

Organization Letterhead

To: The Department of the Interior
Office of Native Hawaiian Relations (ONHR)
300 Ala Moana Boulevard,
Room 3–122, Box 50165
Honolulu, HI 96850

From: Representative Name,
Native Hawaiian Organization (NHO) Name
NHO Address

Subject: Request for Section 106 of the National Historic Preservation Act (NHPA) Exemption by the **Name of NHO for the Project Name, Grant #, Kapapahuliau or HŌ‘IHI** Office of Native Hawaiian Relations (ONHR) Grant Program

To Whom it May Concern:

On behalf of **Name of NHO**, I write to formally request the application of the Advisory Council for Historic Preservation’s (ACHP) Indigenous Knowledge-Informed Activities by Native Hawaiian Organizations exemption for the Section 106 of the National Historic Preservation Act (NHPA) for the **Project Name**.

Section II(c)(i) Requirement: An attestation that the entity meets the definition of an NHO in the NHPA, including expertise in aspects of historic preservation that are significant to Native Hawaiians, which the federal agency should consider in light of the ACHP Policy Statement on Indigenous Knowledge and Historic Preservation;

Example Text:

Name of NHO meets the definition of an NHO as set forth in the NHPA¹ and is experienced and knowledgeable in the preservation and perpetuation of Hawaiian cultural practices and knowledges relevant to the **Project Name**.

¹ The National Historic Preservation Act (NHPA) defines “Native Hawaiian” as: “...any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes Hawaii,” (National Historic Preservation Act 2016, as amended. Chapter 3003 - Definitions. § 300314 Native Hawaiian. Online resource. Advisory Council for Historic Preservation Website. <https://www.achp.gov/sites/default/files/2018-06/nhpa.pdf>. Accessed 6-9-25).

The NHPA defines “Native Hawaiian organization” as:

(a) IN GENERAL.—In this division, the term “Native Hawaiian organization” means any organization that— (1)serves and represents the interests of NativeHawaiians; (2) has as a primary and stated purpose the provision of services to Native Hawaiians;and (3) has demonstrated expertise in aspects of historic preservation that are culturally significant to Native Hawaiians. (b) INCLUSIONS.—In this division, the term “Native Hawaiian organization” includes the Office of Hawaiian Affairs of Hawaii and Hui Malama I Na Kupuna O Hawai’i Nei, an organization incorporated under the laws of the State of Hawaii. [NHPA 2016, as amended. Chapter 3003 - Definitions. § 300314. Native Hawaiian organization. Online resource. Advisory Council for Historic Preservation Website. <https://www.achp.gov/sites/default/files/2018-06/nhpa.pdf>. Accessed 6-9-25).

Section II(c)(ii) Requirement: A description of the NHO's proposal, direction, leadership, design, or management vis-à-vis the covered activities;

Example Text:

Our proposed project activities closely align with the exemption criteria. Description of the activities covered by the exemption request and how they will be accomplished and supervised to successful completion.

Section II(c)(iii) Requirement: A description of the extent to which the covered activities are informed by the Indigenous Knowledge of the NHO;

Example Text:

The activities involved in **Project Name** align with the following Indigenous-Knowledge Informed Activities covered in “Section III. Covered Activities,” of the ACHP’s Section 106 exemption [*select all that apply*]:

- A. Conduct of landscaping practices or activities, including but not limited to arboreal practices, invasive species removal, and other landscape maintenance, reestablishment, or facilitation.
- B. Conduct of agricultural or aquacultural practices or activities, including but not limited to planting and crop rotation, harvesting, native species propagation, soil management, and fishing.
- C. Conduct of species conservation and habitat conservation and management activities that are necessary to perpetuate traditional Native Hawaiian cultural practices.
- D. Rehabilitation, preservation, restoration, or reconstruction of any the following:
 - i. Water features and systems, including but not limited to fishponds (loko i‘a) and other traditional aquaculture.
 - ii. Lo‘i kalo and agricultural terraces.
 - iii. Historic pathways using natural materials, including gravel and other rock, sand, mulch, and wood.
 - iv. Sacred and traditional sites and objects including but not limited to heiau, burial sites, shrines, ahu, and similar sites and objects.
 - v. Traditional Native Hawaiian buildings and structures built and designed primarily by Native Hawaiians, and using traditional techniques and primarily natural materials.
- E. New construction, using traditional Native Hawaiian techniques and primarily natural materials, of the following, to the extent such new construction is for the express purpose of maintaining or reestablishing traditional cultural or religious practices informed by Indigenous Knowledge:
 - i. i. Hale.
 - ii. ii. Hālau wa‘a.

- iii. Fencing, walls, natural buffer zones, flood mitigation, and other boundary techniques to protect religious and traditional sites or burial sites, within the NHO- defined boundary area of the property of religious and cultural significance to the NHO.
- F. Minor adaptations to the elevation and dimension of buildings, structures, and sites recognized by the NHO as a property of religious and cultural significance to it; minor relocations of any buildings, structures, and sites within the NHO-defined boundary area of the property of religious and cultural significance to the NHO; or minor adaptations to any of the landscaping or agricultural practices and activities, related to any of the covered activities enumerated in Section III, subsections a through e, where such adaptations are necessary to mitigate the impact of sea level rise, increased precipitation, erosion, wildfire, pollution, and invasive species, and notwithstanding any requirements as to location contained in the definitions of rehabilitation, preservation, restoration, or reconstruction.
- G. Installation of interpretive signage related to any of the covered activities enumerated in Section III, subsections a through f.
- H. The lease, provision of an easement, or other limited transfer of property rights in federal property to a NHO, or the grant of a nonpossessory interest in real property to a NHO, for use of the property solely to carry out any of the covered activities enumerated in Section III, subsections a through g or for education, outreach, and planning related to the covered activities.

Section II(c)(iv) Requirement: A statement identifying the property upon which the covered activities are proposed to occur as a property of religious and cultural significance to the NHO and explaining the NHO’s ongoing or prior traditional cultural practices related to the property;

Example Text:

We confirm the location of the proposed project [*address and TMK; if desired, ahupua‘a moku, and island could also be included*] is a property of religious and cultural significance to Name of NHO. Our ongoing or prior traditional cultural practices related to the property include: BLANK [*fill in as desired, appropriate*].

Section II(c)(v) Requirement: An explanation of current or prior connections (including activities, support, and relationships), if any, between (i) key individual decision-makers and members of the NHO and (ii) the Native Hawaiian community and individuals known to have ancestral connections to the property;

Example Text:

Current or prior connections between key individual decision-makers and members of the NHO and the Native Hawaiian community and individuals known to have ancestral connections to the property include: BLANK; BLANK; and, BLANK [*fill in as desired, appropriate*].

Section II(c)(vi) Requirement: A statement indicating that, to the best of the knowledge of the NHO and its authorized representative (i) no other NHO has asserted or would likely assert that the covered activities are or would be contrary to or limiting of the Indigenous Knowledge-informed traditional cultural practice of another NHO and (ii) the activities will not lead to demolition or removal of properties listed or known to be eligible for listing on the National Register of Historic Places², unless the demolition or removal decision was previously completed during a review pursuant to Section 106;

Example Text:

To the best of our knowledge, no other NHO has asserted or would likely assert that the covered activities are or would be contrary to or limiting of the Indigenous Knowledge-informed traditional cultural practice of another NHO. To the best of our knowledge, the activities will not lead to demolition or removal of properties listed or known to be eligible for listing on the National Register of Historic Places, unless the demolition or removal decision was previously completed during a review pursuant to Section 106.

Section II(c)(vii) Requirement: A statement identifying the individual (such as a chair, executive director, president, or other person) who is authorized to represent and submit on behalf of the NHO; and

Example Text:

I, **Name of NHO Representative**, position within the NHO, verify I am an authorized representative and signatory of **Name of NHO**.

Section II(c)(viii) Requirement: A signature or other attribution by the above-mentioned authorized representative. [*No need to address separately, included below*]

Mahalo,

NHO Representative Signature
Typed Name

²National Register of Historic Places' (NRHP) [website link](#) and [a link to the databases currently hosting components of the NRHP](#). Additional resources include the [NRHP eligibility criteria](#), the [new criteria for NRHP listing as a Traditional Cultural Place](#) and sample [NRHP nominations of Traditional Cultural Places](#) that may help you determine if the place you steward is eligible for NRHP listing.