

## **“Iwi” Unearthed at Kiahuna Development**

On June 16, 2022 Kunani Fu, VP of Development for Pinkston’s Meridian Pacific, emailed Kauai Planning Department to inform them that there had been an inadvertent discovery of 2 bones, iwi, on their development site at Kiahuna Plantation Drive. In less than six hours, Ms. Fu emailed the County again to say that the bones were of a pig and a cow without any indication that the bones had been examined by a medical examiner/pathologist or a coroner per Hawaii Administrative Rule (HAR) §13-300-40 (b)(2).

None of the cultural representatives who had previously met with the developer and his representatives were contacted as also required by State law.

Gary Pinkston and Meridian Pacific and their agents have been aware that lineal descendants had been informing them since early 2021 of ancestors buried on this very parcel. Although Pinkston had not completed his purchase of the property until June 1, 2021, Meridian Pacific had been working onsite since January 2021.

Its VP of construction, Colin Thompson, was onsite in April 2021 for grading with frontend loaders that community members complained was illegal because no grading permit had been issued for the parcel. None was issued until March 2022.

In addition to the illegal grading that was reported to the County, Mr. Thompson was also onsite for geological drilling and boring in April of 2021. The same community members objected again to the absence of a grading permit and the potential damage being done to the burial mounds and the cave formation that was known habitat for the blind cave spider, an engendered species listed by US Fish and Wildlife. Several of the community members that complained were also cultural practitioners. Despite their involvement in prior complaints, they were not contacted when bones were discovered in June 2022.

On May 9, 2021, a citizen’s complaint on behalf of E Ola Kakou Hawaii was filed with the County Planning Department. The Planning Department acknowledged receipt but never responded further. That complaint reiterated the concerns about the lack of archaeological and biologic clearance because of the mounds and other features.



GPS - Latitude 21;53;30.149999999943...  
Longitude 159;27;31.6300000000004...  
Altitude 45.656791679798296

If not for a Freedom of Information Act (FOIA) request, the report of bones being unearthed would never have been discovered.

Ms. Fu's email was sent to the County after the mid-morning discovery of bones June 16, 2022. The Kauai archaeologist for the State Historic Preservation Division (SHPD), David Buckley, appeared onsite shortly after noon. He prepared a report of his onsite visit and detailed finding more than the 2 bones reported by Ms. Fu. He described some of the bones and bone fragments as having been burned and also notes that one of the bones was in a push pile and the others were among burnt wood debris. This is likely based on Meridian Pacific's use of regular explosives. There was no mention of where the bones would go or if they were to be examined by a qualified pathologist/medical examiner or coroner as the State requires. Rather, in less than six hours the Planning Department was told that the bones were from animals and the developer would resume construction.

Cultural practitioners and Koloa residents had also reported finding damage to the historic Hapa Trail after they started blasting, hole and voids appeared that were not there before the blasting. There is no dispute that Hapa Trail is a recognized historic archaeological feature of significance. Yet, when Mr. Buckley visited the trail on June 3, 2022, he concluded that, "It was unclear what caused this and if it was associated with the vibrations of the microblasting." Koloa residents would take issue with the term microblasting as many blasts have startled and frightened homeowners because of their size. One homeowner reported dust clouds that were filling their property with dirt. However, rather than have a geotechnical engineer determine whether the blasting was related to the damage observed on Hapa Trail, the County and the State allowed the developer to keep blasting. When Geolabs drilled core samples from the parcel in April 2021, their geotechnical report described a rock formation at the site that was particularly known for caves, voids and mesocaverns prompting Geolabs to recommend Meridian Pacific use construction methods to avoid unwanted settling of their condominiums during or

after construction. They recommended special footings and grouting but did not advise the use of blasting. Explosives are known to cause disruption in soil integrity. Collapses can happen at blasting or later.

There has been so much community upset over the blasting and now with the unearthing of bones and the speed at which the development is being pushed, one has to wonder who benefits and why authorities are turning a blind eye? The law firm, Imanaka Asato, that processed Pinkston's condominium application with the State, held 3 fundraising events for Derek Kawakami when he ran for Mayor in 2018. They have since donated 10s of thousands of dollars to his current campaign per State campaign finance reports. Gary and Nancy Pinkston have also made the maximum campaign contribution allowed to Derek... so, is the community being ignored because the wheels have already been greased? What happened to that detailed complaint filed with the Kauai Planning Department May 9, 2021?

Bridget Hammerquist  
Retired longtime Koloa resident  
808-346-1973

Note to Editor: In addition to the supporting documents attached to the transmittal email, the emails below are those of Kauai State archaeologist David Buckley in the event you wanted to verify the reports of his findings referenced above.

From: Buckley, David R  
Sent: Tuesday, June 21, 2022 12:19 PM  
To: Downer, Alan S <Alan.S.Downer@hawaii.gov>; Lebo, Susan A <Susan.A.Lebo@hawaii.gov>  
Subject: Kauanoë O Koloa Site Visits Summary

"June 3, 2022

On June 3, 2022, SHPD conducted a site visit at the Kauanoë O Koloa Project Site in coordination with DOCARE (Justin Tabalno) and Michael Dahilig of the County of Kaua'i (Managing Director of the Office of the Mayor) in order to respond to community complaints that microblasting on the site and other project work has resulted in the exposure and damage of burials, lava tubes, and damage to Hapa Trail across the street of Kiahuna Plantation Drive. The project area was walked and the areas of the blasting

were observed. Many piles of bluerock rubble and debris were observed from the microblasting and machine activity, along with graded areas of the access roadway within the central portion of the project area and the multiple entrances. It was explained by other project personnel on the site that many areas of the blasting were necessary to install the underground utilities and infrastructure. This could be observed in the southern portion of the site where a large pit was observed showing the excavation for sewer/water/storm drain lines, displaying the large amount of rock that was present in the stratigraphy underground. No historic properties, burials, lava tubes or burial caves were observed during the site visit, and therefore no damage was noted. After the onsite walkthrough, the group moved across the street to walk along Hapa Trail to address the concerns that the trail had been damaged due to the microblasting on the site. Two community members approached the group on the trail and led everyone to the locations where there was believed damage. The areas of interest were located quite far north and east along the trail, beyond where the Kauanoë O Koloa Project area was located. Two locations were observed, each displaying very small holes/voids (two golf-ball sized) along the trail. It was unclear what caused this and if it was associated with the vibrations of the microblasting.

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June 16, 2022

On June 16, 2022 at approximately 12:30 PM, SHPD Kaua`i Archaeologist David Buckley conducted a site visit at the Kauanoë O Koloa Project site, located in Koloa, along Kiahuna Plantation Drive. The site visit was in coordination with SHPD Kaua`i Burial Sites Specialist Kauanoë Hoomanawanui, DLNR DOCARE Officer Justin Tabalno, a KPD Officer, and several representatives of the Meridian Pacific ownership that included Kanani Fu and Colin Thompson. The site visit was in response to an inadvertent discovery of two isolated bones on the surface that were reported by the property owners representatives in the morning. At this point, it was unclear if the bones were human or faunal. It was also a potential that these bones may have been placed on the site as a deterrent to stop work. This was expressed by the owner representatives. Additionally, the day prior, a site visit was conducted by SHPD Kaua`i Burial Sites Specialist Kauanoë Hoomanawanui and other individuals to a burial reinterment cave site on Kukui`ula Property SHIP Site #50-30-10-1927A, in which it was determined that approximately 6 burial bundles were missing from the reinterment site. After coordination with all parties, SHPD Kaua`i Archaeologist David

Buckley arrived on site, met with all associated personnel at the project trailer at the north end of the Project Area, and proceeded to location of the first inadvertent discovery. The first bone was located on the surface of a grassy and rocky push pile, just west of the main dirt access road running through the site, approximately 100-120 ft. from the western edge of the Project Area. After inspection, it was determined that the bone fragment was faunal in nature and not human. At this point, Dr. Alan Down and SHPD History and Culture Branch Chief Hinano Rodrigues were contacted via phone and informed of the determination that the first isolated bone was not human. Project personnel then led the group to the second isolated inadvertent discovery location, which was southeast of the first location, in the southern half of the east-central portion of the Project Area. Upon inspection, one larger bone shaft fragment and many other smaller bone fragments were observed on the surface. Other rubbish and debris was noted in the area, including small burned wood fragments, a burned bone fragment and other debris. It was determined that all bone fragments at this location were faunal in nature and Not Human. SHPD Administrator Dr. Alan Downer was once again contacted via phone and updated as to the site visit determination.

After the site visit was completed, SHPD requested that the animal bone fragments were to be collected.

No other bone fragments or evidence of historic properties were observed during the site visit."