
SENATE RESOLUTION

URGING CONTINENTAL PACIFIC, LLC, AND THE STATE HISTORIC PRESERVATION DIVISION TO, AMONG OTHER THINGS, PLACE AN IMMEDIATE STAY OF EVICTION TO ALLOW RESIDENTS OF KAHUKU VILLAGE TO REMAIN IN THEIR HOMES UNTIL AN ARCHAEOLOGICAL INVENTORY SURVEY CAN BE COMPLETED FOR THE ENTIRE PROJECT AND ENSURE THAT THE KAHUKU VILLAGE PROJECT ADHERES TO ALL REQUIREMENTS, INCLUDING REQUIREMENTS FOR THE TREATMENT OF BURIAL REMAINS AND FOR CONDOMINIUM PROPERTY REGIMES.

1 WHEREAS, in 1890, the Kahuku Sugar Plantation was founded
2 on the property owned by James Campbell; and

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4 WHEREAS, workers were imported from Asia and elsewhere and
5 housed onsite to keep up with the production demands of the
6 sugar mill; and

7
8 WHEREAS, this is how the town of Kahuku began and was
9 populated; and

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11 WHEREAS, in 1971, the Kahuku Sugar Mill ceased operation
12 and the James Campbell Estate worked with the community to
13 buffer the negative impact of its closure by allowing tenants to
14 stay in Kahuku Village at a reduced rent; and

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16 WHEREAS, historically, plantation camps have been the
17 responsibility or "kuleana" of large landowners to provide
18 lifelong housing to their tenant workers and tenant workers'
19 families; and

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21 WHEREAS, large landowners have long recognized the value
22 and intrinsic connection between the success of the plantations
23 and the sacrifices made by their tenant workers; and

24
25 WHEREAS, today, Kahuku Village tenants include multi-
26 generational families who have deep personal connections and
27 experiences with the former Kahuku Sugar Plantation or Kahuku
28 Town; and
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1 WHEREAS, Kahuku Village V currently comprises about seventy
2 residential homes originally built for plantation workers on the
3 makai side of Kamehameha Highway on land formerly owned by the
4 James Campbell Estate; and
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6 WHEREAS, in 2006, Continental Pacific, LLC (Continental
7 Pacific), purchased Kahuku Village from the James Campbell
8 Estate with plans to convert Kahuku Village into a condominium
9 property regime, a process that will allow for the sale of
10 single-family residential lots to the Kahuku Village occupants;
11 and
12

13 WHEREAS, additionally, necessary infrastructure
14 improvements are planned to be completed in and around the
15 Village, such as existing and new roadway improvements, new
16 water lines for fire protection, replacement of existing
17 cesspools with septic tanks, storm run-off remediation and
18 related drainage improvements; and
19

20 WHEREAS, in January 2012, Continental Pacific began
21 construction at Kahuku Village by installing a road; and
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23 WHEREAS, during the construction, Continental Pacific
24 unearthed burials in an area outside of the planned construction
25 area that was designated by permit; and
26

27 WHEREAS, the State Historic Preservation Division of the
28 Department of Land and Natural Resources never reviewed the
29 Kahuku Village project to determine whether an archaeological
30 inventory survey was necessary before Continental Pacific
31 started road, sewer, and water work; and
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33 WHEREAS, the Department of Land and Natural Resources
34 reported that the City and County of Honolulu Department of
35 Planning and Permitting never notified the State Historic
36 Preservation Division when the Department of Planning and
37 Permitting issued permits, as required under city law; and
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39 WHEREAS, the issuing of permits would have triggered a
40 state review; and
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42 WHEREAS, as a result, an archaeological inventory survey
43 was never conducted prior to the start of construction; and
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1 WHEREAS, the State Historic Preservation Division has
2 indicated that an archaeological inventory survey must be
3 conducted for the project area; and
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5 WHEREAS, on March 4, 2013, burials were again unearthed
6 within the project area; and
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8 WHEREAS, Continental Pacific is currently working with
9 community members to formalize a burial treatment plan; and
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11 WHEREAS, section 514B-83, Hawaii Revised Statutes, requires
12 a developer's public report to contain any facts, documents, or
13 information that would have a material impact on the use or
14 value of a unit or any appurtenant limited common elements or
15 amenities of the project available for an owner's use, or that
16 may be required by the Real Estate Commission; and
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18 WHEREAS, section 514B-83, Hawaii Revised Statutes, also
19 requires a developer to promptly amend the public report to
20 report any pertinent or material change or both in required
21 information; and
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23 WHEREAS, however, in February 2012, Continental Pacific
24 initiated the process of instituting a condominium property
25 regime that would allow for the sale of single-family
26 residential lots to the Kahuku Village occupants, many of whom
27 are descendants from the original Kahuku Plantation workers; and
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29 WHEREAS, to date, no single-family residential lots have
30 been sold to Kahuku Village occupants, and sixteen Kahuku
31 Village occupants have been sent eviction notices by Continental
32 Pacific while numerous other occupants have been forced to
33 relocate due to construction; now, therefore,
34

35 BE IT RESOLVED by the Senate of the Twenty-seventh
36 Legislature of the State of Hawaii, Regular Session of 2013,
37 that Continental Pacific, LLC, is urged to place an immediate
38 stay of eviction to allow residents of Kahuku Village to remain
39 in their homes until an archaeological inventory survey can be
40 completed for the entire project; and
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42 BE IT FURTHER RESOLVED that the State Historic Preservation
43 Division of the Department of Land and Natural Resources is
44 urged to work with Continental Pacific to:



- 1
- 2 (1) Develop and implement an archaeological inventory
- 3 survey for the entire Kahuku Village project;
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- 5 (2) Ensure that the burial remains unearthed during
- 6 construction that fell outside of the scope of the
- 7 permit are properly treated in accordance with state
- 8 law;
- 9
- 10 (3) Develop and implement an appropriate burial treatment
- 11 plan in an expeditious manner;
- 12
- 13 (4) Ensure that within the scope of the permits granted to
- 14 Continental Pacific no further burial sites are
- 15 disturbed without an archaeological inventory survey;
- 16 and
- 17
- 18 (5) Consult with the Department of Planning and Permitting
- 19 of the City and County of Honolulu to ensure that the
- 20 project proceeds properly within the scope of the
- 21 permits granted to Continental Pacific; and
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23 BE IT FURTHER RESOLVED that Continental Pacific is
 24 requested to consult with the Real Estate Commission to ensure
 25 that the project adheres to the statutory requirements for
 26 condominium property regimes; and

27
 28 BE IT FURTHER RESOLVED that the Real Estate Commission is
 29 requested to submit a written report to the Legislature
 30 regarding the Kahuku Village project with respect to Continental
 31 Pacific's adherence to the statutory requirements for
 32 condominium property regimes no later than twenty days prior to
 33 the convening of the Regular Session of 2014; and

34
 35 BE IT FURTHER RESOLVED that the State Historic Preservation
 36 Division is requested to submit a written report to the
 37 Legislature regarding the Kahuku Village project with respect to
 38 the development and implementation of a burial treatment plan
 39 and archaeological inventory survey no later than twenty days
 40 prior to the convening of the Regular Session of 2014; and

41
 42 BE IT FURTHER RESOLVED that certified copies of this
 43 Resolution be transmitted to the Chief Executive Officer of
 44 Continental Pacific, LLC; Administrator of the State Historic



1 Preservation Division of the Department of Land and Natural
2 Resources; Chairperson of the Real Estate Commission; and
3 Director of the Department of Planning and Permitting of the
4 City and County of Honolulu.

