



Coalition to Mitigate the Impacts of Sea Level Rise  
www.CMISLR.org  
Tel: (808) 200-3414  
Email: [info@CMISLR.org](mailto:info@CMISLR.org)

June 1, 2022

Susan Todani, Chairperson  
Chason Ishii, Vice Chairperson  
Hawaii Community Development Authority (HCDA)  
547 Queen Street  
Honolulu Hawaii 96813

**Re: Permit #: KAK 22-024; Applicant: Victoria Ward, Limited (local Howard Hughes subsidiary). Omitted factual Public Health and Safety concerns pertaining to accelerating Sea Level Rise in the development application and by public agencies.**

On May 23, 2022 we requested that HCDA stop pursuing development within the makai (ocean) and mauka (mountain) areas under its jurisdiction that are located within the four-foot sea level rise zone as indicated on the NOAA (National Oceanic and Atmospheric Administration) sea level rise (SLR) map. On May 30 we followed this up with a request to shelve Permit # KAK 22-024 before you for review. Today we are following up with serious public health and safety concerns that have surfaced so far as the project does not provide truly sustainable development defined as **“development that meets the needs of the present without compromising the ability of Hawaii’s future generations to meet their own needs.”**

**The HCDA introductory project report pertaining to sea level rise states:** *“According to the DLNR’s flood hazard assessment tool website, the Project site is located in both Federal Emergency Management Agency (FEMA) flood Zone AE (EL 8) and Zone AE (EL 9), with base flood elevations of eight (8) feet and nine (9) feet respectively. The Project should establish the ground level at nine (9) feet plus a minimal factor of safety. The Applicant may add an additional safety factor to the ground level elevation, but should not exceed the regulated podium height of forty-five (45) feet.”*

The applicant subsequently established its ground level at 9’-3” (except for the elevator shaft) but did not address in Item **4.3 Site Constraints** of its Kalae and Ward Master Plan presentation any site/neighborhood concerns due to Climate Change and accelerating sea level rise.

Except for its own high rise islands on 9’-3” elevations and perhaps without guaranteed sustainable infrastructure as sea levels keep rising, will the Kalae building at 1,000 Ala Moana Blvd. and its advertised Master Plan Ward Village be truly a sustainable development with the uncertainties of Climate Change? As stated before, a simple definition of sustainable development is as follows: **“development that meets the needs of the present without compromising the ability of Hawaii’s future generations to meet their own needs.”**

Please, as a start, review the following again:

**Attachment 1, the applicant’s Exhibit A where HCDA states** *“This letter is to inform you that the Planned Development Permit is deemed to be Complete, and all required information has been provided in the Planned Development Permit Application.”* It does not address the serious safety and public health concerns that can be expected from accelerating sea level rise in this location.


**Attachment 2, the applicant's Exhibit D, The Master Plan Development Agreement for the Ward Neighborhood Master Plan between the HCDA, Victoria Ward. Limited, Bank of Hawaii and First Hawaiian Bank dated Dec. 30, 2010** may also be called in question as it does not address nor has it been updated for such public safety and health concerns that have arisen in the interim.

**Attachment 3, the applicant's Exhibit H, Sustainability Guidelines** are based on a May 13, 2013 letter from HCDA and have apparently not been updated since then.

**Attachment 4, the applicants Exhibit I, Comments from Government Agencies.** Climate Change and Sea level rise are not addressed.

**Attachment 5, the applicants Exhibit J, Comments from DLNR's State Historic Preservation Division,** addressed of course only such issues.

We must ask again: Please let us all work together to work for truly sustainable development that meets the needs of the present without compromising the ability of Hawaii's future generations to meet their own needs."

  
Klaus Radtke, Ph.D.  
Environmental Scientist  
Coalition Member



**HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY**

547 Queen Street, Honolulu, Hawaii 96813  
Telephone: (808) 594-0300 Fax: (808) 587-0299  
Web site: <http://dbedt.hawaii.gov/hcda/>

**EXHIBIT A**

DAVID Y. IGE  
GOVERNOR

SUSAN TODANI  
CHAIRPERSON

CRAIG K. NAKAMOTO  
INTERIM EXECUTIVE DIRECTOR

Ref. No.: PL MASP 13.1.3/KAK 22-024

April 21, 2022

**Sent Via Electronic and Postal Mail**  
**(Email: [doug.johnstone@howardhughes.com](mailto:doug.johnstone@howardhughes.com))**

Mr. Doug Johnstone  
The Howard Hughes Corporation  
1240 Ala Moana Boulevard, Suite 200  
Honolulu, Hawaii 96814

Dear Mr. Johnstone:

Re: Victoria Ward, Limited, Land Block 2, Project 4 (Kalae), Completeness Review,  
and Automatic Approval for Development Permit Application No.: KAK 22-024,  
Tax Map Key No. 2-3-001: 133

The Hawaii Community Development Authority (“HCDA”) has reviewed the Planned Development Permit Application for Kalae (Land Block 2, Project 4) within the Ward Neighborhood Master Plan Area at 1000 Ala Moana Boulevard; TMK 2-3-001: 133, submitted by Victoria Ward, Limited on April 18, 2022. This Planned Development Permit Application is being considered under Master Plan Permit No.: PL MASP 13.1.3, approved by the HCDA on January 14, 2009.

This letter is to inform you that the Planned Development Permit is deemed to be *Complete*, and all required information has been provided in the Planned Development Permit Application. The completeness review does not constitute a decision as to whether the application complies with the provisions of the Mauka Area Rules (Vested Rules). Under the Vested Rules, Hawaii Administrative Rules, §15-22-23, the Planned Development Permit Application will be deemed automatically approved if no decisions are made by the HCDA granting or denying approval within 160 calendar days from the date of the hearing notice. The public hearing notice is published on Thursday, April 21, 2022, making the automatic approval date Wednesday, September 28, 2022. A copy of the public hearing notice is enclosed for your information.

Please contact Mr. Mark Hakoda, HCDA Planner at 808-594-0333 or by email at [mark.h.hakoda@hawaii.gov](mailto:mark.h.hakoda@hawaii.gov) should you have any questions.

Sincerely,

Craig K. Nakamoto  
Interim Executive Director

CN/MH:rlr

Enclosure (1): Public Hearing Notice

**EXHIBIT D**

MASTER PLAN DEVELOPMENT AGREEMENT

for the

WARD NEIGHBORHOOD

MASTER PLAN

HAWAII COMMUNITY DEVELOPMENT AUTHORITY  
State of Hawaii

and

VICTORIA WARD, LIMITED

and

BANK OF HAWAII,  
as Trustee under Trust Nos. 89433 and 89434,

and

FIRST HAWAIIAN BANK,  
as Trustee under Trust Nos. FHB-TRES 200601 and 200602

**MASTER PLAN DEVELOPMENT AGREEMENT**

**THIS MASTER PLAN DEVELOPMENT AGREEMENT** (“Agreement”) made this 30th day of December, 2010, by and among the **HAWAII COMMUNITY DEVELOPMENT AUTHORITY**, State of Hawaii (“State”), whose office address is 461 Cooke Street, Honolulu, Hawaii 96813 (“HCDA”); **VICTORIA WARD, LIMITED**, a Delaware corporation (“VWL”), whose address is 1240 Ala Moana Boulevard, Suite 601, Honolulu, Hawaii 96814; **BANK OF HAWAII**, a Hawaii corporation (“BOH”), whose address is 111 South King Street, Honolulu, Hawaii 96813, as trustee under (a) that certain Land Trust Agreement and Conveyance dated October 21, 2004 (Trust No. 89433) and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii on November 3, 2004, as Document No. 3188119, and (b) that certain Land Trust Agreement and Conveyance dated October 21, 2004 (Trust No. 89434) and filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii on November 3, 2004, as Document No. 3188118 (each of the foregoing trusts for the benefit of affiliates of VWL, and hereinafter collectively referred to as the “Bank of Hawaii Trust”); **FIRST HAWAIIAN BANK**, a Hawaii corporation (“FHB”), whose address is 999 Bishop Street, Suite 900, Honolulu, Hawaii 96813, as trustee under (a) that certain unrecorded Land Trust Agreement dated September 20, 2006 (Trust No. FHB-TRES 200601), and (b) that certain unrecorded Land Trust Agreement dated September 20, 2006 (Trust No. FHB-TRES 200602) (each of the foregoing trusts for the benefit of affiliates of VWL, and hereinafter collectively referred to as the “First Hawaiian Bank Trust”). This Agreement covers the Ward Neighborhood Master Plan (“Ward MP”) for the development of certain lands in Kakaako under the authority of the Hawaii Revised Statutes, Chapter 206E, as amended, and Chapter 22, Title 15, Hawaii Administrative Rules, in effect on **January 14, 2009**.

I. **PARTIES; NOTICES**

HCDA: HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Address: 461 Cooke Street  
Honolulu, Hawaii 96813  
Telecopier No. (808) 594-0299

Attention: Anthony J. H. Ching  
Executive Director

VWL: VICTORIA WARD, LIMITED

Address: 1240 Ala Moana Boulevard, Suite 601  
Honolulu, Hawaii 96814

Attention: Francisco Gutierrez

With a copy to: VICTORIA WARD, LIMITED

Address: c/o The Howard Hughes Corporation  
Attention: General Counsel  
13355 Noel Road, Suite 950  
Dallas, TX 75240

Address: c/o The Howard Hughes Corporation  
Attention: Christopher J. Curry  
12301 Wilshire Boulevard, Suite 206  
Los Angeles, CA 90025

Address: c/o The Howard Hughes Corporation  
Attention: Sandra D. Turner  
10000 West Charleston Boulevard, Suite 200  
Las Vegas, NV 89135

BOH: BANK OF HAWAII  
Address: 111 South King Street  
Honolulu, Hawaii 96813

Attention: Robin L. Nonaka, Vice President

FHB: FIRST HAWAIIAN BANK

Address: 999 Bishop Street, Suite 900  
Honolulu, Hawaii 96813

Attention: Kelley G.A. Nakano, Trust Officer

The parties include their respective successors, successors in trust and permitted assigns. All notices between and among the parties shall be in writing and shall be mailed certified mail, return receipt requested postage prepaid, sent by overnight courier or telecopied (with hard copy to follow immediately by certified mail or overnight courier) to the foregoing addresses. Notices shall be deemed delivered, if by certified mail, three business days after deposit in the U.S. Mail,

or, if by overnight courier, on the date of delivery or attempted delivery if delivery is refused. A party may change its address for the receipt of notices by giving written notice of such change to the other party.

## II. DEFINITIONS

The terms below, whenever used in this Agreement, shall have the following meanings:

- A. "Agreement" means this Development Agreement.
- B. "D&O" means the Findings of Fact, Conclusions of Law and Decision and Order issued by the HCDA on January 14, 2009 in this matter, as corrected by Nunc Pro Tunc Order dated May 6, 2009.
- C. "Development Rules" means Chapter 22, Title 15, Hawaii Administrative Rules in effect on January 14, 2009.
- D. "HRS" means the Hawaii Revised Statutes, as amended from time to time.
- E. "Ward MP" means the Ward Neighborhood Master Plan submitted by VWL that was approved by HCDA on January 14, 2009, with a clerical error contained therein corrected by Nunc Pro Tunc Order dated May 6, 2009, within the Kakaako Community Development District.

## III. BACKGROUND OF APPLICATION LEADING TO APPROVAL OF MASTER PLAN

- A. On April 2, 2008, VWL submitted for the Authority's consideration its application for the Ward MP.
- B. On October 15, 2008, a community meeting on the proposed Ward MP was held.
- C. On December 17-18, and 29, 2008, and January 14, 2009, the contested case hearing was held for the Ward MP.
- D. On January 14, 2009, HCDA, pursuant to the Development Rules pertaining to master plans, approved the Ward MP subject to certain conditions pursuant to its D&O, which is attached hereto as Exhibit A. Thereafter, HCDA issued the Master Plan Permit ("PL MASP 13.1.3").

- E. Other information and details leading up to the approval of the Ward MP are set forth in Findings of Fact #1 to #111 of the D&O.

IV. IDENTIFICATION OF LANDS COVERED UNDER THE DEVELOPMENT AGREEMENT

The Ward MP area consists of approximately 59.96 acres. Portions of the Ward MP land area are held in fee by (1) VWL, (2) BOH as trustee of the Bank of Hawaii Trust, and (3) FHB as trustee of the First Hawaiian Bank Trust. These portions are described on Exhibits A, B, or C, respectively, of the VWL Master Plan Permit Memorandum of Decision and Order which was recorded with the Bureau of Conveyances, State of Hawaii, on June 17, 2009 as Land Court Document No. 3869623 and Bureau of Conveyances Document No. 2009-093051.

V. AGREEMENT

HCDA and VWL hereby agree that:

- A. Development of the master plan lands identified in this Agreement shall be in conformance with the Development Rules, D&O, the PL MASP 13.1.3, and this Agreement.
- B. Implementation of the Ward MP and development projects subject to the Ward MP shall be subject to the following conditions:
  - 1. Effective Period of the Ward MP and Applicability of Development Rules.
    - a. Approval of the Ward MP shall be valid until January 14, 2024, which is 15 years from the issuance of the D&O on January 14, 2009. Extensions of the effective period may be requested by seeking a variance from HCDA based on a reasonable showing of good cause. See paragraphs 1 and 15 at pages 43 and 48 of the D&O, respectively.



- b. For the effective period of the Ward MP, the Development Rules shall be applicable to development of the master plan lands encompassed by the Ward MP. See page 42 of the D&O.
  - c. For the effective period of the Ward MP, the development will proceed in accordance with paragraphs 1 and 2 at pages 43-44 of the D&O.
  - d. In the event of any conflict among Development Rules, D&O, the PL MASP 13.1.3, and/or this Agreement, the conflict shall be resolved in a contested case hearing, and the decision of the HCDA in such hearing shall prevail.
2. Land Use and Development Parameters. The development of the master plan lands under the Ward MP shall proceed in conformance with the provisions of the Ward MP.
3. Phasing of Development. The initial and future phases of implementation of the Ward MP shall be in conformance with the provisions in the Ward MP and/or any supplemental development agreement(s) which might be entered into by VWL and the HCDA. The phasing and timing of development under the Ward MP is intended to be flexible to give VWL the ability to adapt to economic and market conditions.
- a. The initial phase is currently planned to occur on Land Block 1 and Land Block 3 as described in the Ward MP Applications. Prior to submitting the development permit application for the initial phase, VWL will prepare and submit to HCDA a historic building inventory, a cultural impact assessment, and archeological inventory survey plan accepted by the State, a regional traffic study, individual traffic impact assessments, and sustainability guidelines. If any of these required analyses, the economy, and/or market conditions cause changes to the initial phase and

its components, any changes to the initial phase shall be submitted to HCDA for review.

b. The development permit application for the initial phase shall include descriptions of the delivery, manner, and timing of reserved housing, dedication of public facilities, and public use easements.

4. Reserved Housing Credits

a. To encourage the early delivery of reserved housing within the Kakaako Community Development District in advance of the construction of market housing, the HCDA will effectuate a reserved housing credit account process that will apply to the Ward MP under the following circumstances:

- (1) if VWL and/or the beneficiaries of the Bank of Hawaii Trust and/or the First Hawaiian Bank Trust transfer or cause to be transferred Kakaako Community Development District land to the Authority or another entity identified by and at a rate approved by the Authority, and which shall be used to construct reserved housing;
- (2) if VWL and/or the beneficiaries of the Bank of Hawaii Trust and/or the First Hawaiian Bank Trust construct more reserved housing for any planned development in the Master Plan Area than is required for that project;
- (3) if a third-party entity has built more reserved housing in the Kakaako Community Development District than required under its development and transfers reserved housing credits to VWL and/or the beneficiaries of the Bank of Hawaii Trust and/or the First Hawaiian Bank Trust;

- (4) if VWL and/or the beneficiaries of the Bank of Hawaii Trust and/or the First Hawaiian Bank Trust participate in a joint venture that results in excess reserved housing in the Kakaako Community Development District; and/or
  - (5) as approved by Authority, if VWL and/or the beneficiaries of the Bank of Hawaii Trust and/or the First Hawaiian Bank Trust convert existing non-reserved housing, not in use by those intended to benefit by reserved housing, into reserved housing within the Kakaako Community Development District;
- b. VWL and/or the beneficiaries of the Bank of Hawaii Trust and/or the First Hawaiian Bank Trust may use their reserved housing credits to satisfy all or part of the Ward MP reserved housing requirements (including but not limited to its requirement to provide 10% (or one tenth) of its reserved housing requirement at 100% or below of the area median income if those credits are generated from the same area median income) and/or transfer their excess credits to a third-party.
  - c. The reserved housing credits shall be applied on a one-for-one basis.
5. Other Conditions. Conditions set forth in paragraphs 1 through 15 at pages 43-48 of the D&O are incorporated into this Agreement. Further, all terms and conditions of the D&O remain in full force and effect, and shall not be deemed terminated, waived, or modified in any way through the execution and/or performance of this Agreement.

VI. AMENDMENT OR MODIFICATION TO DEVELOPMENT AGREEMENT

No provision or term of this Agreement or any agreement contemplated herein between the parties hereto may be supplemented, amended, modified, waived, or terminated except in a

writing duly executed by both parties. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision hereof (whether or not similar), nor shall such waiver constitute a continuing waiver unless otherwise expressly provided. Failure of a party to insist on strict compliance with any of the terms and conditions of this Agreement shall not be deemed as waiver of any such terms and conditions.

However, VWL and the HCDA may negotiate and execute an amended/modified or supplemental Master Plan Development Agreement that may address additional implementation issues.

## VII. MISCELLANEOUS PROVISIONS

- A. Enforceability; Applicability. Unless terminated or cancelled, this Agreement, amended Agreement, or modified Agreement, once entered into, shall be enforceable by any party thereto, or their successors in interest or assigns, notwithstanding any subsequent change in any Development Rule adopted by HCDA after January 14, 2009.
- B. Severability. If any one or more of the provisions contained in this Agreement shall be declared invalid, illegal or unenforceable in any respect for any reason, the validity, legality or enforceability of any such provision in any other respect and of the remaining provisions of this Agreement shall not be in any way impaired.
- C. Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the parties herein named and their respective permitted successors, successors in trust and permitted assigns.
- D. Headings. All headings used in this Agreement are for reference and convenience only. They shall not be considered in the construction and interpretation of the provisions stated in this Agreement.

- E. Written Agreement. This Agreement shall supersede and replace all prior agreements or portions insofar as such are inconsistent with this Agreement, written and oral, between the parties, concerning the Ward MP. This Agreement shall not be modified except by an instrument in writing executed and acknowledged by the parties.
- F. Time of Essence. Time is of the essence of this Agreement.
- G. Governing Law. The laws of the State of Hawaii shall govern the validity, construction and effect of this Agreement. This Agreement shall be interpreted in a manner which is consistent with the Development Rules in effect on January 14, 2009.
- H. Assignment. VWL shall notify HCDA of any sale or assignment of title to the Ward MP lands if it occurs prior to development of such property. The (i) Ward MP permit and (ii) this Agreement will be freely assignable or transferable by VWL, BOH and FHB with respect to their respective properties, provided that the assigning or transferring party promptly notifies HCDA in writing of such an assignment or transfer, and provided that the terms and conditions of the Ward MP permit and this Agreement will be binding on such successors, assigns and transferees.
- I. Cooperation. The parties shall cooperate with one another in effectuating this Agreement and agree to execute such further and additional mutually approved documentation required to facilitate and complete the actions contemplated in this Agreement.
- J. No Party Deemed Drafter. The parties agree that no party shall be deemed to be the drafter of this Agreement and that, in the event this Agreement is ever construed by a court of law, such court shall not construe this Agreement or any provision hereof against any party as drafter of this Agreement.
- K. Counterparts. This Agreement may be executed in any number of counterparts. Each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts together shall constitute but one Agreement.

L. Computation of Periods. All periods of time referred to in this Agreement shall include all Saturdays, Sundays and State or national holidays, unless the period of time specifies business days, provided that if the date or last date to perform any act or give any notice with respect to this Agreement shall fall on a Saturday, Sunday or State or national holiday, such act or notice shall be timely performed or given on the next succeeding day which is not a Saturday, Sunday or State or national holiday.

M. Trustees Not Personally Liable. This Agreement is made by each of BOH and FHB as trustees as aforesaid and not personally or individually, but solely as trustees as aforesaid, and it is expressly understood and agreed by and between the parties hereto, anything in this Agreement to the contrary notwithstanding, that each and all of the covenants, warranties, representations and agreements contained in this Agreement or in any amendments, hereto, are made and intended not as personal covenants, warranties, representations, undertakings and agreements of BOH and FHB or any of their officers, agents, or employees, but this Agreement is made by each of BOH and FHB solely as trustees as aforesaid and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against either BOH or FHB, or their respective officers, agents or employees on account of any covenants, warranties, representations, undertakings or agreements contained in this Agreement or any amendments hereto, or otherwise, either express or implied, all such personal liability, if any, being hereby expressly waived and released; it being understood that all parties hereto or anyone claiming by, through or under such parties or claiming any rights under this Agreement or any amendments hereto shall look solely to the assets of the respective trusts established pursuant to the Bank of Hawaii Trust or the First Hawaiian Bank Trust for the enforcement or collection of any such liability.

In accordance with the terms of this Agreement and the exception clause of section 560:7-306(a) of the HRS, as amended, any liability of BOH which may arise as a result of BOH accepting or approving this instrument is a liability of the


respective trust estates established under the Bank of Hawaii Trust described above and not the personal liability of BOH.

In accordance with the terms of this Agreement and the exception clause of section 560:7-306(a) of the HRS, as amended, any liability of FHB which may arise as a result of FHB accepting or approving this instrument is a liability of the respective trust estates established under the First Hawaiian Bank Trust described above and not the personal liability of FHB.

The parties have executed this Agreement effective as of the date first above written.

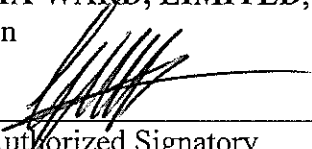
APPROVED AS TO FORM

HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY

By:   
Deputy Attorney General  
State of Hawaii

By:   
Anthony J.H. Ching  
Its Executive Director

**VICTORIA WARD, LIMITED**, a Delaware  
corporation

By:   
Its Duly Authorized Signatory  
*GRANT THERIAULT*

**BANK OF HAWAII**, as Trustee as aforesaid

By: \_\_\_\_\_  
Name:  
Its:

By: \_\_\_\_\_  
Name:  
Its:

**FIRST HAWAIIAN BANK**, as Trustee as aforesaid

By: \_\_\_\_\_  
Name:  
Its:

respective trust estates established under the Bank of Hawaii Trust described above and not the personal liability of BOH.

In accordance with the terms of this Agreement and the exception clause of section 560:7-306(a) of the HRS, as amended, any liability of FHB which may arise as a result of FHB accepting or approving this instrument is a liability of the respective trust estates established under the First Hawaiian Bank Trust described above and not the personal liability of FHB.

The parties have executed this Agreement effective as of the date first above written.

APPROVED AS TO FORM

HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY

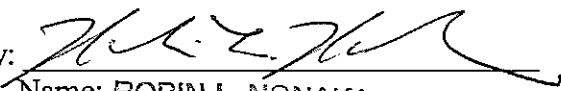
By \_\_\_\_\_  
Deputy Attorney General  
State of Hawaii


By \_\_\_\_\_  
Anthony J.H. Ching  
Its Executive Director

**VICTORIA WARD, LIMITED**, a Delaware  
corporation

By: \_\_\_\_\_  
Its Duly Authorized Signatory

**BANK OF HAWAII**, as Trustee as aforesaid

By:   
Name: ROBIN L. NONAKA  
Its: VICE PRESIDENT

By:   
Name: RACHEL S. UEHARA  
Its: ASSISTANT VICE PRESIDENT

**FIRST HAWAIIAN BANK**, as Trustee as aforesaid

By: \_\_\_\_\_  
Name:  
Its:



respective trust estates established under the Bank of Hawaii Trust described above and not the personal liability of BOH.

In accordance with the terms of this Agreement and the exception clause of section 560:7-306(a) of the HRS, as amended, any liability of FHB which may arise as a result of FHB accepting or approving this instrument is a liability of the respective trust estates established under the First Hawaiian Bank Trust described above and not the personal liability of FHB.

The parties have executed this Agreement effective as of the date first above written.

APPROVED AS TO FORM

HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY

By \_\_\_\_\_  
Deputy Attorney General  
State of Hawaii

By \_\_\_\_\_  
Anthony J.H. Ching  
Its Executive Director

**VICTORIA WARD, LIMITED**, a Delaware  
corporation


By: \_\_\_\_\_  
Its Duly Authorized Signatory

**BANK OF HAWAII**, as Trustee as aforesaid

By: \_\_\_\_\_  
Name:  
Its:

By: \_\_\_\_\_  
Name:  
Its:

**FIRST HAWAIIAN BANK**, as Trustee as aforesaid

By:  \_\_\_\_\_  
Name: **SCOTT H. ONO**  
Its: **VICE PRESIDENT**

**EXHIBIT H**

Ref. No.: PL MASP 13.1.3

May 3, 2013

Mr. Nicholas Vanderboom  
Senior Vice President of Development  
The Howard Hughes Corporation  
1240 Ala Moana Boulevard, Suite 601  
Honolulu, Hawaii 96814

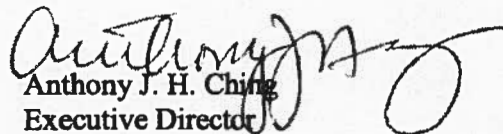
Dear Mr. Vanderboom:

Re: Sustainability Guidelines

The Hawaii Community Development Authority ("HCDA") has completed the review of the sustainability guidelines for the Ward Village Master Plan area. Preparation and submittal of the sustainability guidelines to the HCDA is a requirement under the Master Plan Permit No.: PL MASP 13.1.3, dated September 14, 2009 (see Decision & Order paragraph 12. **Sustainability** of the Master Plan Permit). We note that as submitted, the sustainability guidelines meet the requirement of the Master Plan Permit.

Should you have any questions regarding this matter or the Master Plan Permit, Decision & Order, please contact Mr. Carson Schultz, HCDA Planner, at 594-0314 or by email at: [carson.j.schultz@hcdaweb.org](mailto:carson.j.schultz@hcdaweb.org).

Sincerely,

  
Anthony J. H. Ching  
Executive Director

AJHC/DN/CS:ak

461 Cooke Street  
Honolulu, Hawaii  
96813

Telephone  
(808) 594-0300

Facsimile  
(808) 594-0299

E-Mail  
[mtact@hcdaweb.org](mailto:mtact@hcdaweb.org)

Web site  
[www.hcdaweb.org](http://www.hcdaweb.org)



HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY



KAKA'KO  
KALAELOA

Neil Abercrombie  
Governor

Brian Lee  
Chairperson

Anthony J. H. Ching  
Executive Director

**EXHIBIT I**



**DISABILITY AND COMMUNICATION ACCESS BOARD**

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 • Fax (808) 586-8129

April 29, 2022

Mr. Craig K. Nakamoto  
Interim Executive Director  
Hawaii Community Development Authority  
547 Queen Street  
Honolulu, HI 96813

RECEIVED  
2022 MAY -2 PM 1:31  
HAWAII COMMUNITY  
DEVELOPMENT  
AUTHORITY

Regarding: Development Permit Application for Victoria Ward, Limited, Land Block 2, Project 4 (Kalae), within the Ward Neighborhood Master Plan Area at 1000 Ala Moana Boulevard, Honolulu, Hawaii 96814, Tax Map Key (1) 2-3-001:133.

Dear Mr. Nakamoto:

The Disability and Communication Access Board (DCAB) received the submitted Development Permit Application documents for the above-referenced project requesting review of adequacy of infrastructure and demands placed on such systems by the proposed development. Thank you for your consideration, however, DCAB does not review issues as adequacy of infrastructure systems or demands placed on these systems and therefore has no comments regarding this project proposal.

Should you have any questions, please feel free to contact Duane Buote, Facility Access Coordinator at (808) 586-8121.

Sincerely,

KIRBY L. SHAW  
Executive Director



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

May 9, 2022

VIA EMAIL: mark.h.hakoda@hawaii.gov

Mr. Craig K. Nakamoto  
Interim Executive Director  
Hawaii Community Development Authority  
547 Queen Street  
Honolulu, Hawaii 96813

Attention: Mr. Mark Hakoda

Dear Mr. Nakamoto:

Subject: Development Permit (DP) Application  
Victoria Ward, Limited (VWL), Land Block 2, Project 4 (Kalae)  
1000 Ala Moana Boulevard  
Honolulu, Oahu, Hawaii  
Tax Map Key: (1) 2-3-001: 133

Thank you for your letter dated April 21, 2022, requesting the Hawaii Department of Transportation's (HDOT) review and comment on the subject DP Application. HDOT understands that VWL is proposing to develop a 330-unit residential mixed-use condominium tower on top of a 559-stall parking podium. The Project will also include commercial/retail spaces, open spaces, and recreation spaces. The site of the Project is bounded by Ala Moana Boulevard, Ward Avenue, and Auahi Street.

HDOT has the following comments:

Airports Division (HDOT-A)

1. The proposed development is approximately 3.54 miles from the property boundary of the Daniel K. Inouye International Airport (HNL). All projects within 5 miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at the following link:  
[http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports\\_08-01-2016.pdf](http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports_08-01-2016.pdf).
2. The project site is approximately 18,706 feet from the end of Runway 26L at HNL. Federal Aviation Administration (FAA) regulation requires the submittal of FAA Form 7460-1 Notice of Proposed Construction or Alteration pursuant to the Code of Federal Regulations, Title 14, Part 77.9, if the construction or alteration is within 20,000 feet of a

public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 feet. Construction equipment and staging area heights, including heights of temporary construction cranes, shall be included in the submittal. The form and criteria for submittal can be found at the following website: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

3. Due to the project's proximity to HNL, the applicant and future residents should be aware of potential single event noise from aircraft operations. There is also a potential for fumes, smoke, vibrations, odors, etc., resulting from occasional aircraft flight operations over or near the project. These incidences may increase or decrease over time and are dependent on airport operations.
4. The project site is located within the 60 to 65 DNL (Day Night Average Sound Level) noise contours on the HNL 2008 Noise Exposure Map (Attached). The HDOT-A recommends that Noise Reduction Measures be incorporated into the building's design to achieve interior noise levels of 45 DNL or less.
5. The proposed development shall not provide landscape and vegetation that will create a wildlife attractant, which can potentially become a hazard to aircraft operations. Please review the [FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports](#) for guidance. If the development's landscaping creates a wildlife attractant, the developer shall immediately mitigate the hazard upon notification by the HDOT-A and/or FAA.

Highways Division (HDOT-HWY)

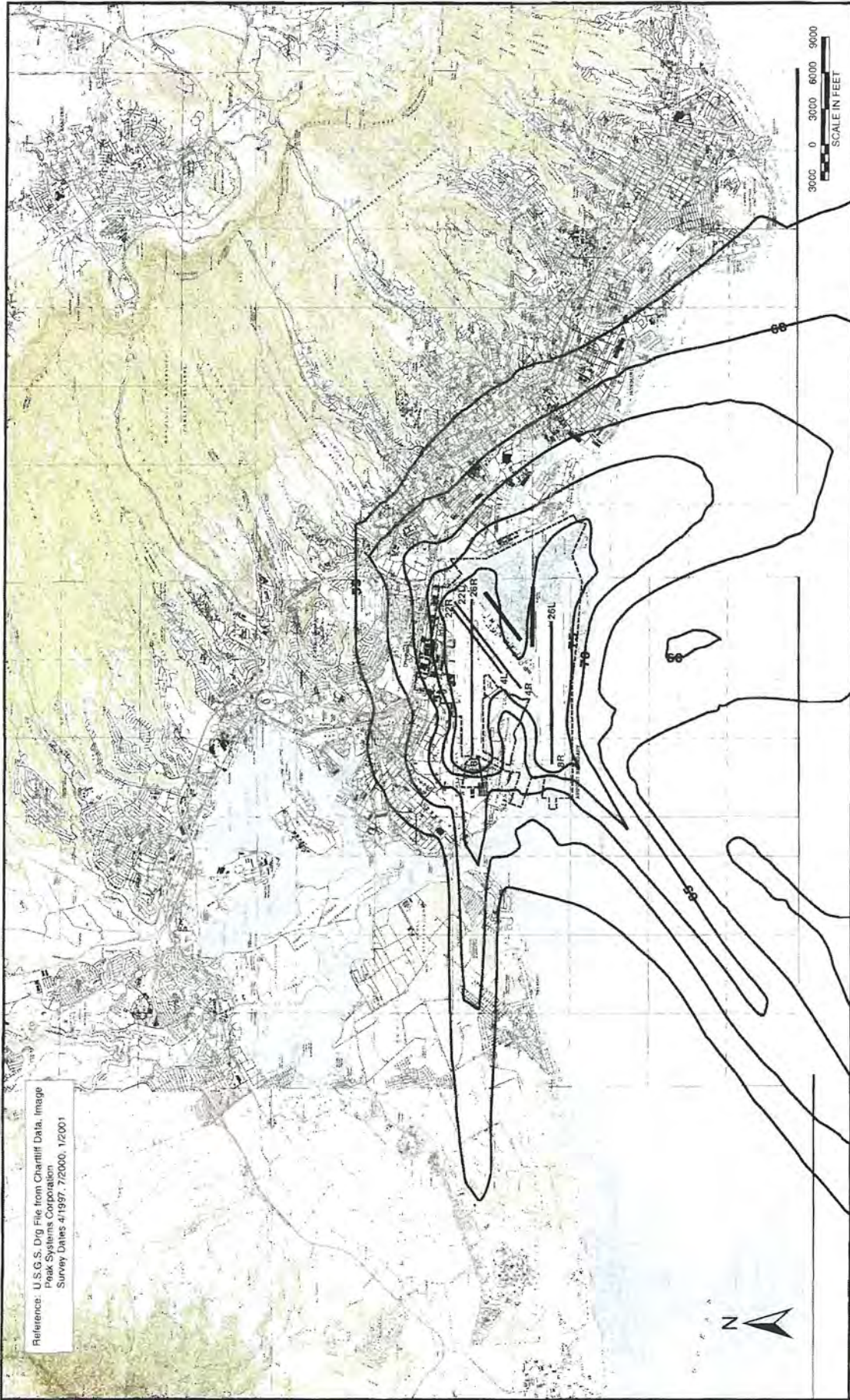
The HDOT-HWY has reviewed the DP Application and included Traffic Impact Report. Based on the information provided and the recommended mitigation measures, the proposed project does not appear to significantly impact the State highway system. Therefore, the HDOT-HWY has no comments on the DP Application. However, if there are any unexpected traffic issues attributed to the project, the Applicant shall mitigate them to the satisfaction of the HDOT-HWY, at no cost to the State.

If there are any questions, please contact Mr. Blayne Nikaido of the HDOT Statewide Transportation Planning Office at (808) 831-7979 or via email at [blayne.h.nikaido@hawaii.gov](mailto:blayne.h.nikaido@hawaii.gov).

Sincerely,



JADE T. BUTAY  
Director of Transportation



Reference: U.S.G.S. Drg. File from Chariff Data. Image  
 Risk Systems Corporation  
 Survey Dates 4/19/97, 7/20/00, 1/20/01

3000 0 3000 6000 9000  
 SCALE IN FEET

AIRPORTS DIVISION  
 DEPARTMENT OF TRANSPORTATION  
 STATE OF HAWAII

HONOLULU INTERNATIONAL AIRPORT  
 MASTER PLAN UPDATE AND  
 NOISE COMPATIBILITY PROGRAM

Edward K. Noda  
 and Associates, Inc

2008 (FORECAST) FIVE YEAR  
 NOISE EXPOSURE MAP  
 NO MITIGATION SCENARIO

FIGURE  
 5 - 1

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.gov



RICK BLANGIARDI  
MAYOR

RADE K. VANIG  
INTERIM CHIEF

OUR REFERENCE **EO-DK**

May 9, 2022

SENT VIA EMAIL

Mr. Mark Hakoda  
Mark.h.hakoda@hawaii.gov

Dear Mr. Hakoda:

This is in response to a letter from the Hawaii Community Development Authority, dated April 21, 2022, requesting input on the Development Permit Application for Land Block 2, Project 4 (Kalae), of the Ward Neighborhood Master Plan Area located at 1000 Ala Moana Boulevard.

The Honolulu Police Department (HPD) recommends that all necessary signs, lights, barricades, and other safety equipment be installed and maintained by the contractor during the construction phase of the project. Additionally, adequate notification should be made to area businesses and residents prior to possible road closures, as any impacts to pedestrian and/or vehicular traffic may cause issues and disruptions that could lead to complaints. Further, the HPD recommends the developer and contractor work with the area neighborhood board to help facilitate any issues regarding timelines, security, or anything else that may come up regarding the project.

If there are any questions, please call Acting Major Calvin Sung of District 1 (Central Honolulu) at (808) 723-3327.

Thank you for the opportunity to review this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Chun", written over a horizontal line.

DARREN CHUN  
Assistant Chief of Police  
Support Services Bureau

DEPARTMENT OF ENVIRONMENTAL SERVICES  
**CITY AND COUNTY OF HONOLULU**

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707  
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>

RICK BLANGIARDI  
MAYOR



ROGER BABCOCK, JR., Ph.D., P.E.  
DIRECTOR

MICHAEL O'KEEFE  
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.  
DEPUTY DIRECTOR

IN REPLY REFER TO:  
PRO 22-048

May 6, 2022

VIA ELECTRONIC SUBMITTAL

Mr. Mark Hakoda, HCDA Planner  
Hawaii Community Development Authority  
547 Queen Street  
Honolulu, Hawaii 96813

Dear Mr. Hakoda:

SUBJECT: Development Permit Application for Victoria Ward, Limited  
Land Block 2, Project 4 (Kalae)  
Within the Ward Neighborhood Master Plan Area at  
1000 Ala Moana Boulevard  
TMK: 2-3-001:133  
Honolulu, Oahu, Hawaii 96814

We have reviewed the subject documents transmitted to us by your letter dated April 21, 2022. The proposed development should be identified in the Victoria Ward Redevelopment Sewer Master Plan, May 2020, as amended. An approved sewer connection application is also required. Both of these documents are processed and approved through the Department of Planning and Permitting, and approval of these documents confirms that a sewer connection is allowed for the project.

Should you have any questions, please contact Lisa Kimura, Civil Engineer, at 768-3455 or email [lkimura1@honolulu.gov](mailto:lkimura1@honolulu.gov).

Sincerely,

A handwritten signature in black ink that reads "Roger Babcock, Jr." in a cursive style.

Roger Babcock, Jr., Ph.D., P.E.  
Director

RECEIVED  
2022 MAY 16 PM 2:07  
HAWAIIAN COMMUNITY  
DEVELOPMENT  
AUTHORITY



HONOLULU FIRE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

636 South Street  
Honolulu, Hawaii 96813-5007  
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI  
MAYOR



SHELDON K. HAO  
FIRE CHIEF

JASON SAMALA  
DEPUTY FIRE CHIEF

May 5, 2022

Mr. Craig Nakamoto  
Hawaii Community Development Authority  
547 Queen Street  
Honolulu, Hawaii 96813

Dear Mr. Nakamoto:

Subject: Development Permit Application  
Victoria Ward, Limited, Land Block 2, Project 4 (Kalae) within the Ward  
Neighborhood Master Plan Area  
1000 Ala Moana Boulevard  
Honolulu, Hawaii 96814  
Tax Map Key: 2-3-001: 133

In response to your letter received on April 25, 2022, regarding the abovementioned subject, the Honolulu Fire Department (HFD) reviewed the submitted information and requires that the following be complied with:

1. Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 feet (46 meters) from fire department access roads as measured by an approved route around the exterior of the building or facility. (National Fire Protection Association [NFPA] 1; 2018 Edition, Sections 18.2.3.2.2 and 18.2.3.2.2.1, as amended.)

A fire department access road shall extend to within 50 feet (15 meters) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building. (NFPA 1; 2018 Edition, Section 18.2.3.2.1.)

2. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or

RECEIVED  
2022 MAY 12 PM 2:55  
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Mr. Craig Nakamoto  
Page 2  
May 5, 2022

moved into the jurisdiction. The approved water supply shall be in accordance with NFPA 1; 2018 Edition, Sections 18.3 and 18.4.

3. The fire department access roads shall be in accordance with NFPA 1; 2018 Edition, Section 18.2.3.
4. Submit civil drawings to the HFD for review and approval.

Should you have questions, please contact Acting Battalion Chief Kendall Ching of our Fire Prevention Bureau at 808-723-7154 or [kching3@honolulu.gov](mailto:kching3@honolulu.gov).

Sincerely,



CRAIG UCHIMURA  
Acting Assistant Chief

CU/DM:bh



RECEIVED

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

MAY 13 AM 10:16

COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT

2022 MAY 13 AM 10:16

OFFICE OF FACILITIES AND OPERATIONS

May 9, 2022

To: Craig K. Nakamoto  
Interim Executive Director, Hawaii Community Development Authority  
Department of Business, Economic Development and Tourism

From: Roy Ikeda   
Interim Public Works Manager  
Planning Section, Facilities Development Branch

SUBJECT: **Planned Development Permit Application for Victoria Ward, Ltd, Land Block 2, Project 4 (Kalae) within the Ward Neighborhood Master Plan Area at Kakaako, Honolulu, Hawaii TMK (1)2-3-001:133**

Thank you for your letter dated April 21, 2022. The Hawaii State Department of Education (Department) has the following comments on the Planned Development Permit Application for Land Block 2, Project 4, Kalae (Project).

Schools currently servicing the Project are Kaahumanu Elementary, Keelikolani Middle (formerly Central Middle), and McKinley High. The Department anticipates approximately 40 public school students will reside in the Project. All three schools are currently operating with excess capacity and will continue to operate with excess capacity over the next six years. Availability of excess capacity will change as additional residential projects serviced by these schools are completed.

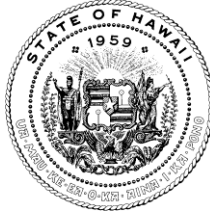
The Project is located within the Kalihi to Ala Moana School Impact Fee District with a fee amount of \$3,864. Chapter 302A-1606, Hawaii Revised Statutes, require that residential developments with 50 or more units, execute an agreement with the Department prior to the issuance of any building permit. This agreement sets forth how and when payment will occur. The developer is encouraged to meet with the Department as soon as possible on to execute this agreement.

Thank you for the opportunity to comment. Should you have questions, please contact Robyn Loudermik, School Lands and Facilities Specialist with the Facilities Development Branch, Planning Section, at (808) 784-5093 or by email at robyn.loudermik@k12.hi.us.

RI:rl

c: Linell Dilwith, Complex Area Superintendent Kaimuki/McKinley/Roosevelt Complex  
Office of Facilities and Operations  
Facilities Development Branch

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

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

STATE HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD., STE 555  
KAPOLEI, HI 96707

January 21, 2022

Deepak Neupane, P.E., AIA  
Executive Director  
Hawaii Community Development Authority  
547 Queen Street  
Honolulu, HI 96817  
[deepak.neupane@hawaii.gov](mailto:deepak.neupane@hawaii.gov)

IN REPLY REFER TO:  
Project No. 2017PR25234  
Doc. No. 2201SL01  
Archaeology

Dear Mr. Neupane:

**SUBJECT: Chapter 6E-42 Historic Preservation Review  
Victoria Ward Ltd. (VWL) Block B Project  
Request for Concurrence with 2-Step Verification Process  
Honolulu Ahupua'a, Honolulu (Kona) District, Island of O'ahu  
TMK: (1) 2-3-001:128**

The State Historic Preservation Division (SHPD) received a letter dated April 27, 2021 from the Hawaii Community Development Authority (HCDA) notifying our office that Victoria Ward Limited (VWL), proponent of the Block B project intends to submit an HCDA Development Permit Application and that prior to issuance of the permit, HCDA requires SHPD's concurrence with the project proceeding under a 2-step verification process, as defined in HAR §13-284-9(d)(1). SHPD received this letter on May 4, 2021 (Submission No. 2017PR25234.002) and subsequent follow-up correspondence requesting SHPD's review on October 13 and 25, 2021, and December 7, 15, and 20, 2021 (Submission Nos. 2017PR25234.003 through 2017PR25234.005).

HCDA's letter indicates that pursuant to HRS §6E-42, HAR §6E-43, and HAR §13-284-3(b)(1-5), Victoria Ward Limited (VWL) has completed the following five of the six historic preservation review procedural steps:

- (1) Identification and inventory to determine if historic properties are present and, if so, to identify and document them;
  - (2) Evaluation of significance;
  - (3) Effect determination;
  - (4) Mitigation commitments; and
  - (5) Detailed mitigation plan(s).
- (1) Identification and Inventory. The Block B Project has undergone multiple design modifications between 2014 and 2021. In 2014 and 2015, archaeological inventory survey (AIS) investigations were conducted for two properties in the Kakaako area part of VWL's Ward Neighborhood Master Plan: Block B East and Block B West. SHPD accepted the Block B East AIS (Pammer et al. 2014) on October 21, 2014 (Log No. 2014.04569, Doc. No. 1410SL25) and the Block B West AIS (Sroat et al. 2017) on August 15, 2017 (Log No. 2015.01784, Doc. No. 1708JA07).

Pursuant to HAR §13-284-3(b)(1), the Block B East AIS identified five historic properties:

- (1) 50-80-14-7655 (salt pans and associated berms);
- (2) 50-80-14-7656 (an isolated human cranial fragment found in reworked sand);

- (3) 50-80-14-7658 (a buried post-Contact surface including asphalt, concrete, coral and tar pavement, oil-rolled surfaces, and fence lines associated with development of the area;
- (4) 50-80-14-7659 (a portion of the concreted Ward Estate Ditch); and
- (5) 50-80-14-7660 (a historic refuse deposit within an abandoned drain line box).

Pursuant to HAR §13-284-3(b)(1), the Block B West AIS identified five historic properties:

- (1) 50-80-14-7655 (salt pans and associated berms);
  - (2) 50-80-14-7658 (a buried post-Contact surface including asphalt, concrete, coral and tar pavement, oil-rolled surfaces, and fence lines associated with development of the area;
  - (3) 50-80-14-7770 (two cultural deposits and 10 associated features);
  - (4) 50-80-14-7771 (a refuse deposit with pit-feature components); and
  - (5) 50-80-14-7772 (an isolated find of previously disturbed human remains).
- (2) Evaluation of Significance. Pursuant to HAR §13-284-3(b)(2), VWL provided the following site significance evaluations, HAR §13-284-6, which SHPD concurred with for the Block B East project area on October 21, 2014 (Log No. 2014.04569, Doc. No. 1410SL25):

Site 7655 is considered significant under Criteria “c” (excellent example of site type) and “d” (information content). Site 7656 is assessed as significant under Criteria “d” (information content) and “e” (significance to native Hawaiians), and Sites 7658 through 7660 are assessed as significant under Criterion “d” (information content).

Additionally, pursuant to HAR §13-284-3(b)(2), VWL provided the following site significance evaluations, pursuant to HAR §13-284-6, which SHPD concurred with for the Block B West project area on August 15, 2017 (Log No. 2015.01784, Doc. No. 1708JA07):

Site 7655 is considered significant under Criteria c and d. Sites 7658 and 7771 are significant under Criterion d, and Sites 7770 and 7772 are significant under Criteria d and e.

- (3) Effect Determination. Pursuant to HAR §13-284-3(b)(3), VWL provided the following project effect recommendation, which SHPD concurred with on October 21, 2014, for Block B East and on August 15, 2017, for Block B West (see above):

The project effect determination is “Effect, with proposed mitigation commitments.”

- (4) Mitigation Commitments. Pursuant to HAR §13-284-3(b)(4), SHPD concurred with the following agreed upon mitigation commitments on October 21, 2014, for Block B East and on August 15, 2017, for Block B West (see above):

- (1) Archaeological monitoring for the entirety of the project area. On-site archaeological monitoring will facilitate identification and appropriate documentation and/or treatment for all historic properties encountered during construction.
- (2) Site 50-80-14-7655 (data recovery)
- (3) Site 50-80-14-7656 (burial treatment)
- (4) Site 50-80-14-7658
- (5) Site 50-80-14-7659
- (6) Site 50-80-14-7660
- (7) Site 50-80-14-7770 (burial treatment)
- (8) Site 50-80-14-7771
- (9) Site 50-80-14-7772 (burial treatment)

No further work was recommended for Sites 7658, 7659, 7660, and 7771, which were all assessed as adequately documented.

- (5) Mitigation Plans. Pursuant to HAR §13-284-3(b)(5), VWL has completed, and SHPD has reviewed and accepted the following agreed-upon mitigation plans and/or documentation:

- (1) *Archaeological Data Recovery Plan for SIHP #50-80-14-7655, Ward Village Gateway Project (Block B East and Block C West), Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu. TMK: (1) 2-3-001:005 (por.)* (Sroat and McDermott 2014) was reviewed and accepted by SHPD on November 19, 2014 (Log No. 2014.05179, Doc. No. 1411SL21).
  - (2) *Burial Treatment Plan for SIHP # 50-80-14-7656, Block B East Project, Kaka'ako Ahupua'a, Honolulu (Kona) District, O'ahu TMK: [1] 2-3-001:005 (por.)* (Sroat and McDermott 2014) was reviewed and accepted by SHPD on October 22, 2014 (Log No. 2014.04392, Doc. No. 1410.HR01).
  - (3) *Burial Site Component of a Preservation Plan for SIHP # 50-80-14-7656, Block B East Project, Kaka'ako Ahupua'a, Honolulu (Kona) District, O'ahu TMK: [1] 2-3-001:005 (por.)* (Sroat and McDermott 2014) was reviewed and accepted by SHPD on November 18, 2014 (Log No. 2014.04396, Doc. No. 1411RH01).
  - (4) *Archaeological Monitoring Plan for the Ward Village Gateway Project, Block B East and Block C West Project Areas, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu. TMK: (1) 2-3-001:005 (por.)* (Sroat and McDermott 2014) was reviewed and accepted by SHPD on November 18, 2014 (Log No. 2014.04818, Doc. No. 1411SL19).
  - (5) *Archaeological Monitoring Plan for the Block B West Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-001:005 (portion)* (Farley and McDermott 2017) was reviewed and accepted on September 2, 2017 (Log No. 2017.01895, Doc. No. 1709SH01).
  - (6) *Burial Site Component of a Data Recovery and Preservation Plan for Iwi Kūpuna at SIHP # 50-80-14-7770 and SIHP # 50-80-14-7772 at the Howard Hughes Corporation's Block B West Project, Kaka'ako Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-001:005 (por.)* (Reveal et al. 2017).
  - (7) *End of Fieldwork Report for Archaeological Data Recovery for the Ward Village Gateway Project (Block B East and Block C West), Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-001:005 (por.)* (Sroat 2017) was accepted on August 8, 2017 (Log No. 2017.01583, Doc. No. 1708JA03).
- (6) Verification of Completion. Pursuant to HAR §13-284-3(b)(6), VWL shall implement the following procedures and schedules to verify completion of the historic preservation review process:
- (1) Upon initiation of the accelerated 2-step verification process and receipt of a letter from the HCDA indicating that the HCDA Development Permit Application has been approved and that construction may proceed, with the understanding that HAR §13-284-9(d) Step 2 must be completed to conclude the historic preservation review process, VWL will initiate implementation of all pre-construction provisions of the SHPD-accepted archaeological monitoring plan (AMP). Additionally, a qualified archaeologist will monitor the installation of the interim protection measures and provide photographic documentation to SHPD verifying the protection measures have been properly implemented. Once construction has commenced, VWL will conduct archaeological monitoring fieldwork following the SHPD-accepted AMPs for Block B East and Block B West.
  - (2) Upon completion of Block B East and West construction, the archaeological monitoring report (AMR) and archaeological data recovery report (DRR) will be completed and submitted to the SHPD for review and acceptance within 6 months after completion of archaeological monitoring. The DRR is currently being written in tandem with the associated DRR for VWL's Block I project, which also addresses SIHP # 50-80-14-7655.
  - (3) When determined adequate, the SHPD will, in accordance with HAR §13-284-9(d)(2) Step 2, write a letter stating that the AMR and DRR are accepted and that the historic preservation process is concluded.

Based on the above, SHPD indicates that it has reviewed and commented on the effect of the proposed project pursuant to HRS §6E-42 and HAR §13-284-3; that it is SHPD's determination that VWL has completed Steps 1 through 5 pursuant to HAR §13-284-3(b)(1-5); and that **SHPD concurs** with HCDA's request for the project to proceed under the 2-step verification process detailed in HAR §13-284-9(d) and with the procedures and schedule VWL has proposed to complete Step 6 (verification of completion) per HAR §13-284-3(b).

Please contact Susan A. Lebo, Archaeology Branch Chief, at [Susan.A.Lebo@hawaii.gov](mailto:Susan.A.Lebo@hawaii.gov) for any matters regarding this letter.

Mr. Neupane  
January 21, 2022  
Page 4

Aloha,  
*Alan Downer*

Alan S. Downer, PhD  
Administrator, State Historic Preservation Division  
Deputy State Historic Preservation Officer

cc: Lee Cramer, Director, The Howard Hughes Corp., [lee.cramer@howardhughes.com](mailto:lee.cramer@howardhughes.com)  
Jim Miller, Director, The Howard Hughes Corp., [jim.miller@howardhughes.com](mailto:jim.miller@howardhughes.com)  
Matt McDermott, Project Manager, Cultural Surveys Hawai'i, Inc., [mmcdermott@culturalsurveys.com](mailto:mmcdermott@culturalsurveys.com)