Heiau (also called “Maka\_uki Heiau” by Dickey 1917:25) located on the south side of the Wailua River mouth, just mauka of Kūhiō Highway, was said to have been of Menehune construction and to be the largest heiau on Kaua‘i. Bennett (1931:125) designated Malae Heiau as site 104 (SIHP # 50-30-08-104) and this site was included as part of the Wailua Complex of Heiau National Historic Landmark (SIHP # 50-30-08-502). It is said that: “Queen Deborah [Kapule], about 1830, tore down all the interior walls and re-arranged them for cattle and pens” (Dickey 1917:25). Wichman (1998:68) cites traditions that contend the heiau was built by the Menehune who came with Kū\_alunui-paukū-mokumoku, and that heiau was known as Maka\_uki or “Source of the \_uki”—a chilly northern wind (Figure 8 and Figure 9).

### 3.5.2.3 *Pōhakueleele Heiau*

Dickey (1917:29) explains that Pōhakueleele Heiau was located on the makai tip of the promontory between the two northern branches of the Wailua River (understood to be on the north bank of the Wailua River near the bell stone). “Here a rock marked with a cross tells the place where the drum was beaten on the nights of Kāne and Lono.” Ching (1968:14–15) designated Pōhakueleele Heiau as site 47, and it was subsequently denoted as SIHP # 50-30-08-334 (Figure 8, Figure 9 and Figure 10).

### 3.5.2.4 *Poli‘ahu Heiau*

Dickey tells the story that Poli\_ahu Heiau “was built by the menehunes [legendary race of small people], who each brought up one stone from the river on the north side of the ridge. In the center of the *heiau* is a square laid out in flat stones. About these are many pebbles which I am told were not originally there but have been born from the large flat ones” (1917:30).

Several accounts associate this heiau with a goddess Poli\_ahu (Dickey 1917:31; Wichman 1998:74). Whether this is the same conception as of Poli\_ahu the goddess of snows on Hawai‘i Island is unclear. Bennett (1931:127) designated Poli\_ahu Heiau, SIHP # 50-30-08-107 (Figure 8, Figure 9 and Figure 10) is included in the Wailua Complex of Heiau National Historic Landmark (SIHP # 50-30-08-502).

## 3.6 Loko I‘a: Fishponds

From land commission testimony, one fishpond is identified in Waipouli: Hapakio is a fishpond (LCA 9013) of the konohiki (chief of an ahupua‘a) (Figure 19). Because Wailua was the center of political and religious life on Kaua‘i, the most famous fishponds existed within that ahupua‘a. The account of Ka\_īlilauokekoa also mentions a portion of Queen Deborah Kapule’s fishponds, just behind the sand berm, still exists on the grounds of the Coco Palms Resort. In 1840 members of the U.S. Exploring Expedition came to Wailua and recorded information regarding Queen Kapule’s fishponds:

Near Deborah's residence are extensive fishponds belonging to her, which have been made with great labour: they are of different degrees of saltiness. The fish are taken from the sea when young and put into the saltiest pond; as they grow larger, they are removed into one less salt, and are finally fattened in fresh water.

While our gentlemen were there, Deborah received young fish in payment of the poll-tax, which were immediately transferred to her ponds. (Wilkes 1846:IV, 68–69)

Her fishpond, Akaimiki (also, Weuweu, Kawaiiki, Kauiki, Kaiwiki, Kaimiki), which still exists on the grounds of the Coco Palms Hotel, was of the loko puuone (pond near shore) type. Another fish pond was said to be located just mauka of the hotel's historic coconut grove (*Foreign Testimony* 1848:IX, 55–56; XIII 72; Kikuchi 1987:9; Lydgate 1920).

### 3.7 Iliua: Burials

In Waipouli, James Toenjes et al. (1991) did data recovery at Coconut Plantation to determine the extent of the habitation layer (SIHP # 50-30-08-1801), to re-identify the location of two known burials, and to evaluate the potential for finding more burials. Seventeen hand-dug trenches were excavated and the results showed a limited workshop area and a permanent habitation. No other burials were located. Radiocarbon dates indicated occupation of this site over several centuries from perhaps the 1500s.

Previous archaeological studies have shown the presence of intact cultural deposits and traditional Hawaiian burials along coastal Olohena, such as sites -791 and -1800, next to the Project area (Figure 10). The Rosendahl and Kai study (1990), directly under a portion of the Project area, also found a cultural layer and burials. In addition, the Perzinski et al. study (2001), further south, but still under the Project area, also found a cultural layer and burials.

In Wailua Ahupuaa, *Foreign Testimony* and *Native Testimony*, regarding the south edge of Land Commission Award 3346:1 to Nawai, indicate that burials existed near what is now the Coco Palms Resort. This LCA lies just mauka of Kūhiō Highway and could be the site studied by William Kikuchi (1973) when excavation for a new wing to the hotel uncovered thirty-four burials (Figure 16). This burial ground may extend under and across Kūhiō Highway. Buffum and Dega (2002) and Dega and Powell (2003) furthermore documented a traditional cultural layer in this area between Kūhiō Highway and the Coco Palms resort. In a 2004 *Archaeological Assessment of Alternative Routes Proposed for the Lydgate to Kapa'a Bike and Pedestrian Pathway Project*, Hammatt and Shideler (2004) recommended that, “because of the prospect for burials and/or other cultural resources archaeological monitoring is probably appropriate in this area.”

Examining this LCA testimony, Nawai (LCA 3346) claimed two parcels: loi land (āpana 1) and a house lot (āpana 2). The *Foreign Testimony* from Kaniwi asserted that the house lot was in the ili of Mahunapuoni and was bounded to the north by a pond called Kaimiki, east by the house lot of Pau, south by the seashore and west by burying ground. The recorded name of the pond as “~~K~~aimiki” is notably close to the reported names “~~K~~aiwiki” and “~~K~~aiuki” (in the Kelani claim discussed below) and is likely to reflect some error in interpreting handwriting. The *Native Testimony* of Kaniui asserted that the house lot was “~~at~~ Kunapuone” and was bounded mauka by Kaiuiki Pond, koolau (windward side) by Pau’s house lot, makai by beach, and kona (leeward) by cemetery. Both the *Foreign Testimony* and *Native Testimony* cite a burying ground/cemetery on the kona (leeward side) of the house lot.

“~~K~~aiuki” is yet another variant spelling of the pond. The place names reported as “~~M~~ahunapuoni” and “~~K~~unapuone” almost certainly refers to sand dunes (“~~pu~~uone”) and are

probably the same place name reported as “Mahunapuoni” and “Mahunapuone” in the testimony for the house lot of Maawe (LCA3302) (see Figure 14 and Figure 15). Tulchin and Hammatt (2009), in their *Archaeological Assessment for the State DOT Kūhiō Highway Short-Term Improvements Project*, note that:

While the extent of this burying ground is uncertain in general terms it may be understood as including an area of low sand dunes between the fishpond and the sea extending north from Maawe’s house lot to, and possibly into Nawai’s house lot. This is consistent with the finds reported by Kikuchi (1973), the location of the present burial re-interment site with a marker plaque, and the location of the human remains recovered during the *Archaeological Inventory Survey of Coco Palms* (Hoffman et al. 2005).

Hoffman et al. (2005) recommended in part the following mitigation effort: “It was recommended that the Kaua‘i/Ni‘ihau Islands Burial Council be kept informed of development plans as they become more specific. It was recommended that the Council also be promptly informed of any discoveries of human remains that may occur.”

A Wailua Boundary Commission Report notes that on the Wailua/Olohena boundary at approximately N 56° 33'W, there is a stone shaped like a dog house, and at S 85° 0'W one goes up a spur 850 links to a narrow place called Kaea (the fifth survey point between Wailua and Olohena) where there is an old burying ground surrounded by hau and kou “where the bodies of those slain in battle were buried” (Commission of Boundaries, Kauai, 1:32–37) (see Section 5.3 and Figure 20).

From the north, five studies lie adjacent to the Project area, on the Golding property (SIHP # 50-30-08-1836): Folk et al. 1991, Hammatt 1992, Hammatt et al. 2000, Ida et al. 2000, McCurdy and Hammatt 2008 (Figure 16). Burials, artifacts, and features were found during these studies, conducted over seventeen years. According to Hammatt (1992) and McCurdy and Hammatt (2008), a total of 50 burials were unearthed at this site. Nearly four hundred artifacts (396) were recovered, and the site assigned SHIP # 50-30-08:1836 (Figure 10).

In 1991 Cultural Surveys made the following determination regarding the northern portion of the Project area: “the association of humans [sic] burials in makai areas of the site” (Hammatt 1991b:52). The Rosendahl and Kai study (1990), directly under a portion of the Project area, also found a cultural layer and burials. In addition, the Perzinski et al. study (2001), further south, but still under the Project area, also found a cultural layer and burials.

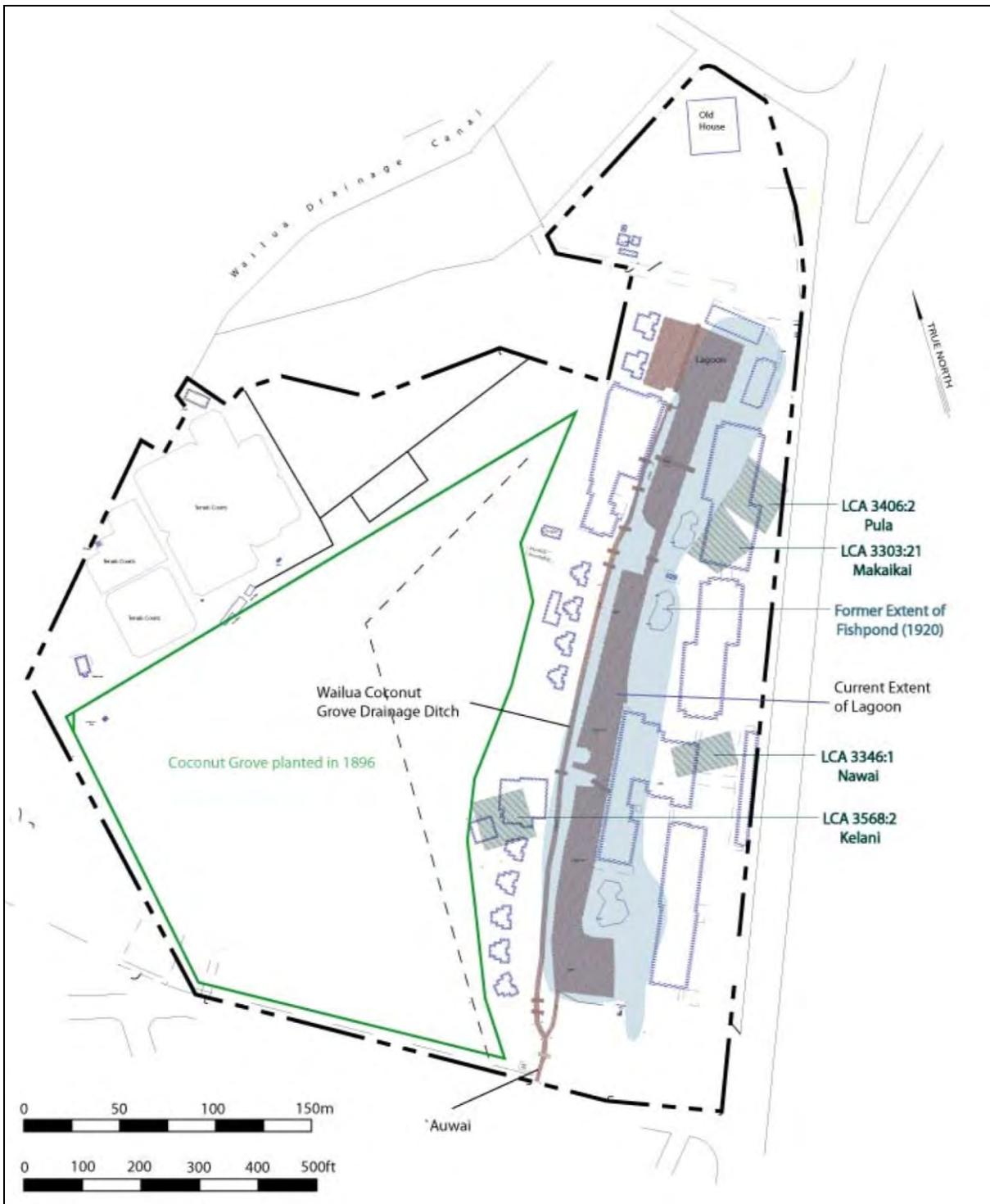


Figure 14. Coco Palms Hotel and the coconut grove, showing relationship of modern features of the lagoon, drainage ditch, and auwai (canal) to the former locations of the fishponds; and, LCA awards surrounding the fishponds (adapted from map provided by Coco Palms Ventures, LLC.)

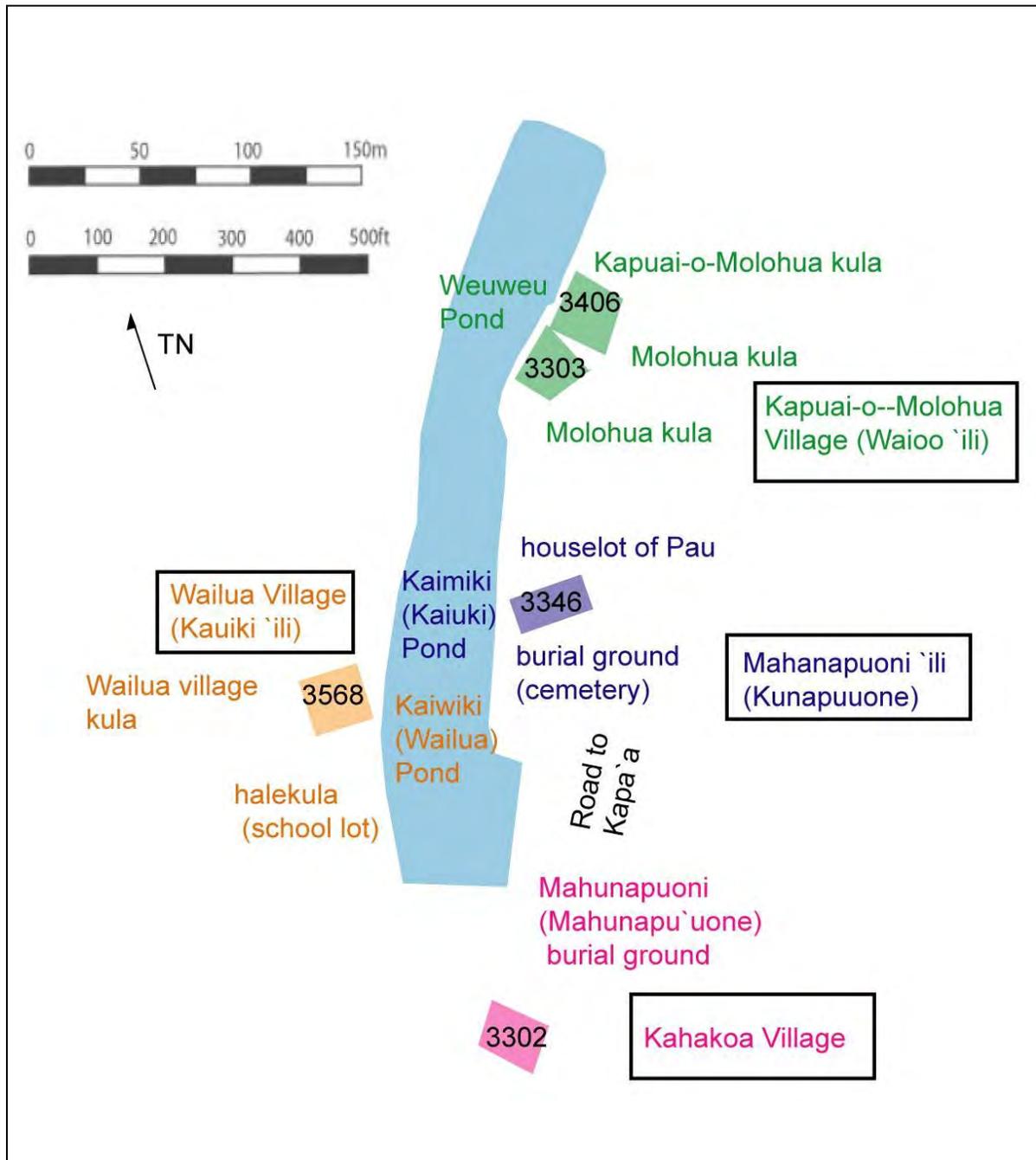


Figure 15. Tracing of 1920 Lydgate map (Hawai`i, Registered Map No. 2699), showing Land Commission Awards 3406, 3303, 3346, and 3568 on the Coco Palms property with location information from the Native and Foreign Testimony labeled (colors indicate the LCA source of location information); LCA 3302, outside the Coco Palms property, located the burial ground of Mahunapu`uone to the north of the LCA parcel, placing the burial between LCAs 3302 and 334 (Lydgate 1920b)

## Section 4 Archaeological Research

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### 4.1 Overview

Figure 16 depicts the archaeological research near the Project area. Figure 10 above shows the identified archaeological sites near the Project area. As with the sections above, the discussions regarding the archaeology of the area will follow the same north to south progression, from Waipouli to Wailua (in Figure 12 this means right to left). Moreover, these discussions will center on the sites and research that relate most directly to the Project area. For a more extensive discussion of the archaeology of the area, see the forthcoming Archaeological Inventory Survey (Hammatt 2011).

### 4.2 Archaeological Research in the Area

Table 1 lists the recent archaeological research identified near the Project area. While most archaeological research has been conducted near Wailua River, because of the historical and religious significance of that ahupua'a, six studies fall directly within the Project area; five are adjacent to the Project area (see Figure 16). In a 2004 *Archaeological Assessment of Alternative Routes Proposed for the Lydgate to Kapa'a Bike and Pedestrian Pathway Project*, Hammatt and Shideler (2004) recommended that, "because of the prospect for burials and/or other cultural resources archaeological monitoring is probably appropriate in this area."

From the north, five studies lie adjacent to the Project area, on the Golding property (SIHP # 50-30-08-1836): Folk et al. 1991, Hammatt 1992, Hammatt et al. 2000, Ida et al. 2000, McCurdy and Hammatt 2008. Burials, artifacts, and features were found during these studies, conducted over seventeen years. According to the Hammatt (1992) and McCurdy and Hammatt (2008), a total of 50 burials were unearthed at this site. Nearly four hundred artifacts (396) were recovered, and the site assigned SHIP # 50-30-08:1836 (Figure 10).

In the northern portion of the Project area, along Kūhiō Highway, in 1991 Cultural Surveys made the following determination:

All three archaeological sites identified in the project area are evaluated as significant for informational content (Criteria D of the National Register). In addition, Site -1836 is evaluated as being culturally significant (Criterion E) because of the association of humans [sic] burials in *makai* areas of the site. This evaluation of Site 1836, as culturally significant means only that there are known burials at other portions of the site besides the project area and does not necessarily effect recommendations since on-site monitoring is already recommended for the cultural layer. (Hammatt 1991b:52)

The Rosendahl and Kai study (1990), directly under a portion of the Project area, also found a cultural layer and burials. In addition, the Perzinski et al. study (2001), further south, but still under the Project area, also found a cultural layer and burials.

Of particular concern is Kukui Heiau located right on the coast of central South Olohena at Alakukui Point. Kukui Heiau (designated SIHP # 50-30-08-108) was placed on the Hawai'i Register of Historic Places in 1986 and was placed on the National Register on May 18, 1987

(NRIS #8600027: National Register). In 1977 Bordner and Davis surveyed the heiau area. This site effectively extends from high-water right up and into the Lae Nani Condos parcel. The State Historic Preservation Division and concerned Hawaiian groups are likely to oppose trail impacts near Kukui Heiau.

### **4.3 Recent Archaeological Studies in the Vicinity of the Project Area**

For a more extensive discussion of the archaeology of the area, see the forthcoming Archaeological Inventory Survey for the *Lydgate to Kapa'a Bike and Pedestrian Pathway Project, Ahupua'a of South Olohena, North Olohena, and Waipouli, Island of Kaua'i* (Hammatt 2011).

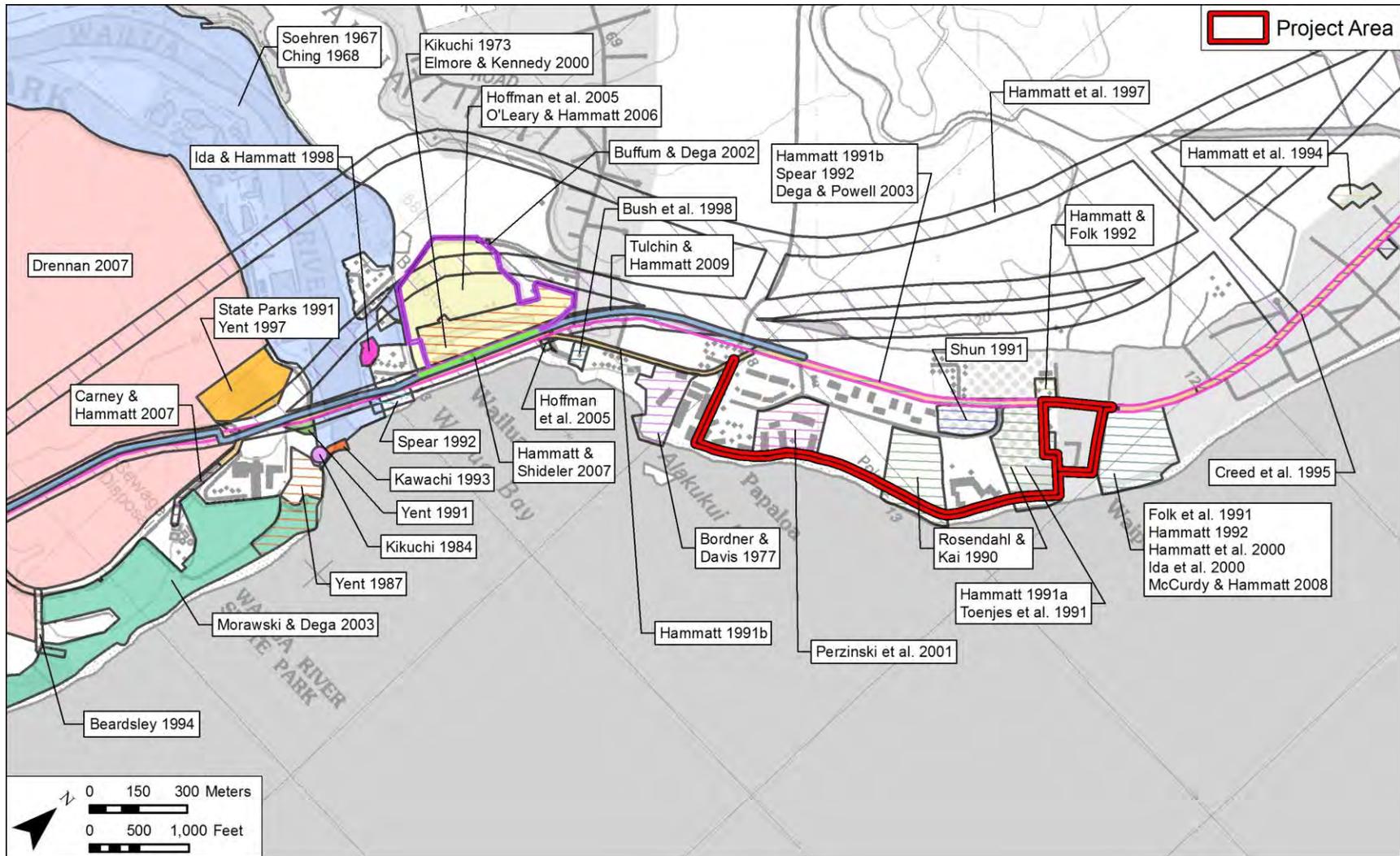


Figure 16. Previous Archaeology near the Project area

Table 1. Recent Archaeological Surveys near the Project area (from north to south)

Source	Location	Nature of Study	Findings
Hammatt et al. 1994	Lands mauka of Kūhiō Highway crossing Waipouli Ahupua_a	Archaeological Assessment	Notes the extensive marshlands stretching across portions of Waipouli just mauka of Kūhiō Highway and the potential for paleoenvironmental data and evidence of wetland cultivation
Creed et al. 1995	Kūhiō Highway between Wana Road and Keaka Road in north Waipouli	Archaeological Monitoring Report	4 burials designated SIHP # 50-30-08-872 within the cultural layer designated SIHP # 50-30-08-1848
Folk et al. 1991	(TMK: 4-3-08:1) 12.66-Acre Parcel makai of Kūhiō Highway, central Waipouli	Archaeological Survey and Subsurface Testing	An extensive pre-contact layer and 8 identified burials; was assigned SIHP # 50-30-08-1836
Hammatt 1992	Also at "Niu Pia" site (TMK 4-3-08:1)	Inventory Survey and Subsurface Testing	3 human burials unearthed
Hammatt et al. 2000	(TMK: 4-3-08:1) 12.66-Acre Parcel makai of Kūhiō Highway, central Waipouli	Archaeological Data Recovery Report	Documents extensive finds of midden artifacts and features
Ida et al. 2000	(TMK: 4-3-08:1) 12.66-Acre Parcel makai of Kūhiō Highway, central Waipouli	Documentation of Burial Disinterment	Documents Burial Finds

Source	Location	Nature of Study	Findings
McCurdy and Hammatt 2008	(TMK: 4-4-3-008:1) Waipouli Beach Resort	Archaeology Monitoring Report	47 human remains were found and 396 artifacts were recovered; it was assigned SHIP # 50-30-08:1836
Hammatt and Folk 1992	TMK 4-3-06:01, adjacent to mauka side of Kūhiō Highway, central Waipouli	Archaeological Subsurface Testing	No significant findings
Hammatt et al. 1997	Just mauka of Kūhiō Highway, central South Olohena	Archaeological Inventory Survey	A sediment core yielded no significant findings
Shun 1991	Makai of Kūhiō Highway	Archaeological Subsurface Testing	No subsurface cultural deposits nor any human remains nor evidence of lo'i
Rosendahl and Kai 1990	North coastal North Olohena	Archaeological Inventory Survey	Cultural layer Site - 1800 and burials (3) at coast
Hammatt 1991a	Coconut Plantation Development Site 6 (TMK: 4-4-3-07:27) makai of Kūhiō Highway, S. Waipouli	Archaeological Testing Results	17 1-m <sup>2</sup> hand-dug units better defined the site
Spear 1992 (appears twice in Figure 16 and in table)	Along Kūhiō Highway, South and North Olohena	Archaeological Subsurface Testing	No significant findings
Dega and Powell 2003	Kūhiō Hwy.	Archaeological Monitoring Report	No significant finds
Perzinski et al. 2001	On coast, NE edge of South Olohena	Archaeological Monitoring Report	A cultural layer and burials (2) were given SIHP # 50-30-08-791

Source	Location	Nature of Study	Findings
Davis and Bordner 1977	Alakukui Point, central coastal South Olohena	Archaeological Investigation of Heiau	Specified position and dimensions of Kukui Heiau
Hammatt 1991b (appears twice in Figure 16)	Kūhiō Highway Road Corridor, South and North Olohena	Archaeological Subsurface Testing	Excavation of 3 trenches (3,4,and5) produced no significant findings
Tulchin and Hammatt 2009	Aleka Loop to Leho Drive, along the mauka side of Kūhiō Highway	Archaeological Assessment	Background research indicated probability of subsurface cultural deposits and/or human burials
Bush et al. 1998	Just mauka of Papalooa Road	Archaeological Inventory Survey with Subsurface Testing	No cultural finds besides modern debris associated with pre-existing residence; no further archaeology recommended
Hoffman et al. 2005	Coco Palms Resort	Archaeological Inventory Survey with Subsurface Testing	Three historic properties identified: a burial ground (site - 681) and remains of two fishponds (site - 680)
O'Leary and Hammatt 2006	Coco Palms Resort	Archaeological Inventory Survey Addendum	Confirmed findings reached from Hoffman et al. 2005
Buffum and Dega 2002	Coco Palms	Archaeological Monitoring Report	Cultural layer identified as site - 1711
Kikuchi 1973	Coco Palm Hotel, north of Wailua River, mauka of Kūhiō Highway	Burial Study	Discusses 34 burial finds, other features and artifacts

Source	Location	Nature of Study	Findings
Hoffman et al. 2005	Coco Palms Resort	Archaeological Inventory Survey	Number of individuals disinterred could be as high as 85 (p.26)
Elmore and Kennedy 2000	N end of Coco Palms property North of Wailua River mouth	Burial Study	Summarized treatment of inadvertently disturbed burials
Spear 1992 (appears twice in Figure 16 and in table)	North of Wailua River mouth, makai of Kūhiō Highway	Sub-surface Testing (7 backhoe trenches)	No significant findings; two charcoal lenses noted.
Ida and Hammatt 1998	North of Wailua River, makai of Kūhiō Highway	Recovery of Inadvertently Discovered Human Remains (SIHP # 50-30-08-761)	Human remains were in poor condition; fragments retrieved during removal displayed bleaching from being exposed to the environment
Kawachi 1993	Mouth of Wailua River	Survey of river mouth (4-1-04:01)	Discovered unreported submerged petroglyph, no site number assigned
Yent 1991	South side Wailua River Mouth	Damage Assessment	Summary of petroglyph SIHP # 50-30-08-105A
Kikuchi 1984	South of Mouth of Wailua River	Mapping of Petroglyphs	Survey of petroglyphs noted 36 figures, more possibly in river and bulldozer damage from clearing mouth of river

Source	Location	Nature of Study	Findings
State Parks 1992	Poli_ahu Heiau	Interpretive Signage Plan	Summarizes data on Poli_ahu Heiau and recommends measures to mitigate any disturbance of boulders in the area
Yent 1987	South of Mouth of Wailua River	Demolition of old comfort station and corings for new comfort station	No subsurface cultural deposits located
Carney and Hammatt 2007	West side of Leho Drive county road from intersection with Kūhiō Highway	Archaeological Monitoring Report for Leho Drive sewer line installation	Archaeological monitoring did not yield any cultural material
Morawski and Dega 2003	South of Wailua River makai of Kūhiō Highway	Archaeological Monitoring Report (SIHP # 50-30-08-103)	Concluded that additional burials are likely to be found in the area
Beardsley 1994	Kaua_i Community Correctional Center west of Kūhiō Highway and the Wailua County Golf Course	Sub-surface testing for sewer line	One burial designated Site -9357 regarded as part of Bennett's SIHP # 50-30-08-103 but no other significant findings
Drennan 2007	TMK: 3-9-02: 12, 24 and 25; 30+ acres along Kūhiō Highway	Archaeological Inventory Survey of proposed Wailuā [sic.] Residential Subdivision	Two sites (TS-1 and TS-2) are significant under Criteria D; one site (TS-3) significant under Criteria D and possibly Criteria E

## Section 5 Historical Background

### 5.1 Overview

As with the previous traditional background sections, it would be difficult to discuss the development South Olohena, North Olohena and Waipouli without placing this history within the contextual influence of Wailua Ahupua‘a. The discussions of historical development in the four primary ahupua‘a, Waipouli through Wailua, will begin from the north and move southward. Because the discussion of Land Commission Awards is linked to specific parcels near the Project area, that section on the “Mid-Nineteenth Century and the Māhele” will cover the specific ahupua‘a of this study—that is, Waipouli and the Olohena Ahupua‘a.

### 5.2 Early Historic Period

Accounts of excursions by missionaries and naturalist-travelers along the east coast of Kaua‘i during the first half of the nineteenth century make no specific reference to Waipouli. These accounts may reflect a general lack of information about the area, perhaps the result of shifts in population that had taken place on Kaua‘i in response to the stresses—including disease and commerce—of post-European Contact life. J. W. Coulter, in his study based on the missionary censuses, comments that by the mid-nineteenth century “on the east coast of Kauai nearly all the people lived in Ko‘olau Wailua and in the vicinity of Nāwiliwili Bay” (1931:15).

With both Olohena Ahupua‘a, as with Wailua, few Westerners visited these places in the years just after Cook’s arrival, hence detailed descriptions of the area are scarce. Most of the voyagers during the late eighteenth and early nineteenth centuries landed at Waimea, on the southwestern side of the island, a location that would eventually overshadow Wailua in its royal importance because of the opportunities there to associate and trade with these foreigners (Lydgate 1920a).

However, in 1793, Wailua was still the “capital” of Kaua‘i and Capt. George Vancouver, who had already visited the island several times under Capt. James Cook and later on his own, knew this fact well and tried to land there in March. Although conditions prevented him from anchoring, Vancouver observed the area from off shore and gave this description:

This part seemed to be very well watered, as three other rapid small streams were observed to flow into the sea within the limits above mentioned. This portion of Attouai [Kaua‘i], the most fertile and pleasant district of the island, is the principal residence of the King, or, in his absence, of the superior chief, who generally takes up his abode in an extensive village, about a league to the southward of the north-east point of the island. Here Enemo the regent, with the young prince Tamooerrie, were now living.... (Vancouver 1798:221–222)

Missionary Hiram Bingham passed through Wailua twice in 1824 and visited the birthplace of King Kaumuali‘i (*pōhaku ho‘ohānau*), a hōlua slide (ancient sledding course) and the lower falls (Wai‘ehu) on the south fork of the river, but left no clues as to the size of extent of the settlement there (Bingham 1847:220, 231).

### 5.3 Kia‘imakani

If Waipouli presented a nondescript appearance to a nineteenth-century visitor, a more interesting past is hinted at in the documented presence of a chief of Waipouli, Kia‘imakani, at two important events on Kaua‘i during the first quarter of the nineteenth century. In 1824, the brig “Pride of Hawaii,” owned by Liholiho (Kamehameha II), ran aground in Hanalei Bay. Hiram Bingham (1848:221–222) recorded the efforts of a great crowd of Hawaiians to pull the vessel to shore for salvage.

Kiaimakani passed up and down through the different ranks, and from place to place, repeatedly sung out with prolonged notes, and trumpet tongue.... *—be quiet—shut up the voice.*” To which the people responded ... *—say nothing,*” as a continuance of the prohibition to which they were ready to assent when they should come to the tug. Between the trumpet notes, the old chieftain, with the natural tones and inflections, instructed them to grasp the ropes firmly, rise together at the signal, and leaning inland, to look and draw straight forward, without looking backwards toward the vessel. They being thus marshaled and instructed, remained quiet for some minutes, upon their hams.

The salvage efforts ultimately failed and the brig was lost. Bingham's account vividly suggests the force of personality of the chief and further depicts an authority and stature that may have been founded upon the traditional prestige of his domain, Waipouli.

Kiaimakani appears in Samuel Kamakau's (1961) account of the 1824 rebellion of the chiefs of Kauai upon the death of Kaumuali'i. Kalanimoku, representative of Kamehameha II, had called a council of the Kauai chiefs at Waimea during which he announced:

*—The lands shall continue as they now stand. Our son, Kahala-Ia, shall be ruler over you.*” A blind chief of Waipouli in Puna [the district at that time], named Kiai-makani, said, *—That is not right; the land should be put together and re-divided because we have a new rule,*” but Kalanimoku would not consent to this. (Kamakau 1961:267)

Some Kauai chiefs, including Kiaimakani, rebelled against the imposed decrees.

On August 8 [1824] the battles of Wahiawa was fought close to Hanapēpē. The Hawaii men were at Hanapēpē, the Kauai forces at Wahiawa, where a fort had been hastily erected and a single cannon (named Humehume) mounted as a feeble attempt to hold back the enemy.... Large numbers of Kauai soldiers had gathered on the battleground, but they were unarmed save with wooden spears, digging sticks, and javelins.... No one was killed on the field, but as they took to flight they were pursued and slain. So Kiai-makani, Na-keu, and their followers met death. (Kamakau 1961:268)

Kamakau's singling out of Kiaimakani for special mention reinforces the impression that the chief and his ahupua'a may have shared a traditional prestige. However, by the twentieth century, Handy and Handy (1972:424) would describe Waipouli as, *—A rather insignificant ahupua'a south of Kapa'a, watered by Konohiki stream, in the bed of which there were flats where taro was once planted. There is some level, swampy land by the sea that looks as if it had been terraced.*”

## 5.4 U.S. Exploring Expedition of 1840

In October 1840, members of the U.S. Exploring Expedition came to Wailua and recorded the following:

The country on this route was uninteresting, until they reached Wailua, the residence of Deborah, a chief woman of the islands, readily known as such from her enormous size, and the cast of her countenance. She has a person living with her called Olivia Chapin, who speaks English, and has learned how to extort money. Deborah has about forty men in her district; but they were absent, being employed in the mountains cutting timber to pay the tax to the king....

Wailua, (two waters) was formerly a place of some importance. It is situated on a small stream of the same name, in a barren, sandy spot.

(Wilkes 1846:IV, 68–69).

Debora Kapule, the former wife of Kaua‘i sovereign Kaumuali‘i, took up residence in Wailua shortly after the rebellion of 1824 in which Kaumuali‘i’s son George led a revolt which was put down by forces loyal to Kamehameha II. Debora, who remained loyal to Kamehameha, was granted lands at Wailua by Ka‘ahumanu, kuhina nui or regent, of the islands.

It is important to note in the above U.S. Expedition account that there are only “about forty men” in the district. This is seemingly a major reduction in settlement from Vancouver’s 1793 observation of an “extensive village.” The apparent decrease in population may be attributed to the decimation of native Hawaiians by Western-introduced diseases and possibly by a movement of people to the Waimea area, which by 1840 had become the center of trade and politics on Kaua‘i.

## 5.5 Mid-Nineteenth Century and the Māhele

Documentation produced during the second half of the nineteenth century creates a more lively sense of Waipouli itself. At the time of the Great Mahele, William C. Lunali‘o (the future king) was awarded the entire ahupua‘a of Waipouli along with Kāhili, Kalihiwai, Pīla‘a, Manuahi, Kamalomalo‘o and Kumukumu (Table 2).

Land Commission records reveal ten individual kuleana awards (small piece of property, as within an ahupua‘a; some are divided into two plots) within the makai portion of Waipouli (Figure 17). An 1872 map by James Gay delineating the boundaries of Kapa‘a and adjacent lands shows that much of this makai region of Waipouli was a “swamp” that extended into and across the southeast makai portion of Kapa‘a (Figure 18). This swamp, perhaps the site of a former fishpond, appears to be the most pervasive natural feature of the seaward end of Waipouli. The ten kuleana claims show house lots and kula from shore to inland.

R. Lane’s 1929 map, traced from a M. D. Monsarrat map based upon an 1886 survey, charts the disposition of the ten Land Commission Awards (LCAs) of Waipouli (Figure 19). Eight of the awards included separate āpana for taro lo‘i and pāhale. Kula and lo‘i associated with these awards were located within and adjacent to the extensive swamp. Peter H. Buck (1964) describes how the marsh areas would have been utilized: “Wet taro planting took place along the banks of streams and in swamps where the mud was heaped up into mounds.” However, it is in combination with details gathered from the *Foreign Testimony* for the Waipouli LCAs that the map—and the area itself—comes to life. Since seven of the ten claims are testified to by one man, Kaalihikaua (who is himself one of the claimants), and two other claimants testify for the remaining three claims, the testimonies in aggregate may possess a uniformity and heightened accuracy. No one in the claims mentions sweet potatoes, although Handy and Handy (1972:424) suggested they would have been grown along the coastal plain.

Table 2. Chart of Land Use from Waipouli LCAs

LCA no.	Claimant	‘Ili of Ahupua‘a	Land use	No. of ‘Āpana
3243	Honolii	Kupanihi Village	mahina‘ai (farm), 7 lo‘i	(Award in Kapa‘a)

LCA no.	Claimant	'Ili of Ahupua'a	Land use	No. of 'Āpana
3560	Kauakahi	Pua/Puaa Puuiki	3 lo <u>i</u> , kula, house lot	(Award in Wailua)
3622	Kamaholelani Kukaewli	Makamakaole Village	3 lo <u>i</u> and kula, house lot	1 (2 acres, 1 rood, 3 rods) 1 (1 rood, 2 rods)
3624	Kaumiumi	Pōhaku Makamakaole Village	3 lo <u>i</u> and small kula, house lot	1 (3 roods, 38 rods) 1 (1 rood, 8 rods)
3639	Kapalahua and Nalopi	Kekee Kanalimua Village	3 lo <u>i</u> and uncult. kula, house lot	1 (3 roods)
3971 See 3243		Honolii	living at Waipouli	
7636	Kanaka	Mokuapi Makahokoloko Village	3 (5) lo <u>i</u> house lot	2 (3 roods, 27 rods)
8559B	Kanaina, C. for Lunalilo	Ahupua_a of Waipouli	Revenue	Āpana 42
8836	Kaalihikaua	Kaheloko	2 lo <u>i</u> , kula, wauke, pig pen, house lot	1 (1 acre, 8 rods)
8838	Kahukuma	Pini	2 lo <u>i</u> , kula and house lot	1 (1.5 acres, 37 rods)
8839	Kuaiwa	Hape Mokanehala / Mokunahala Village	4 lo <u>i</u> and sm. kula, house lot	1 (3 roods, 13 rods) 1 (1 acre, 1 rood, 1 rod)
9013	Nawaimakanui Kawaimakanui	Naohe Uahalekakawawa	3 lo <u>i</u> , house lot	1 (1 acre, 12 rods) 1 (1 rood, 27 rods)
10146	Mahi	Pau Paikahawai	3 lo <u>i</u> and sm. kula, house lot	1 (1 acre, 17 rods) 1 (1 rood)

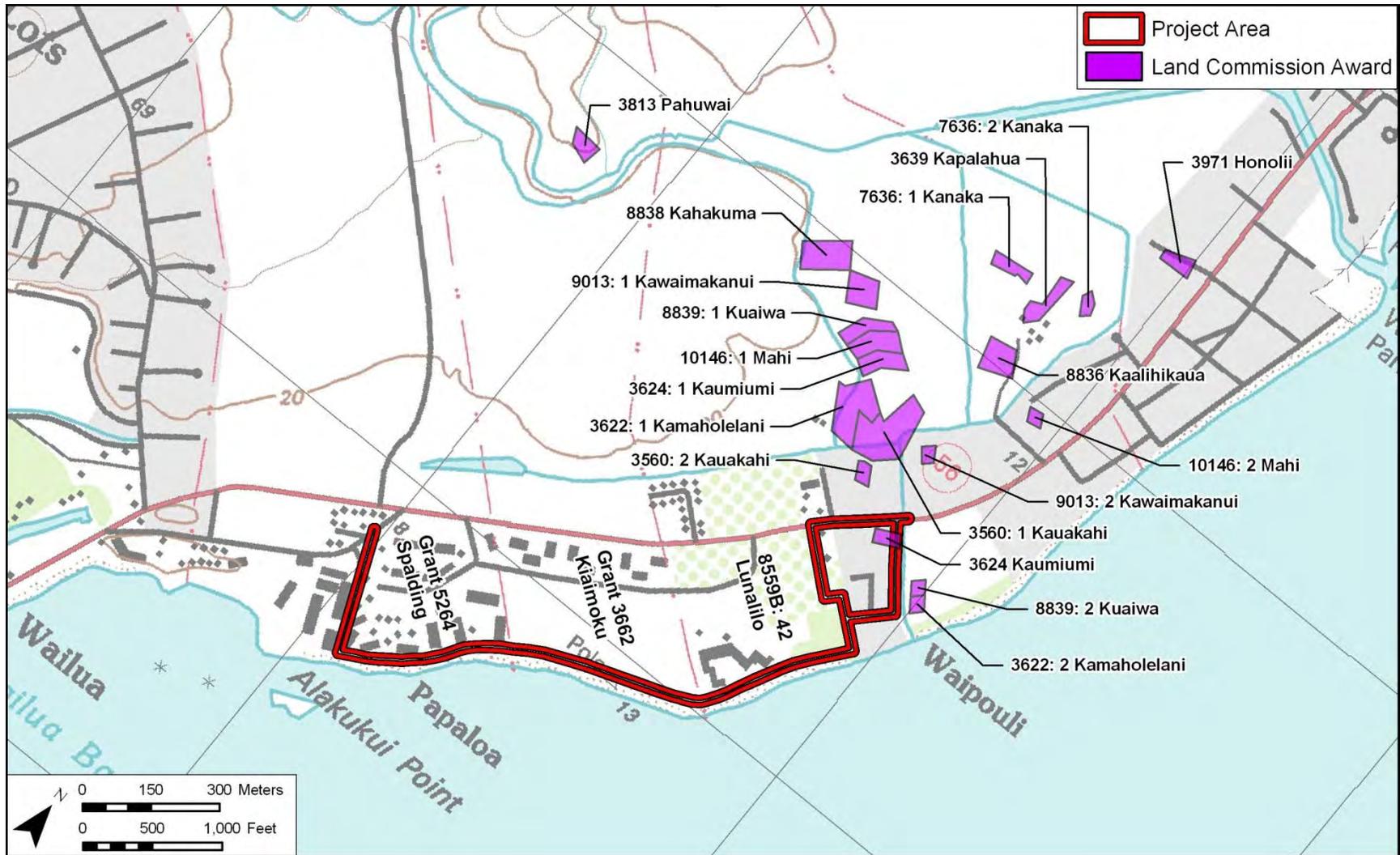


Figure 17. Land Commissions Awards near project area, over U.S. Geological Survey 7.5-minute topographical map (1996 Kapa\_a Quadrangle)

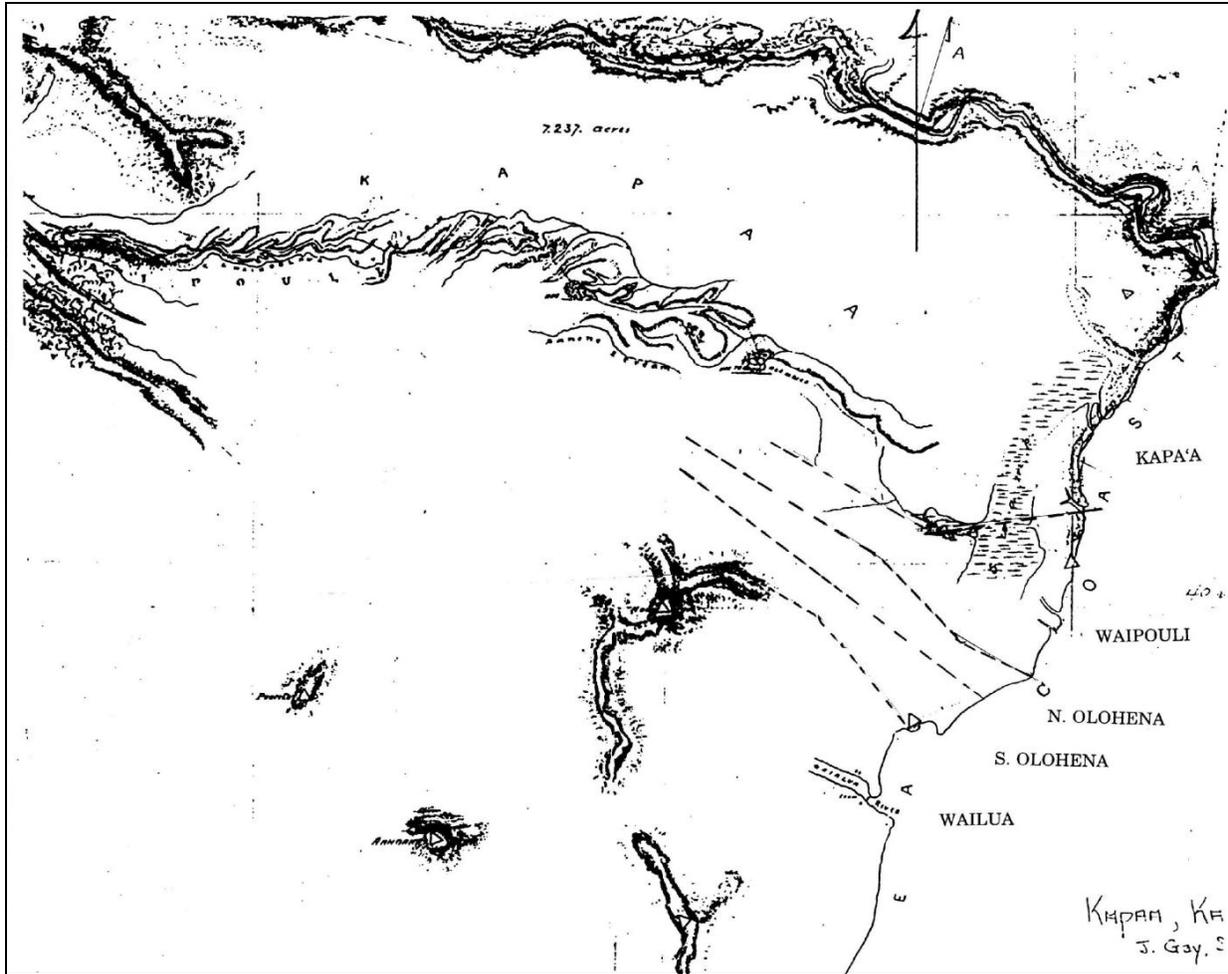


Figure 18. Portion of 1872 Survey Map by James Gay, RM 159, showing Makai Marsh Land in Waipouli and Kapa\_a (rough estimates of ahupua\_a boundaries at shore added)

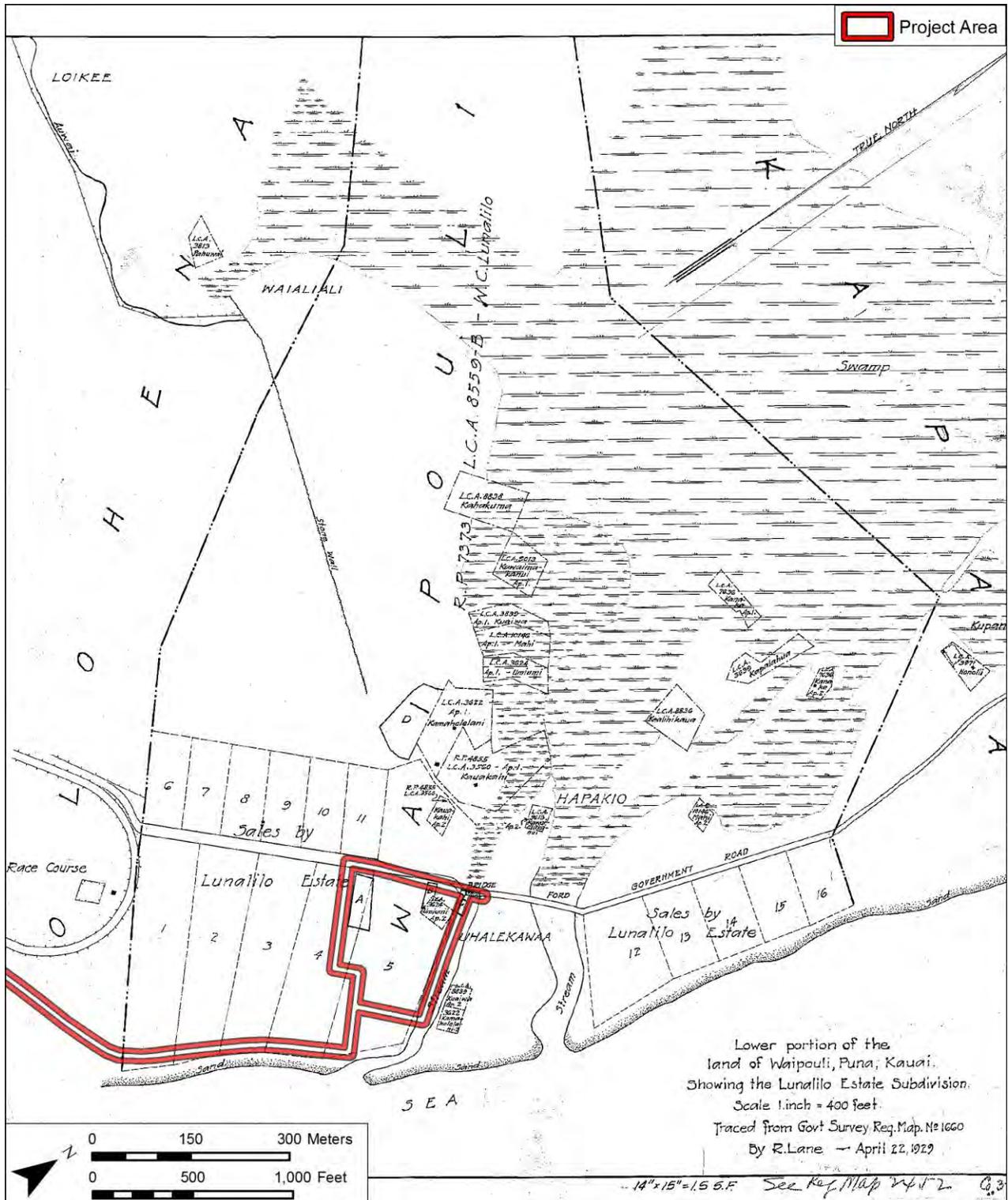


Figure 19: Portion of 1929 Map Traced by R. Lane (RM 1660), based on 1892 M. D. Monsarrat Survey Showing Makai Portion of Waipouli with Land Commission Awards (Lane 1929)

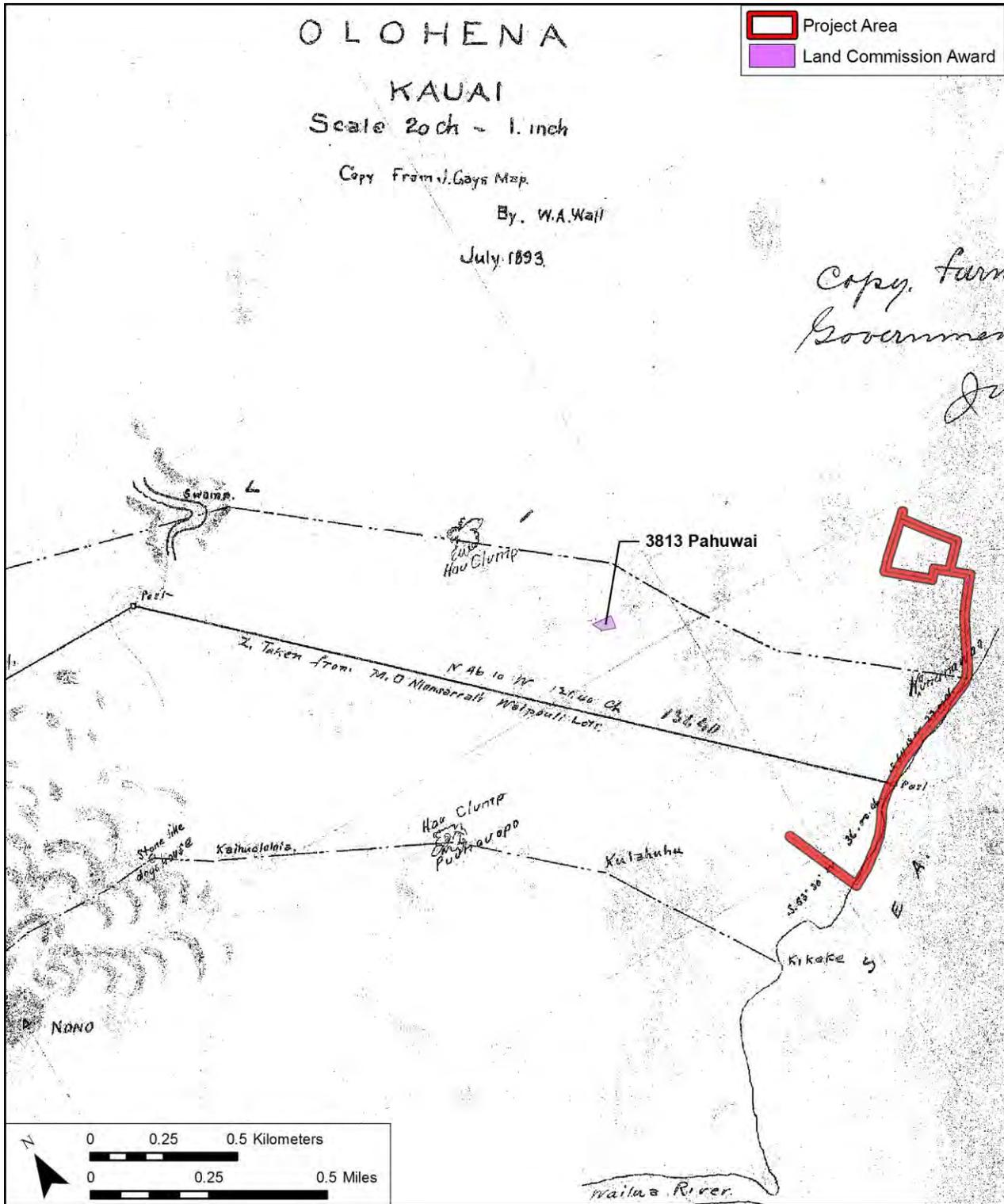


Figure 20. Portion of C. J. Willis Map of Oloheua (RM 1688), Showing “Stone like dog’s house” (citation from Boundary Commission report)

Lane's 1929 map (RM No. 1660) has been augmented with the *lo'i*, *kula*, *wauke* paper mulberry, house lots, *pigpen* and *fishpond* claimed in the LCAs (Figure 19). This mapping of the land use claims within the awards shows most of the house lots near the shore, but several inland LCAs (3639, 7636, 8836 and 8828) also have house lots where they are growing taro. There are 12 claims made for land and 10 are awarded. These 10 claims include 16 *āpana*, with 38 *lo'i*, 10 house lots, 8 *kula*, 1 claim for *wauke*, and 1 *pigpen*. The *lo'i* are all within or around the marsh land just mauka of the shoreline. For LCA 3560 both *āpana* state that they are bounded by the 12 claims for land and 10 claims awarded, 16 *āpana* awarded, 38 *lo'i*, 10 house lots, 8 *kula*, 1 *wauke* patch, 1 *pigpen* Waipouli *pigpen* and the house lot has a cool spring on its makai side. LCA 3622 *āpana* 2 (shown on the shore) states it is in a village of Makamakaole and states that the muliwai (river mouth) and Waipouli stream is just south. Umiumi (LCA 3624) claims two *auwai* to the east and south of his *āpana* 1 claim, and at the shore his *āpana* is bounded by the Makamakaole *kula* to the north. LCA 3639 *āpana* 1 states the *konohiki's* (high chief's: Kaweloloko's) *fishpond* is to his east. His second lot (not located) states it is also near the Waipouli *pig pen* and the cool water spring.

Immediately striking in the testimonies is the number of individual features, each given a name by the Hawaiians, used to define the location and boundaries of the claims. The following list presents these names:

<u>ILI</u>	Kekee, Kukaeuli, Mokuapi, Kaheloko, Pōhaku, Pua, Pau, Koape, Naohe
KULA	Kaheloko, Kulaonohiwa, Makamakaole, of Konohiki, of Waipouli
VILLAGE	Mokanahala, Uahalekawawa, Makamakaole, Puuiki, Paikahawai, Makahokoloko, Kanelimua
FISHPOND	Hapakio (or Kopekia) (Figure 19)
<u>AUWAI</u>	Waipouli, Koape, Pua, Papaika, Naohe, Pohakauawai, Kololuku (or Kololoko)
RIVER	Waipouli
BROOK	Waipouli, Ohia, Uhalakahawa, Olohena

Two noteworthy details emerge from this accumulation of names. The first is the identification of two place names—Uhalekawaa is a “village” and Hapakio is a fishpond of the *konohiki* (LCA 9013), and the profusion of named features within a very small portion of the entire *ahupua'a* suggests an intense use of the makai area by what must have been a much larger population than that present by the mid-nineteenth century. Ross Cordy (1988) also clearly documents the LCA location and land use of Waipouli in his work entitled *Initial Archival Information on Land Use Patterns; Waipouli Ahupua'a* (Cordy 1988).

Some cultural information can be derived from the 1875 Boundary Commission report. Before that, in the Mahele Awards, we know that Kiaimoku relinquished half of Olohena and retained half, and purchased Grant 3662 of 403 acres. Interior Department Book 15 (p. 109) shows Kiaimoku had .60 miles of seacoast. Another Interior Department Document, dated June 28 1850, shows Kiaimoku offering to exchange his Olohena land for Moloa'a land. However Kiaimoku died in October of 1851 and no further documentation is found regarding this land for Kiaimoku (Barrère 1994:365).

The 1893 C. J. Willis Map (Figure 20), along with the Lane's 1929 LCA map of a portion of Olohena (Figure 19), and the LCAs on the 1996 US Geological Survey Map (Figure 17) together show North Olohena made up mostly of Kiaimoku's grant, and South Olohena of Grant 5264 to R. P. Spaulding for Lihue Plantation (419 Acres). The one LCA claimed and granted is inland on Konohiki Stream (LCA 3831; see Table 3 and Figure 17, Figure 19 and Figure 20). Pahuwai, the single claimant in both Olohena, has 2 parcels, one in Olohena ʻili and one in Kuanea ʻili (not shown on map) and he lived and worked his loʻi there. He is awarded one parcel, but all that he claims is included in the award. The *Native Testimony* adds the information that the entire area was surrounded by a wall. Pahuwai's award is near the Waipouli boundary at the edge of marshland called “Waialiali” and he was not far from his nearest neighbors, the most inland Waipouli claims.

Table 3. Chart of Land Use from Olohena Land Commission Award

LCA Number	Claimant	ʻIli of the Ahupuaʻa	Land Use	No of ʻĀpana Awarded
3813	Pahuwai	Kuanea	4 loʻi and house lot	1 (2 roods)

Awarded 1 claim, 1 ʻāpana, 4 loʻi, 1 house lot

In the Boundary Commission survey (1875) for Olohena, James Gay describes in general terms the boundaries of Olohena. The half belonging to Kamehameha III became government land (Commission of Boundaries, Kauai, I:106–108). Yet the Wailua Boundary Commission report contains more information about Olohena than the Olohena report does—no witnesses were called for the Olohena boundaries since the surrounding boundaries (Wailua and Waipouli) were already surveyed. The Wailua report notes that on the Wailua/Olohena boundary at approximately N 56° 33'W, there is a stone shaped like a dog house, and at S 85° 0'W one goes up a spur 850 links to a narrow place called Kaea (the fifth survey point between Wailua and Olohena) where there is an old burying ground surrounded by hau and kou “where the bodies of those slain in battle were buried” (Commission of Boundaries, Kauai, I:32–37). Kamaʻāina testimony states that the boundary at the sand beach is where “the fish were drawn in and were divided between Olohena and Wailua,” that the blow hole and the house and God Stone of Kewalo are in “Olohena” (Commission of Boundaries, Kauai I:32–37). No other mention of Kewalo's God Stone was found. The house of Kawelo—Ching's site 41 “a little below the cave of Mamaakualono [in Wailua]—is a stone shaped like a grass house. Kawelo would be Kawelomahamahia, grandfather of Aikanaka and a king of Kauai” (Ching 1968:23). Kewalo is possibly the same as Kawelo. Fornander's accounts of the legend of Kawelo say he lived with his parents in Hanamāʻulu. In any case, the Boundary Commission report does not mention where the house or God Stone were.

## 5.6 1850 to 1900

Additional clues to the nature of Waipouli Ahupuaʻa come to light in the records of the 1872–73 Commission of Boundaries (1864–1905) proceedings concerning Waipouli. The guardians of William C. Lunalilo had petitioned that the “boundaries of the Ahupuaʻa of

Waipouli situated in the district of Puna Island of Kaua'i may be defined and settled." Four witnesses, all Hawaiians familiar with the ahupua'a, gave evidence from which Duncan McBryde, the Commissioner of Boundaries, made his decision on November 7, 1872. A subsequent survey by James Gay was undertaken in June 1873. McBryde's decision and Gay's survey notes—both included in the Boundary Commission record—contain an abundance, similar to that of the *Foreign Testimony* entries for Waipouli LCAs, of place names. Some of these place names are especially worth noting.

According to these sources, Kauwanawa'a is a "eanoe harbor" on the shore at the southern boundary of Waipouli. Midway up the southern boundary is an "old pig pen Papuaa". Along the mauka half of the northern boundary are the "site of old houses Panini" and "old houses Kapukaili." The presence of the pig pen and two old house sites suggests there were populated areas, of which these were only three, within the mauka reaches of Waipouli before the nineteenth century. Areas at similar elevations in neighboring ahupua'a are known to have had agricultural endeavors.

In the last quarter of the nineteenth century, the upper reaches of Waipouli were planted in sugar cane by the Makee Sugar Company of Keālia. Sometime after 1886, but before the turn of the century, the marshy former taro lands in the makai portion of the ahupua'a were planted in rice; these rice fields extended into Kapa'a where a rice mill was located.

Like most well watered areas in Hawai'i, rice crops began taking over former lo'i kalo in the second half of the 1800's. This sharing of the land by the Chinese rice farmers and native kalo growers continued through the century. Knudsen (1991:152) visited Wailua in 1895 and wrote: "We rode through the Lihue Plantation cane fields, passed through Hanamaulu and came to the Wailua River. What a sight! The great river lay clear and placid—winding away up toward the mountains with rice fields and taro patches filling all the low lands."

By 1935, Handy (1940:67) found no kalo being cultivated. The terraces had been taken up by rice, sugar cane, sweet potato and pasture. However, Handy (1940) explains that, "Waipouli, Olohena (North and South), and Wailua are ahupua'a with broad coastal plains bordering the sea, any part of which would be suitable for sweet potato plantings; presumably a great many used to be grown in this section. There are a few flourishing plantations in Wailua at the present time" (Handy:153).

## 5.7 1900 to the Present

According to Edward Joesting, after 1898, with the influx of American citizens to Hawai'i, real estate values rose and sugar plantation increased:

The result was a leap in real estate values and in the value of personal property. Total collected real estate taxes for Kauai and Ni'ihau in 1898 were \$27,341, and collected taxes on personal property were \$37,571. In 1900, when Hawaii was securely in U.S. hands, collected taxes on personal property had leaped to \$69,432....

Mechanical advances meant increased sugar acreage for Hawai'i's Farmers, and brought the industry to a point where a new kind of expansion was practical. The expansion took the form of a new kind of cooperative, starting in 1906 with the

purchase of a large refining factory in Crockett, California. The refinery was located on San Pablo Bay, north of Oakland, where ships carrying raw sugar from Hawaii docked at the piers next to the refinery.

The cooperative, named California and Hawaiian Sugar Refining Corporation, not only processed an increasing amount of Hawaii's raw sugar as the years passed, but also marketed the sugar under the C and H label. (1984:262–264)

C and H sugar remains a popular brand of sugar today, but their sugar is no longer produced in Hawai'i.

On Kaua'i, near the Project area, the primary sugar plantations were Makee Sugar Company, Kealia Plantation, and Hui Kawaihai. Makee Sugar Company, which lasted the longest, closed in 1933 (Dorrance 2000:24–25).

By the 1920s Waipouli Beach, had become a polo ground, where Major George Patton, with his army team, beat a local team. Charles I. Fern, piloting the first plane to Kauai in the 1920s, landed his plane in the same polo field (Beacon 1971:21).

With greater interisland plane travel, development continued on Kaua'i. By the 1970s, there was ~~a~~ Kaua'i-wide rule banning high-rise development" (Beacon:20). By the end of the twentieth century, ~~the~~ backshore of Waipouli Beach is lined with long rows of tall ironwood trees. A shoreline pedestrian trail is used by strollers and joggers.... Although most of the Waipouli shoreline is developed or privately owned, six public rights of way provide access to the beach. They are all marked and easy to locate" (Clark 1990: 9).

## Section 6 Community Consultation

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Throughout the course of this assessment, an effort was made to contact and consult with Hawaiian cultural organizations, government agencies, and individuals who might have knowledge of and/or concerns about traditional cultural practices specifically related to the Project area. This effort was made by letter, email, telephone and in-person contact. The initial outreach effort was started in November 2010 and ended in December 2011. In the majority of cases, a letter (Appendix C), an aerial photograph of the Project area (Figure 1) and U.S. Geological Survey map (Figure 2). The Outreach letter included the following text:

At the request of Kimura International, Inc., Cultural Surveys Hawai'i, Inc. (CSH) is conducting a Cultural Impact Assessment (CIA) for the Phase C and D of the Lydgate Park/Kapa'a Bike Path Project, South Olohena, North Olohena and Waipouli Ahupua'a, Kawaihau District, Kaua'i Island, TMKs ([4] 4-3-02 and [4] 4-3-07). The County of Kaua'i will construct, own and operate the facility. The project will be funded in part by the U.S. Department of Transportation, Federal Highway Administration.

The CIA will be used for a Supplemental Environmental Assessment. The EA will focus on a preferred alternative that extends from Papaloa Road, between Kauai Sands Hotel and Aston Islander on the Beach, then north through the County's beach reserve and along the coastal bench *makai* (ocean side) of the undeveloped parcels and Courtyard Kauai Coconut Beach (formerly Kauai Coconut Beach Resort). The preferred alternative continues just *mauka* of Mokihana of Kaua'i and the Bullshed Restaurant (currently a parking lot) and along the southern bank of Uhelekawawa Canal (currently a landscaped strip) to Kūhiō Highway. The preferred alignment crosses Uhelekawawa Canal as a cantilevered attachment to the existing highway bridge or an independent single span bridge, where it will connect to the existing bike path at Waipouli Beach Resort. On the northern end of the project area, the EA will also assess use of an existing beach access located south of Kapaa Missionary Church, as well as a stretch adjacent to and *makai* of Kūhiō Highway between the beach access and Uhelekawawa Canal (approximately 580 feet).

The Project requires compliance with the State of Hawai'i environmental review process (Hawai'i Revised Statutes [HRS] Chapter 343), which requires consideration of a proposed Project's effect on cultural practices and resources. This CIA investigation may be used to support the National Historic Preservation Act (NHPA) Section 106 and the National Environmental Policy Act (NEPA) consultation, but does not, in itself, satisfy the cultural consultation requirements of either Section 106 or NEPA.

The purpose of this cultural study is to assess potential impacts to cultural practices as a result of potential development in South Olohena, North Olohena and Waipouli Ahupua'a. We are seeking your *kōkua* and guidance regarding the following aspects of our study:

- **General history and present and past land use of the project area.**
- **Knowledge of cultural sites which may be impacted by future development of the project area—for example, historic sites, archaeological sites, and burials.**
- **Knowledge of traditional gathering practices in the project area, both past and ongoing.**
- **Cultural associations of the project area, such as legends and traditional uses.**
- **Referrals of *kūpuna* or elders and *kama‘āina* who might be willing to share their cultural knowledge of the project area and the surrounding *ahupua‘a* lands.**
- **Any other cultural concerns the community might have related to Hawaiian cultural practices within or in the vicinity of the project area.**

One to 14 attempts were made to contact individuals, organizations, and agencies apposite to the CIA for the Project. The results of the community consultation process are presented in Table 4. Written statements from organizations, agencies, and community members are presented in Section 6.1 below, and summaries of interviews with individuals are in Section 7. The interview questions are provided in Appendix D, and a sample Release Form is in Appendix E.

Table 4. Results of Community Consultation

Name	Affiliation	Comments
Valentine Ako	Kupuna	<p>January 31, 2011, CSH mailed letter and figures.</p> <p>February 3, 2011, CSH called and scheduled interview appointment.</p> <p>February 16, 2011, CSH called again to confirm interview appointment and interviewed Mr. Ako on February 18, 2011.</p> <p>CSH contacted Mr. Ako on April 25 and April 28, 2011.</p> <p>On May 5, 2011, Mr. Ako edited and approved the statement by telephone.</p> <p>See Section 7.1 below</p>
Kunane Aipoalani (Clisson)	Chairman, Kaua'i/Ni'ihau Island Burial Council	<p>November 15, 2010, CSH sent letter and figures.</p> <p>Mail was returned on November 23, 2010.</p> <p>CSH emailed letter on January 31, 2011</p>
Liberta Albao	President, Queen Deborah Kapule Hawaiian Civic Club	March 3, 2011, CSH emailed letter and figures
Andrew Bushnell	Professor of History, Kaua'i Community College	January 31, 2011, CSH sent letter and figures
Halealoha Ayau	Hui Mālama I Na Kupuna o Hawai'i Nei	March 3, 2011, CSH emailed letter and figures

Name	Affiliation	Comments
Jose Bulatao	Kekaha historian	November 15, 2010, CSH sent letter and figures. January 31, 2011, CSH again sent letter and figures
Don Cataluna	OHA Trustee, Kaua_i/Ni_ihau	November 15, 2010, CSH sent letter and figures. January 31, 2011, CSH sent letter and figures
Phyllis –“Oochie” Cayan	Former SHPD History and Culture Branch Chief	November 15, 2010, CSH sent letter and figures. December 14, 2010, SHPD sent reply to CSH. See Section 6.1.2 below
Milton K. C. Ching	Kama_āina	November 15, 2010, CSH sent letter and figures. January 31, 2011, CSH sent mail. February 7, 2011, CSH called, and number was disconnected. February 8, 2011, Mr. Ching called CSH. February 17, 2011, CSH met with Mr. Ching. Mr. Ching gave a short written statement as well as commented in a brief interview. March 30, 2011, CSH emailed Mr. Ching, and Mr. Ching replied on March 31, 2011. May 5, 2011, CSH sent email. Mr. Ching replied the same day with corrections. May 9, 2011, CSH emailed revised statement and again on May 20, 2011 to ensure that changes had been completed. See Section 7.2 below

Name	Affiliation	Comments
Ian K. Costa	Former Planning Director, Kaua'i County Planning	January 31, 2011, CSH sent letter and figures
Sophronia Noelani Diego-Josselin	Kama'āina	February 15, 2011, emailed response to CSH outreach letter
Kai'opua Fife	Kama'āina	February 16, 2011, CSH called Mr. Fife, and he suggested that CSH contact Sabra Kauka. February 19, 2011, Mr. Fife called CSH and gave CSH a referral regarding a meeting
Jane Gray	Director, Kaua'i Museum	March 3, 2011, CSH emailed letter and figures
Nathan Kalama	Former board member of Malie Foundation and co-founder of Mokihana Festival (a popular music festival now in its 27 <sup>th</sup> year in Kaua'i)	January 31, 2011, CSH mailed letter and figures. February 3, and February 7, 2011, CSH called Mr. Kalama. Mr. Kalama referred CSH to Kumu Kekua
Kauai Island Hawaiian Civic Club	Association of Hawaiian Civic Clubs	January 31, 2011, CSH mailed letter and figures
Sabra Kauka	Cultural Practitioner	February 17, 2011, CSH phoned Ms. Kauka. Ms. Kauka suggested that CSH attend a meeting of longtime residents that evening. Because of a scheduling conflict due to another interview, CSH was not able to attend the meeting

Name	Affiliation	Comments
Keone Kealoha	Executive Director, Mālama Kaua'i	March 3, 2011, CSH emailed letter and figures
Kehaulani Kekua	Kumu Hula, Halau Palaihiwa o Kaipuwai  Director of Kaieie Foundation and Kauai Heritage Center	November 15, 2010, CSH sent letter and figures.  January 31, 2011, CSH sent letter and figures.  February 7, 2011, CSH emailed letter and figures
Lionel Kaohi	President, Hawaiian Civic Club of Kaumuali'i	March 3, 2011, CSH sent email of letter and figures
John Kruse	Kauai Island Burial Council  Kawaihau Regional Rep.	March 3, 2011, CSH sent email of letter and figures
Cheryl Lovell-Obatake	Konohiki of Nawiliwili, Kalapaki and Niumalu Ahupua'a	February 19, 2011, CSH received a statement from Mrs. Lovell-Obatake. Mrs. Lovell-Obatake had been contacted by Mrs. Rogers regarding the project on February 11, 2011.  May 23, 2011, CSH emailed Mrs. Lovell-Obatake.  July 19, 2011, Mrs. Lovell-Obatake emailed CSH. July 20, 2011, CSH responded, thanking her for her email and asking if there might be any further clarifications.  See emailed statement in Section 6.1.3.3 below
Sally Jo Manea	Kumu Hula, Member of Board of Directors for Kauai Path	February 9, 2011, CSH received an email on from Mrs. Manea, who requested to meet on February 17, 2011. She was referred to CSH by Mr. Noyes  February 10, 2011, CSH replied and

Name	Affiliation	Comments
		<p>emailed Mrs. Manea on February 11, 2011.</p> <p>February 16, 2011, CSH confirmed meeting, and Mrs. Manea emailed reply on February 17, 2011.</p> <p>February 17, 2011, CSH interviewed Mrs. Manea.</p> <p>April 25, 2011, CSH emailed Mrs. Manea, and Mrs. Manea replied on April 27, 2011.</p> <p>April 28, 2011, CSH sent revisions to Mrs. Manea, and Mrs. Manea approved her statement on the same day.</p> <p>See Section 7.3 below</p>
Nancy McMahon	Former SHPD, Deputy State Historic Preservation Officer	<p>January 31, 2011, CSH mailed letter and figures.</p> <p>February 17, 2011, CSH received reply from SHPD. See Section 6.1.2 below.</p> <p>CSH was informed that Nancy McMahon has retired</p>
Beverly Muraoka	Kama_āina	<p>January 20, 2011, CSH called and discussed Project with Mrs. Muraoka.</p> <p>January 31, 2011, CSH mailed information.</p> <p>February 3, 2011, CSH called, and again on February 14, 2011.</p> <p>February 16, 2011, CSH called again and interviewed Mrs. Muraoka on February 17, 2011.</p> <p>May 12, 2011, CSH called Mrs. Muraoka and left message.</p> <p>May 13, 2011, CSH called and</p>

Name	Affiliation	Comments
		<p>spoke to Mrs. Muraoka, who asked CSH to call back.</p> <p>May 27 and June 1, 2011, CSH called and left message. CSH mailed a follow up letter on August 18, 2011 and also called her that same day. CSH called Mrs. Muraoka on November 29 and again on December 5 and 7, 2011. CSH met with Mrs. Muraoka on December 8, 2011 and she made corrections to her interview and approved its use</p>
Clyde Nāmu_o	Administrator, Office of Hawaiian Affairs	<p>November 15, 2010, CSH sent Letter and figures.</p> <p>December 16, 2010, OHA replied.</p> <p>See Section 6.1.1 below</p>
Thomas Noyes	Coordinator, Friends of Kamalani and Lydgate Park	<p>February 7, 2011, CSH emailed letter.</p> <p>February 7, 2011, Mr. Noyes replied with a statement.</p> <p>See Section 6.1.3.1 below</p>
Tommy Oi	DLNR—Kauai Land Division	<p>November 17, 2010, CSH sent letter and figures.</p> <p>January 31, 2011, CSH sent letter and figures</p>
Waldeen Palmeira	Kama_āina, spokesperson for kūpuna in Wailua area	<p>February 3, 2011, CSH called Ms. Palmeira: the number was disconnected.</p> <p>February 3, 2011, CSH called a second number and spoke to Ms. Palmeira.</p> <p>February 7, 2011, CSH sent email of Letter and figures.</p> <p>February 18, 2011, CSH called Ms. Palmeira to notify her of meeting</p>

Name	Affiliation	Comments
		<p>scheduled for February 19, 2011.</p> <p>February 19, 2011, Ms. Palmeira came to a meeting organized by Nani Rogers.</p> <p>July 6, 2011, Ms. Rogers forwarded group interview to Ms. Palmeira.</p> <p>August 2, 2011, CSH emailed and phoned Ms. Palmeira: phone was disconnected.</p> <p>August 4, 2011, having received a new number, CSH again phoned Ms. Palmeira: she agreed to meet after Kaua_i County Historic Preservation Commission meeting.</p> <p>August 4, 2011, CSH met with Ms. Palmeira and handed her a typed copy of the group interview. The group interview has not yet been approved and does not appear in this Draft CIA report</p>
Sandra Quinsaas	Kaua_i/Ni_ihau Burial Council Member	January 31, 2011, CSH sent letter and figures
Hannah Reeves	Kupuna	<p>January 10, 2011, CSH called Mrs. Reeves. Mrs. Reeves requested project information</p> <p>January 17, 2011, CSH mailed letter and figures</p>
Nani Rogers	Hui Ho_okipa o Kaua_i	<p>January 31, 2011, CSH sent mail letter and figures</p> <p>February 11, 2011, Mrs. Rogers emailed CSH, requesting a meeting. CSH replied and Mrs. Rogers emailed the same day, scheduling a meeting on February 19, 2011.</p> <p>February 14, 2011, CSH emailed reply</p>

Name	Affiliation	Comments
		<p>February 16, 2011, Mrs. Rogers confirmed date of meeting; CSH acknowledged confirmation.</p> <p>February 19, 2011, CSH met with Mrs. Rogers and nine other people and listened to their mana_ō about the project.</p> <p>March 17, 2011, CSH sent meeting summary to Mrs. Rogers.</p> <p>March 30, 2011, CSH emailed follow up letter: Mrs. Rogers emailed CSH on the same day, requesting the complete transcript and explaining that she will forward the transcript to those from the February 19 meeting; Mrs. Rogers also stated that there will likely be more mana_ō that will be sent</p> <p>March 31, 2011, CSH sent transcript again and Mrs. Rogers sent confirmation that she forwarded the transcript to others from the February 19, 2011 meeting, as well as to a few people who were not at that the meeting; on the same day, Mrs. Rogers sent email to CSH, requesting that CSH answer a question from Noelani Josselin, who was not at the February 19, 2011, meeting; CSH replied in an email to Mrs. Rogers and Ms. Josselin on the same day.</p> <p>April 7, April 21, May 3, June 17, July 6 and July 14, 2011, CSH sent follow up emails to Mrs. Rogers, requesting approval of the transcription. The group interview has not yet been approved and does not appear in this report</p>

Name	Affiliation	Comments
Healani Trembath	Kupuna	<p>February 8, 2011, CSH emailed Mrs. Trembath.</p> <p>February 17, 2011, upon arrival on Kaua_i, CSH contacted Mrs. Trembath to meet; Mrs. Trembath explained that that she would be flying to O_ahu the following day and would not be available</p>
William Trugillo	Ka Leo o Kauai	<p>November 17, 2010, CSH sent mail.</p> <p>January 31, 2011, CSH sent letter</p>
Rick Tsuchiya	Kaua_i Historic Preservation Review Commission	<p>November 17, 2010, CSH sent mail of letter and figures: email was undeliverable.</p> <p>November 17, 2010, CSH called and was told that Mr. Tsuchiya retired; CSH was then referred to Ian K. Costa, Director of Planning</p>
Randy Wichman	Executive Director, Kauai Historical Society	<p>January 31, 2011, CSH mailed letter and figures.</p> <p>February 7, 2011, CSH called and left message</p>
Norma Yokotake	President, Hanalei Hawaiian Civic Club	<p>March 3, 2011, CSH emailed letter</p>

## 6.1 Written Responses

The State Historic Preservation Division and the Office of Hawaiian Affairs were contacted and provided written responses for this CIA. Thomas Noyes, and others also presented written responses. Summaries of written responses are presented below.

### 6.1.1 OHA Response Letter

On December 16, 2010, CSH received a letter from Clyde Namu'o of OHA, regarding the "Lydgate Park/Kapaa Bike Path Project" (Figure 21). Of significance within this letter is that OHA states the following:

It is critical that the CIA address the cumulative impacts of the overall project (as opposed to the relatively narrow scope of Phases C and D) will have on traditional and customary practices. You may be aware that the "Phase B" alignment of this project, which is within the traditional landscape of Wailuanuiho'ano and crosses the sacred sands of Ali'o is an extremely sensitive issue, which from certain perspectives has never been resolved to the point of lifting kaumaha and healing eha.

It is with this in mind that we point out that many concerns related to traditional cultural practices detailed in the FEA [Final Environmental Assessment] are still applicable to the SDEA [Supplementary Draft Environmental Assessment]. The potential for encountering iwi kupauna and cultural resources within beach sand deposits along the coastal portions of the project is clearly identified in the FEA. We urge that a comprehensive analysis (including an archaeological literature review of precious projects in the vicinity) and consultation on this issue be completed before any revised alignment is settled and design and engineering plans developed....

A memorandum of agreement executed in 2006 for this project between the FHWA [Federal Highway Administration], DPW [Public Works Department] and State Historic Preservation Officer provide detailed mitigation measures for the adverse effect this project will have on historic properties and cultural sites. We expect that the terms and provisions of this MOA [Memorandum of Agreement] will be fully implemented should the alignment be revised.

In the end, OHA recommends consultation with "Nathan Kalama, Waldeen Palmeira, Kehaulani Kekua, Val Ako, the Kauai/Niihau Island Burial Council and the Kauai Historical Society." OHA also urges that people involved in this project, "Please remember that this list is not all encompassing and we are sure additional groups and individuals will be identified as you move forward with your consultation process. Those consulted in the FEA should also be considered." (Table 4 indicates that many from the above list were contacted for this study.)

### 6.1.2 SHPD Response Letter

SHPD's response letter, dated December 14, 2010, similarly viewed this project within the larger context of impacts to the culture of the Wailua area generally. On behalf of SHPD, Phyllis "Coochie" Cayan writes, in part, the following on behalf of SHPD:

While the general area has documented and significant historic cultural sites and properties as well as previous development, there is always a general probability that some cultural resources remain unknown or unseen. There are Hawaiian cultural practices **in the general area** which include but are not limited to access to religious sites, to ocean and other areas for ceremonial and/or for recreational uses. SHPD is concerned with any ground disturbance work which may uncover burials or burial sites in sandy areas such as this project. The department is mindful that traditional access in the project area to cultural places mauka for resources in the general ahupua\_a and/or to the ocean should be considered in your study that may impact the general community as well as cultural practitioners. [Bold in original.]

SHPD recommends that consultation include Aunty Barbara Say (KNIBC), John Kruse, Keith Yap (KNIBC), Kumu Hula Kehau Kekua, Kumu Hula Nathan Kalama, Mr. Val Ako ("fisherman/kupuna"), Sharon Palmroy ("farmer/fisher folk"), Waldeen Palmyra, Ms. Kaliko Santos, Cheryl Lovell-Obatake, Rhoda Libre, and James Alalu. (Table 4 indicates that many from the above list were contacted for this study.)

PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII  
 OFFICE OF HAWAIIAN AFFAIRS  
 711 KAPI'OLANI BOULEVARD, SUITE 500  
 HONOLULU, HAWAII 96813

COPY

HRD10/0093E

December 3, 2010

Margaret Magat, Researcher  
 Cultural Surveys Hawai'i, Inc.  
 P.O. Box 1114 Kailua, Hawai'i 96734

**RE: Pre- Cultural Impact Assessment Consultation  
 Lydgate Park/Kapa'a Bike Path Project  
 Kawaihau, Island of Kaua'i**

Aloha e Margaret Magat,

The Office of Hawaiian Affairs (OHA) is in receipt of your November 13, 2010 letter initiating consultation ahead of a cultural impact assessment (CIA) for "Phases C and D" of the Lydgate Park/Kapa'a Bike Path Project (project) proposed by the County of Kaua'i.

The County of Kaua'i-Department of Public Works (DPW) has accepted a "finding of no significant impact" determination contained within a 2007 final environmental assessment (FEA) for the project which will construct a shared use path extending approximately 2 miles from Lydgate Park to Waika'ea Canal in Kapa'a on the Island of Kaua'i. The project is part of a larger effort to construct a continuous pathway extending 16 miles from Nāwiliwili to Anahola. The FEA provided a detailed examination of the "preferred alternative" which has been selected as the final project alignment (alignment). Because Federal Highways Administration funding is also being used to support completion of this project, compliance with the National Environmental Policy Act (NEPA) and a Section 4(f) evaluation pursuant to the Department of Transportation Act were also required.

It is our understanding that the County of Kaua'i is now proposing revisions to the alignment for "Phases C and D" of the project, triggering the requirement for a supplemental draft environmental assessment (SDEA) pursuant to Chapter 343, Hawaii Revised Statutes. The CIA will be incorporated into the SDEA as a support document.

It is critical that the CIA address the cumulative impacts the overall project (as opposed to the relatively narrow scope of Phases C and D) will have on traditional and customary practices. You may be aware that the "Phase B" alignment of this project, which is within the

Figure 21. OHA Response Letter

Margaret Magat, Researcher  
 Cultural Surveys Hawai'i, Inc.  
 December 3, 2010  
 Page 2 of 2

traditional landscape of Wailuanuiho'āno and crosses the scared sands of 'Aliō is an extremely sensitive issue, which from certain perspectives has never been resolved to the point of lifting kaumaha and healing 'eha.

It is with this in mind that we point out that many of the concerns related to traditional cultural practices detailed in the FEA are still applicable to the SDEA. The potential for encountering iwi kūpuna and cultural resources within beach sand deposits along the coastal portions of the project is clearly identified in the FEA. We urge that a comprehensive analysis (including an archaeological literature review of previous projects in the vicinity) and consultation on this issue be completed before any revised alignment is selected and design and engineering plans developed.

The alignment will extend makai of certain coastal developments through what are known as "coastal reserves", which are intended to facilitate lateral public access along the shoreline. While facilitating, or increasing access to the shoreline can increase the ability to exercise traditional and cultural gathering practices, this also has the potential to place additional pressures on resources and adversely impact those currently exercising these practices without the project. This is an issue which should be addressed in the CIA.

Because of the use of Federal funds, the provisions of the National Historic Preservation Act are guiding the overall effort to identify historic properties and cultural sites within the area of potential effect for this project. A memorandum of agreement executed in 2006 for this project between the FHWA, DPW and State Historic Preservation Officer provide detailed mitigation measures for the adverse effect this project will have on historic properties and cultural sites. We will expect that the terms and provisions of this MOA will be fully implemented should the alignment be revised.

OHA recommends consultation with the following groups and individuals who may be willing to share their thoughts with you: Nathan Kalama, Waldeen Palmeira, Kehaulani Kekua, Val Aka, the Kaua'i/Ni'ihau Island Burial Council and the Kaua'i Historical Society. Please remember that this list is not all encompassing and we are sure additional groups and individuals will be identified as you move forward with your consultation process. Those consulted in the FEA should also be considered.

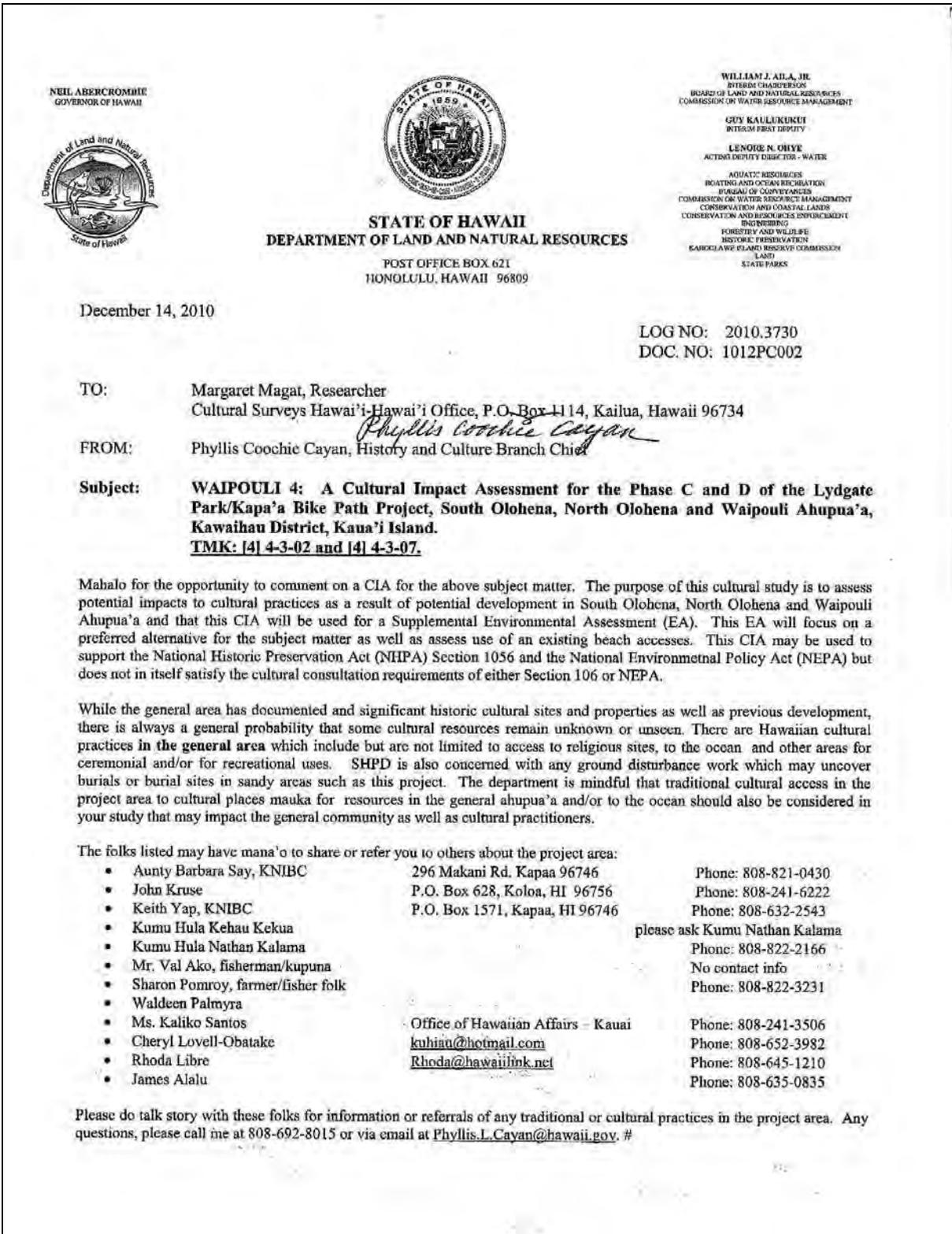
Thank you for initiating consultation at this early stage. We look forward to reviewing the CIA. Should you have any questions, please contact Keola Lindsey at 594-0244 or [keolal@oha.org](mailto:keolal@oha.org).

'O wau iho nō me ka 'oia'i'o,



Clyde W. Nāmu'o  
 Chief Executive Officer

C: OHA- Kaua'i Community Outreach Coordinator



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
 POST OFFICE BOX 621  
 HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.  
 INTERIM CHAIRPERSON  
 BOARD OF LAND AND NATURAL RESOURCES  
 COMMISSION ON WATER RESOURCE MANAGEMENT  
 GUY KAULIKUKUI  
 INTERIM FIRST DEPUTY  
 LENORE N. OHYE  
 ACTING DEPUTY DIRECTOR - WATER  
 AQUATIC RESOURCES  
 BOATING AND OCEAN RECREATION  
 BUREAU OF COVEYANCES  
 COMMISSION ON WATER RESOURCE MANAGEMENT  
 CONSERVATION AND COASTAL LANDS  
 CONSERVATION AND RESOURCES IMPROVEMENT  
 ENGINEERING  
 FORESTRY AND WILDLIFE  
 HISTORIC PRESERVATION  
 KAHOLAWE ISLAND RESERVE COMMISSION  
 LAND  
 STATE PARKS

December 14, 2010

LOG NO: 2010.3730  
 DOC. NO: 1012PC002

**TO:** Margaret Magat, Researcher  
 Cultural Surveys Hawai'i-Hawai'i Office, P.O. Box 4114, Kailua, Hawaii 96734

**FROM:** Phyllis Coochie Cayan, History and Culture Branch Chief

**Subject:** **WAIPOULI 4: A Cultural Impact Assessment for the Phase C and D of the Lydgate Park/Kapa'a Bike Path Project, South Olohena, North Olohena and Waipouli Ahupua'a, Kawaihau District, Kana'i Island.**  
**TMK: [4] 4-3-02 and [4] 4-3-07.**

Mahalo for the opportunity to comment on a CIA for the above subject matter. The purpose of this cultural study is to assess potential impacts to cultural practices as a result of potential development in South Olohena, North Olohena and Waipouli Ahupua'a and that this CIA will be used for a Supplemental Environmental Assessment (EA). This EA will focus on a preferred alternative for the subject matter as well as assess use of an existing beach accesses. This CIA may be used to support the National Historic Preservation Act (NHPA) Section 1056 and the National Environmental Policy Act (NEPA) but does not in itself satisfy the cultural consultation requirements of either Section 106 or NEPA.

While the general area has documented and significant historic cultural sites and properties as well as previous development, there is always a general probability that some cultural resources remain unknown or unseen. There are Hawaiian cultural practices in the general area which include but are not limited to access to religious sites, to the ocean and other areas for ceremonial and/or for recreational uses. SHPD is also concerned with any ground disturbance work which may uncover burials or burial sites in sandy areas such as this project. The department is mindful that traditional cultural access in the project area to cultural places mauka for resources in the general ahupua'a and/or to the ocean should also be considered in your study that may impact the general community as well as cultural practitioners.

The folks listed may have mana'o to share or refer you to others about the project area:

- Auntie Barbara Say, KNIBC 296 Makani Rd. Kapaa 96746 Phone: 808-821-0430
- John Kruse P.O. Box 628, Koloa, HI 96756 Phone: 808-241-6222
- Keith Yap, KNIBC P.O. Box 1571, Kapaa, HI 96746 Phone: 808-632-2543
- Kumu Hula Kehau Kekua please ask Kumu Nathan Kalama
- Kumu Hula Nathan Kalama Phone: 808-822-2166
- Mr. Val Ako, fisherman/kupuna No contact info
- Sharon Pomroy, farmer/fisher folk Phone: 808-822-3231
- Waldeen Palmyra
- Ms. Kaliko Santos Office of Hawaiian Affairs - Kauai Phone: 808-241-3506
- Cheryl Lovell-Obatake [kuhiau@hotmail.com](mailto:kuhiau@hotmail.com) Phone: 808-652-3982
- Rhoda Libre [Rhoda@hawaiiimk.net](mailto:Rhoda@hawaiiimk.net) Phone: 808-645-1210
- James Alalu Phone: 808-635-0835

Please do talk story with these folks for information or referrals of any traditional or cultural practices in the project area. Any questions, please call me at 808-692-8015 or via email at [Phyllis.L.Cayan@hawaii.gov](mailto:Phyllis.L.Cayan@hawaii.gov). #

Figure 22. SHPD response letter.

### 6.1.3 Other Response Letters

Other community members also provided written responses to our outreach letter. These written responses are provided below.

#### 6.1.3.1 Mr. Thomas Noyes

CSH emailed the community contact letter to Mr. Thomas Noyes on February 7, 2011. Coordinator, Friends of Kamalani and Lydgate Park, Mr. Noyes replied on the same day with the following statement:

Thank you for the opportunity to comment on the cultural aspects of portions of the proposed alignment of portions of Phase III of Ke Ala Hele Makalae.

Having been involved with this project since 1993, and as an avid bicyclist, I feel entitled to recommend that you might advance the positive aspects of this endeavor by using more precise terminology.

The built sections of Ke Ala Hele Makalae are being used primarily at this time by pedestrians—about 75% of the users are on foot. Predictably, the section of proposed pathway you are engaged to assess will similarly be used predominantly by pedestrians.

When you pejoratively refer to this facility as ~~the bike path~~,” you both miss a crucial aspect of the nature of the endeavor and compromise cyclists' efforts to advocate for better accommodations (e.g. bike lanes) on the major roadways connecting our island's communities.

While bicyclists certainly will be among the users of any paved path system, labeling this facility ~~the bike path~~,” when it has been blessed and designated as Ke Ala Hele Makalae—a multi-use path, diminishes the potential impact this project promises to bring to our community.

Ke Ala Hele Makalae has proven to be ~~building~~ community through transportation,” as opposed to ~~building~~ transportation through community.” My experience is that path users—whether they are walking, jogging, strolling, skate boarding, riding a Razor, enjoying the scenery from a wheel chair, running, or bicycling—engage with one another in ways that are foreign to automobile operators. Over time, these frequent personal encounters strengthen community bonds in profound ways.

Walking is the most natural way to exercise. Physical activity contributes to health by reducing the heart rate, decreasing the risk for cardiovascular disease, and reducing the amount of bone loss that is associated with age and osteoporosis. Physical activity also helps the body use calories more efficiently, thereby helping in weight loss and maintenance. It can also increase basal metabolic rate, reduces appetite, and helps in the reduction of body fat.

This path system is a means to increasing joy and health in our community. Kindly refrain from marginalizing the potential for community norm changes that this facility can achieve by referring to it as "the bike path" in future

communications. By providing attractive, moderate exercise that is freely available to the general public, path systems have the potential to keep our citizenry more fit and increase both the quality and the enjoyable duration of life.

I believe that well designed, attractive pathways made available in the near term offer a significant benefit in perpetuating our cultural heritage. The better the health and lucidity of our kupuna, the stronger our bonds are to this community's rich cultural heritage.

Sadly, I will be away from Kauai on Feb. 17, and so won't be to participate in a personal interview with you. I am including several members of the Kauai Path board in this response—hopefully one or more of them will be able to respond to your appeal for additional personal input.

The Project is currently being described as the Lydgate Park–Kapa\_a Bike and Pedestrian Path Phases C and D, CMAQ-0700(49).

#### 6.1.3.2 Ms. Sophronia Noelani Diego-Josselin

On February 15, 2011, Sophronia Noelani Diego-Josselin sent an email attachment response to the initial community contact letter. Her complete response is in Appendix F. Beginning at the initial salutation, the following is her response, with any misspellings corrected and only minor grammatical corrections:

Aloha Kuhio Vogeler

Mahalo for Allowing me to contribute my mana'o to the Cultural Impact Assessment for Lydgate Bike Path Phase C and D Project, Job Code Waipoli 4 [*sic.*].

Why is this C.I.A. is being conducted AFTER the notification was sent out to begin construction on Lydgate Bike Path Phase C and D Project? And WHY were we not contacted or notified to participate in previous bike path C.I.A's,?

For the record, I was born in 1962, raised by my grandparents in the village of Hana, Maui. In 1987 we moved to Kaua'i. My husband was hired as the new executive Chef for Coco Palms. Our family was housed on property for almost a year. During this time I believed my spirit connected to those of my ancestors in the Wailua area. Since, I lived and worked in Wailua, where I raised my family for over 24 years.

I, through my Grandmother Lupinehae Kala-Diego am a direct lineal descendant of Kaumuali'i and, Mano O Kalanipō, who were descendants of ali'i nui, KUKONA.

I have studied design, feng shui as well as marketing and merchandising which I hold an AA degree in. I have owned, designed and built numerous commercial restaurants, coffee shops, and organized the very first TASTE OF HAWAII which originated in the Sacred Wailua Coconut Grove, which was adopted by the Kapa\_a Rotary Club as their main annual fundraiser.

I feel it is a responsibility of Corporations and Persons such as Kahele makalae a.k.a. PATH Inc., Cultural Surveys Hawaii and Hallett Hammatt Ph.D. to **correctly** identify renowned SACRED historical areas such as areas included and surrounding Wailua Complex of Heiau. These areas are LISTED on the NATIONAL REGISTRY OF HISTORICAL SITES. Cultural Surveys Hawaii Inc. should refrain from dissecting Wailua's landscape and plundering ~~in~~ "advent" artifacts and human remains. In your initial reports, that allowed for archeological permitting, CSHI considered these sacred sites to be FONSI [Finding of No Significant Impact]! By refusing to allow Native Hawaiians to participate in prior consultations that directly affect Wailuanuiahoano, it's coastline, land, cultural artifacts, burials, places of worship and spiritual places of cultural practices you are breaking not only state laws but **international laws**. I pray that you take these concerns into consideration, and make right the HEWA of your ~~surveys~~" and ~~assessments~~", starting with the **mitigation** of;

1. The blockage of the KINGS PATH for religious practices with a vertical concrete wall and ~~tourist~~" scenic point.
2. Failing to Identify and preserve numerous ~~KI\_I~~" that were identified and described in various testimonies by Ms. Sharon Pomroy who is a direct lineal descendant of this Pu'u honua area, to be beautifully carved.
3. Failing to identify and protect the demarcation line of HAUOLA pu\_u honua area, indicated with a line of submersed boulders located under the south end of the new bridge embankment.
4. Failure to identify and protect KANE IE Cave which was sealed, but might have been damaged during construction.
5. Failure to identify and protect HUI KI\_I and KI\_I PAE MAHU, all in the general vicinity of the HISTORICAL CANE HAUL BRIDGE!
6. Failure to identify and preserve ~~what remains~~" of MAHUNAPU\_UONE, KAWELOS Heiau and Ali\_i Ohana Burials, Makai of Kūhiō Highway. I find this to be s grossly irresponsible to the culture that you make your living from.
7. Failure to provide parking for those wishing to visit sacred Papaloa reef for fishing, giving Ho\_okupu, etc.
8. Failure to provide adequate Parking for those wishing to visit Kukui Heiau for traditional customary practices.

I pray that **WE** can move forward with this project. Understand that in order for this project ~~Job Code Waipouli 4~~" to be PONO [righteous], Cultural Surveys Hawaii Inc. must take into account and apply all of the information that you have gathered for your reports, FONSI are unacceptable.

Native Hawaiian's religion and spirituality are rooted in the land or AINA. Sacred sites provide the physical foundation for mo'olelo or stories, that connect each new generation to their ancestors and weaves them into their culture and defines

their identity. The protection of sacred sites, and defending the ability to conduct rituals and ceremonies at these sites in **privacy and without disruption**, are therefore vital to maintaining and passing from generation to generation the distinct identities, traditions, and histories of our people.

The use and protection of sacred sites is not merely a cultural or spiritual concern. It is a human right that has been identified and protected by international law. Article 25 of the UN Declaration on the Rights of Indigenous Peoples provides that:

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Mahalo Nui Loa,

Noelani Josselin

#### *6.1.3.3 Ms. Cheryl Lovell-Obatake*

On February 14, 2011, Cheryl Lovell-Obatake, who was unable to attend the group interview on February 19, 2011, responded in writing to the initial contact letter (Appendix G). This letter response was a copy of a statement submitted to the County of Kaua'i Planning Department. Much of the letter pertains to the Coconut Plantation Holdings, LLC., and includes "comments and concerns on the text compiled by C. B. & D. and Group 70 International." The portions of the letter that relate directly to impacts of the current the Project concern archaeological research. Under item 5 of her letter, Mrs. Lovell-Obatake urges the following: "I recommend that SHPD and PW [State of Hawai'i, Public Works Division] require that the applicant have a certified archaeologist on site during any and all ground/underground disturbances; such as extracting of trees and relocating them. I am concerned about Native Hawaiian burials and funerary objects connected to Native Hawaiian burials."

## Section 7 Summaries of Community Interviews

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Kama\_āina and kūpuna with knowledge of the proposed Project and study area participated in semi-structured interviews for this CIA in February 2011. CSH attempted to contact 41 individuals for this CIA report, of which 14 responded via email or phone, five provided written statements, four participated in formal, individual interviews and ten participated in group interview. One individual interview and the group interview have not been approved for this Draft Report. Thus, 17 people were interviewed for this report.

CSH initiated the interviews with questions from broad categories such as wahi pana and mo\_olelo, cultivation and gathering practices, trails, cultural and historic properties, and burials. Participants' biographical information, comments, and concerns about the proposed development, the Project area and the environs are presented below.

### 7.1 Mr. Valentine Ako

Cultural Surveys Hawai'i (CSH) interviewed Uncle Valentine Ako on February 18, 2011 in his Kapa\_a home. Although Mr. Ako was born in 1926 in Hōlualoa, on Hawai'i Island, he has made Kapa\_a, Kaua\_i, his home for more than 50 years. He married Auntie Elizabeth Huddy from Kaua\_i, and together they raised four children: Blanche (Kepola), Valerie (Nani), Ivan (Kaho\_onani), and Julie (Mamo), in their home in Kapa\_a. They also have numerous grandchildren and great-grandchildren. As a young boy, Mr. Ako was a curious child and learned all he could about Hawaiian culture from kūpuna including traditional fishing methods and how to make and gather salt. From them, he also learned about the traditional way of life which respects the environment, as well as mo\_olelo regarding Hawaiian history and its people.

Mr. Ako was also interviewed previously on July 13, 2010, for a project involving the expansion of the Kūhiō Highway in nearby Wailua Ahupua\_a, and with his permission, portions of that interview are used along with specific comments for the proposed multi-use path project, Phase C and D in Waipouli Ahupua\_a.

At 84 years old, Mr. Ako remains active, planting his own taro and making his own poi (the Hawaiian staff of life, made from cooked taro corms), which he generously sends to \_ohana (family) and friends. During the interview with CSH, he shared insights into traditional fishing methods such as the various kinds of chum that are used. On the island of Hawai'i, for example, from Keauhou to Kalaemanō, there are many tidal pools that have \_ōpae\_ula (small endemic red shrimp). Chum from these areas included the \_ōpae\_ula in addition to ingredients like cooked \_uala (sweet potato: *Ipomoea batatas*), \_ulu (*Artocarpus altilis*), and pumpkin, or pala\_ai (*Cucurbita pepo*).

According to Mr. Ako, the kūpuna would catch fish that ate this type of chum, which they would leave in the \_ōpū (stomach) of the fish. "They grill it and it has a fresh taste," he stated. The kūpuna were very careful and selective in making the chum, noted Mr. Ako. They always used everything fresh, compared to the younger generation today who tend to use spoiled fish to catch fish.

Mr. Ako's vast knowledge of Hawaiian fishing methods extends to the numerous ko\_a (fishing grounds) he knows about, located along the North Kona shoreline. He shares that each

family had their own *ko'a* in their own area, and they would take care of it. A *ko'a* is usually located a quarter of a mile offshore, in water that is about 180 feet deep. In the past, *kūpuna* would use marks along the shore or a compass to locate the *ko'a*, but now a GPS (Global Positioning System) is used by the younger generation. Although he tries to pass on his knowledge to young Hawaiians, Mr. Ako remarks that the *makua* generation (parent generation) seem not to be interested in learning much about it.

While discussing the multi-use path project, Mr. Ako noted that in the 1970s, he was the lead construction employee who was in charge of excavating and burying the 87 *iwi kūpuna* that were unearthed during the construction of two buildings at the Coco Palms resort, namely Alii Kai I Guest Rooms & Suites and Alii Kai II Guest Rooms & Suites (Building no. 6 and 7 on the 1980s Coco Palms map, as seen at the address <http://www.coco-palms.com/photos/map/full/full-map.JPG>).

At the time of the excavation, Mr. Ako worked for Munro Burns, a mainland company. He described the appearance of the *iwi* that he saw, noting the extraordinary length of the shinbones and shape of the skulls, which according to the presiding archaeologist, William Kikuchi, meant that the burials were of a people that were in *Kaua'i* long before. Mr. Ako cautioned about the likely possibility that more *iwi* will be found in the current Project area: “You are not going to find them on the top. Those *kūpuna* were buried over 400 years ago. And that type of Hawaiian was not an ordinary Hawaiian. They were giants. If you put a Hawaiian skull on the table, it rocks. But this other Hawaiian, the one I found, its skull was extra large. If you put it on the table, it stays flat.”

Mr. Ako explained the discovery of the bones, stating that they made a “4-foot cut,” going down to 40-foot density. As they excavated, he came across the graves. He dug by hand while pumping the water out. The manager of Coco Palms, Grace Guslander, gave him the authority to care for the *iwi kūpuna* in the best possible way according to Hawaiian tradition.

Describing the process of finding the *iwi*, Mr. Ako notes he had a general idea where the graves would be because of the *ōhi'a* (*Metrosideros macropus*) logs that were found with each burial. He carefully buried the *iwi kūpuna* himself, and emphasized that there was a service that was conducted. The proper burial and the service were critical, which explained why no problems occurred in Coco Palms. He shares the following:

I had service with all the *kūpuna* people; buried them. I can feel they were asking me, “Where are you taking me?” I told them, “I am going to take you folks where nobody can touch you folks over there.” And I buried those 87 bodies with Mrs. Guslander there, in the picture terrace. That’s the reason why Mrs. Guslander didn’t have any problems with the hotel.

According to Mr. Ako, during the time when Antone “Kona” Vidinha was the mayor of the County of *Kaua'i*, from 1969 to 1972, the mayor sold his property near Haleilio Road, where the treatment plant is currently located, to Mrs. Guslander. Because of that transaction, Mrs. Guslander took a portion of state land. Mr. Ako recommends that the government survey the metes and bounds of Coco Palms, instead of breaking the seawall. The multi-use path would then be adjacent to the wall and if there are *iwi* in the sandy area, it will be protected.

Looking at a map of the Phase C and D proposed section of the multi-use path, Mr. Ako points out that the area by the Coconut Marketplace will need a stoplight there or an overpass, “because traffic is so heavy, that there could be accidents.” He believes the traffic should be on Papaloa Road before it goes down to Kauai Sands Hotel.

Mr. Ako recounts that the area by the Coconut Marketplace was owned by Isaac Kaiu, great-grandson of Deborah Kapule. Then the Broadbents bought the property, and planted coconut trees. They raised cattle on the makai side, where the Aston Islander on the Beach, Kauai Sands Hotel, Coconut Beach Hotel and Marriot at Makaiwa Beach are now standing. This was as early as the 1950s. The Broadbents eventually sold it to Blackwell.

When asked about any gathering of plants in the area, Mr. Ako says that he does not know about any, but he states that there will likely be graves found in the sandy areas of the Project area. “Westerners don’t realize that our kūpuna did not have metal implements to dig for their graves. So that’s why they moved all the graves near the ocean, sand, so they can dig it by hand.” He advises the Project proponents to stay above the water line.

Mr. Ako emphasizes that iwi found in the ahupua'a must stay in that ahupua'a. “The moment that you take the iwi and put it in another ahupua'a, that’s when you get the problems,” Mr. Ako stresses. If iwi are discovered, he recommends finding a place in the ahupua'a where they were found, a place not too obvious, and then hold a good burial service. He believes that the iwi could be similar to the iwi that he found with tall shinbones and huge skulls.

If the multi-use path would be built, Mr. Ako would like to use it. But because of his disability, he cannot walk far. He notes that he would need a motorized wheelchair or something like that to transport him, but he would certainly use the path if he could.

At the time of the interview for the proposed multi-use path, Mr. Ako notes that even if he had a motorized wheelchair, he may not be able to use the path due to the regulation that bans the use of motorized vehicles. Since then, however, CSH has learned from Project proponents that motorized wheelchairs are allowed and exempt from the rule.

## 7.2 Mr. Milton K. C. Ching

CSH interviewed Mr. Milton K. C. Ching on February 17, 2011, in the proposed Project area, beside Uhelekawawa Canal, across from Waipouli Beach Resort. Mr. Ching is an active member of the Kapa'a First Hawaiian Church, and was a former Board of Trustees member of the church. Kapa'a First Hawaiian Church has its roots in Wailua where ali'i Deborah Haakulou Kapule, wife of Chief Kaumuali'i, once resided. The church building was moved in 1878 from Wailua to Kapa'a by George Charman of Kōloa, William H. Rice of Līhu'e and hui (club, association) members of Kawaihau.

Born in Līhu'e, Mr. Ching is a former Kauai Police officer who has worked for the Department of Land and Natural Resources for 30 years. He has been interested in genealogy for many years, and has made it his mission to learn about the various families and their backgrounds. Much of his information about the Project area comes from members of the Kapa'a First Hawaiian Church, many of them older Hawaiians who are residents of Waipouli or who lived in Waipouli in the past.

Noting that many of the kūpuna who know much of the area history have passed away, Mr. Ching commented that the makua hardly has any elders left to tell them the stories of the past. While sitting next to the Uhelekawawa Canal, Mr. Ching identified the family that lived nearby at the back of the stream, the Reverend Isaiah K. Kaauwai ōhana. Mr. Ching spoke to John K. Kaauwai, the 76-year-old grandson of the reverend who is a member of the Kapa\_a First Hawaiian Church. Mr. Ching also found information poring over census records. Reverend Isaiah K. Kaauwai was the pastor of Kapa\_a First Hawaiian Church for 40 years and he passed away in 1937. According to Mr. Ching, the Reverend has a granddaughter-in-law, Alicia Kaauwai, who still lives in the area. Her husband, Kenneth “Bully” Kaauwai, passed away in 2005.

Another prominent family in Waipouli was the David Kaaina Kāne family, who still maintain property in the area. Mr. Ching also mentioned the Issac Simeon Kaiu family, including the late Auntie Jennie Akau and Uncle Charles Akau. Auntie Jennie was the daughter of Issac S. Kaiu.

Issac S. Kaiu is related to Simeon Kaiu, who was married to Queen Deborah Haakulou Kapule in Wailua. According to Mr. Ching, William C. Lunalilo (later King of the Hawaiian Kingdom after the death of Kamehameha V) was awarded the entire ahupua\_a of Waipouli, among other ahupua\_a.

Asked about cultural information regarding Waipouli, Mr. Ching notes that many of the names he found linked to Waipouli were also connected to Wailua: “In the old days, there were no boundaries. Although there were boundaries in maps that say this is Waipouli, this is Wailua, this is Kapa\_a, Hawaiians that lived here traversed back and forth for fishing and stuff. There wasn’t really a boundary. They survived and lived.”

Mr. Ching provided some background on Wailua. He notes that Deborah Haakulou Kapule was the last reigning queen of Kaua\_i and that she died in 1853. Based on Mr. Ching’s document research, his great-great grandfather, Ma\_ilolo, testified in an 1885 document that he was the caregiver for an old Hawaiian man named Kaailuale, a cousin of Deborah Haakulou Kapule. According to Mr. Ching, the document shows that his ancestor Ma\_ilolo used to take care of Kaailuale. “So we have some relationship with ali\_i families that used to live over at Wailua,” Mr. Ching stated.

When CSH asked about the importance of genealogy, he expresses that:

Genealogy is really important because it goes with the land... In the old days, there was different classes of people. We all know of the ali\_i, etc. but there was a lot of people who were working class, maka\_āinana. A lot of the old Hawaiian names that used to live there [Waipouli] also had a connection with the heiau found in Wailua, and also the Hawaiian village that used to be across the Uhelekawawa Canal over here [indicates Project area].

Mr. Ching stresses that he wants to make sure that that the different individuals and families who lived in different ahupua\_a, who grew taro and worked and lived together, are all recognized. He describes the canoe village that is immediately north of the Project area. It is an ancient village, and during the construction of Waipouli Beach Resort, a number of bodies were

exhumed and put in a special burial place at the back of the hotel. However, Mr. Ching believes there must be more bodies that were not found.

Speaking about Uhelekawawa Canal, Mr. Ching points out the abundance of fish like tilapia and mullet despite the water's superficial depth. He surmises that although it is a shallow stream now, years ago it was likely different. "When you have this kind of aquatic life, you know there's going to be crab," he stated. "You are going to have all the aquatic life in this freshwater stream ... you have saltwater mixing with the fresh, so you have brackish water."

Indicating the direction of the current, Mr. Ching notes how it flows from right to left, from makai to mauka. During storms and heavy rains, the water runs straight out into the ocean. There are more marine creatures at the end of the canal connecting to the ocean: "At the point of the canal, then you got the big aama crab (*Grapsus grapsus*), you are going to run into all these crustaceans, the spiny lobster. And I think one time, we had one of the Hawaiian monk seals that was born in this canal."

Mr. Ching estimates that the Hawaiian monk seal incident happened about ten to 15 years ago. It appeared that the seal was born in the canal and that she came back to her birthplace. Despite the stream's shallow depth close to the Project area, Mr. Ching notes that in some places, it can be deep.

When asked his mana'o about the proposed Project, Mr. Ching states his preference for preserving burials. Noting that he does not agree with some decisions made by the Kaua'i/Ni'ihau Burial Council, Mr. Ching shares the following:

I am really for preserving Hawaiiana. I always like them to preserve the burials, I don't like when ... for example, the Kaua'i Burial Council. They determined the ancient burial, they want to move it. I think the burial should always be left in place. That was the intention of those who buried that person. You can never remove it. Yet the Burial Council makes the decision, with the advice of the Historic Preservation that the remains be removed and transferred to somewhere else. Which they did over here [indicates Waipouli Beach Resort]. So I'm a guy who really don't approve moving the burials. It should always be left in place. If you are going to find one burial, you know that there is going to be other burials. If you find, say a father, and they don't find the mother or the children or the grandparents, etc., you know they are there. I am a guy ... that likes to see things the way it has always been, but it is never going to happen.

At the same time, Mr. Ching emphasizes that he also is not one to protest: "I don't like to protest, because I have been to places where people protest. And a lot of times, they don't really know what they are talking about. Sometimes, when you tell them what the facts are, they don't really listen. They are going to do it anyway."

He remains skeptical about the viability of the proposed multi-use path, noting lack of use in the past:

I can only tell you about the bike path. When JoAnn Yukimura was the mayor of Kaua'i [1988–1994], they did a bike path down here. I worked for DNLR ... for some 30 some years, and you never see people using the bike path. They are

always on the main road. So the county wasted a lot of money installing the bike path which they did years ago, so maybe 20 to 25 years ago. And people never used it. They are on the main Kūhiō Highway. So that is my manaʻo about the bike path.

### 7.3 Mrs. Sally Jo Manea

CSH met and interviewed Mrs. Manea in Līhuʻe, Kauaʻi, on February 17, 2011. She is a kumu hula (hula teacher), teaching hula in Kapaʻa for the last thirteen years. She is a member of Kauaʻi Path's Board of Directors. Mrs. Manea has danced the hula since childhood. Her kumu hula on Kauaʻi was Roselle Bailey, who now resides on Maui. She is active in the community both politically as well as culturally and has studied the Hawaiian language for 50 years. Born on the mainland United States, her father's work with the Navy enabled the whole family to move to Hawaiʻi in the mid-1950s. She graduated from Punahou School and the University of Hawaiʻi, and worked for two years in Pohnpei, Micronesia, as the Public Health Advisor for the Department of Health. Mrs. Manea moved to Wailua Homesteads from Honolulu in 1975, but she also resided in Kauaʻi from 1960 to 1963. Because of her experience, she is able to vividly recall what the Waipouli area looked like in 1975: "All the hotels were there already when I first moved here in '75, except the Waipouli Beach Resort across from Safeway. The hotels at Coconut Marketplace were there; that hasn't really changed that much from '75. This area is an older hotel area, actually."

But in the early 1960s, Mrs. Manea recalls that the area by the Project area was mostly pasture land, including the area where Coconut Marketplace is now located. Previously, there had been a racetrack, and individual houses all along the beach from Wailua Bay to Waipouli.

In response to CSH's question whether there were any gathering of plants in the Project area, Mrs. Manea notes that people gather spinach, which she states is not native to Hawaiʻi but from Australia. Some individuals gather coconut. Presently there is no good limu (seaweed) picking along the coastline but there may have been limu there before. Mrs. Manea's husband is a fisherman and a diver, and the fishing ground off the Project area is not one of his favorites. He prefers to go closer to Kapaʻa where many fish can be spotted.

According to Mrs. Manea, in the area where Mokihana Bullshed restaurant is now located, the Kaʻauwai family lived there. She points out that Alicia Kaʻauwai still lives in the area. Another family also resided there, the Kāne family who lived by the beach. Andrew Kāne was employed at Coco Palms for many years. She shares that there was a historic building near Mokihana Bullshed that used to be called ʻAwapuhi. It is now a green building where JV's Restaurant and Sweet Marie's bakery are presently located. There were other Hawaiian families that lived in the area but bit by bit, their properties were slowly sold off. There was good fishing along the beach and families would go right down to the shoreline.

When CSH asks Mrs. Manea if she had manaʻo regarding the proposed Project, Mrs. Manea relates that she has seen how the multi-use path in Keālia has opened up to allow those who could not go there before to use it, such as mothers pushing baby strollers, the elderly and the physically disabled. She gave the following example of a friend who had a stroke and had difficulty walking:

Before the path from Kapa\_a to Keālia was paved, she had a really difficult time walking along that coastline because of rocks and uneven footing. Since it's been paved, she can enjoy the walk just like anyone else can now. She wouldn't walk there before because there were big rocks and pukas [holes]; it was too difficult.

Besides her friend, Mrs. Manea states that she regularly sees a one-legged man who rides daily with his tricycle. She also sees people with motorized wheelchairs or regular wheelchairs being pushed, with their family members walking beside them or riding bicycles:

All of these people will now have access to wherever this path will go. Because of the view, because of the air, because it's so awesome to walk along the beach, I believe that any extension of this path should be along the coast as much as possible. It is very important that all the phases of the path are connected. For example, right now where the path section is incomplete north of Lydgate Park and Wailua River, you have to walk or ride along the highway where it is very dangerous with the traffic. So having a safe pathway continue along that section is going to provide a continuous route for people who are walking or riding bicycles from Lydgate, or the Hanamā\_ulu and Līhu\_e areas.

Mrs. Manea has specific recommendations for the multi-use path, calling for buffers in areas where the cars and people are going to be sharing the same route. Although it is not in the Project area, Mrs. Manea used the example of the Kapa\_a swimming pool, which is located at Kapa\_a Neighborhood Center to illustrate the possible dangers without buffers:

Areas where vehicles and the path are within close proximity are going to be a risk and it's really important to have a buffer such as shrubbery. There's a narrow area by the [Kapa\_a] swimming pool, which cars and the path share; it's only about 50 feet long, but the cars and the people share the same route. So vehicles are in and out, pedestrians and families with kids on bikes are in and out and all have to really watch carefully through there.

Mrs. Manea describes likely scenarios that may happen if there are no buffers in the proposed Project area:

In the areas where the path and vehicles are in close proximity, it's important to make sure that there's a clearly delineated buffer between the two. Because what happens is that people who ride their bikes ... some riders go very fast and don't really care about people who are walking. And walkers, sometimes, are whole families. They are just ambling along, and looking at the whales and taking pictures of each other and standing in the middle of the path and the bicyclists are going through very fast. Nothing's happened yet, but the potential of something happening, the more miles of path we have, the more potential there is for something to happen.... Keep that in mind as it's being built, as the design is going in. Separate the cars from the path users as much as possible.

Mrs. Manea uses portions of the multi-use path that already exists as a cyclist and as a walker, so she is well-versed with both points of view. She states that currently, bikers and cyclists share the same space, but pedestrians have the right-of-way. It is up to the cyclist to warn people when

passing. When she rides her bicycle, she tries to warn others from 40 to 50 feet away so they have time to move out of the way. There are also times when cyclists should also get off their bicycles and walk along the side of the path:

People don't have the mindset yet. It's still a new thing to them; they're not really familiar with it. And visitors who rent bikes, who aren't usually cyclists, and they're just doing it because it's a good thing to do while you're here. So they rent bikes and they don't really think what they're doing ... they ride three across. So you've got differing interests going on with this 10–12 foot wide space.... When cars are introduced to this mix, there's going to be conflict. Consideration for avoiding these difficulties should be built into the design from the beginning.

When asked about cultural resources in the Project area, Mrs. Manea confirms that she has heard of stories from families that used to live in the area. For example, from the Kāne and Kaauwai ohana, she heard about Night Walkers and spirit people, as well as other stories about places. She knows that there are cultural resources, but she does not know what they are as it was long ago. Mrs. Manea recommends that CSH contact Alicia Kaauwai and her children or the children of Andrew Kāne. She points out that the Fernandez Road near the Project area is named after the Fernandez ohana and that they may know of cultural resources.

Mrs. Manea provided CSH with the background of Kauai Path, the volunteer organization that she is affiliated with and which takes care of the multi-use path. She has been involved with the Kauai Path for the last seven years. According to Mrs. Manea, when Brian Baptiste was mayor, he reconvened a group of people who had worked in the 1990s to initiate cultural preservation, proposing the idea of a “cultural pathway” and making recommendations. Mrs. Manea shares that the mayor knew of a plan to develop 350 acres of property in Hanamāulu:

He wanted the developers to understand that there were people who wanted to have a public pathway through their property on the makai, coastal side of the property.... They [the developers] didn't want a pathway by the ocean because they didn't want to give up any of their land for the facility. So Mayor Baptiste convened as many of the group as he could get together and I was included in that. And we put together a presentation ... about the path that was already established in Lydgate, told them about the plans for the path going north from Kapaa.... We wanted this developer to put a path along his property along the ocean and not along the highway.

The group of people that put together the presentation included Thomas Noyes and others such as Mrs. Manea, and they decided to meet regularly and form a volunteer organization that would assist with what she describes as “maintenance and cleaning, to keep all the phases moving along.” The organization was called “Kauai Cultural and Heritage Trail,” now known simply as “Kauai Path.” Mrs. Manea describes the organization's volunteer activities in detail:

We do service Projects along the path. We advocate for the continuation of assessment and design work and other stages required in order to keep the various phases going. The various sections are in different stages of the development process so we've taken it upon ourselves to keep it moving so eventually the whole 17 miles of this pathway will get built. You know [how] the government is,

you know how people are, there's always some kind of stumbling block. There's always something people complain about ... there's a need for continual advocacy to keep things moving ... and to have one organization to keep a finger on what all the phases are and where they are and who's doing what. That's kind of our kuleana [responsibility], the path people.

In addition with her volunteer work with Kaua'i Path, Mrs. Manea also advocates for what she terms "smart growth." For example, she is on the Mayor's Advisory Committee for the Kaua'i Division of Transportation, responsible for the Kaua'i bus line. She works toward improving and increasing bus service and making other mass transportation options more available. At the same time, she continues to teach hula several times a week.

She expresses her thoughts about the proposed Phase C and D of the Project:

I really believe it should be kept along the coast as much as possible. Walking that coastline is physical and mental therapy. Before or after your busy day, to get your shoes on and walk or cycle with the cool ocean breeze and watch the surf rolling in, whales jumping, monk seals sleeping, and meet friends and family along the way. What a wonderful way to keep healthy!

## 7.4 Mrs. Beverly Muraoka

CSH interviewed Mrs. Beverly Muraoka, or "Auntie Beverly," as she is affectionately known, on February 17, 2011. Mrs. Muraoka is a well-respected *kumu hula* (teacher of hula), and a cultural practitioner and former entertainer at Coco Palms Resort in Wailua, Kaua'i. Born in 1949 in Līhū to Ernest and Christina Apana, she was raised in Wailua Valley with her five sisters Caroline, Dorna, Shirlet, Lynette, Lovey and brother Russell. Mrs. Muraoka's grandparents were Chinese immigrants who worked the rice fields in Wailua adjacent to the land that would later become Coco Palms. Her father, Mr. Ernest Apana, later bought a three-quarter acre parcel next to what would become the resort location. From 1960 to 1983, she sang with her family in the Mormon Choir at the Coco Palms on Mondays and Wednesdays. As a member of the Coco Palms Ambassadors, she travelled with the choir throughout the United States. Mrs. Muraoka is the youngest of the well-known Apana Sisters who performed in Coco Palms from the mid-1960s to early 1980s. Together with her sisters Lovey and Shirlet, she travelled and performed all over the Pacific, Asia and Europe. Mrs. Muraoka is the Kumu Hula at Healani's Hula Hālau.

To underscore the importance of starting a project in the right possible way, Mrs. Muraoka began the interview by discussing the trouble that occurred during the construction of Waipouli Beach Resort, where the proposed multi-use path will connect to the existing bike path. A few years ago, Mrs. Muraoka's *hālau* (hula meeting house) was contracted to come to the resort and help clean, in order for the new owner to move in. Some of the *hālau* sisters reported that the hotel had problems, such as the refusal of a security guard to continue his patrol due to babies crying where there were no babies to be seen. Other issues included the departure of the executive housekeeper, along with new employees who left due to hearing running showers or babies crying in rooms where there was no one to be found.

One day, when Mrs. Muraoka was looking down on the resort grounds, she saw a rock formation of a mother with two babies on each side, facing the ocean. She expresses that when the grounds of Waipouli Beach Resort was first excavated, those in charge did not practice the right protocol and there was no accounting of the people that used to live there. Their remains were pushed aside due to progress, according to Mrs. Muraoka.

Referencing a previous interview with CSH for the Kuhio Highway expansion project, where she emphasized that burials will be found all along the shoreline, Mrs. Muraoka states:

That's why in my other interview, I may mention when we are talking shoreline, there is no doubt in my mind you will find *iwi* (bones). These are the remains of men, women and children because Kaua'i was a peaceful island but she had her own battles amongst chiefs in the old villages. We come from the Kawaihau district. There was a chief that would want to overtake this area. And that chief may be from Kōloa. Kōloa battled from the chief from Waimea. And Waimea battled with the chief from Kalalau. And Kalalau chief battled with Kīlauea and so on and so forth. Where would they battle after they come to the main center of the island? They pushed towards the ocean. Even in Roman history you're going to find you have armies pushed up against a river, a lake, an ocean, wherever water was. I'm certain, there's no doubt in my mind, there are bones there.

Mrs. Muraoka notes that when she was growing up, her parents were ordered to dig trenches in their 310 Apana Road property by order from World War II bombings. In the trench they found a perfect set of teeth (*niho*), with no cavities, along with the *po'o* (head) and the *lima* (hand). Her parents reburied the *iwi* and dug somewhere else. Because their family property was right next to Coco Palms, Mrs. Muraoka relates the likelihood that there are *iwi* at Coco Palms, stating “it is most likely.”

Speaking of the Coco Palms *iwi* that was excavated in the 1970s by Mr. Valentine Ako (who was also interviewed for this report), Mrs. Muraoka stresses that Mrs. Guslander, the manager of Coco Palms at the time, was “very *akamai*, she's very smart, she took the time to reinter the bones.” But this was not the case with the *iwi* that was found in the Waipouli Beach Resort, and this is the cause of the problems since, according to Mrs. Muraoka. She states that Hawaiian activists confronted the contractor of the resort in court but nevertheless, the contractor was allowed to proceed with the project.

When CSH asked about the project area, Mrs. Muraoka notes that the ocean in front of the project area (Phase C and D), has a “terrible undertow,” and this was why her father never allowed her and her siblings to go swimming in front of the project area. He had good reason to caution them. Mrs. Muraoka shares the story that when the area in front of the Coconut Market place was still pasture land, a Brahma bull would regularly graze on the land but knew enough not to go into the ocean. However, one day, the bull was swept away into the ocean, and her

father, the fire captain, had to rescue it. Another place where they were told not to go in the water was at Keālia Beach because the way the waves would face, the current would slam them against the rocks.

Now that there are modern machinery, it is possible to crack the reef and create a swimming area like Lydgate Park. However, Mrs. Muraoka cautions that there is a consequence whenever one meddles with nature:

When you touch nature, you can succeed but someplace else is going to pay the price. We believe after they did the successful two pools here [adult and children's swimming pool in Lydgate Park], Kekaha took the punishment because the force of the current pushed it somewhere else. Today, they have built a stone wall in Kekaha to hold back the waves there. But when the waves get turbulent, they'll cross the road and erode the wall. Not so far in the future, they'll have to redo the wall...we believe that it's because when they were successful in getting these rocks broken up and pushed back [at Lydgate], it affected [Kekaha], because this is the east and it affected the west.

The rough waters in front of the project area is the reason why many of the hotels, including Waipouli Beach Resort, do not allow their guests to swim, according to Mrs. Muraoka. However, there will always be some people who are hard-headed and do not listen. There have been several drownings recently in Kaua'i, and she and other *kūpuna* (elders, grandparents) have been approached for their advice. She notes that besides training lifeguards and having the proper equipment, people should not go into certain areas that are *kapu* (forbidden).

Referring to the bridge project, Mrs. Muraoka points out that when there is a tsunami warning, no one can cross the bridge. ~~When~~ "When it first came out, I said build it up further so people can drive on it in case there is a tsunami and it wouldn't affect them." Despite her recommendation, however, the bridge was built on its current site. With the bridge project, Mrs. Muraoka shares that a relative of hers passed away. ~~In~~ "In every project, unfortunately, someone will be sacrificed. The project isn't finished yet, so far so good. We would love for it to be perfected and not have anybody suffer any losses."

As for the proposed project, she stresses that correct protocol must be done in the beginning, before it breaks ground. If project proponents do not use the correct protocol, then there will be challenges and difficulties as the project is moving along. She provided an example where the beginning of the project, which involved the clean up of Malaekahana Heiau, was done properly, and cited another project where it was not:

They asked me to come and give the blessing which my husband and I did. I gave the 'oli [chant], my husband gave the prayer. And they proceeded correctly. They cleaned up Malaekahana without any incident. Look at what happened in Hā'ena. They didn't do the right protocol and so they had so much trouble there (I don't know where that project is). The bypass is still incomplete!

Noting that the proposed multi-use path is close to the ocean, Mrs. Muraoka emphasizes that the project has to be done correctly. She states:

If it has to take place, that the right protocol be done. Get the people who were born and raised in this area to come and be honored. And ask them to forgive...open the way so this project can succeed. So many times we've been looked upon like ~~they don't know anything, they're peons~~" because developers have money and they don't have time for these things. They just want to get the project done. They forget they need to talk to the people that sacrificed...They come with their money and they say, I want that and I want it done now.' But they need to remember that someone gave their all so you can be the beneficiary. If they come with that attitude, sometimes it can backfire. When it backfires, they come back and ask us old timers what can they do. That's when we begin to say, ~~Don't ask us anymore.~~"

When asked about the cultural resources, in and around the project area, Mrs. Muraoka shares that her father told her and her siblings not to fish in the immediate area, besides forbidding them from swimming in the rough surf. Further down south was a ~~wonderful fishing area~~" where her 'ohana would fish. It also has medicinal plants. The family would fish in an area they called ~~Pahulu.~~" In Pahulu, she picked *pipipi* [small mollusks] as well as *limu* with her sisters and she stresses the importance of continued access to these areas:

There is no doubt in my mind these were all areas my Hawaiian people did use for their living rights. They probably didn't fish there but came down to visit Lydgate. It's full of commercial use by tourists [now]. But further down, they have the best sea harvest (they call it Pahulu). You can have all the fish...we could get our food. As long as my Hawaiian people can have access to getting their food and their *lā'au*, which is the medicine, which is all the *naupaka*, yeah, this is all *lā'au* growing here. (Then it's) a project that you cannot stop. It's in the name of progress... "

In addition to being a fisherman, Mrs. Muraoka's father Ernest was also a fireman and a rancher. His work schedule as a fireman was 24 hours of work and 48 hours off. Although he was Chinese in descent, he was raised by Hawaiians and he had Hawaiian ways. Mrs. Muraoka recounts with fondness how her father would be a *paniolo* (cowboy) during the first 24 hours of his two days off, and then for the rest of the time, he would grab his *'upena* or fishing net and all six Apana sisters, including her, would have to get ready to leave with him:

So Daddy would say to mom, ~~Make~~ a little bit *kaukau* [food in pidgin], we're going to go Pahulu, I'm going to look for 'ama 'ama" [mullet]. ~~Oh no...~~ We'd gotta get up..." And yet we loved being with our father, he was so adventurous. We'd love to go with him when he saddled up his horse, we loved to go with him when he'd get his net ready but we just didn't want to stay in the hot sun. So over there at Pahulu, he'd take his net and his fishing bag and he'd tell us to wait on the shore and when he would stay in the water, we would be so bored, we would take a stick and draw in the sand. [He'd stay in the water for] two hours...We'd draw circles, squares, triangles, and we'd play tic tac toe on the sand. If we see our daddy going to throw his net, we would have to move with him. If he walked down, we'd have to walk down with him. As he walked down, we would see him coming closer to the rocks. We had a favorite rock. We called it the ~~Bath Rock.~~"

The rock was sort of like a bed with a *puka* [hole], and when the wave would hit, the water would come in and we would stay in like a bath. So we'd be waiting inside of there.

Recalling her happiness when she would see her father get ready to catch the fish, Mrs. Muraoka shares the following:

When we saw our daddy put his net on his elbow, and then, we knew, we knew we were going home with food. So we would run and get the bag and jump, because ooh, pretty soon, we would be going home! He would throw his net and it'd be beautifully round...Once he turned, we'd come running because my daddy was going to gather fishes...we would be so excited!

The job of the sisters was to take the fish and put it in the burlap bag and carry it to their 1949 Dodge truck. When asked if her father came home with fish every time he came to the ocean, Mrs. Muraoka confirms that he always was successful at catching fish. To ensure a healthy catch every time, her family developed their own folk practices. Their father told them never to cross their hands in front or fold their arms in front when standing at the ocean. They were also told not to cross their hands at the back. Instead, the Apana family made it a point to just stand with their arms loosely down their sides, as if to welcome the ocean. It was a gesture that her family would always practice.

If my father saw anyone come with their hands crossed, then we'd go back in the car and go home. That was a sign he wouldn't catch any [fish]...And we never put our hand in the back, like ~~huh~~, huh, let's see what you can get" (grabs her hands at the back in a mock-superior pose).

All these family practices were to ensure the giving of the sea. Even today, she would still adhere to her father's rules, especially when she would visit her older sister Dorna who now lives in Las Vegas. When Mrs. Muraoka visits her sister, she would try her luck in the slots. ~~[Dorna]~~ would come right at the machine, and I would tell her, ~~Get~~ away from me. Daddy said don't cross your hands. I'm not going to have any luck..." (laughs).

Mrs. Muraoka shares details of her father, who in addition to his English name of ~~Ernest~~, was known affectionately as ~~Apo~~" by Hawaiians although his Chinese name was Quan Po. He was quite the talented man, according to Mrs. Muraoka. When not fishing, or ranching, Mr. Apana would sew and repair nets. His activities, as well as her mother's observations of the world around them, marked the seasons and foretold the weather.

We knew when he would repair nets, because that would be the World Series, baseball...anyway, we knew. We never had any calendars or anything. Even my mother taught us when the mountains are cloudy like this [that] the volcano is erupting on the Big Island. When the *mauna* [mountain] is cloudy, Tūtū Pele is erupting. When the *ōlena* are up, *wana*, we can go down and get the sea urchin...That's how we could tell different seasons. Our lives here were simple but beautiful...

Her father later had an accident which caused doctors to fear for his life. But Mrs. Muraoka recounts how her mother never lost doubt that her husband would survive. Because he was a

fireman, Mr. Apana did not qualify for Social Security. The family income was limited to \$123 in the form of a monthly disability check, which her mother supplemented with working in the Kapa\_a cannery during summers for \$1.50 or less an hour. But her mother never complained and Mrs. Muraoka remembers her childhood as a happy one:

Now when we compare ourselves, my gosh...We lived in poverty but we didn't believe it because we were so happy. Very happy. We had everything. We thought we were the rich kids in the whole neighborhood. And yet our clothes must have five *pukas*...and my Chinese grandmother mended it, and mended it and mended it...After that accident, we learned to sacrifice, we learned to be caregivers. And so, I feel like, we didn't have time to be sorry for ourselves, because we had too much to do for others. We loved our *kūpuna*, we handled them, we took care of them, when they told us something, we would listen. And we were such happy people.

Music brought the family together and was a source of good times, whether the Apana sisters were learning to play or to sing. Mrs. Apana would sing, and her husband would provide the instruments. –So we would all have a tub bass, with a broomstick. The pakini bass, the guitar, piano, *ukulele*. We had a \$15 silver tone guitar from Sears...We always played guitar,” Mrs. Muraoka reminisced. Her mother also taught the sisters to play the *ukulele* on a pineapple-shaped instrument which Mrs. Muraoka now wishes she kept. Another sister learned to play the piano but had to stop when her father's illness caused him to shun noise. Mrs. Muraoka remains grateful for having learned music at a young age. –Because of our music, today we can support ourselves. Because we entertained at Coco Palms.”

In the corner of their world at 310 Apana Road, Mrs. Muraoka grew up with music and with her parents and Chinese grandparents. While they played music, her grandma would cook. To supplement their income, the family raised pigs, which the girls would take to the slaughterhouse, learning to back up the trailer and drive it. They would then have pork chops, pork shoulder, ham steak, and pork ribs, some of which they would store in the freezer and the rest would go to Japanese neighbors for barter. Mrs. Muraoka recalls how her family did not have to shop. If they wanted fish, they would go to the ocean. If they wanted pork, they had it in the freezer. If they wanted to barbecue steaks, –it was available to them always!”

At the river, Mrs. Muraoka shares that her father would ask her and her siblings to collect guava or plum sticks. –He would have the charcoal and make his own *pūlehu* [to broil]. He would get free meat from being a rancher. If we wanted to *pūlehu* steaks, we can have steaks, five pound barbecue steaks, go ahead...”

The Apana family traded their fish and pork for cabbages, turnips, and mustard cabbage. Her Chinese grandmother would salt the cabbages in a crock and put it on the stove. Today, Mrs. Muraoka points out, salted cabbage would cost \$8.95 in a Chinese restaurant, when it used to always just be in a crock pot for free when she was growing up. As for fruit, they had free access to mangoes, bananas, papayas, avocados, and lychees. When Mrs. Muraoka later got married and had to move to Oahu, it took some time for her to get used to buying fruits like bananas and other staples.

Even today, Mrs. Muraoka does not know how her parents did it, raising her sisters and brother with meager income. –Anything we wanted, we could get,” she states. So today, when she hears little children at stores requesting vending machine treats from their parents, and the parents saying, –No, no money,” Mrs. Muraoka wonders at how her parents never denied her anything. She admits not wanting vending machine toys during her childhood, but instead, she has more fulfilling, lasting memories of the good times that she and her siblings experienced with their parents:

Our lives were so wonderful. So this is why, our music, our Hawaiiana, my mother, she was so precious...She taught us how to play and to sing. And from there we got together as a family. We always used that (music) to bring joy with our lifestyle. We feel we were steeped both in Hawaiian and the Chinese. Although my father spoke Chinese, he taught us a lot of Hawaiian ways.

Her Hawaiian grandmother taught certain beliefs:

If there was any home improvement, no nailing, dark time, no pounding, no sweeping out with the broom. If we had to fix a wall or something. After the sun sets, no more pounding. Because in the old days, if someone passed, you'd have to make the casket quickly --- you'd pound it, so you'd lay the body. If you pounded at night, it was an omen, somebody was going to die....No clipping of the fingernails at night...We still try to honor that, wait for the next day.”

Although she honors the old traditions, Mrs. Muraoka also states that her decision-making is not guided by the past. –This was some of the things we lived by, although we are Christians now, and we should not bring back our old traditions to overpower our decision-making, we need to remember our Heavenly Father, above and beneath and inside the Earth.”

Mrs. Muraoka was around eight years old when she and her sister Lovey got involved with the church choir, which eventually led to singing at the Coco Palms resort twice a week. She still remembers that little girl who did not know anything about Hawaiiana but grew up loving music and still does. Sharing her recommendations about life in general and about the project, Mrs. Muraoka stresses the following:

We need to be mindful of how you treat your neighbors. The first commandment is –Thou shall love the Lord.” The second commandment is –Thou shall love thy neighbor as thyself.” And I think if we honored those two, more problems would be solved...Our actions sometimes speak of our selfishness. –What I can get out of it” not –what the next person can get out of it.” That's why it has caused a multiple domino effect of problems. So this is pretty much what I'm thinking about this project. I know for a fact that these hotels won't go away, so it has to be worked around them. Do the right protocol and honor and recognize the [people from the area]. Have them know that you're grateful for all of things they've contributed to make possible for all of these development. Somebody took care of it. Taking care of the *'āina*. So consider them, consider the relatives who may be still within the area.

Mrs. Muraoka recommends for CSH to contact the Papaloa Road families, e.g. Derby, Aki, and Robert and Kimo Kaholokula.

## Section 8 Cultural Landscape

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Discussions of specific aspects of traditional Hawaiian culture as they may relate to the Project area are presented below. This section integrates information from Sections 3–7 in order to examine cultural resources and practices identified near the Project area, within the broader context of the encompassing the cultural landscape from Wailua through Waipouli. This information and analysis is intended to present a context for the Summary and Recommendations in Section 9.

### 8.1 Place Names and Wahi Pana

The responses regarding wahi pana and mo'olelo link Waipouli and Olohena (North and South) to Wailua Ahupua'a. As Mr. Ching explains: “In the old days, there were no boundaries. Although there were boundaries in maps that say this is Waipouli, this is Wailua, this is Kapa'a, Hawaiians that lived here traversed back and forth for fishing and stuff. There wasn't really a boundary. They survived and lived.”

Similarly, OHA's response expresses concern about the cumulative impacts upon the area and draws attention to the wahi pana in Wailua. OHA's mention of Wailuanuiho'ano and Ali'o within Wailua Ahupua'a, demonstrate that even today, the wahi pana of Waipouli are linked to Wailua.

Ms. Diego-Josselin, in her response, also references sites in Wailua, including the following: King's Path, “the demarcation line of Hauola pu'u honua,” Kane Ie Cave, Hui Ki'i, Ki'i Pae Mahu and Mahunapu'one. Ms. Diego-Josselin also mentions Papaloa (“long reef”), an off-shore portion of the two Olohena Ahupua'a. The distinctions of these closely-related ahupua'a do appear to be as important as the connections that link the place names of the area.

Because of the historical significance of Wailua Ahupua'a, many of the place names and wahi pana discussed in the background research were also from Wailua. Olohena (North and South) and Waipouli are significant primarily because of the proximity of these Wailua Ahupua'a. Thus the context for this discussion of the Lydgate Park–Kapa'a Bike and Pedestrian Path, Phases C and D, is difficult without relating this information in some way to Wailua and the many projects near this Project area.

The mo'olelo of these areas also reveal the dominance of Wailua over the neighboring ahupua'a. The legend of legend of Kaililauokekoa, a female chief of Kapa'a, briefly mentions the “curving surf of Maka'iwa (*ke'eke'e nalu o Maka'iwa*), a surf which breaks directly outside of Waipouli, Kapa'a.” Waipouli is also the place where Hi'iaka and Lohi'au were reunited. Olohena also has Kukui Heiau and Papaloa, but the preponderance of mo'olelo concern Wailua.

Mo'olelo particular to Waipouli, specifically Waipouli Beach Resort, adjacent to the Project area, was narrated by CIA participant Mrs. Beverly Muraoka, who notes that members of her hālau reported of showers running and babies crying where there was no one to be found. Mrs. Muraoka also relates that there is a rock formation of a mother with two babies on each side, facing makai, in the hotel grounds.

## 8.2 Water Resources

Waipouli means the “dark water” (Pukui, Elbert, and Mookini 1974; Wichman: 1998; Thrum 1922). The boundary between Waipouli and Kapa\_a is **Ka-lua-pā-lepo**, “pit for dirty dishes”; between Waipouli and Olohena is **Kaunana-wa‘a**, “mooring place for canoes” (bold in original; Wichman 1998:82). Waipouli is also noted for Mākaha-o-Kūpānihi, meaning “Kūpānihi is fierce” or “star of Kūpānihi” (Wichman 1998:83). Mākaha-o-Kūpānihi “was a deep pool set aside for the ali\_i to bathe in” (Wichman 1998:83). In one way or another, these terms refer to water resources.

Farther down the coast is Wailua. The most popular and literal meaning of the place name Wailua is “two waters,” perhaps referring to the two main forks (north and south) that flow together to form the Wailua River. Another explanation for the name is that it refers to the chief, Wailua-nui-haono (Dickey 1917:14). Other meanings include “water pit” referring to the pools at the bottom of several waterfalls along the river's course or a “ghost or spirit” (Damon 1934:360; Kikuchi 1973:5; Wichman 1998:67). The social, religious, and political importance of Wailua, in part, appears to be related to the water resources of the river and nearby area.

The off-shore resources impacted by the Lydgate Park–Kapa\_a Bike and Pedestrian Path, Phases C and D, are Makaīwa and Papaloa (see Section 3.2.2 above). Ms. Diego-Josselin, in her reference to the *Declaration on the Rights of Indigenous Peoples*, mentions the right of Indigenous Peoples “to maintain and strengthen ... waters and coastal seas and other resources.” SHPD, in its statement, discusses the need for access to water resources.

Mr. Ching, in his interview, describes Uhelekawawa Canal and the fish, like tilapia and mullet, in that shallow waterway. The Project would pass directly over this canal. Mr. Ching surmises that although it is a shallow stream now, it was different years ago. Because there is both freshwater and saltwater combining to make brackish water, there are all kinds of aquatic life in the canal.

Indicating the direction of the current, Mr. Ching notes how it flows from right to left, from makai to mauka. During storms and heavy rains, the water runs straight out into the ocean. There are more marine creatures at the end of the canal connecting to the ocean: “At the point of the canal, then you got the big\_a\_ama crab, you are going to run into all these crustaceans, the spiny lobster. And I think one time, we had one of the Hawaiian monk seals that was born in this canal.” Despite the stream’s shallow depth close to the Project area, Mr. Ching notes that in some places, it can be deep.

Mrs. Manea describes her husband’s fishing in the area, and that the fishing grounds off the Project area is not one of his favorites. He prefers to go closer to Kapa\_a where many fish can be spotted. According to Mrs. Muraoka, the ocean in front of the Project area has a “terrible undertow” and this is why her father forbade her and her siblings to swim. Instead, the family would swim and fish in a place they called “Pahulu” south of the Project area where there were lots of fish, limu, pipipi as well as medicinal plants.

Regarding loko i\_a, land commission testimony identifies one fishpond is identified in Waipouli: Hapakio is a fishpond of the konohiki (LCA 9013)(see Figure 17). Because Wailua was the center of political and religious life on Kaua\_i, the most famous fishponds existed within

that ahupua'a. The account of Ka'ililauokekoa also mentions a portion of Queen Deborah Kapule's fishponds, just behind the sand berm, which still exists on the grounds of the Coco Palms Resort. Her fishpond, Akaimiki, was of the loko pu'uone (define) type. Another fish pond was said to be located just mauka of the hotel's historic coconut grove (*Foreign Testimony* 1848:IX, 55–56; XIII 72; Kikuchi 1987:9; Lydgate 1920).

The importance of these water resources may be summarized in the Kawalo mo'olelo, which is an account regarding the protection of fishermen and fishing. Smith explains the advice from the old man who saw Kawalo turn into a shark once he learned from passersby of their intent to go fishing: "He [the old man] said that from then on, never to tell anyone when they were going fishing. If anyone asked, they were to say they were going awana [auana, auwana], or going wandering, but never to say they were going fishing" (Smith 1955:8). Fishing, and water resources, should be kept secret for fear that others may use that information. Though all may not be known of these water resources, the maintenance of these areas is important for the Project and for the community that lives near this Project.

### 8.3 Agriculture and Gathering

Few community participants mentioned agriculture and gathering practices in the near the Project area today. When asked about any gathering of plants in the area, Mr. Ako says he does not know about any. Mrs. Manea notes that people gather spinach, which she says is not native to Hawai'i but from Australia. According to Mrs. Manea, some individuals gather coconut, but presently there is no good limu picking along the coastline but there may have been *limu* there before. The Project area is fairly well developed, so gathering *limu* and plants of the area is difficult. South of the Project area is a place called "Pahulu" by Mrs. Muraoka that had plenty of limu, pipipi and medicinal plants, such as naupaka and other lā'au. Mrs. Muraoka also recalls that her family would gather guava and plum sticks by the river for their use in pūlehu.

### 8.4 Ala Hele

Emerson's 1833 map, Kittredge's 1878 map, and the 1910 U.S. Geological Survey Map do not depict *ala hele* near the sea shore (Figure 11, Figure 12, Figure 13). Each map shows a trail, but nothing closer than Kūhiō Highway. The kahakai (beach) area does not appear to be where *ala hele* were traditionally located.

### 8.5 Historical and Cultural Properties

In OHA's response, Mr. Clyde Nāmu'o references a 2006 memorandum of agreement regarding historic properties: "A memorandum of agreement executed in 2006 for this project between the FHWA, DPW and State Historic Preservation Officer provide detailed mitigation measures for the adverse effect this project will have on historic properties and cultural sites. We expect that the terms and provisions of this MOA will be fully implemented should the alignment be revised." SHPD's response also cautions against the potential for damaging "unknown" historic properties. :

While the general area has documented and significant historic cultural sites and properties as well as previous development, there is always a general probability that some cultural resources remain unknown or unseen. There are Hawaiian

cultural practices **in the general area** which include but are not limited to access to religious sites, to ocean and other areas for ceremonial and/or for recreational uses. SHPD is concerned with any ground disturbance work which may uncover burials or burial sites in sandy areas such as this project.

Figure 10 shows the large number of archaeological sites near and under the Project area. Figure 16 shows the vast amount of archaeological studies in the area. The prevalence of historic properties in the area is well known.

Ms. Diego-Josselin offers a list of historic properties, which she believes have not been properly identified or cared for, including King's Path, Mahunapu'uone and Ki'i Pae Māhū. Ms. Diego-Josselin ends her response with the following paragraph: "I pray that **WE** can move forward with this project. Understand that in order for this project 'Job Code Waipouli 4' to be PONO, Cultural Surveys Hawaii Inc. must take into account and apply all of the information that you have gathered for your reports, FONSI are unacceptable."

The responses from OHA, SHPD, Ms. Diego-Josselin, as well as archaeological sites and studies in the area, all indicate that historic properties are a primary concern for this Project. Ms. Diego-Josselin summarizes the cultural concerns regarding these sites in the following paragraph:

Native Hawaiian's religion and spirituality are rooted in the land or AINA. Sacred sites provide the physical foundation for mo'olelo or stories, that connect each new generation to their ancestors and weaves them into their culture and defines their identity. The protection of sacred sites, and defending the ability to conduct rituals and ceremonies at these sites in **privacy and without disruption**, are therefore vital to maintaining and passing from generation to generation the distinct identities, traditions, and histories of our people.

As mentioned above, Mrs. Muraoka notes the cultural properties or pōhaku near the entrance of Waipouli Beach Resort. She relates that it is a mother and two children formation.

## 8.6 Heiau

While Māhelewalu and Ka-iki-hāuna-kā are important heiau, the heiau in Olohena closest to the Project area is Kukui Heiau, which is built using extremely large stones. Its presence is connected to several mo'olelo including the collection of the stones by the giant Nunui.

There is also a connection between Hikinaakalā and Kukui Heiau in that the alignment between the two heiau through the use of stone lamps provided the outline of Wailua Bay (see above, Flores 2000:II-6).

Ms. Diego-Josselin contends that there has been a "[f]ailure to provide adequate Parking for those wishing to visit Kukui Heiau for traditional customary practices." Ms. Diego-Josselin also contends that Kukui Heiau should be included within the Wailua Complex of Heiau:

I feel it is a responsibility of Corporations and Persons such as Kahele makalae a.k.a. PATH Inc., Cultural Surveys Hawaii and Hallett Hammatt Ph.D. to **correctly** identify renowned SACRED historical areas such as areas included and surrounding Wailua Complex of Heiau. These areas are LISTED on the

NATIONAL REGISTRY OF HISTORICAL SITES. Cultural Surveys Hawaii Inc. should refrain from dissecting Wailua's landscape and plundering "inadvertent" artifacts and human remains.

Moreover, she decries the "Failure to identify and preserve 'what remains' of MAHUNAPU UONE, KAWELOS Heiau and Ali'i Ohana Burials, Makai of Kūhiō Highway."

Historically, there were more heiau in Wailua than in other ahupua'a on Kaua'i (Bennett 1931). This fact is significant for the community participants. Mr. Ching, during his interview, noted this genealogical, cultural and psychological link between the people of Waipouli and Olohena and the heiau of Wailua:

Genealogy is really important because it goes with the land.... In the old days, there was different classes of people. We all know of the ali'i, etc. but there was a lot of people who were working class, maka'āinana. A lot of the old Hawaiian names that used to live there [Waipouli] also had a connection with the heiau found in Wailua, and also the Hawaiian village that used to be across the Uhelekawawa Canal over here [indicates Project area].

Historically and today, heiau offer a larger cultural and psychological link to for communities of these ahupua'a. OHA's response stresses that, "It is critical that the CIA address the cumulative impacts of the overall project (as opposed to the relatively narrow scope of Phases C and D) will have on traditional and customary practices." These heiau, as the focal point of the Wailua through Waipouli community, helps expand the context for discussion of cultural impacts.

## 8.7 Iliina

Iliina are the main concern of the community participants interviewed in this study. Iliina offer a substantive genealogical link to the ancestors and the land. Mr. Ching stresses that he wants to make sure that that the different individuals and families who lived in different ahupua'a, who grew taro and worked and lived together, are all recognized. He describes the canoe village that is immediately north of the Project area. It is an ancient village, and during the construction of Waipouli Beach Resort, a number of bodies were exhumed and put in a special burial place at the back of the hotel. Mr. Ching believes that there must be more bodies that were not found.

When asked his mana'o about the proposed Project, Mr. Ching states his preference for preserving burials. Noting that he does not agree with some decisions made by the Kaua'i/Ni'ihau Burial Council, Mr. Ching shares the following: "I am really for preserving Hawaiiana. I always like them to preserve the burials, I don't like when...for example, the Kaua'i Burial Council. They determined the ancient burial, they want to move it. I think the burial should always be left in place. That was the intention of those who buried that person. You can never remove it."

Ms. Lovell-Obatake recommends "SHPD and PW [State of Hawai'i, Public Works Division] require that the applicant have a certified archaeologist on site during any and all ground/underground disturbances; such as extracting of trees and relocating them. I am concerned about Native Hawaiian burials and funerary objects connected to Native Hawaiian burials."

Both Mr. Ako and Mrs. Muraoka discuss the likelihood of finding iwi in sandy areas along the shoreline, as well as in Coco Palms. Referring to the presence of iwi in Coco Palms, Mrs. Muraoka states that “it is most likely.” Mr. Ako also cautions that more iwi will be found in the current Project area.

You are not going to find them on the top. Those kūpuna were buried over 400 years ago. And that type of Hawaiian was not an ordinary Hawaiian. They were giants. If you put a Hawaiian skull on the table, it rocks. But this other Hawaiian, the one I found, its skull was extra large. If you put it on the table, it stays flat.

Mr. Ako believes that there will likely be graves found in the sandy areas of the Project area. “Westerners don’t realize that our kūpuna did not have metal implements to dig for their graves. So that’s why they moved all the graves near the ocean, sand, so they can dig it by hand.” He advises the project proponents to stay above the water line.

Mr. Ako emphasizes that iwi found in the ahupua‘a must stay in that ahupua‘a. “The moment that you take the iwi and put it in another ahupua‘a, that’s when you get the problems,” Mr. Ako stresses. If iwi are discovered, he recommends finding a place in the ahupua‘a where they were found, a place not too obvious, and then hold a good burial service. For Mr. Ako, the proper burial and the service are critical, which explains why no problems occurred in Coco Palms.

OHA cautions against the discovery of bones along the beach: “The potential for encountering iwi kūpuna and cultural resources within beach sand deposits along the coastal portions of the project is clearly identified in the FEA.” SHPD is also “concerned with any ground disturbance work which may uncover burials or burial sites in sandy areas such as this project.” Ms. Diego-Josselin criticizes the “failure to identify and preserve ‘what remains’ of MAHUNAPU‘UONE ... and Ali‘i Ohana Burials.”

Besides the burial ground at Coco Palms, previous archaeological studies (see Table 1) indicate that in the last 20 years at least 69 burials have been uncovered in the Wailua to Waipouli makai areas. Most of these burials have been found in sand. Archaeological research and participant interviews suggest that burials may be found along the route of the Project area.

## Section 9 Summary and Recommendations

At the request of Kimura International, Inc., Cultural Surveys Hawai'i (CSH) conducted a Cultural Impact Assessment (CIA) for Lydgate Park–Kapa\_a Bike and Pedestrian Path, Phases C and D, CMAQ-0700(49). The County of Kaua\_i will construct, own and maintain the multi-use path. The project will be funded in part by the U.S. Department of Transportation, Federal Highway Administration. The following sections offer a summary of the information contained in this report, as well as recommendations for mitigation measures.

### 9.1 Results of Background Research

Background research for this Project yielded the following results:

1. Although Waipouli and Olohena (north and south) hold significance individually, it is their proximity to Wailua Ahupua\_a, which helps to define their importance. Because Wailua was the religious and political center of Kaua\_i, mo\_olelo (story, history) abound related to the area. Using illustrative place names of Waipouli, Wichman introduces the notion of a Mokuna-hele, or “traveling district” (Wichman 1998:82). While the scope of this CIA is focused primarily on Olohena (North and South) and Waipouli, Wailua is of such significance that many of the mo\_olelo pertaining to the wahi pana (legendary place) of Wailua are included herein, such as the story of Kaumuali\_i, the legend of Kawelo, and the story of Māui.
2. The place names of the area also refer to water resources. Waipouli means the “dark water” (Pukui, Elbert, and Mookini 1974; Wichman: 1998; Thrum 1922). The boundary between Waipouli and Kapa\_a is **Ka-lua-pā-lepo**, “pit for dirty dishes;” between Waipouli and Olohena is **Kaunana-wa‘a**, “mooring place for canoes” (bold in original; Wichman 1998:82). Waipouli is also noted for Mākaha-o-Kūpānihi, “a deep pool set aside for the ali\_i (chief) to bathe in” (Wichman 1998:83). Farther down the coast is Wailua.

The most popular and literal meaning of the place name Wailua is “two waters,” perhaps referring to the two main forks (north and south) that flow together to form the Wailua River. However; as Lyle Dickey forcefully clarifies (1917:15), “this explanation never seems to occur to a native Hawaiian.” Instead, Dickey and Kamakau refer to the chief, Wailua-nui-haono, as the source for the name (1917:14). Other meanings include “water pit” referring to the pools at the bottom of several waterfalls along the river's course (Damon 1934:360). The social, religious, and political importance of Wailua, in part, appears to be related to the water resources of the river and nearby area.

3. Wailua (particularly coastal Wailua) was known as a pu\_uhonua or place of refuge (Smith 1955:15). Pu\_uhonua were places of peace and safety for transgressors and non-combatants in times of strife. I (1959: 138) specifically states that Holoholokū was a pu\_uhonua, a place “to which one who had killed could run swiftly and be saved.” Wichman (1998:70) asserts that the pu\_uhonua was at Hikina-a-ka-lā while Dickey (1917:15) maintains that the pu\_uhonua was actually at neighboring Hauola.
4. A portion of the mo\_olelo of Kawelo relates to Waipouli, as well as North and South Olohena. In Green and Pukui's account, Kawelo's brother, Kamalama, distributes the

lands in the plain between Waipouli and Wailua which Ka-ma-la-ma had selected as a suitable place” for settlement.

5. Maps from the 1800s indicate that that a shoreline trail once crossed all four ahupua'a (land division, usually from the uplands to the sea). As early as 1833, a map by Ursula Emerson shows a coastal trail near the Project area (Figure 11; Emerson 1833:107). An 1878 Government Survey Map by C. S. Kittredge, shows that this trail just mauka of the Project area has perhaps become a road (Figure 12). By 1910, the course of this trail appears to have become a road, the contours of which closely match the current Kūhiō Highway (Figure 13).
6. Kukui Heiau lies very close to the Project area: “Kukui, “candlestick tree” or “enlightenment,” was a huge walled heiau (shrine, temple) located on the headland of Lae-ala-kukui, “point of the scent of kukui” (Wichman 1998:83). Flores, in his *Historical Research of the Coco Palms Property* (2000), describes a connection between Kukui Heiau and Hikinaakalā Heiau in Wailua: “Although this site is in the ahupua'a of Olohena, it provides an alignment with Hikinaakalā in delineating the confines of this safeguarded bay” (Flores 2000:II-6). Kukui Heiau was placed on the National Register of Historic Places on May 18, 1987 (NRIS #8600027: National Register).
7. Archaeological research shows that burials are likely to be found in the sandy areas near the beach. Besides the burial ground at Coco Palms, previous archaeological studies (see Table 1) indicate that in the last 20 years at least 69 burials have been uncovered in the makai Wailua to Waipouli area.

Five studies lie directly north of the Project area, on the Golding property (SIHP # 50-30-08-1836): Folk et al. 1991, Hammatt 1992, Hammatt et al. 2000, Ida et al. 2000, McCurdy and Hammatt 2008 (Figure 16). Burials, artifacts, and features were found during these studies. According to Hammatt (1992) and McCurdy and Hammatt (2008), a total of 50 burials were unearthed at this site. Nearly four hundred artifacts (396) were recovered, and the site assigned SHIP # 50-30-08:1836 (Figure 10).

In 1991, Cultural Surveys evaluated the site as “being culturally significant (Criterion E) because of the association of humans [sic] burials in makai areas of the site” (Hammatt 1991b:52). The Rosendahl and Kai study (1990), directly under a portion of the Project area, also found a cultural layer and burials. In addition, the Perzinski et al. study (2001), further south, but still under the Project area, also found a cultural layer and burials.

8. R. Lane's 1929 map, traced from a M. D. Monsarrat map based upon an 1886 survey, charts the disposition of the ten Land Commission Awards (LCAs) of Waipouli (Figure 19). Eight of the awards included separate āpana (parcels) for taro lo'i (Irrigated terrace, especially for taro) and pāhale (house lots). Kula (pasture) and lo'i associated with these awards were located within and adjacent to the extensive swamp. No one in the claims mentions sweet potatoes, although Handy and Handy (1972:424) suggested they would have been grown along the coastal plain.
9. The 1893 C. J. Willis Map (Figure 20), along with the Lane's 1929 LCA map of a portion of Olohena (Figure 19), and the LCAs on the 1996 US Geological Survey Map (Figure

- 17) together show North Olohena made up mostly of Kiaimoku's grant, and South Olohena of Grant 5264 to R. P. Spaulding for Lihue Plantation (419 Acres). The one LCA claimed and granted is inland on Konohiki Stream (LCA 3831; see Table 3 and Figure 17, Figure 19 and Figure 20).
10. By 1935, Handy (1940:67) found no kalo (taro) being cultivated. The terraces had been taken up by rice, sugar cane, sweet potato and pasture. However, Handy (1940) explains that, ~~Waipouli~~, Olohena (North and South), and Wailua are ahupua'a with broad coastal plains bordering the sea, any part of which would be suitable for sweet potato plantings; presumably a great many used to be grown in this section. There are a few flourishing plantations in Wailua at the present time" (Handy:153).
  11. After 1898, with the influx of American citizens to Hawai'i, according to Edward Joesting, in *Kaua'i: A Separate Kingdom*, real estate values rose and sugar plantation increased. By the mid-1900s, with greater interisland plane travel, development continued on Kaua'i. By the 1970s, there was ~~a~~ Kaua'i-wide rule banning high-rise development" (Beacon:20). By the 1990s, ~~the~~ backshore of Waipouli Beach is lined with long rows of tall ironwood trees. A shoreline pedestrian trail is used by strollers and joggers.... Although most of the Waipouli shoreline is developed or privately owned, six public rights of way provide access to the beach. They are all marked and easy to locate" (Clark 1990:9).

## 9.2 Results of Community Consultation

Kama'āina (Native-born, one born in a place) and kūpuna (elders) with knowledge of the proposed Project and study area participated in semi-structured interviews for this CIA in February 2011. CSH attempted to contact 41 individuals for this CIA report, of which 14 responded via email or phone, five provided written statements (two of which are OHA and SHPD responses), four participated in formal, individual interviews and ten participated in a group interview. As of this writing, the group interview has not been approved for this report. Thus, 17 people were interviewed for this report.

A summary of the information gathered from the community consultation is presented below with a breakdown of specific cultural resources:

1. The Project area and environs, in particular the shoreline, has a long history of use by Kānaka Maoli (Native Hawaiians) and other kama'āina (Native-born) groups for a variety of past and present cultural activities and gathering practices. Several participants discussed the spiritual nature of Wailua and its numerous wahi pana, sharing mo'olelo about heiau, pōhaku (rock), iwi (bones), and the activities of spirit people. Community interviewees noted the importance of wai or water and abundance of marine resources such as tilapia, mullet, spiny lobster and a'ama crab, traditional fishing methods and the preparation of chum, the need to respect iwi kūpuna (bones of ancestors) and other cultural resources, and the observance of correct protocol and attitude in beginning a project.
2. **Wahi Pana.** The responses regarding wahi pana and mo'olelo relate primarily to Wailua Ahupua'a. As Mr. Milton K. C. Ching explains: ~~In~~ the old days, there were no

boundaries. Although there were boundaries in maps that say this is Waipouli, this is Wailua, this is Kapa\_a, Hawaiians that lived here traversed back and forth for fishing and stuff. There wasn't really a boundary. They survived and lived." Thus, the wahi pana and mo\_olelo of the area draw few distinctions between Waipouli, Olohena (North and South), and Wailua Ahupua\_a. Both OHA and SHPD letters suggest that cumulative impacts of the Project on both known and unknown traditional practices and cultural resources should be addressed due to the spiritual nature and fragile character of the Project area.

For this Project, the specificity regarding phases C and D of this multi-use path does not seem to resonate with many of those consulted for this study. Some describe the cumulative impact of projects as an atmosphere of unresolved sadness, indicated specifically in OHA's letter. There are individual ahupua\_a and separate wahi pana, but some responses (OHA, SHPD, Mr. Diego-Josselin, Mr. Ako, Mr. Ching) draw connections between wahi pana, linking Waipouli, Olohena and Wailua into one larger context.

3. **Wai (Water, Liquid).** In one interview, Makaīwa and Papaloa are the off-shore resources specifically identified as impacted by the Lydgate Park–Kapa\_a Bike and Pedestrian Path, Phases C and D. Ms. Sophronia Noelani Diego-Josselin, in her reference to the *Declaration on the Rights of Indigenous Peoples*, further mentions the right of Indigenous Peoples to maintain and strengthen ... waters and coastal seas and other resources." SHPD, in its statement, discusses the need for access to water resources: "The department is mindful that traditional access in the project area to cultural places mauka for resources in the general ahupua\_a and/or to the ocean should be considered in your study that may impact the general community as well as cultural practitioners."

Mr. Ching, in his interview, describes Uhelekawawa Canal and the fish, like tilapia and mullet, in that shallow waterway. The Project would pass directly over this canal.

The importance of these water resources may be summarized in the Kawalo mo\_olelo, which is an account regarding the protection of fishermen and fishing. Smith explains the advice from the old man who saw Kawalo turn into a shark once he learned from passersby of their intent to go fishing: "He [the old man] said that from then on, never to tell anyone when they were going fishing. If anyone asked, they were to say they were going awana (also auana, auwana: wandering), or going wandering, but never to say they were going fishing" (Smith 1955:8). The advice is that fishing, and water resources, should be kept secret for fear that others may use that information. Though all may not be known of these water resources, the maintenance of these areas is important for the Project and for the community that lives near this Project.

4. **Historical and Cultural Properties.** The responses from OHA, SHPD, Ms. Diego-Josselin, as well as archaeological sites and studies in the area, all indicate that historic properties are a primary concern for this Project. Ms. Diego-Josselin summarized the cultural concerns regarding these sites in the following paragraph:

Native Hawaiian's religion and spirituality are rooted in the land or AINA. Sacred sites provide the physical foundation for mo'olelo or stories, that connect each new generation to their ancestors and weaves them into their culture and defines their identity. The

protection of sacred sites, and defending the ability to conduct rituals and ceremonies at these sites in **privacy and without disruption**, are therefore vital to maintaining and passing from generation to generation the distinct identities, traditions, and histories of our people.

5. **Heiau.** The heiau closest to the Project area is Kukui Heiau. Ms. Diego-Josselin asserts that there has been a failure to provide adequate Parking for those wishing to visit Kukui Heiau for traditional customary practices.” Ms. Diego-Josselin also contends that Kukui Heiau should be included within the Wailua Complex of Heiau, echoing studies that show the alignment of heiau such as Kukui Heiau to others like Hikinaakalā in Wailua (Flores 2000:II-6).

Historically, there were more heiau in Wailua than in other ahupua'a on Kaua'i (Bennett 1931). This fact is significant for some community participants. Mr. Ching, during his interview, noted this genealogical, cultural and psychological link between the people of Waipouli and Olohena and the heiau of Wailua.

Heiau offer a larger cultural and psychological link to for many people in this study and for communities of these ahupua'a. These heiau, as the focal point of the Wailua through Waipouli community, help expand the context for discussion of cultural impacts.

6. **Iilina (Grave).** Iilina are the main concern of the community participants interviewed for this study. Iilina offer a substantive genealogical link to the ancestors and the land. At least five participants in this CIA specifically mention the possibility of finding burials within the Project area.

Noting that he does not agree with some decisions made by the Kaua'i/Ni'ihau Burial Council, Mr. Ching states his preference for preserving burials in place. Ms. Cheryl Lovell-Obatake recommends SHPD and PW [Kaua'i County, Public Works Division] require that the applicant have a certified archaeologist on site during any and all ground/underground disturbances; such as extracting of trees and relocating them. I am concerned about Native Hawaiian burials and funerary objects connected to Native Hawaiian burials.”

Both Mr. Valentine Ako and Mrs. Beverly Muraoka caution that more iwi (bones) will be found in the current Project area. Mr. Ako believes that there will likely be graves found in the sandy areas of the Project area and Mrs. Muraoka relates the same concern. Both of them note the possibility of finding more iwi in Coco Palms. Mr. Ako emphasizes that iwi found in the ahupua'a must stay in that ahupua'a. If iwi are discovered, he recommends keeping them in place in the ahupua'a where they were found, preferably in an inconspicuous place and then holding a good burial service.

OHA similarly cautions about the discovery of bones along the beach. And SHPD is concerned with any ground disturbance work which may uncover burials or burial sites in sandy areas such as this project.”

7. **Ala Hele (Pathway, Route, Road).** Regarding the course of the multi-use path, there were varying opinions. Mr. Ako contends that the area by the Coconut Marketplace will need a stoplight there or an overpass, because traffic is so heavy, that there could be

accidents.” He believes the traffic should be on Papaloa Road before it goes down to Kauai Sands Hotel. Mr. Ching remains skeptical about the viability of the proposed multi-use path, noting lack of users in a previous path near the beach. Mrs. Sally Jo Manea has specific recommendations for the multi-use path, calling for buffers in areas where the cars and people are going to be sharing the same route. She calls for the path to be kept on the coast, as it would offer both ~~physical~~ “physical and mental therapy” and be ~~a~~ “a wonderful way to keep healthy!”

### 9.3 Recommendations

Based on the information gathered from archival documents, previous archaeological reports, and community consultation detailed in this CIA report, CSH recommends the following measures to mitigate potentially adverse impacts on cultural, historical, and natural resources, practices, and beliefs:

1. In light of statements made by several of the participants in this study including OHA, SHPD, Mr. Ako, Mr. Ching, and Ms. Diego-Josselin about the connections between wahi pana and the ahupua'a of Waipouli, Olohena and Wailua, CSH recommends that discussions of the Lydgate Park–Kapa'a Bike and Pedestrian Path, Phases C and D, CMAQ-0700(49) include the larger context of the many projects within the Wailua area and the consideration of the cumulative impacts of the overall Project.
2. Maka'iwa and Papaloa are the off-shore resources specifically identified as impacted by the Lydgate Park–Kapa'a Bike and Pedestrian Path, Phases C and D, CMAQ-0700(49) Project. In addition, SHPD and other participants discussed the need to protect access to cultural resources in the ahupua'a including water and marine resources in the ocean. Therefore, CSH recommends that the Project continue to provide access to these vital water resources.
3. As there continues to be Native Hawaiians and other kama'aina residents who are culturally active in the area, CSH recommends that ongoing cultural practices for plant gathering, fishing, surfing and ceremonial reasons, including visits to the Project area and vicinity, continue to be recognized, protected and accommodated.
4. Keeping in mind that the closest heiau to the Project area is Kukui Heiau which is listed on the National Register of Historic Places, CSH recommends that Kukui Heiau continue to be protected and preserved.
5. Besides the burial ground at Coco Palms, previous archaeological studies (see Table 1) indicate that in the last 20 years, at least 69 burials have been uncovered in the Wailua to Waipouli makai areas. Most of these burials have been found in sand. Archaeological research and participant interviews suggest that burials may be found along the route of the Project area. CSH recommends that cultural and archaeological monitors be present during any ground disturbance. CSH also recommends that kūpuna are consulted prior to ground disturbance so that a comprehensive agreement is established regarding burials in the vicinity of the Project area.
6. Due to community consultation results where participants like Mrs. Manea suggested the use of buffers if the multi-use path will be located by the highway and will be shared by both cars and people, CSH recommends that in the event that such a route is considered, buffers should protect those on the path from cars on the road.
7. Based on community consultation results where participants like Mrs. Muraoka urges for the observance of correct protocol to be followed, CSH recommends that community members with longstanding connections to the area should be consulted regarding the Project and the preservation, restoration and interpretation of the cultural resources of the area.

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# Appendix A Glossary

To highlight the various and complex meanings of Hawaiian words, the complete translations from Pukui and Elbert (1986) are used unless otherwise noted. In some cases, alternate translations may resonate stronger with Hawaiians today; these are placed prior to the Pukui and Elbert (1986) translations and marked with ~~(common)~~.”

Diacritical markings used in the Hawaiian words are the okina and the kahakō. The okina, or glottal stop, is only found between two vowels or at the beginning of a word that starts with a vowel. A break in speech is created between the sounds of the two vowels. The pronunciation of the okina is similar to saying ~~oh-oh~~.” The okina is written as a backwards apostrophe. The kahakō is only found above a vowel. It stresses or elongates a vowel sound from one beat to two beats. The kahakō is written as a line above a vowel.

Hawaiian Word	English Translation
ahupua <u>a</u>	Land division usually extending from the uplands to the sea, so called because the boundary was marked by a heap (ahu) of stones surmounted by an image of a pig (pua <u>a</u> ), or because a pig or other tribute was laid on the altar as tax to the chief
<u>a</u> lae	Mudhen or Hawaiian gallinule
ala hele	Pathway, route, road, way to go, itinerary, trail, highway, means of transportation
ali <u>i</u>	Chief, chiefess, officer, ruler, monarch, peer, headman, noble, aristocrat, king, queen, commander
āpana	Land parcel, lot, district, sector, ward, precinct
awana ( <u>a</u> wana, <u>a</u> wana)	Wander, drift, ramble
<u>a</u> wai	Ditch, canal
<u>a</u> wa	Kava
awana (awana, auwana)	To wander, drift, ramble
<u>e</u> ha	Hurt, in pain, painful
heiau	Pre-Christian place of worship, shrine; some heiau were elaborately constructed stone platforms, others simple earth terraces. Many are preserved today

holoholo (holo holo)	To go for a walk, ride, or sail; to go out for pleasure, stroll, promenade
holua	Sled, especially ancient sled used on grassy slopes; the sled course
ho_oku <u>p</u> u	Ceremonial gift-giving as a sign of honor and respect
ho_opāpā	Debate, argue
hui	Club, association, society, corporation
__i <u>l</u> i	Land section, next in importance to ahupua <u>a</u> and usually a subdivision of an ahupua <u>a</u>
ilina	Grave, tomb, sepulcher, cemetery, mausoleum, plot in a cemetery
iwi	Bones
iwi kūpuna	Ancestral bone remains (common)
kahakai	Beach, seashore
kahuna	Priest, sorcerer, magician, wizard, minister, expert in any profession. Kāhuna—plural of kahuna
kalana	Division of land smaller than a moku or district; county
kalo	Taro
kilu	An ancient game where the player chanted as he tossed the <i>kilu</i> gourd towards an object placed in front of one of the opposite sex; if he hit the goal he claimed a kiss
kama_ā <u>i</u> na	Native-born, one born in a place, host; native plant; acquainted, familiar, Lit., land child
kapu	Taboo, prohibition
kaumaha	Heavy; weight, heaviness. Fig., sad, wretched
ko_ā	Coral, fishing grounds
kona	Leeward sides of the Hawaiian Islands; leeward
kōnane	Ancient game resembling checkers, played with pebbles placed in even lines on a stone or wood board called <i>papa konane</i> , to play

	<i>kōnane</i>
konohiki	High chief
ko_olau	Windward sides of the Hawaiian Islands
kuhina nui	Regent
kula	Plain, field, open country, pasture
kuleana	Right, privilege, concern, responsibility, title, business, property, estate, portion, jurisdiction, authority, liability, interest, claim, ownership, tenure, affair, province
kumu hula	Hula teacher (see kumu)
kupuna (pl.kūpuna)	Grandparent, ancestor, relative or close friend of the grandparent's generation, grandaunt, granduncle. Kūpuna—plural of kupuna
lehua	The flower of the _ohi_a tree
limu	A general name for all kinds of plants living under water, both fresh and salt, also algae growing in any damp place in the air, as on the ground, on rocks, and on other plants; also mosses, liverworts, lichens
loa	Distance, length, height, long
lo_i	Irrigated terrace, especially for taro, but also for rice; paddy
loko i_a	Fishpond (common)
loko pu_uone	Pond near the shore, as connected to the sea by a stream or ditch
lū_au	Hawaiian feast
mahina_ai	Farm
makai	Ocean-side
maka_āinana	Commoner, populace, people
makana	Gift, present
makua	Parent, any relative of the parents' generation

mana_o	Thought, idea, belief
mauka	Inland
mele	Song, anthem, or chant of any kind; poem, poetry; to sing, chant
menehune	Legendary race of small people
moku	District, island, islet, section
mo_o	Lizard, reptile, dragon
mo_olelo	Story, tale, myth, history, tradition, literature, legend, journal, log, yarn, fable, essay, chronicle, record, article; minutes, as of a meeting. (From mo_o_olelo, succession of talk; all stories were oral, not written)
muliwai	River, river mouth; pool near mouth of a stream, as behind a sand bar, enlarged by ocean water left there by high tide; estuary
nā	Plural definite article. Nā lani, the chiefs
_ohana	Family, relative, kin group; related
_ohi_a lehua	See lehua above; flower of the _ohia tree
_olelo no_eau	Proverb, wise saying, traditional saying
oli	Chant that was not danced to, especially with prolonged phrases chanted in one breath, often with a trill at the end of each phrase; to chant thus
_ōpae ula	Small, endemic reddish shrimp used for _ōpelu bait
_ōpū	Belly, stomach, abdomen
papa	Flat surface, plain, reef
pāhale	Home lot, yard, fence
pala_ai	Original name for pumpkin
pōhaku piko	Lit. birthing stone
poi	Poi, the Hawaiian staff of life, made from cooked taro corms, or

	rarely breadfruit, pounded and thinned with water
pono	Goodness, uprightness, morality, moral qualities, correct or proper procedure
pule	Prayer
puka	Hole (perforation; cf. lua, pit); door, entrance, gate, slit, vent, opening, issue
pu_uhonua	Place of refuge
_uala	Sweet potato
_ūkēkē	A variety of musical bow, 40 to 60 cm long and about 4 cm wide, with two or commonly three strings drawn through holes at one end. The strings were strummed
_ulu	Breadfruit
wai	Water, liquid
wahi pana	Storied place (common), legendary place
wauke	Paper mulberry

## Appendix B Common and Scientific Names for Plants and Animals

Common Names		Possible Scientific Names		Source
Hawaiian	Other	Genus	Species	
<u>a_ama</u>	black crab	<i>Grapsus</i>	<i>grapsus</i>	Pukui and Elbert 1986
āholehole	juvenile āhole (Hawaiian flagtail)	<i>Kuhlia</i>	<i>xenura</i>	Hoover 2003
aku	bonito, skipjack	<i>Katsuwonus</i>	<i>pelamis</i>	Hawaii Seafood Council 2010
akule	big-eyed scad	<i>Selar</i>	<i>crumenophthalmus</i>	Hoover 2003
<u>ama_ama</u>	striped mullet	<i>Mugil</i>	<i>cephalus</i>	Hoover 2003
<u>āweoweo</u>	bigeye	<i>Heteropriacanthus</i>	<i>cruentatus</i>	Hoover 2003
<u>āweoweo</u>	Bigeye	<i>Priacanthus</i>	<i>meeki</i>	Hoover 2003
kalo		<i>Colocasia esculenta</i>	<i>esculenta</i>	Pukui and Elbert 1986
kukui	candlenut	<i>Aleurites</i>	<i>moluccana</i>	Wagner et al. 1999
haole koa		<i>Leucaena</i>	spp. *	Wagner et al. 1999
laua_e		<i>Phymatosorus</i>	<i>grossus</i>	Imada et al. 2005
limu_ele_ele	seaweed, algae	<i>Enteromorpha</i>	<i>prolifera</i>	Abbott and Williamson 1974

Common Names		Possible Scientific Names		Source
Hawaiian	Other	Genus	Species	
limu ogo	seaweed, algae	<i>Gracilaria</i>	<i>parvispora</i>	Guiry and Guiry 2010
mahimahi	dolphin fish	<i>Coryphaena</i>	<i>hippurus</i>	Hawaii Seafood Council 2010
māmaki		<i>Pipturus</i>	spp.*	Wagner et al. 1999
manini	convict tang	<i>Acanthurus</i>	<i>triolestegus</i>	Hoover 2003
nehu	smelt	<i>Stolephorus</i>	<i>purpureus</i>	Titcomb 1972
ōhi_ā lehua (or lehua)		<i>Metrosideros</i>	spp.	Pukui and Elbert 1986
ono	wahoo	<i>Acanthocybium</i>	<i>Solandri</i>	Hawaii Seafood Council 2010
ōpae	shrimp	general name for shrimp		
ōpelu	mackerel scad	<i>Decapterus</i>	<i>macarellus</i>	Hoover 2003
ōpihi	Limpet	<i>Cellana</i>	spp.	Pukui and Elbert 1986
pala_ai	Original name for pumpkin	<i>Cucurbita</i>	<i>pepo</i>	Pukui and Elbert 1986
pueo	Hawaiian short eared owl	<i>Asio</i>	<i>flammeus sandwichensis</i>	Hawai'i DLNR 2005
tī		<i>Cordyline</i>	<i>fruticosa</i>	Wagner et al. 1999

Common Names		Possible Scientific Names		Source
Hawaiian	Other	Genus	Species	
u <u>u</u> ala	sweet potato	<i>Ipomoea</i>	<i>Bbatatas</i>	Wagner et al. 1999
u <u>u</u> lu	breadfruit	<i>Artocarpus</i>	<i>altilis</i>	Imada et al. 2005
u <u>u</u> u	menpachi, soldierfish	<i>Myripristis</i>	spp.*	Randall 1996
u <u>u</u> haloa	American weed	<i>Waltheria</i>	<i>indica</i>	Wagner et al. 1999
	Guava	<i>Psidium</i>	<i>guajava</i>	Wagner et al. 1999

\* spp. = multiple species

# Appendix C Community Contact Letter

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February 2011

Aloha SAMPLE,

At the request of Kimura International, Inc., Cultural Surveys Hawai'i, Inc. (CSH) is conducting a Cultural Impact Assessment (CIA) for the Phase C and D of the Lydgate Park/Kapa'a Bike Path Project, South Oloheha, North Oloheha and Waipouli Ahupua'a, Kawaihau District, Kaua'i Island, TMKs ([4] 4-3-02 and [4] 4-3-07). The County of Kaua'i will construct, own and operate the facility. The project will be funded in part by the U.S. Department of Transportation, Federal Highway Administration.

The CIA will be used for a Supplemental Environmental Assessment. The EA will focus on a preferred alternative that extends from Papalooa Road, between Kauai Sands and Islander on the Beach, then north through the County's beach reserve and along the coastal bench *makai* (ocean side) of the undeveloped parcels and Courtyard Kauai Coconut Beach (formerly Kauai Coconut Beach Resort). The preferred alternative continues just *mauka* of Mokihana of Kaua'i and the Bull Shed Restaurant (currently a parking lot) and along the southern bank of Uhelekawawa Canal (currently a landscaped strip) to Kuhio Highway. The preferred alignment crosses Uhelekawawa Canal as a cantilevered attachment to the existing highway bridge or an independent single span bridge, where it will connect to the existing bike path at Waipouli Beach Resort. On the northern end of the project area, the EA will also assess use of an existing beach access located south of Kapaa Missionary Church, as well as a stretch adjacent to and *makai* of Kuhio Highway between the beach access and Uhelekawawa Canal (approximately 580 feet).

The Project requires compliance with the State of Hawai'i environmental review process (Hawai'i Revised Statutes [HRS] Chapter 343), which requires consideration of a proposed Project's effect on cultural practices and resources. This CIA investigation may be used to support the National Historic Preservation Act (NHPA) Section 106 and the National Environmental Policy Act (NEPA) consultation, but does not, in itself, satisfy the cultural consultation requirements of either Section 106 or NEPA.

The purpose of this cultural study is to assess potential impacts to cultural practices as a result of potential development in South Oloheha, North Oloheha and Waipouli Ahupua'a. We are seeking your *kōkua* and guidance regarding the following aspects of our study:

- **General history and present and past land use of the project area.**
- **Knowledge of cultural sites which may be impacted by future development of the project area - for example, historic sites, archaeological sites, and burials.**
- **Knowledge of traditional gathering practices in the project area, both past and ongoing.**
- **Cultural associations of the project area, such as legends and traditional uses.**
- **Referrals of *kūpuna* or elders and *kama'āina* who might be willing to share their cultural knowledge of the project area and the surrounding *ahupua'a* lands.**

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- **Any other cultural concerns the community might have related to Hawaiian cultural practices within or in the vicinity of the project area.**

I invite you to contact me, Kūhiō Vogeler at (808) 262-9972 or send me an e-mail at [kvogeler@culturalsurveys.com](mailto:kvogeler@culturalsurveys.com) if you have any information you would like to share.

Mahalo nui.

Kūhiō Vogeler, Researcher  
Cultural Surveys Hawai'i

# Appendix D Interview Questions

**Cultural Surveys Hawai'i, Inc.**  
Archaeological and Cultural Impact Studies  
Hallett H. Hammatt, Ph.D., President



P.O. Box 1114

Kailua, Hawai'i 96734

Ph: (808) 262-9972

Fax: (808) 262-4950

Job code: Waipouli 4

[kvogeler@culturalsurveys.com](mailto:kvogeler@culturalsurveys.com)

[www.culturalsurveys.com](http://www.culturalsurveys.com)

## INTERVIEW QUESTIONS

### Cultural Impact Assessment for Lydgate Bike Path Phase C and D Project

#### Part I: Contact information

1. Name
2. Where were you born?
3. Where did you grow up?
4. When were you born?
5. Parents: Mother: Father:
6. Occupation/Affiliation
7. Area of residence
8. How long have you lived here?
9. Personal and/or family connection to *ahupua'a*
10. Referrals

#### Part II: Historical information

11. Is there anything you would like to say about the general history of the area, or past and present land use?
12. Do you have any memories of what existed in that area or cultural events that were practiced?
13. How about personal and/or family history in the area?
14. Past land use? Past agricultural, fisheries or other uses of the area?

#### Part III: Cultural and historic sites

15. Are there any cultural, archeological, historic, and/or burial sites in or around the proposed project area (e.g., *heiau, hale, kū'ula, ilina*)?

#### Part IV: Gathering/hunting/fishing/etc. practices

16. Are you, or is anyone you know, involved in any cultural practices in the project area – for example plant gathering, fishing, hunting, surfing, etc.?

17. If you are, how did you learn the activity/ies and how long have you engaged in \_\_\_\_\_?

18. Can you tell me about any cultural practices from the past?

19. Knowledge of past or present cultural protocols observed

**Part V: Legends, stories and place, and sense of place**

20. Is there anything you would like to say about legends, or stories about the project area?

21. Are there any names, traditions, or practices associated with the area and features of the landscape? Origin stories...?

22. Trails ancient or contemporary in the area? Who used/uses them?

23. *Mauka-makai* relationships?

**Part VI: What else?**

24. Do you have any, or do you know of any concerns the community might have related to Hawaiian or other cultural practices within or in the vicinity of the project area?

25. Do you have any recommendations regarding site management or protection, and development in the proposed project area?

26. Did CSH miss anything? Is there anything else you would like to add?

27. Is there anyone else we should talk to about this cultural study?

28. If so, may I say that you referred CSH to him/her?

# Appendix E Authorization and Release

**Cultural Surveys Hawai'i, Inc.**  
Archaeological and Cultural Impact Studies  
Hallett H. Hammatt, Ph.D., President



P.O. Box 1114 Kailua, Hawai'i 96734 Ph: (808) 262-9972 Fax: (808) 262-4950  
Job code: WAIPOULI 4 [mmagat@culturalsurveys.com](mailto:mmagat@culturalsurveys.com) [kvogeler@culturalsurveys.com](mailto:kvogeler@culturalsurveys.com) [www.culturalsurveys.com](http://www.culturalsurveys.com)

## AUTHORIZATION AND RELEASE FORM

Cultural Surveys Hawai'i (CSH) appreciates the generosity of the *kāpuna* and *kama'āina* who are sharing their knowledge of cultural and historic properties, and experiences of past and present cultural practices for the Cultural Impact Assessment for the *ahupua'a* of Pa'ala'a.

We understand our responsibility in respecting the wishes and concerns of the interviewees participating in our study. Here are the procedures we promise to follow:

1. The interview will not be tape-recorded without your knowledge and explicit permission.
2. If recorded, you will have the opportunity to review the written transcript of our interview with you. At that time you may make any additions, deletions or corrections you wish.
3. If recorded, you will be given a copy of the interview notes for your records.
4. You will be given a copy of this release form for your records.
5. You will be given any photographs taken of you during the interview.
6. We will only use the information you provide (i.e., interview, photographs) for the purposes of our reports.

For your protection, we need your written confirmation that:

1. You consent to the use of the complete transcript and/or interview quotes for reports on cultural sites and practices, historic documentation, and/or academic purposes.
2. You agree that the interview shall be made available to the public. Although CSH will always contact you first before using information you provide to us, we cannot monitor third parties' activities or how they use information in the reports.
3. If a photograph is taken during the interview, you consent to the photograph being included in any report/s or publication/s generated by this cultural study.

I, \_\_\_\_\_, agree to the procedures outlined above and, by my  
(Please print your name here)  
signature, give my consent and release for this interview to be used as specified.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_

# Appendix F Sophronia Noelani Diego-Josselin Response Letter

February 15, 2011  
Sophronia Noelani Diego-Josselin  
4549 Panihi Road  
Kapaa, Hawaii 96746

Kuhio Vogeler  
Cultural Surveys Hawaii Inc.  
P.O Box 114  
Kailua, Hawaii 96734

Cultural Impact Assessment  
For Lydgate Bike Path Phase C and D Project  
Job Code Waipoli 4

Aloha Kuhio Vogeler,  
Mahalo for Allowing me to contribute my mana'o to the Cultural Impact Assessment for Lydgate Bike Path Phase C and D Project, Job Code Waipoli 4.

Why is this C.I.A. is being conducted AFTER the notification was sent out to begin construction on Lydgate Bike Path Phase C and D Project? And WHY were we not contacted or notified to participate in previous bike path C.I.A's, ?

For the record, I was born in 1962, raised by my grandparents in the village of Hana, Maui. In 1987 we moved to Kaua'i. My husband was hired as the new executive Chef for Coco Palms. Our family was housed on property for almost a year. During this time I believed my spirit connected to those of my ancestors in the Wailua area. Since, I lived and worked in Wailua, where I raised my family for over 24 years.

I, through my Grandmother Lupinehae Kala-Diego am a direct lineal descendant of Kamuali'i and, Mano O Kalanipo, who were decendants of ali'i nui, KUKONA.

I have studied design, feng shui as well as marketing and merchandising which I hold an AA degree in. I have owned, designed and built numerous commercial restaurants, coffee shops, and organized the very first TASTE OF HAWAII which originated in the Sacred Wailua Coconut Grove, which was adopted by the Kapaa Rotary Club as their main annual fundraiser.

I feel it is a responsibility of Corporations and Persons such as Kahele makalae aka PATH Inc., Cultural Surveys Hawaii and Halmatt Hamet PhD, to **correctly** identify renown SACRED historical areas such as areas included and surrounding Wailua Complex of Heiau . These areas are LISTED on the NATIONAL REGISTRY OF HISTORICAL SITES. Cultural Surveys Hawaii Inc. should refrain from dissecting Wailua's landscape and plundering "inadvertent" artifacts and human remains. In your initial reports, that allowed for archeological permitting, CSHI considered these sacred sites to be FONSI! By refusing to allow Native Hawaiians to participate in prior consultations that directly affect Wailuanuiahoano , it's coastline, land, cultural artifacts , burials, places of worship and spiritual places of cultural practices you are breaking not only state laws but **international laws** . I pray that you take these concerns into consideration, and make right the HEWA of your "surveys" and "assessments", Starting with the **mitigation** of;

1. The blockage of the KINGS PATH for religious practices with a vertical concrete wall and "tourist" scenic point.
2. Failing to Identify and preserve numerous "KI'I" that were identified and described in various testimonies by Ms. Sharon Pomroy who is a direct lineal decendant of this Pu'u honua area, to be beautifully carved.
3. Failing to identify and protect the demarcation line of HAUOLA pu'u honua area, indicated with a line of submersed boulders located under the south end of the new bridge embankment,.
4. Failure to identify and protect KANE IE Cave which was sealed, but might have been damaged during construction.
5. Failure to identify and protect HUI KI'I and KI'I PAE MAHU, all in the general vicinity of the HISTORICAL CANE HAUL BRIDGE !
6. Failure to identify and preserve" what remains" of MAHUNAPU'UONE, KAWELOS Heiau and Ali'i Ohana Burials, Makai of Kuhio Highway. I find this to be s grossly irresponsible to the culture that you make your living from..
7. Failure to provide parking for those wishing to visit sacred Papalooa reef for fishing, giving Ho'okupu, etc..
8. Failure to provide adequate Parking for those wishing to visit Kukui Heiau for traditional customary practices

I pray that **WE** can move forward with this project. Understand that in order for this project "Job Code Waipoli 4" to be PONO, Cultural Surveys Hawaii Inc. must take into account and apply all of the information that you have gathered for your reports, FONSI are unacceptable,

Native Hawaiian's religion and spirituality are rooted in the land or AINA. Sacred sites provide the physical foundation for mo'olelo or stories, that connects each new generation to their ancestors and weaves them into their culture and defines their identity. The protection of sacred sites, and defending the ability to conduct rituals and ceremonies at these sites in **privacy and**

**without disruption**, are therefore vital to maintaining and passing from generation to generation the distinct identities, traditions, and histories of our people.

The use and protection of sacred sites is not merely a cultural or spiritual concern. It is a human right that has been identified and protected by international law. Article 25 of the UN Declaration on the Rights of Indigenous Peoples provides that:

“Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.”

Mahalonuiloa,

Noelani Josselin

# Appendix G Cheryl Lovell-Obatake Response Letter

Cheryl Lovell-Obatake  
P.O. Box 366  
Lihue, Hawaii 96766

Phone: (808) 245-8783

February 14, 2006  
Resubmit August 28, 2006

County of Kauai  
Planning Department  
4444 Rice Street Suite A 473  
Kapule Building  
Lihue, Hawaii 96766

Attention: Chairman Nishimura & Members of the Planning Commission

Subject: SMA(U)-2006-5, P.D. U-2006-7 & Z-IV-2006-10 = Coconut Plantation Holdings, LLC.

The following are my comments and concerns on the text compiled by CM & D and Group 70 International:

1.) Pg. 2-2 - Valuation of Development

“Upon the construction, the estimated value of the proposed residential-resort condominium development will be approximately \$100 million.”

I question the formula on the real estate market value compared to the County’s Real Property Division’s evaluation based on real property taxes.

Will this project enhance property value and property taxes for surrounding properties in the area?

2.) Pg. 2-6 - Drainage

Exhibit G. - A water lily pond and a huge swimming pool is located makai of the project site; and a water lily/lotus/taro pond located mauka of the proposed project.

Where will the overflow of the ponds and chlorinated pool water be discharged?

3.) Pg. 2-6 - Coastal Waters and Marine Ecology

Appendix I. an assessment of Marine Water Quality conducted by Steve Dollar of Marine Research Consultants.

(Apply to Coconut Beach Development LLC)

Did the State of Hawaii, Division of Aquatic Resources submit comments and /or recommendations to this application?

It is obvious to me that a National Pollutant Discharge Elimination System permit will be applied when drainage water discharges into the ocean. Already the Marine Research Consultants established a baseline set of conditions to evaluate potential changes to near shore water quality that may result from the proposed project.

4.) Pg. 2-6 9<sup>th</sup> paragraph Marine Ecology

"Marine life in the near shore region includes a benthic reef ecology and a typical Hawaiian reef fish community. The section of coast line fronting the subject property is a popular shoreline fishing area for species such as oama. Other species include Akule, Omilu, Taape, Manini, Ulua, Aholehole, and Moana."

I am uncertain if all the different fishes (resources) coral, and reef are accounted for at this time. Please inquire with the State Aquatics Division for their comments and knowledge.

(Apply to Coconut Beach Development LLC.)

5.) Pg. 2-8 4<sup>th</sup> paragraph

"The grove of existing mature coconut palms on the property is recognized as and protected by the Exceptional Tree Act listing for Kauai."

I understand that the County Council and the County Arborist Advisory Committee determines which trees are to be designated "exceptional trees".

I recommend that SHPD and PW require that the applicant have a certified archaeologist on site during any and all ground/underground disturbances ; such as the extracting of trees and relocating them. I am concerned about Native Hawaiian burials and funerary objects connected to Native Hawaiian burials.

Sec. 22-5.3 County Arborist Advisory Committee compose of five (5) members.

Is the Advisory Committee available? Who are they?

6.) Hurricane shelters and Tsunami evacuation areas need planning.

- A.) Emergency traffic plan
- B.) Proper signage - directing
- C.) Hotel evacuation plans etc..

( Apply to Coconut Beach Development LLC.)

I kanalua (doubtful)..

Sincerely I remain,

\_\_\_\_\_  
Cheryl Lovell-Obatake