

MATT McDERMOTT DIRECT TESTIMONY

PRESENTATION HEARING

Land Block 1, Project 6 (Mahana Ward Village) (KAK 23-027)

Q Please state your name, place of employment, and position.

A Matt McDermott, Principal Investigator, Cultural Surveysmas Hawai'i, Inc. (CSH).

Q How long have you held this position?

A I started with CSH in 1988. With some interruptions for research and graduate school I worked with CSH until I moved to Arizona in 2002. Upon return to Hawai'i in 2004 I rejoined CSH. My total time with CSH is approximately 30 years, but my career in this area spans 35 years.

Q Please describe your educational background and experience.

A Please see my resume, which is attached as an exhibit in this proceeding.

Q How have you been involved in this project, Mahana Ward Village (Block N West Makai)?

A In 2012, the Howard Hughes Corporation (HHC) retained CSH to conduct an archaeological literature review and predictive model (O'Hare et al. 2012) and cultural impact assessment (Cruz et al. 2012) for the entire 60-acre Ward Neighborhood Master Plan area. Block N West Makai (Mahana Ward Village) is a discrete project within the Ward Neighborhood Master Plan, following guidelines set forth in the Mauka Area Plan of the Hawaii Community Development Authority (HCDA).

CSH's archaeological work and related consultation for the Block N West Makai Project include the preparing an archaeological inventory survey plan (AISP) (Burke et al. 2015) and conducting archaeological inventory survey (AIS) fieldwork specific to the original Block N West Makai project area. In addition, CSH has prepared archaeological studies for project areas adjacent to the original Block N West Makai; portions of these project areas were later incorporated into the revised Block N West Makai area. A list of CSH-prepared archaeological documents related to the Block N West Makai project area, both in its original and revised forms, is included as Table 1.

Q How and why has the Mahana Ward Village Project changed?

A As HHC's Ward Neighborhood development proceeds, planning moves from the general ideas of the master plan to the specifics of individual projects. Redesign of certain development block boundaries and their proposed build-outs are sometimes needed to better suit the actual landscape based on the results of post-master plan studies and new

information. The Block N West Makai Project was originally designated the Block N West Project. Redesign of the Block N West project area subsequently added approximately 1.07 acres to the northeast of the original project area, separated from the original project area by the H RTP Section 4 (City Center) project corridor (Figure 1). The original Block N West project area, located on the *makai* (seaward) side of the H RTP corridor, was renamed the Block N West Makai Project, and the new 1.07-acre *mauka* (inland) portion was named the Block N West Mauka Project. The Block N West Makai project area was then redefined and expanded from 0.5 to 1.84 acres, to satisfy the Board of Water Supply requirements for water service to the proposed development. The Block N West Makai project area now includes portions of the adjacent Honolulu Rapid Transit Project (H RTP) Section 4 (City Center) project area, the Block I project area, Block N East project area, Block H project area, and Block N West Mauka project area (Figure 2 through Figure 3).

As a result of the Block N West Makai Project incorporating portions of neighboring HART H RTP and HHC project areas, the Block N West Makai Project inherits the results of these prior project's historic preservation review. This includes the results of these prior projects' archaeological inventory surveys (including archaeological historic property descriptions), their historic property significance assessments, the project effect determinations, and project mitigation commitments. The final archaeological inventory survey for the Block N West Makai Project will incorporate these components from prior projects, as well as the results of archaeological inventory survey within what was the original smaller Block N West Makai project area.

Q Please describe the archeological inventory survey (AIS) fieldwork, methods, and results.

A Subsurface testing during the Block N West Project's AIS was confined to the original Block N West Makai project area (Farley et al. 2019 *draft*). A 100%-coverage pedestrian inspection confirmed no surface archaeological historic properties were present and the project area was occupied by the Ward Gateway Center building and an associated parking lot. Subsurface investigations focused on a program of 11 test excavations distributed throughout the project area to locate subsurface archaeological deposits; however, the subsurface survey was reduced to eight test excavations (T-1 through T-6, T-8, and T-10) due to access limitations.

Three test excavations were located in the existing parking lot (T-1 through T-3), one was within an exterior loading dock (T-10), and two were located within the existing buildings interior (T-5 and T-6). The test excavations unable to be completed are T-7, T-9 and T-11. All test excavations were machine excavated to the depth of natural sand deposits and natural deposits were excavated by hand using shovels and trowels. Completed test excavations typically measured 6.1 m by 0.6 m (approximately 20 by 2 feet [ft]) with maximum depths ranging from 175 to 232 cms. Due to spatial limitations associated with interior test excavations, T-5 and T-6 measured 3.0 m by 0.6 m (approximately 10 ft by 2 ft).

Two previously identified historic properties were documented during the original Block N West Makai AIS (Figure 4):

1. State Inventory of Historic Places (SIHP) # 50-80-14-07429, pre- and post-Contact cultural deposits with associated features, including human burials
2. SIHP # 50-80-14-07686, subsurface historic infrastructure remnants and associated deposits.

In addition to the eight AIS test excavations conducted for the original Block N West Makai project area, test excavations were conducted for adjacent project areas, portions of which were later incorporated into the redesigned Block N West Makai project area. A total of 32 additional AIS test excavations and five data recovery excavations were completed within, or partially within, the revised Block N West Makai project area for the Block N West Mauka Project, H RTP Section 4 (City Center) Project, Block I Project, and Block H Project (Table 2). Similar AIS methodology was followed in these AIS investigations. From these additional test excavations, two other historic properties were documented (see Figure 4):

1. SIHP # 50-80-14-07655, historic salt pan remnants with associated subsurface cultural deposits, including human burials, documented by Sroat et al. (2014), Pammer et al. (2014), Sroat et al. (2015), Sroat et al. (2017), and Davis et al. (2018)
2. SIHP # 50-80-14-07659, the concretized Ward Estate ‘*auwai* (ditch), identified by Sroat et al. (2014) and Pammer et al. (2014).

HHC has committed to completing an additional 6 AIS test excavations within the Mahana Ward Village Project Area as part of the Revised AIS for the project—this will supply AIS testing results for the area in the central portion of the project area (the former Ross Dress for Less) where prior AIS testing was not possible.

Q Please describe archaeological historic properties documented in the Project area.

A The two archaeological historic properties documented for the original N West Makai Project AIS were as follows (see Figure 4):

1. SIHP # 50-80-14-07429 consists of pre- and post-Contact cultural deposits with associated features. SIHP # -07429 is known to include human burials in adjacent project areas, although no burials were encountered during the N West Makai AIS (Farley et al. 2019 *draft*). SIHP # -07429 was previously documented by Hammatt (2013), Hawkins et al. (2015), Sroat et al. (2015), Humphrey et al. (2015), Sroat et al. (2016), Davis et al. (2018), Sroat et al. (2018), and Welser et al. (2018) within adjacent project areas. SIHP # -07429 was previously assessed as significant under Hawai‘i state historic property significance Criterion d (has yielded, or is likely to yield, information important for research on prehistory or

history) and Criterion e (have an important value to the native Hawaiian people or to another ethnic group of the state due to associations with cultural practices once carried out, or still carried out, at the property or due to associations with traditional beliefs, events or oral accounts—these associations being important to the group’s history and cultural identity), pursuant to HAR §13-284-6. The Block N West Makai AIS (Farley et al. 2019 *draft*) findings support this assessment. SIHP # -07429 reflects pre- to post-Contact habitation and other land use, including human interment. Because it possesses integrity of location and materials, SIHP # -07429 has the potential to yield additional information on the functional, spatial, and temporal cultural use of this backshore sand dune, including for habitation and burial practices.

2. SIHP # 50-80-14-07686 consists of subsurface historic infrastructure remnants and associated deposits. SIHP # -07686 was previously documented by Hawkins et al. (2015), Sroat et al. (2016), and Davis et al. (2018). SIHP # -07686 was previously assessed as significant under Hawai‘i state historic property significance Criterion d (has yielded, or is likely to yield, information important for research on prehistory or history), pursuant to HAR §13-284-6. The Block N West Makai AIS (Farley et al. 2019 *draft*) findings support this assessment. SIHP # -07686 reflects late nineteenth to mid-twentieth century urban and commercial development within Kaka‘ako. Because it possesses integrity of location and materials, SIHP # -07686 has the potential to yield additional information on the architectural styles, construction methods, and commercial activities associated with the early years of urbanization in Kaka‘ako.

Archaeological historic properties documented in test excavations for adjacent projects, which were later incorporated into the redefined Block N Makai project area, are as follows (see Figure 4):

1. SIHP # 50-80-14-07655 consists of historic salt pan remnants with associated subsurface cultural deposits, including human burials. SIHP # -07655 was previously documented by Sroat et al. (2014), Pammer et al. (2014), Sroat et al. (2015), Sroat et al. (2017), and Davis et al. (2018). SIHP # -07655 was previously assessed as significant under Hawai‘i state historic property significance Criterion c (embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; or possess high artistic value), Criterion d (has yielded, or is likely to yield, information important for research on prehistory or history), and Criterion e (have an important value to the native Hawaiian people or to another ethnic group of the state due to associations with cultural practices once carried out, or still carried out, at the property or due to associations with traditional beliefs, events or oral accounts—these associations being important to the group’s history and cultural identity), pursuant to HAR §13-284-6. SIHP # -07655 reflects land use activities related to historic salt pan operations and has the potential to offer additional insights into these practices, as well as cultural use of the salt pan components, including human burials.

2. SIHP # 50-80-14-07659 consists of the concretized Ward Estate ‘*auwai* (ditch) and was previously identified by Sroat et al. 2014 and Pammer et al. (2014). SIHP # -07659 was previously assessed as significant under Hawai‘i state historic property significance Criterion d (has yielded, or may be likely to yield information important for research on prehistory or history) pursuant to HAR § 13-284-6. This assessment was based on the historic property’s potential to provide information on land modification associated with the Kewalo reclamation project and subsequent urban development.

Subsequent to the completion and reporting of the archaeological studies referenced above (Hammatt 2013; Humphrey et al. 2015; Sroat, Hawkins, Burke, Pammer, O’Hare, and McDermott 2015; Sroat et al. 2016; Davis et al. 2018; Farley et al. 2018, *draft*; and Farley et al. 2019 *draft*), the SHPD made the determination to designate deposits related to early twentieth century land reclamation events in Kaka‘ako as a historic property. Such deposits were identified within the current project area during the Block N West Makai AIS (Farley et al. 2019 *draft*), H RTP Section 4 AIS (Hammatt 2013) and supplementary AIS (Humphrey et al. 2015), Block I AIS (Sroat, Hawkins, Burke, Pammer, O’Hare, and McDermott 2015), Block N East AIS (Sroat et al. 2016), and Block H AIS (Davis et al. 2018).

Q In your professional opinion, what impacts will the Project have on archaeological historic properties?

A The Block N West Makai Project will consist of the construction of a high-rise residential tower with commercial space located on the ground floor. Ground disturbance associated with project construction includes demolition and removal of remnant structures and a surface parking lot, 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 proposed Block N West Makai Project has the potential to affect all archaeological historic properties identified within the project area. The recommended effect determination is “effect, with agreed upon mitigation commitments.”

Q What mitigation measures have been developed for those historic properties?

A Based on the historic preservation review process for the project areas now incorporated into the Block N West Makai Project area, mitigation measures for these historic properties include archaeological monitoring, archaeological data recovery, and burial treatment associated with the Block N West Mauka Project, H RTP Section 4 (City Center) Project, Block I Project, Block N East Project, and Block H Project, in addition to the agreed upon mitigation measures in the to be completed Block N West Makai Project’s revised archaeological inventory survey report (AISR) (Table 3). The mitigation commitments and status of these commitments are summarized below:

Block N West Mauka Project

An AISR (Farley et al. 2018, *draft*) is currently under review of the SHPD. The AISR (Farley et al. 2018, *draft*) details mitigation commitments consisting of archaeological monitoring. An archaeological monitoring plan (AMP) for the Block N West Mauka Project will be formalized upon the SHPD's acceptance of the AISR.

H RTP Section 4 (City Center)

An AISR (Hammatt 2013) was accepted by the SHPD in a letter dated 26 August 2013 (LOG NO.: 2013.2564, DOC NO.:1308SL21). The mitigation commitments detailed in the AISR consist of a burial treatment plan for identified human burials, archaeological monitoring, and preparation and implementation of an archaeological data recovery program. A supplemental AIS was also completed for the H RTP Section 4 (City Center) Project (Humphrey et al. 2015) and was accepted by the SHPD in a letter dated 1 April 2015 (LOG NO: 2015.01120, DOC NO.: 1503SL19). This document detailed mitigation commitments of a burial treatment plan for identified human burials and archaeological monitoring.

To address mitigation commitments of a burial treatment plan for both the AIS (Hammatt 2013) and supplemental AIS (Humphrey et al. 2015), CSH prepared a burial site component of a data recovery and preservation plan (BSCDRPP) (Sroat, Burke, Humphrey, McDermott, and Shideler 2015), which was accepted by the SHPD in a letter dated 22 June 2015 (LOG NO.: 2015.01378, DOC NO.: 1506.RKH04). This BSCDRPP addresses human remains (SIHP # -07429, Feature 6) identified within the current Block N West Makai project area, which are preserved in place (Figure 5).

To address the mitigation commitment of archaeological monitoring for both the AIS (Hammatt 2013) and supplemental AIS (Humphrey et al. 2015), CSH prepared an AMP for the H RTP Section 4 (City Center) Project (Hammatt 2014), which was accepted by the SHPD in a letter dated 23 June 2014 (LOG NO.: 2014.02203, DOC NO.: 1406SL23). Archaeological monitoring is ongoing and CSH will produce an archaeological monitoring report (AMR) upon the project's completion.

To address the mitigation commitment of an archaeological data recovery program, CSH prepared an archaeological data recovery plan (ADRP) (Yucha et al. 2014), which was accepted by the SHPD in a letter dated 13 January 2014 (LOG NO.: 2014.00077, DOC NO.: 1401SL05). The archaeological data recovery report (ADRR) (Sroat et al. 2018) is currently under the SHPD's review.

Block I Project

An AISR for the Block I Project (Sroat, Hawkins, Burke, Pammer, O'Hare, and McDermott 2015) was accepted by the SHPD in a letter dated 12 June 2015 (LOG NO.: 2015.02101, DOC NO.: 1505SL25). The Block I AISR (Sroat, Hawkins, Burke, Pammer, O'Hare, and McDermott 2015) details mitigation commitments consisting of archaeological monitoring, burial treatment, and an archaeological data recovery program.

To address the mitigation commitment of archaeological monitoring, CSH prepared an AMP (Sroat, Leger, and McDermott 2015) for the Block I parcel, which was accepted by the SHPD in a letter dated 18 August 2015 (LOG NO.: 2015.02451; DOC NO.:

1508SL16). Archaeological monitoring fieldwork is now complete and CSH is working to produce an AMR for submittal to the SHPD.

To address the mitigation commitment of burial treatment, CSH submitted multiple burial treatment documents to the SHPD. The burial treatment plan for burials within the Block I study area has been subdivided into two documents due to refinement of project plans. The majority of the burials within the Block I study area now fall within the boundaries of the Block N East project area; a burial site component of an archaeological data recovery and preservation plan (BSCDRPP) (McDermott and Yucha 2016) addressing these burials was accepted by the SHPD in a letter dated 7 September 2016 (LOG NO.: 2016.01900; DOC NO.: 1609RKH01). This document addresses human remains identified within the current Block N West Makai project area (SIHP # -07249, Features 23, 60, and 68) and burial treatment consisted of relocation outside of the Block N West Makai project area (see Figure 5). This burial treatment has been implemented. The remaining burial within the Block I study area (not within the current Block N West Makai project area), associated with SIHP # -07655, is addressed within a separate burial site component of a preservation plan (BSCPP) (Welser and McDermott 2017), accepted by the SHPD in a letter dated 24 March 2017 (LOG NO.: 2017.00446; DOC NO.: 1703RKH05).

To address the mitigation commitment of an archaeological data recovery program, CSH submitted an ADRP for SIHP #s -07429 and -07655 (Sroat and McDermott 2017), which was accepted by the SHPD in a letter dated 30 June 2017 (LOG NO.: 2017.00480; DOC NO.: 1706JA03). CSH has since completed the archaeological data recovery field work and is working to produce an ADRR for submittal to the SHPD. The forthcoming ADRR details mitigation commitments of burial treatment for identified burials associated with SIHP #s -07429 and -07655. These mitigation commitments are addressed in an addendum BSCDRPP (Welser et al. 2019), which was accepted by the SHPD in a letter dated 9 May 2019 (LOG NO.: 2019.00753, DOC NO.: 1905RKH07). Of the burials addressed in this document, SIHP # -07429, Inadvertent Find (IF) 1 and 2 were identified within the current Block N West Makai project area; however, burial treatment consisted of relocation outside of the Block N West Makai project area (see Figure 5). This burial treatment has been implemented.

Block N East Project

An AISR (Sroat et al. 2016) for the Block N East Project was accepted by the SHPD in a letter dated 6 September 2016 (LOG NO.: 2016.00778, DOC NO.: 1609KM01). The AISR details mitigation commitments consisting of archaeological monitoring and burial treatment. Burial treatment is addressed by McDermott and Yucha (2016) in the above mentioned BSCDRPP, which was accepted by the SHPD in a letter dated 7 September 2016 (LOG NO.: 2016.01900; DOC NO.: 1609RKH01). CSH prepared an AMP (McDermott and Hensley 2016), which was accepted by the SHPD in a letter dated 7 September 2016 (LOG NO.: 2016.01894, DOC. NO.: 1609KM02). Archaeological monitoring fieldwork has been completed for this project and CSH is working to produce an AMR for submittal to the SHPD.

Block H Project

An AISR (Davis et al. 2018) for the Block H Project was accepted by the SHPD in a letter dated 19 January 2018 (LOG NO.: 2018.00007; DOC. NO.: 1801JA05). Mitigation commitments detailed in the AISR (Davis et al. 2018) consist of archaeological monitoring. CSH prepared an AMP (Sroat and McDermott 2020), which was accepted by the SHPD in a letter dated 5 February 2020 (LOG NO.: 2018.02627, DOC NO.: 2002SCH01), and archaeological monitoring for the project is ongoing. CSH will formalize an AMR upon completion of the project.

Block N West Makai Project

Based on results of the initial phase of AIS testing for the Block N West Makai Project (Farley et al. 2019 *draft*), and in consultation with the SHPD and recognized cultural descendants, additional AIS will be completed for the revised AISR (Farley et al. 2019 *draft*). The number of additional required test excavations will be determined through forthcoming consultation with the SHPD and prior consultation with the OIBC and cultural descendants. Currently, six additional AIS test excavations are proposed. Based on the current results from the initial phase of AIS testing, an archaeological monitoring program is recommended as mitigation.

In summary, the mitigation commitments of burial treatment associated with the H RTP Section 4 (City Center) Project, Block I Project, and Block N East Project, as well as the mitigation commitments of targeted archaeological data recovery associated with the H RTP Section 4 (City Center) and Block I Projects have been completed or are in progress. These mitigation commitments will be completed by CSH through the projects in which the mitigation commitments were established. The mitigation commitments for the Block N West Makai Project will be outlined in the project's revised AISR.

Q: Please describe the current status of the SHPD process in this case.

A CSH prepared an archaeological inventory survey plan (AISP) for the original N West project area (Burke et al. 2015) which was accepted by the SHPD in a letter dated 29 May 2015 (LOG NO.: 2015.01594, DOC. No. 1505GC03).

A draft of the AIS report (Farley et al. 2019 *draft*), documenting the results of fieldwork for the original N West Makai project area, was submitted to the SHPD on 23 May 2019 (LOG NO.: 2019.01201). This draft document remains under SHPD review; however, in consultation with the SHPD, it will be revised for the redesigned Block N West Makai project area. On 26 October 2022, CSH provided an updated project description and figures to the SHPD via email, to explain the change in project area. Based on ongoing consultation, the Block N West Makai AISR will be revised to document the results of inventory survey, historic property significance assessments, project effect, and mitigation commitments for the larger, revised Block N West Makai project area—incorporating the results of historic preservation review for the now incorporated portions of the previously studied project areas for HART H RTP and Victoria Ward, Ltd. (VWL)/HHC.

On 9 May 2023, SHPD provided a letter (LOG NO.: 2019PR30462, DOC NO.: 2305SCH05) to HCDA and the Department of Planning and Permitting (DPP), City and County of Honolulu, acknowledging that SHPD had no objection to the HCDA proceeding with the permitting process for the Block N West Makai Project, with three stipulations:

1. Hawai‘i Revised Statutes (HRS) §6E-42 Historic Preservation Review Steps 1 through 5, as outlined in Hawai‘i Administrative Rules (HAR) §13-284-3(b), shall be completed and SHPD shall provide a letter documenting said completion to HCDA, DPP, and VWL/HCC indicating that the DPP permit process may continue;
2. DPP commits to stipulate as a permit condition on all project DPP permits involving ground disturbing work that project initiation may not proceed prior to receipt by HCDA, DPP, and VWL/HCC of SHPD’s letter documenting completion of Steps 1 through 5; and
3. VWL/HHC commits to no initiation of project ground disturbing work requiring a DPP permit prior to receipt of SHPD’s letter documenting completion of Steps 1 through 5.

On 5 June 2023, VWL/HHC provided a response letter to SHPD acknowledging and committing to these three stipulations. VWL’s letter is attached to this testimony.

The Revised AIS report for Block N West makai, including the results of additional fieldwork, will be reviewed and accepted by the SHPD prior to the DPP issuing the project’s permits.

Q Please describe the cultural consultation that has occurred to date.

A Consultation for the overall Ward Neighborhood Master Plan

Consultation has been ongoing since 2012 as part of the Ward Neighborhood Master Plan consultation effort. Consultation has involved meetings and/or correspondence with recognized Kaka‘ako cultural descendants, the OIBC, the Office of Hawaiian Affairs (OHA), Hui Mālama I Nā Kūpuna O Hawai‘i Nei, Ku‘iwalu, the SHPD, and project proponents. Cultural consultation occurred in the following timeline:

As part of the Ward Neighborhood Master Plan consultation effort, HHC coordinated an informational meeting with recognized cultural descendants for the Ward Village Shops Project on 10 July 2012 in order to introduce the Ward Neighborhood Master Plan, as well as present results of the recent supplemental AIS for the Ward Village Shops Phase II Project (Sroat and McDermott 2012). Attendees included Kaka‘ako cultural descendants (Ka‘ano‘i Kaleikini, Keala Norman, Kepo‘o Keli‘ipa‘akaua, and Kahili Norman), OIBC representative Hinaleimoana Wong-Kalu, HHC representatives (John Simon, David Striph, and Nick Vanderboom), CSH principal investigator Matt McDermott, and Ku‘iwalu cultural consultant Dawn Chang. Prior to this meeting, all cultural descendants were mailed a hard copy of the archaeological literature review and predictive model study (O’Hare et al. 2012) completed for the Ward Neighborhood

Master Plan as part of its historic preservation review process and as a cultural and historical resource document. Cultural descendants were also mailed a copy of CSH's cultural impact assessment for the subject project (Cruz et al. 2012). A summary of the Ward Neighborhood Master Plan was provided by HHC Vice President of Development, Nick Vanderboom, focusing on the upcoming initial portions of the project and development of AISP for Blocks C, K, and O. Mr. Vanderboom also communicated HHC's desire to coordinate with the Office of Hawaiian Affairs (OHA) and Kamehameha Schools (KS), given their ownership of large tracts of land within Kaka'ako, and to develop cultural guidelines for the project. The cultural descendants were very supportive of the idea of incorporating *mo'olelo* (stories) of the area into the Hawaiian architecture and the use of native plants within the landscaping designs. They further suggested resource gardens where Native Hawaiians could gather native plants could be established. In terms of the project's archaeological investigations, the cultural descendants were assured that AISP and AIS investigations would be prepared and conducted for each phase of the development and that the descendants would be kept informed of Master Plan developments and archaeological investigations.

Also invited to the 10 July 2012 meeting was Mr. Manny Kuloloio, a cultural descendant of the Honolulu and Kaka'ako area. Mr. Kuloloio called Ms. Chang the following day to express his regret at being unable to attend the meeting. As a follow-up, Mr. McDermott of CSH called Mr. Kuloloio to discuss any input he might have regarding development of the Ward Neighborhood Master Plan and component AIS plans. Mr. Kuloloio acknowledged receipt of the archaeological literature review and predictive model document, but did not have any specific comments at that time.

Following extensive consultation with SHPD in 2012, Matt McDermott contacted Edward Halealoha Ayau and Kihei Nahalea of Hui Mālama I Nā Kūpuna O Hawai'i Nei in order to provide notification of the upcoming projects and a scheduled consultation meeting as well as to inquire whether a representative of Hui Mālama would be interested in participating in upcoming consultation meetings. On 5 November 2013, Mr. Ayau responded that attendance at the consultation meetings would not be necessary and that alternative forms of communication would be sufficient (e.g., email, telephone, mail, Skype). On 15 November 2013, Mr. Nahalea confirmed that Mr. Ayau should continue to be the point of contact for Hui Mālama. Consultation letters concerning the AISP and proposed testing strategies continued to be sent to Hui Mālama up until 2015 when the organization was understood to have dissolved, in accordance with the completion of its mission.

Consultation for 14 project areas of the Ward Neighborhood Master Plan was held with the SHPD, recognized cultural descendants, the OIBC, OHA, and Hui Mālama I Nā Kūpuna O Hawai'i Nei between 2013 and 2016. The project areas consisted of Blocks A (Launiu), B East (Ward Village Gateway Project), B West, C (Anahā residential tower project), C West (Ward Village Gateway Project), F, G, H, I, K (Waiea residential tower), M (Ae'o residential tower), N East ('A'ali'i), N West (Mahana Ward Village), and O (Ke Kilohana residential tower). Consultation included AISP-proposed testing strategies (consultation meetings and consultation letters), updates on AIS fieldwork

and/or construction monitoring, notice of and consultation for any human burial finds (Blocks A, B West, I, K, and N East), proposed mitigation measures for historic properties identified, and the status of AIS reports submitted to the SHPD.

Consultation for the original Block N West Makai project area (prior to redesign)

The subsurface Block N West Makai AIS investigation was conducted between 2 August and 26 August 2016, and between 28 September and 11 October 2018. Cultural monitors from ‘Ōiwi Cultural Resources (OCR) were present during the excavation of all Block N West Mauka AIS test excavations.

The schedule of excavations was determined by logistical/access limitations, specifically for the eight planned interior test excavations (T-4 through T-11) located within commercial space. Access to the *makai* interior test excavations was available following the closure of the Sports Authority store in 2016, while access to the *mauka* interior test excavations was dependent on agreement with an active tenant, Ross Dress for Less store. Due to denial of access by the active tenant, the six interior *mauka* excavations were unable to be excavated; however, two were able to be shifted to the *makai* commercial space (at the time ‘Ohana Hale Marketplace, which granted access), and one was shifted to the east corner of the project area within an exterior loading dock. Due to the inability to fully adhere to the AISP and SHPD-approved test excavation strategy, CSH consulted with the SHPD and recognized cultural descendants for the surrounding VWL/HHC project area as to potential avenues for resolving the issue. Based on the AIS results for the Block N West Makai Project and the extensive documentation from earlier studies within immediately surrounding project areas (Block N West Mauka, Block H, Block I, and Block N East), it was virtually certain that the *mauka* portion of the Block N West Makai project area contained buried natural sand deposits and highly likely that it contained cultural deposits associated with SIHP # -07429. As extensive data recovery investigations targeting SIHP # -07429 had already been conducted immediately adjacent to the project area, CSH did not feel an additional data recovery investigation was warranted. However, due to the cultural sensitivity of the area and the presence of a house lot Land Commission Award (LCA 10463:1), targeted archaeological investigation of the *mauka* portion of the project area was believed merited. CSH proposed targeted data recovery as part of an archaeological monitoring program, to consist of at least three test excavations within the targeted area following building demolition but prior to construction-related ground disturbance. This would allow for AIS-level documentation of this *mauka* portion of the project area. The proposed resolution (in the form of a mitigation commitment) was discussed with Dr. Lebo, SHPD Archaeology Branch Chief, at various in-person meetings in October/November 2018 and January 2019. SHPD was amenable to the proposed mitigation recommendation, with the expectation that the particulars of the targeted data recovery (i.e., numbers of test excavations, aerial extent, and precise locations) would be refined within a project AMP in consultation with SHPD, and with the understanding that recognized cultural descendants for previously identified burials associated with SIHP # -7429 support this course of action. In individual correspondence with recognized cultural descendants for the surrounding project areas (Caceres ‘ohana; Kaleikini ‘ohana), Matt McDermott of CSH confirmed their support of

this approach, with the stipulation that any human burial sites encountered during the targeted data recovery be considered “previously identified” burial sites and subject to HAR §13-300-33.

Consultation for the redesigned Block N West Makai project area:

On 10 October 2022, Matt McDermott and Alexandra Bennicas of CSH, and Ka‘iulani Sodaro of VWL met with the SHPD to discuss various VWL projects. The redesign of the Block N West Makai project area was discussed and the SHPD requested additional information regarding the project footprint for the recently expanded project area and an updated project description. This information was provided to the SHPD in email correspondence on 26 October 2022 and CSH proposed that details of the project area’s redesign be memorialized in the forthcoming AMP document. The possible need for additional AIS testing was also discussed during the meeting and CSH reiterated in an email on 25 November 2022 that targeted data recovery as part of the archaeological monitoring program for the Block N West Makai project is an agreed upon mitigation commitment memorialized in the project’s AIS (Farley et al. 2019 *draft*).

On 19 December 2022, CSH provided an update for the Block N West Makai project to HHC’s group of recognized cultural descendants. During the update, targeted data recovery as part of the archaeological monitoring program and the redesign of the Block N West Makai project area were discussed. For targeted data recovery, CSH proposed three additional AIS-style test excavations targeting LCA 10463:1 to Napela, which is partially within the project area. The cultural descendants concurred with the proposed testing strategy and requested to be notified prior to commencement of targeted data recovery fieldwork.

In March, April, and May 2023, consultation among HHC, CSH, and the SHPD resulted in the agreement that targeted data recovery as part of the archaeological monitoring program would not appropriately fulfill the agreement reached during prior consultation with cultural stakeholders; i.e., that any identified human remains be considered previously identified. Instead, it was agreed that the draft Block N West Makai AISR would be revised. The revised AIS investigation for the Block N West Makai Project would incorporate the historic preservation results of the surrounding project areas that are now included in the Block N West Makai Project. It would also include the results of additional AIS investigation within what was the original, smaller Block N West makai project area. This SHPD consultation also resulted in the 9 May 2023 letter, described above, stating the SHPD has no objection to the HCDA proceeding with the project’s HCDA permitting review process, as long as the three stipulations are met.

On 17 April 2023, CSH provided another update to the HHC recognized cultural descendants. In a PowerPoint presentation, the results of the first phase of AIS work were reviewed. The changes in boundaries to the new Block N West Makai project were clarified and opportunity was given for discussion of the possibility of additional testing. The cultural descendants provided their input regarding the proposed additional AIS testing strategy.

Table 1. Archaeological documents relevant to the N West Makai Project.

Document Type	Project	Citation	SHPD acceptance documentation	Date of SHPD acceptance
AISP	HHC Original Block N West Makai project area	Burke et al. 2015	LOG NO.: 2015.01594 DOC NO.: 1505GC03	29 May 2015
AIS	HHC Original Block N West Makai project area	Farley et al. 2019 <i>draft</i>	<i>In progress</i>	<i>In progress</i>
AIS	HHC Block H	Davis et al. 2017	LOG NO.: 2018.00007 DOC NO.: 1801JA05	19 January 2018
AIS	HHC Block I	Sroat et al. 2015	LOG NO.: 2015.02101 DOC NO.: 1505SL25	12 June 2015
AIS	HHC Block N East	Sroat et al. 2016	LOG NO.: 2016.00778 DOC NO.: 1609KM01	6 September 2016
AIS	H RTP Section 4 (City Center)	Hammatt 2013	LOG NO.: 2013.2564, 2013.4338 DOC NO.: 1308SL21	26 August 2013
Supplemental AIS	H RTP Section 4 (City Center)	Humphrey et al. 2015	LOG NO.: 2015.01120 DOC NO.: 1503SL19	1 April 2015
Data recovery	HHC Block I		<i>In progress</i>	<i>In progress</i>
AIS	HHC N West Mauka		<i>In progress</i>	<i>In progress</i>

Table 2. Prior archaeological investigations and test excavations relevant to the N West Makai Project

Prior Archaeological Investigation	# of Excavations Fully/Partially Within the Mahana Ward Village Project Area
HHC Original Block N West Makai AIS	8
HHC Block N West Mauka AIS	4
HART H RTP AIS	2
HART H RTP Supplemental AIS	1
HART H RTP Data Recovery	0
HHC Block I AIS	14
HHC Block I Data Recovery	5
HHC Block N East AIS	3
HHC Block H AIS	3
TOTAL	40

Table 3. Mitigation measures for project areas incorporated into the redesigned Block N West Makai Project area

Project	Type of Document	Citation	Mitigation Commitments	Mitigation Commitment Status
Block N West Makai	AIS	Farley et al. 2019 <i>draft</i>	Additional AIS testing	Incomplete; fieldwork and revised AISR forthcoming
			Archaeological monitoring	Incomplete; archaeological monitoring forthcoming
Block N West Mauka	AIS	Farley et al. 2018 <i>draft</i>	Archaeological monitoring	Incomplete; draft AIS under SHPD review
HRTP Section 4 (City Center)	AIS	Hammatt 2013	Burial treatment	Complete (Sroat, Burke, Humphrey, McDermott, and Shideler 2015); human skeletal remains preserved in place within the current project area
			Archaeological data recovery	In progress; draft ADRR under SHPD review (Sroat et al. 2018 <i>draft</i>)
			Archaeological monitoring	In progress; archaeological monitoring ongoing
	Supplemental AIS	Humphrey et al. 2015	Burial treatment	Complete (Sroat, Burke, Humphrey, McDermott, and Shideler 2015)
			Archaeological	In progress; archaeological monitoring ongoing
Block I	AIS	Sroat, Hawkins, Burke, Pammer, O'Hare, and McDermott 2015	Burial treatment	Complete (Welser and McDermott 2017; McDermott and Yucha 2016); human skeletal remains relocated outside current project area
			Archaeological data recovery	In progress; production of ADRR ongoing
			Archaeological monitoring	In progress; production and SHPD review of numerous AMRs ongoing

Project	Type of Document	Citation	Mitigation Commitments	Mitigation Commitment Status
	Data Recovery	<i>In Progress</i>	Burial treatment	Complete (Welser et al. 2019); addressed human skeletal remains relocated outside of current project area
Block N East	AIS	Sroat et al. 2016	Burial treatment	Complete (McDermott and Yucha 2016); all addressed human skeletal remains identified outside current project area
			Archaeological monitoring	In progress; production of AMR ongoing
Block H	AIS	Davis et al. 2018	Archaeological monitoring	In progress; archaeological monitoring ongoing

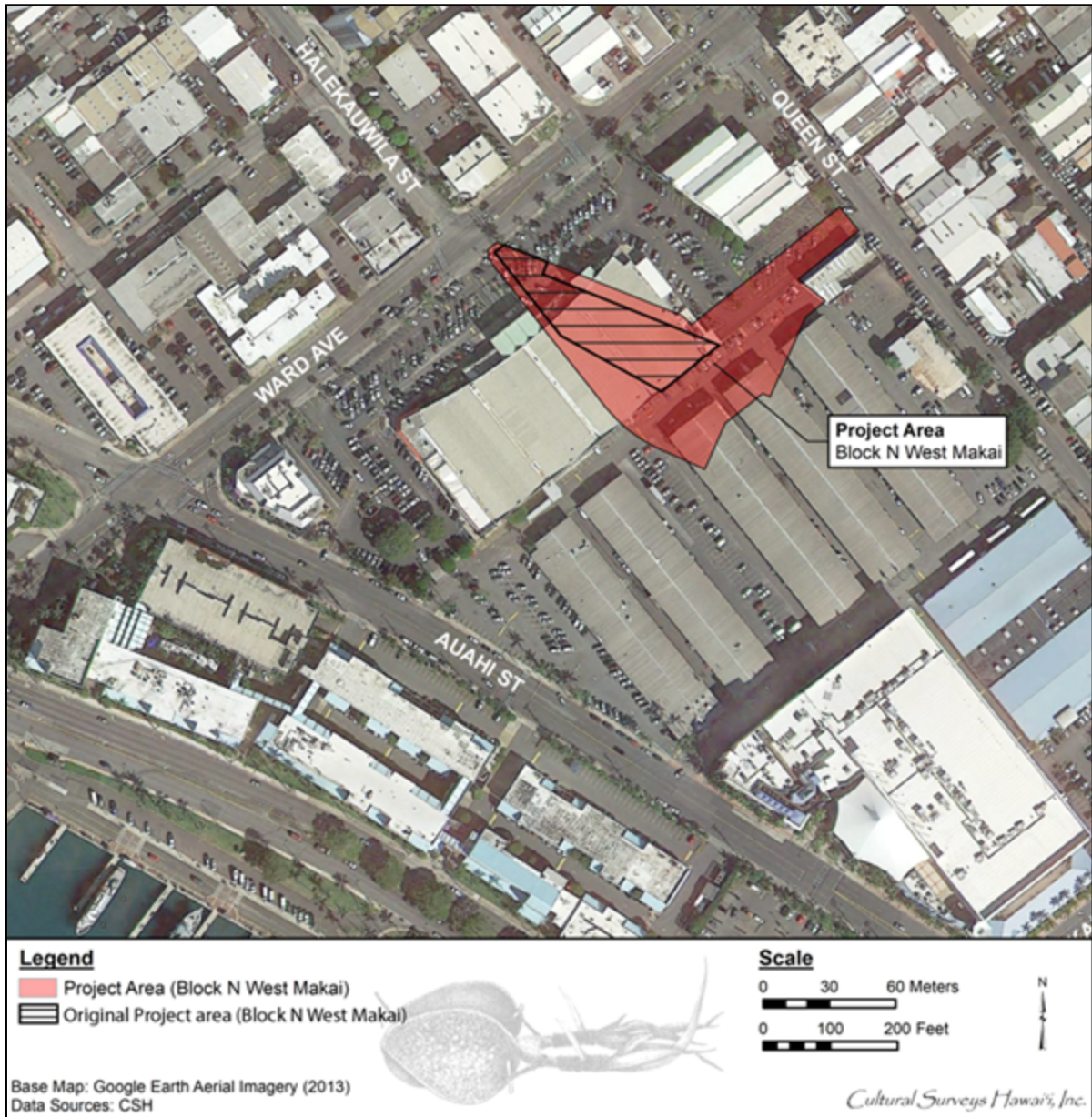


Figure 1. Aerial photograph of the Mahana Ward Village (Block N West Makai) original and revised project area (Google Earth 2013)



Figure 2. Aerial photograph (Google Earth 2013) showing completed AIS test excavations in the project area vicinity, the redesigned Block N West Makai project area (red), and original Block N West Makai project area (black), as well as the Block H, Block I, Block N East, Block N West Mauka, and H RTP Section 4 project areas, which are encroached by the redesigned Block N West Makai project area

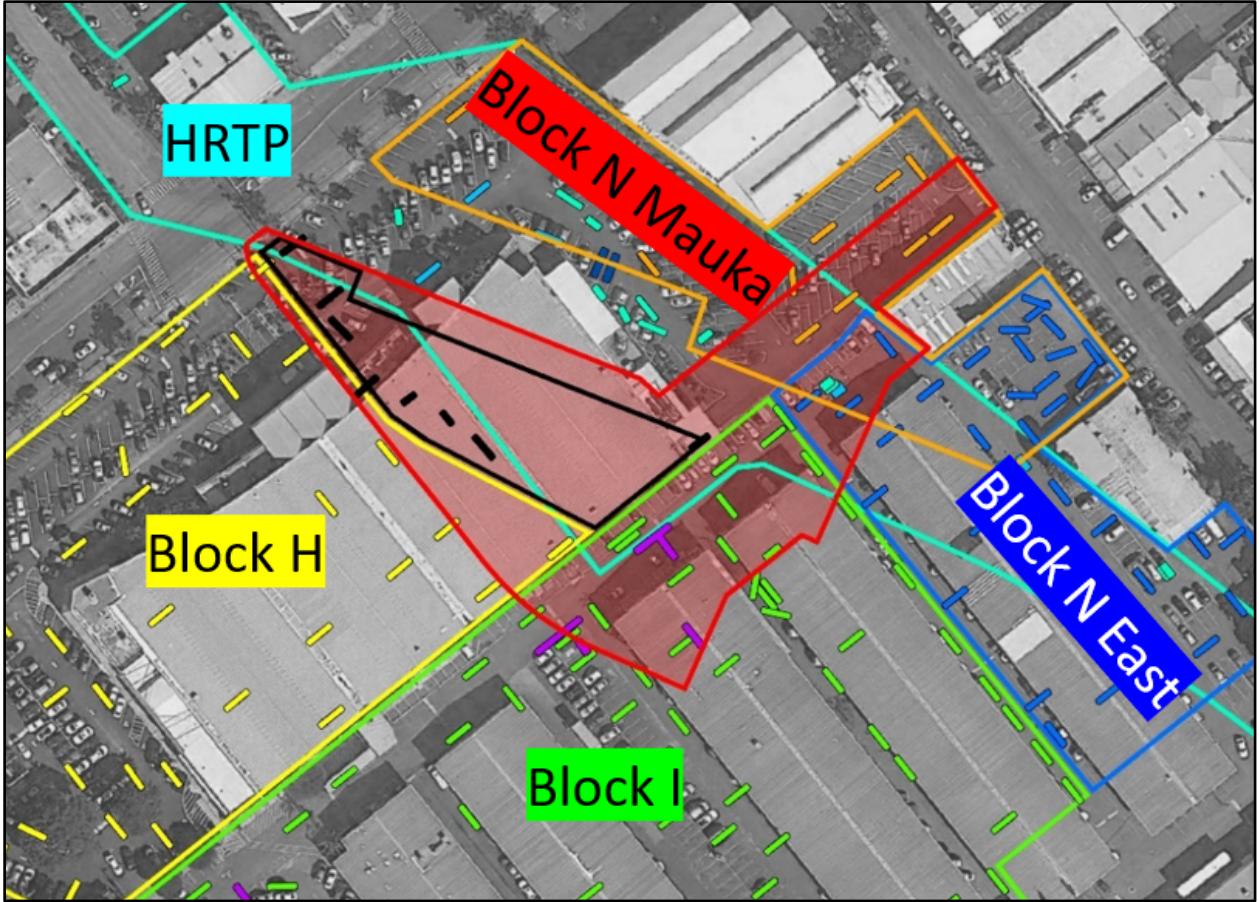


Figure 3. Prior archaeological study areas now included in the Mahana Ward Village project area

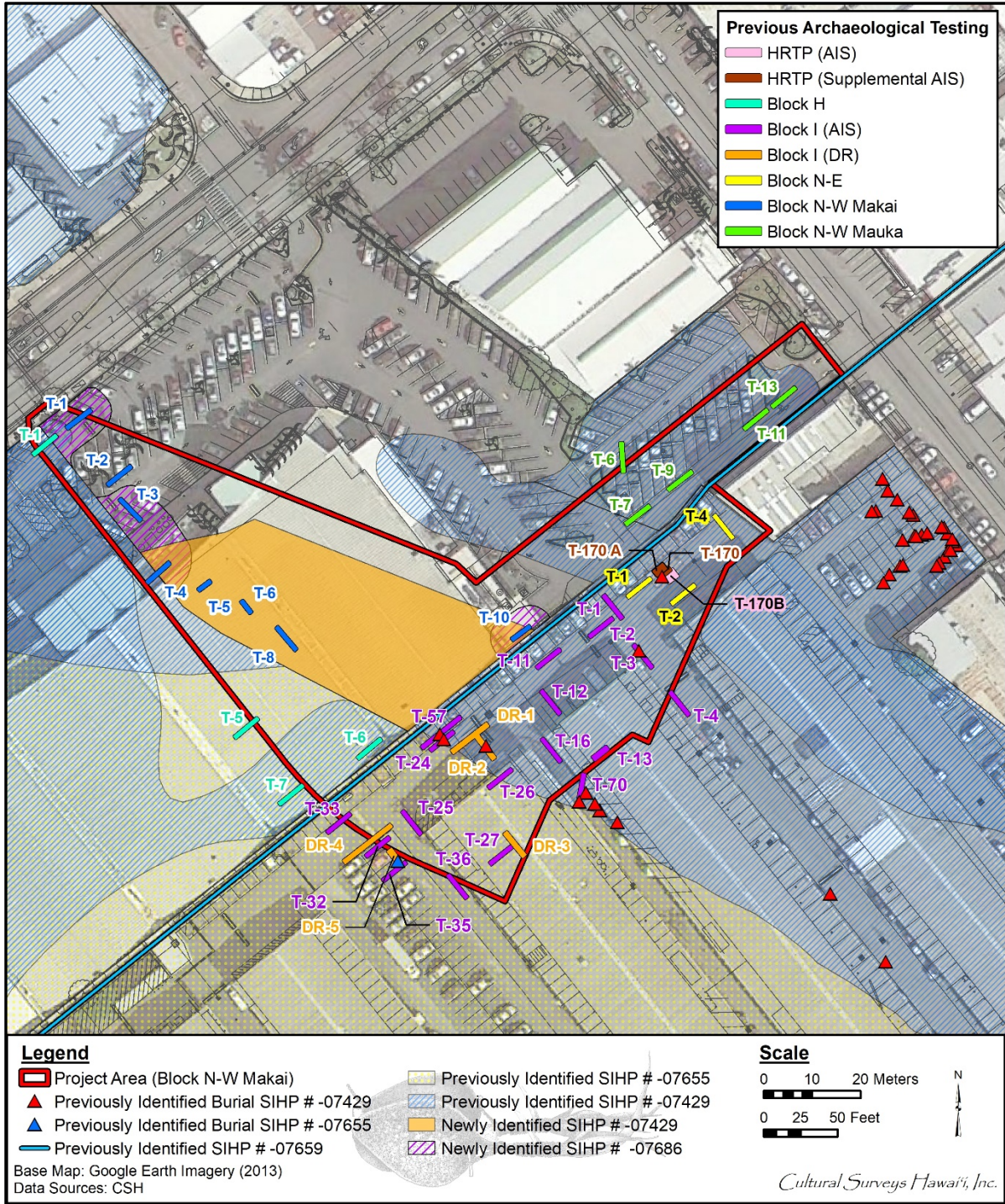


Figure 4. Aerial photograph (Google Earth 2013) showing completed AIS and data recovery test excavations fully or partially within the redesigned Block N West Makai project area (red), as well as historic properties identified within the Block H, Block I, Block N East, Block N West Mauka, and H RTP Section 4 project areas, which are encroached by the redesigned Block N West Makai project area; the figure also depicts portions of previously identified SIHP #s -07429 and -07686, which were newly identified during the initial Block N West Makai AIS testing

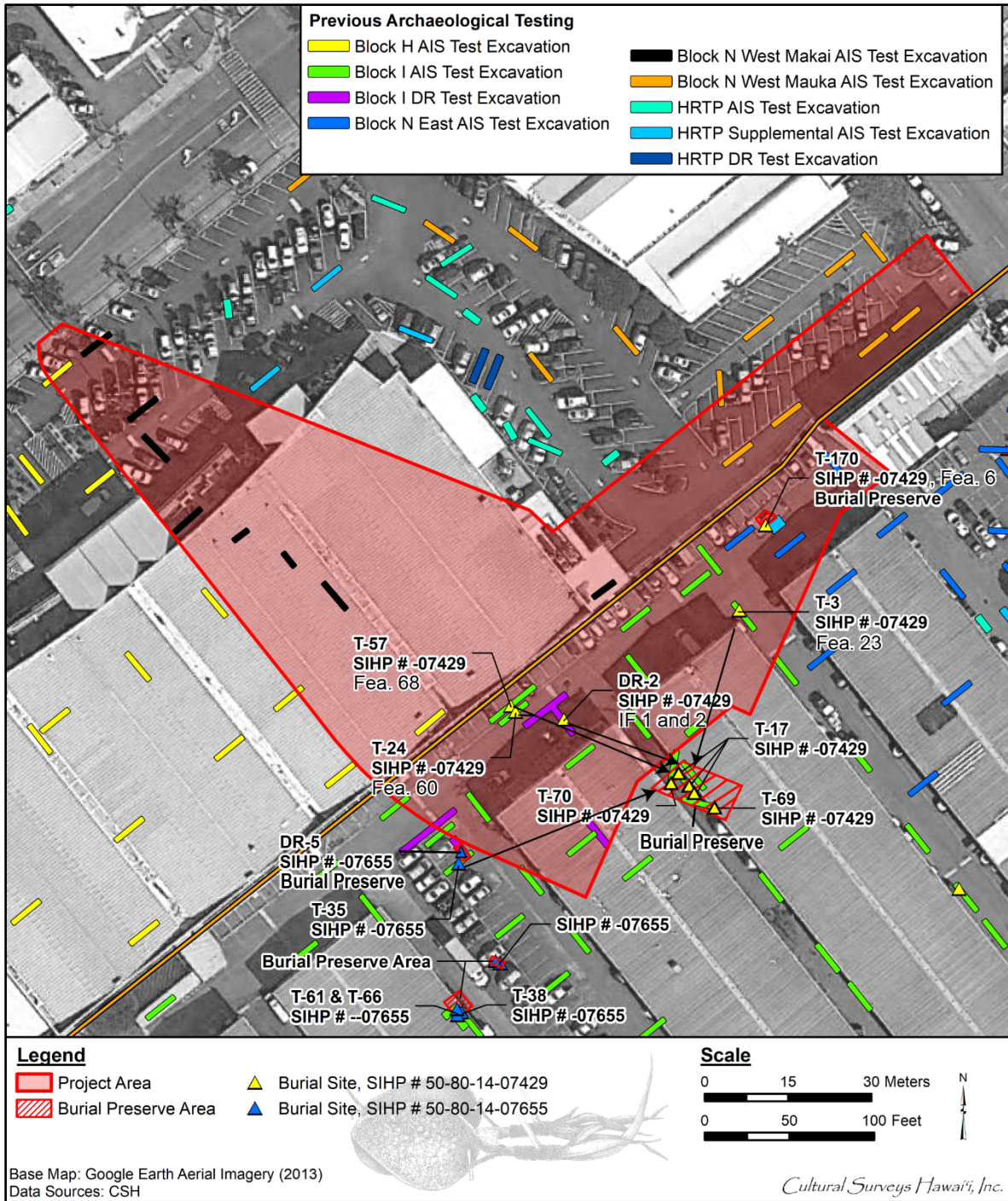


Figure 5. Aerial photograph (Google Earth 2013) showing completed AIS test excavations in the redesigned Block N West Makai project area (red) and the implemented burial treatment for human remains identified within the current project area; SIHP # -07429, Feature 6, is preserved in place within the Block N West Makai project area; SIHP # -07429, IF 1 and 2, and Features 23, 60, and 68 have been relocated to burial preserves outside of the current project area

REFERENCES CITED

Burke, Kelly L., Ena Sroat, and Matt McDermott

2015 *Archaeological Inventory Survey Plan for the Block N West Project, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu TMK: [1] 2-3-002:059 (por.)*. Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Cruz, Brian, Haven Giannasio, and Hallett H. Hammatt

2012 *Cultural Impact Assessment for the Ward Neighborhood Master Plan Project, Kaka‘ako Ahupua‘a, Honolulu (Kona) District, Island of O‘ahu, TMK : [1] 2-1-049:063, 080; 2-1-050:001, 061, 062; 2-1-052:011, 012, 016, 017, 020, 022, 024, 027, 028, 031 to 036, 038, 039, 040, 042, 043, 045, 046, 051, 052, 053, 2-1-053:001, 030; 2-1-056:001; 2-3-001:001, 004, 005; 2-3-002:001, 002, 059, 067, 086, 087, 104; 2-3-003:022, 065, 093, 094; 2-3-005:004, 005, 006, 012 to 017, 019, 022*. Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Davis, Jesse O., Ena Sroat, and Matt McDermott

2018 *Archaeological Inventory Survey Report for the Block H Project, Kaka‘ako Ahupua‘a, Honolulu (Kona) District, Island of O‘ahu, TMKs: [1] 2-3-002:002 and 059 (por.)*. Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Google Earth

2013 Aerial photographs of Hawai‘i. Google Inc., Mountain View, California. Available online at www.google.com/earth.html.

Hammatt, Hallett H.

2013 *Archaeological Inventory Survey Report for City Center (Section 4) of the Honolulu High-Capacity Transit Corridor Project, Kalihi, Kapālama, Honolulu, and Waikīkī Ahupua‘a, Honolulu (Kona) District, Island of O‘ahu, TMK [1] 1-2, 1-5, 1-7, 2-1, 2-3 (Various Plats and Parcels), Five Volumes*. Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Hammatt, Hallett H.

2014 *Archaeological Monitoring Plan for City Center (Section 4) of the Honolulu Rail Transit Project, Kalihi, Kapālama, Honolulu, and Waikīkī Ahupua‘a, Honolulu (Kona) District, O‘ahu, TMKs: [1] 1-2, 1-5, 1-7, 2-1, 2-3 (Various Plats and Parcels)*. Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Hawkins, Megan T., Ena Sroat, and Matt McDermott

2015 *Archaeological Inventory Survey Report for the Block M Project, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu, TMK: [1] 2-3-002:001 (portion)*. Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Humphrey, Lisa, Kelly Burke, Jessica Leger, Michelle Pammer, Matt McDermott, and Hallett H. Hammatt

2015 *Supplemental Archaeological Inventory Survey Plan for the City Center (Section 4) of the Honolulu Rapid Transit Project, Kalihi, Kapālama, Honolulu, and Waikīkī Ahupua‘a, Honolulu (Kona) District, O‘ahu Addressing Changes from the Vicinity of Ward Avenue and Halekauwila Street to the Vicinity of Queen and Kamake‘e Streets TMK: [1] 2-1, 2-3 (Various Plats and Parcels)*. Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Farley, Gina M., Ena Sroat, Ashley Goodfellow, Sara Blahut, and Matt McDermott

2018 Draft Archaeological Inventory Survey Report for the Block N West Mauka Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMKs: [1] 2-3-002:001 (por.), 059 (por.), and 067. Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

Farley, Gina M., Ena Sroat, Tyler Turran, and Matt McDermott

2019 Draft Archaeological Inventory Survey Report for the Block N West Makai Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-002:059 (por.). Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

McDermott, Matt and Si-Si Hensley

2016 *Archaeological Monitoring Plan for the Howard Hughes Corporation's Redesigned Block N East Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu TMK: [1] 2-3-002:001 (por.), 086, and 087, and Adjacent Portions of Queen and Auahi Streets.* Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

O'Hare, Constance R., Douglas F. Borthwick, and Hallett H. Hammatt

2012 Archaeological Literature Review and Predictive Model Development for the Ward Neighborhood Master Plan Project, Kaka'ako, Honolulu Ahupua'a, Honolulu District, O'ahu Island TMK: [1] 2-1-049:063, 080; 2-1-050:001, 061, 062; 2-1-052:011, 012, 016, 017, 020, 022, 024, 027, 028, 031 to 036, 038, 039, 040, 042, 043, 045, 046, 051, 052, 053, 2-1-053:001, 030; 2-1-056:001; 2-3-001:001, 004, 005; 2-3-002:001, 002, 059, 067, 086, 087, 104; 2-3-003:022, 065, 093, 094; 2-3-005:004, 005, 006, 012 to 017, 019, 022. Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

Pammer, Michelle F., Ena Sroat, and Matt M. McDermott

2014 *Archaeological Inventory Survey Report for the Block B East Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-001:005 (por.).* Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

Sroat, Ena M., Kelly L. Burke, Lisa Humphrey, Matthew McDermott, and David W. Shideler

2015 *Burial Site Component of a Data Recovery Plan and Preservation Plan for City Center (Section 4) of the Honolulu Rapid Transit Project, SIHP #s 50-80-14-2918, -5820, -7427, -7428, and -7429 Honolulu Ahupua'a, Honolulu (Kona) District, Oahu TMK Plats: [1] 1-7-002, 2-1-027, 2-1-050, 2-1-051, 2-3-002, and 2-3-003.* Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

Sroat, Ena, Megan Hawkins, Kelly Burke, Michelle Pammer, Constance O'Hare, and Matt McDermott

2015 *Archaeological Inventory Survey Report for the Block I Project, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-002:001 (por.).* Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

Sroat, Ena M., Jessica Leger, and Matthew McDermott

2015 *Archaeological Monitoring Plan for Block I, Kaka'ako, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-3-002:001 (portion).* Cultural Surveys Hawai'i, Inc., Kailua, Hawai'i.

Sroat, Ena and Matt McDermott

2017 *Archaeological Inventory Survey Plan for the Block N West Mauka Project, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu TMK: (1) 2-2-002:001 (por.), 059 (por.), and 067.* Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Sroat, Ena and Matt McDermott

2020 *Archaeological Monitoring Plan for the Block H Project, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu TMK: [1] 2-3-002:002 and 059 (por.).* Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Sroat, Ena, Michelle F. Pammer, and Matt M. McDermott

2014 *Archaeological Inventory Survey Report for the Block C West Project, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu, TMK: [1] 2-3-001:005 (por.).* Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Sroat, Ena, Tyler Turran, and Matt M. McDermott

2017 *Archaeological Inventory Survey Report for the Block B West Project, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu, TMK: [1] 2-3-001:005 (portion).* Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Welser, Alison, Angela L. Yates, and Matt McDermott

2018 *Burial Site Component of a Data Recovery Plan for SIHP # 50-80-14-07429 Feature 168 at the Ward Block M (Ae‘o) Project, Kaka‘ako, Honolulu Ahupua‘a, Honolulu (Kona) District, O‘ahu, TMK: [1] 2-3-002:106.* Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.

Yucha, Trevor, Matt McDermott, David W. Shideler, and Hallett H. Hammatt

2014 *Archaeological Data Recovery Plan for Eight Historic Properties (SIHP #s 50-80-14-2918, -2963, -5820, -5966, -7190, -7427, -7428, and -7429) in the City Center (Section 4) of the Honolulu High-Capacity Transit Corridor Project, Honolulu Ahupua‘a, Honolulu (Kona) District, Island of O‘ahu, TMKs: [1] 1-5, 2-1, and 2-3 (Various Plats and Parcels).* Cultural Surveys Hawai‘i, Inc., Kailua, Hawai‘i.



WARD VILLAGE

HONOLULU, HI

June 5, 2023

Dr. Alan S. Downer
Administrator
State Historic Preservation Division
Deputy State Historic Preservation Officer
601 Kamokila Blvd. STE 555
Kapolei, HI 96707

Subject: Project No. 2019PR30462/ Doc. No. 2305SCH05
Archaeology
TMK: (1) 2-3-002:116 por.

Dear Dr. Downer:

In response to referenced Project No. 2019PR30462/ Doc. No. 2305SCH05 dated May 9, 2023 providing the State Historic Preservation Division's (SHPD's) review regarding the Hawaii Community Development Authority's (HCDA's) planned development permitting process for the Victoria Ward, Ltd. (VWL) and The Howard Hughes Corporation (HHC) project titled Victoria Ward Limited (VWL) Block N West Makai Project (Land Block 1, Project 6), VWL respectfully acknowledges and commits to all stated stipulations requested by SHPD.

Sincerely,

Victoria Ward, Ltd.

By: 
Ka'iulani K. Sodaro, AICP
Vice President

Mailing Address: 1240 Ala Moana Blvd., Suite 200
Honolulu, HI 96813
Phone Number: (808) 591-8411

cc: Craig K. Nakamoto, HCDA
Dawn Takeuchi-Apuna, DPP

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