
Draft
Interim Protection Plan for
Victoria Ward, Limited's
Block M Development Project,
Kaka'ako, Honolulu Ahupua'a,
Honolulu (Kona) District, O'ahu
TMK: [1] 2-3-002:001 (portion)

Prepared for
Victoria Ward, Limited

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Section 1 Introduction

At the request of Victoria Ward, Limited (VWL)/Howard Hughes Corporation (HHC), Cultural Surveys Hawai'i, Inc. (CSH) prepared this Interim Protection Plan (IPP) for the Block M development project. This document was prepared for the review and acceptance of the Hawai'i Community Development Authority (HCDA) and the State Historic Preservation Division (SHPD). As outlined below, its overall purpose is to support the project's State of Hawai'i historic preservation review compliance, and to ensure the maximum protection of identified archaeological historic properties in the project area while this historic preservation review process is completed.

Section 2 Project Description

The Block M project is located in the central portion of the Ward Warehouse commercial complex [Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu Island, Tax Map Key (TMK): [1] 2-3-002:001 (por.)]. It is bounded to the northeast by Queen Street, to the southeast by Kamake'e Street, to the southwest by Ward Theaters, and to the northwest by Ward Industrial Center. The project area is depicted on the 1998 Honolulu U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 1), a tax map plat (Figure 2), and a 2013 aerial photograph (Figure 3).

The Block M project is a discrete development project of VWL's approximately 60.5-acre (24.5-hectare) Ward Neighborhood Master Plan, described as "a long-range development plan of 20-plus years that would evolve over time to fulfill the needs of the community." The 60.5-acres encompass 58 tax map parcels which the Ward Neighborhood Master Plan grouped into six "Land Blocks" (Figure 4). The Block M project is located within Land Block 1. The Ward Neighborhood Master Plan follows the guidelines set forth in the Mauka Area Plan of the HCDA.

The 3.6-acre (1.46-hectare) Block M project will consist of construction of a high-rise residential tower with commercial space located on the ground floor. Ground disturbance associated with project construction will include demolition and removal of existing buildings and structures, borings related to foundation pile installation, and excavation related to the project area's development, including structural footings, utility installation, roadway, and parking area installation, and landscaping.

The project area is owned, and the Block M project construction will be funded by, VWL. The project's area of potential effect (APE) for archaeological historic properties is defined as the entire approximately 3.6-acre project area. The project area's surrounding built environment is urban (paved streets and low-rise commercial buildings).

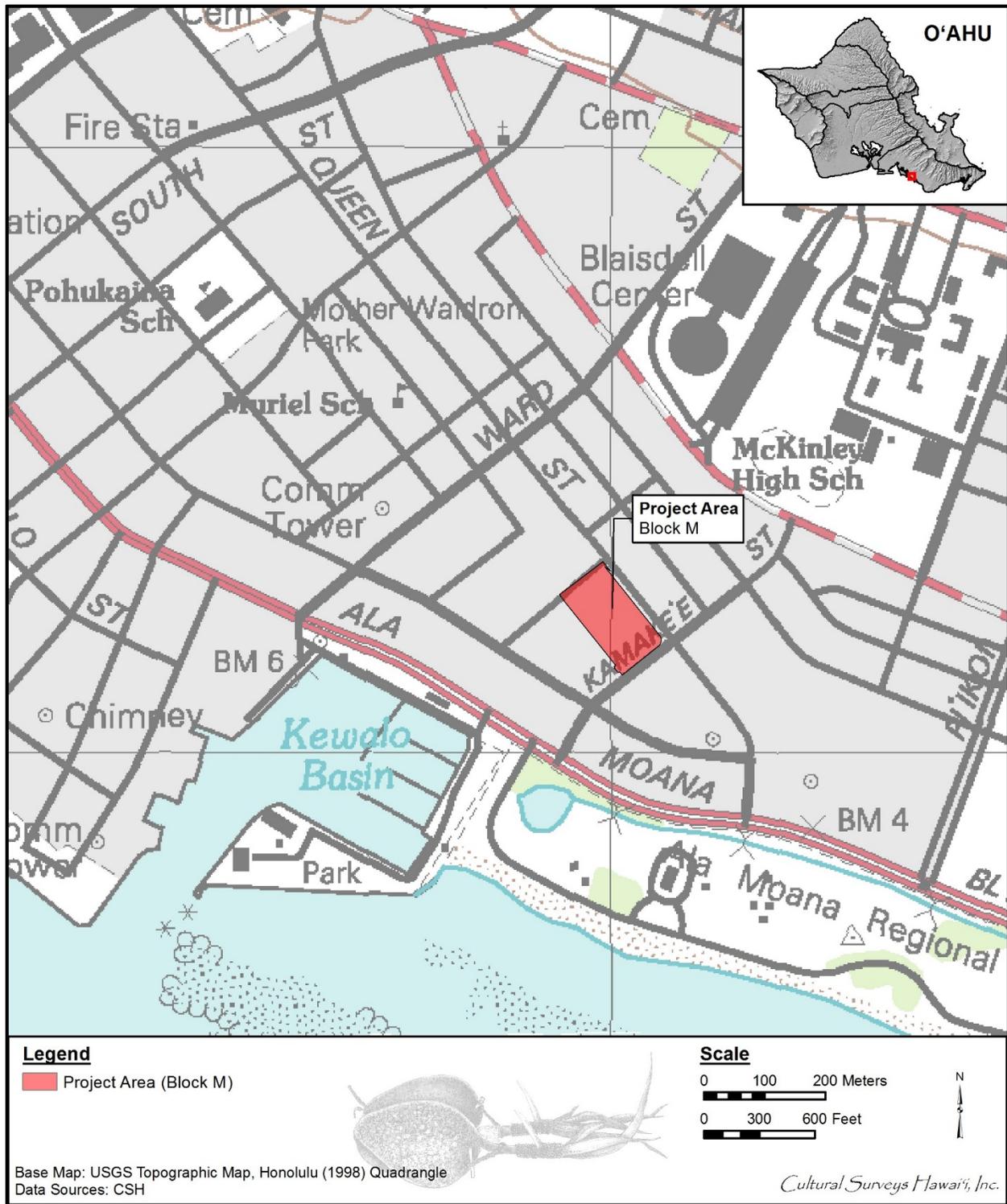


Figure 1. 1998 Honolulu USGS 7.5-minute topographic quadrangle showing the location of the Block M project area west of the intersection of Queen Street and Kamake'e Street

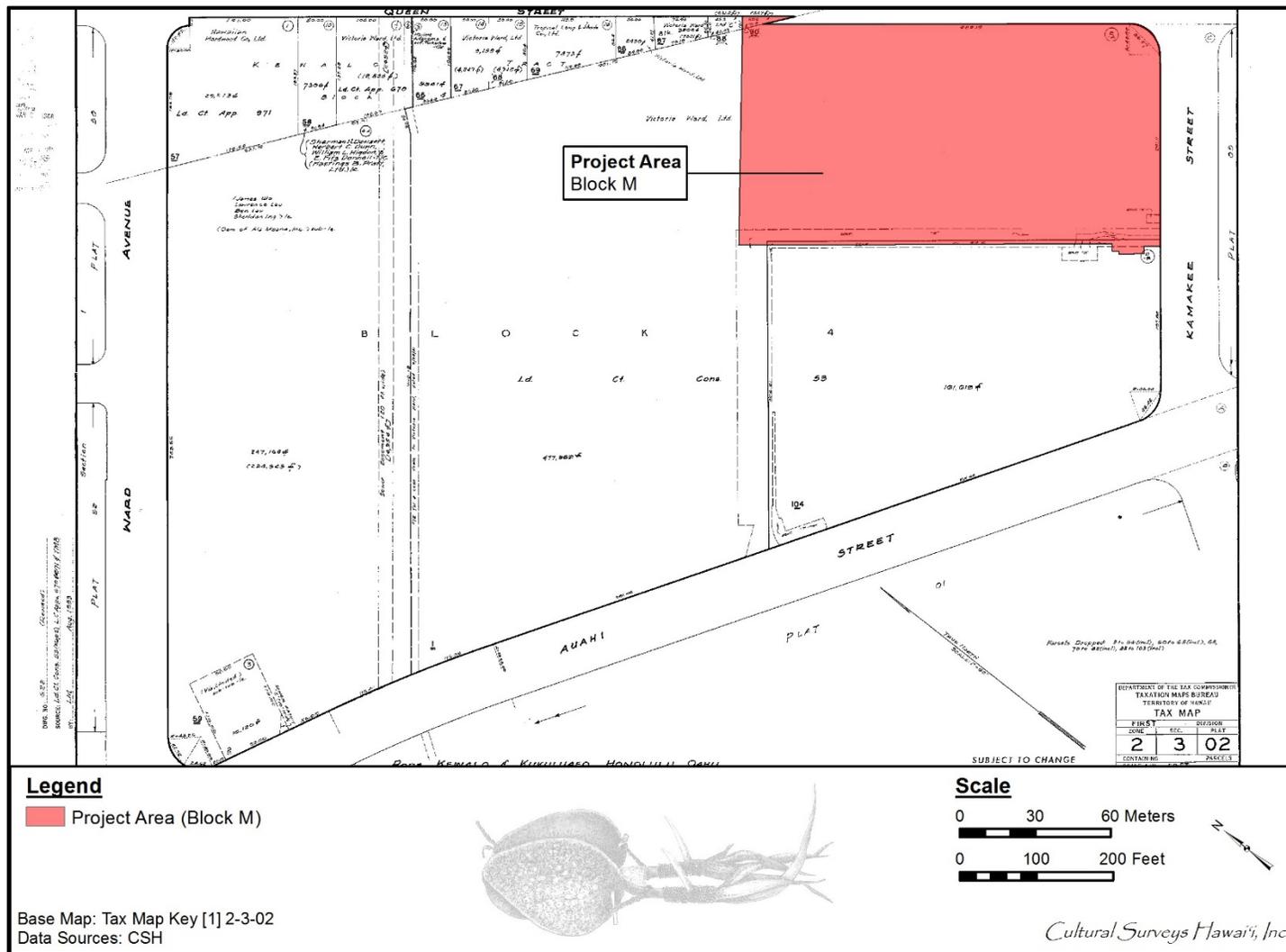


Figure 2. Tax map key (TMK): [1] 2-3-02, showing the location of the Block M project area



Figure 3. Aerial photograph showing the location of the Block M project area (base map: Google Earth 2013)

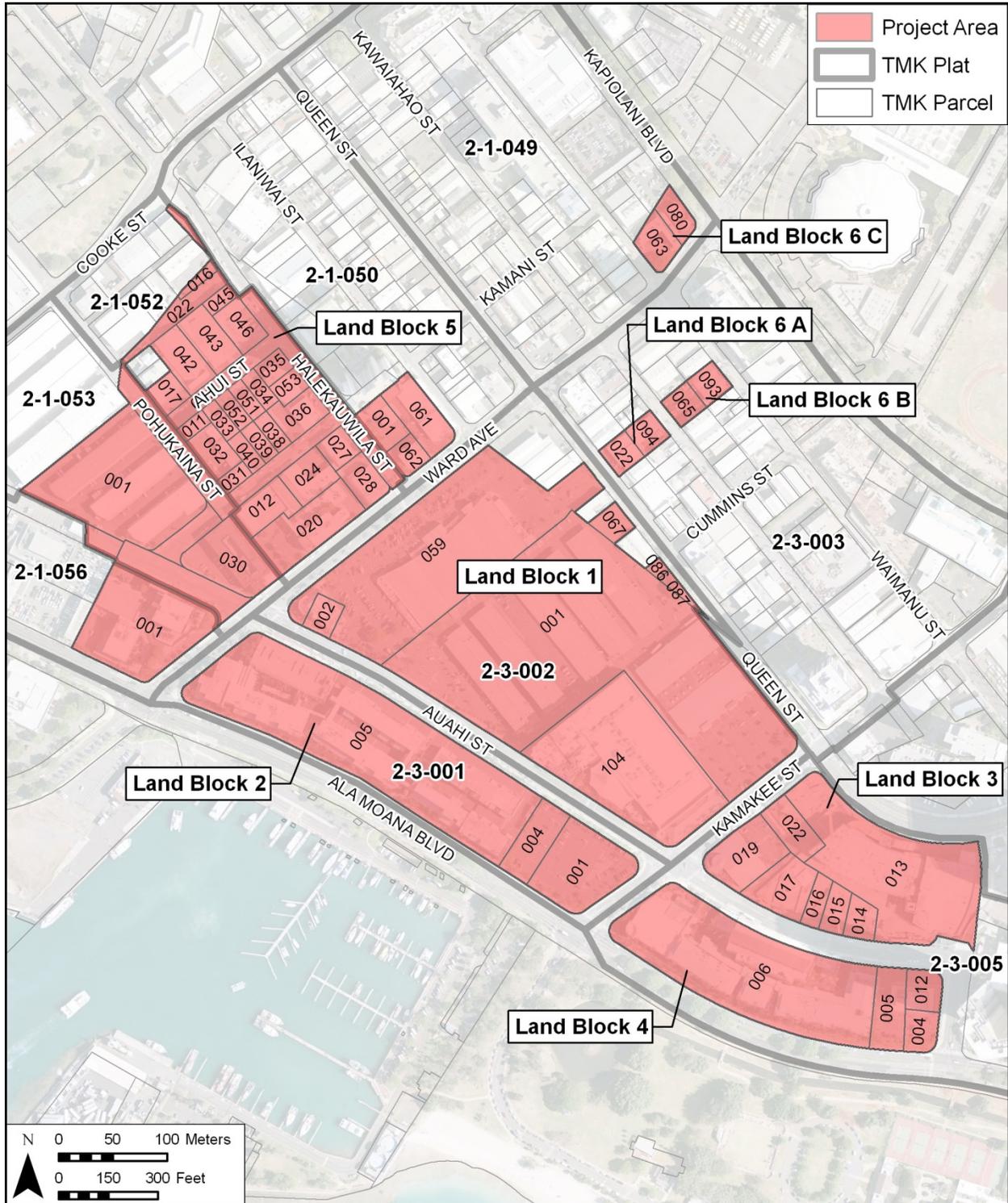


Figure 4. Ward Neighborhood Master Plan area, divided into six “Land Blocks.” The current project area is located within Land Block 1.

Section 3 Historic Preservation Regulatory Context and Block M AIS Summary

VWL's Block M project, located on private land and privately funded, is subject to Hawai'i State environmental and historic preservation review legislation (Hawai'i Revised Statutes [HRS] §343 and HRS §6E-42 and Hawai'i Administrative Rules [HAR] §13-284, respectively). As part of the historic preservation review process, a cultural impact assessment (CIA) (Cruz et al. 2012) and an archaeological literature review and predictive model study (O'Hare et al. 2012) of the entire Ward Neighborhood Master Plan project area were submitted to the SHPD on 20 July 2012. An archaeological inventory survey plan (Sroat et al. 2014) for the Block M project was accepted by the SHPD in a letter dated 10 January 2014 (LOG NO: 2013.6926, DOC. NO: 1401SL10). The Block M archaeological inventory survey (AIS) report (Hawkins et al. 2014) was prepared to address the Block M component of the Ward Neighborhood Master Plan and was prepared in accordance with the requirements for an AIS report as stated in HAR § 13-276-5.

This IPP is based on the project's on-going historic preservation review process. The project's AIS report has been written and was submitted to SHPD for review and acceptance in September 2014. This AIS report describes the archaeological historic properties in the project's APE, assesses the significance of the identified historic properties, evaluates the project's potential effect on the significant archaeological historic properties, and recommends mitigation measures that will mitigate the project's effect on the archaeological historic properties.

As described in the Block M AIS report (Hawkins et al. 2014), portions of two significant archaeological historic properties were documented in the Block M project area. These archaeological historic properties are depicted in Figure 5, and described and their mitigation recommendations summarized in Table 1.

Table 1. Summary of All Archaeological Historic Properties and Their Mitigation from the Block M AIS (Hawkins et al. 2014)

State Inventory of Historic Property (SIHP) #	Description/ Formal Type	Significance Per HAR 13-284-6	Mitigation
50-80-14-7429	Subsurface cultural deposits, including traditional and historic pit and water channel features, including human remains. No human remains were found in the Block M AIS, but they were found in adjacent portions of SIHP # 50-80-14-7429 documented in other AIS investigations.	Previously determined significant under Hawai'i significance criteria "d" (has yielded, or may be likely to yield information important in prehistory or history) and "e" (has cultural significance to an ethnic group), pursuant to HAR §13-275-6. The current Block M AIS results substantiate these prior determinations, assessed pursuant to HAR§13-284-6.	Archaeological monitoring program
50-80-14-7686	Subsurface historic infrastructure remnants (concrete building foundations and road surfaces)	Hawai'i significance criteria "d" (has yielded, or may be likely to yield information important in prehistory or history) pursuant to HAR §13-284-6.	No further work

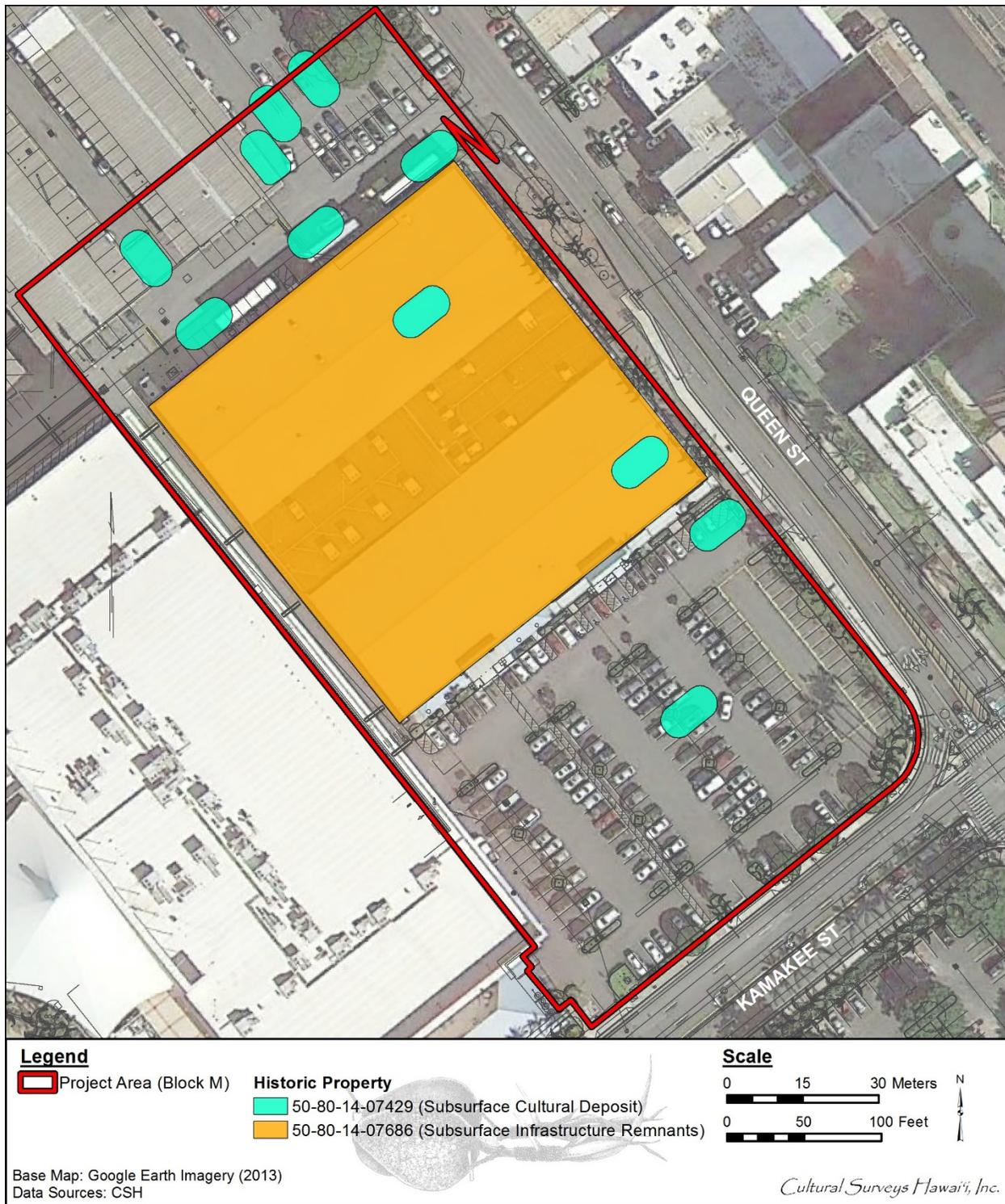


Figure 5. Aerial photograph showing the location of the two significant archaeological historic properties identified during the AIS of the Block M project area (base map: Google Earth 2013)

Section 4 Statutory/Legal Authority

This IPP is provided pursuant to the following Hawai'i Revised Statutes (HRS) and Hawai'i Administrative Rules (HAR):

- HRS § 6E: Historic Preservation. Including, but not limited to the following sections:
 - HRS § 6E-42: Review of proposed projects
- HAR § 13-277: Rules Governing Requirements for Archaeological Site Preservation and Development. Including, but not limited to, the following sections:
 - HAR § 13-277-4: Buffer zones
 - HAR § 13-277-5: Interim protection measures
- HAR § 13-284: Procedures for Historic Preservation Review to Comment on Section 6E-42, HRS, Projects. Including, but not limited to, the following sections:
 - HAR § 13-284-3: Conducting a historic preservation review; generally
 - HAR § 13-284-9: Verification of completion of the detailed mitigation plan

In addition, the Supreme Court of Hawai'i stated that "the rules permit a project to commence where an "interim protection plan is in place... [I]t is apparent that an interim protection plan is a form of mitigation that, under the sequential approach of the rules, can be developed only after an AIS has been completed." Kaleikini v. Yoshioka, 128 Hawaii 53, 57, 283 P.3d 60, 64 (2012). The AIS for the entire project has been completed and is currently under SHPD review. See also id. at 76 n.31, 283 P.3d. at 83 n.31 (explaining that "[a]lthough HAR § 13-284-3(a) is worded in the conjunctive, the additional insertion of the word 'any' appears to suggest that the intent was not to require both an interim protection plan and data recovery fieldwork. This makes sense since there could be projects where, for example, an interim protection plan would be adequate to protect existing burials from damage during construction and, therefore, there would be no need to recover data from those burial sites since they would presumably remain intact.")

Section 5 Interim Protection Measures

The following interim protection measures are based on the Block M project's AIS report (Hawkins et al. 2014), which is currently under SHPD review, including the historic property descriptions, significance assessments, project effect assessment, and mitigation measures. These protection measures ensure the maximum interim protection. No project-related construction or ground disturbing activities that could potentially affect the project's two significant archaeological historic properties will take place until the project has completed the State of Hawai'i historic preservation review process, which, based on the project's AIS investigation and on consultation with SHPD, will include the following steps:

1. SHPD's acceptance of the project's AIS report;
2. The preparation, SHPD-acceptance, and implementation of the project's archaeological monitoring plan (prepared pursuant to HAR § 13-279);

Further protection measures may be developed through the preparation and SHPD-acceptance of the project's archaeological monitoring plan and as outlined in the HAR listed above. Additional limitations on construction may arise as a result of archaeological data recovery investigations.

Section 6 References Cited

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