

Exhibit B

Milestones Required to be Completed by KHLF to the Satisfaction of the HCDA Prior to the Execution of a Stewardship Agreement

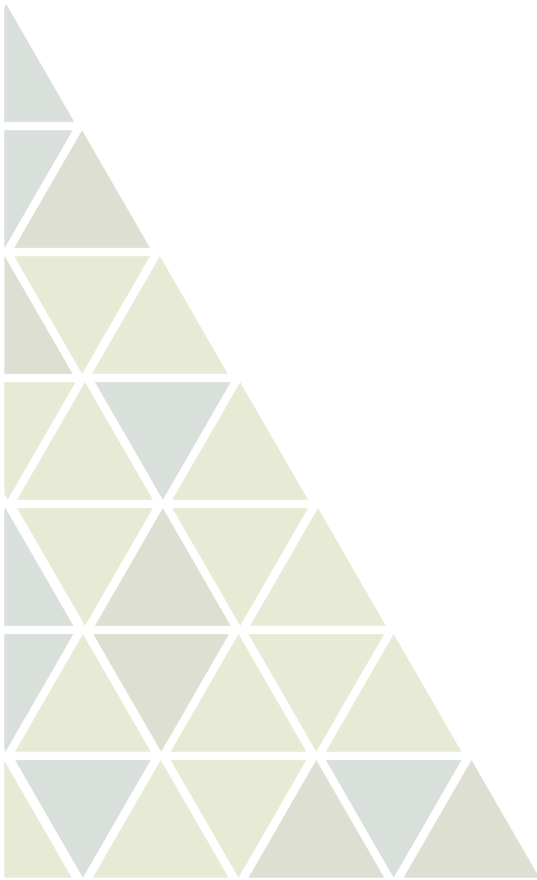
Milestone 1:	Work with HCDA to finalize a proposed Stewardship Agreement.	Completed 2/28/23; however, HCDA legal recommends revising agreement to be in the form of a ground lease
Milestone 2:	Develop a management plan specifying how the population of free-range animals (i.e., chickens, peacocks, etc.) is being managed by KHLF to ensure that the premises is not damaged or adversely impacted.	Completed 9/10/20, see Exhibit B1-Feral Animal Management Plan
Milestone 3:	Maintain an updated monthly site inventory at all times, that includes all large equipment brought on premises (i.e., water totes/trucks, storage containers, wood chippers, equipment trailers, etc.).	Complete, revised monthly and provided to the Kalaeloa Board each month in the Kalaeloa ED Report
Milestone 4:	Stripe/demarcate the parking and events area located within the maintenance yard to ensure that use and activities are conducted within the TMK boundaries of the ROE premises.	Completed 7/6/20
Milestone 5:	List of cultural, historical, and archaeological sites/features to be refurbished/restored, and specify how these cultural, historical, and archaeological sites/features will be restored	N/A, per KHLF, no features are scheduled for restoration in near future
Milestone 6:	List all new native animal or plant species (e.g., pueo, etc.) for reintroduction on the Premises.	Per KHLF, no new plants or animals are scheduled for reintroduction in near future; however, existing threatened and endangered plants are being maintained on site. See Exhibit B2 for details on a recent ahinahina planting project.
Milestone 7:	List the available grants that KHLF is pursuing to help fund maintenance activities on the Premises.	See attached Exhibit B3
Milestone 8:	Submit copies of all building permits/approvals and related correspondence for all structures on premises.	Complete, DPP issued a building permit for the kauhale on 10/19/20 and the final certificate of occupancy on 6/23/23 (see attached Exhibit B4); SHPD retroactively approved the burial vault on 12/14/22 (see attached Exhibit B5)

Kalaeloa Heritage Park Feral Animal Management Plan



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Background

Prior to February 2020, staff at the Kalaeloa Heritage Park (Park) provided feed to the free-range/feral chickens and peacocks at the Park as a means to keep the animals onsite to assist with the control of pests (e.g., biting insects, worms, slugs, etc.).

The Right of Entry (ROE) agreement between the Kalaeloa Heritage and Legacy Foundation (KHLF) and the Hawai'i Community Development Authority (HCDA) includes Exhibit C, which lists a number of required milestones. Milestone 2 requires the development of a management plan specifying how the population of free-range/feral animals (i.e., chickens and peacocks) is being managed by the KHLF to ensure that the premises is not damaged or adversely impacted.

After a discussion regarding animal control at the 05 February HCDA Board meeting, KHLF immediately directed Park staff to discontinue the manual feeding practice.

Research

In order to develop an informed, standards-based model for its feral animal management plan, the KHLF contacted the following organizations for guidance:

1. Hawai'i Invasive Species Council (HISC), Department of Land and Natural Resources (DLNR)

Joshua Atwood, HISC Program Supervisor, advised that chickens and peacocks are not officially considered an invasive species. Mr. Atwood suggested that a nuisance wildlife control permit could be requested from the Department of Forestry and Wildlife.

2. Vector Control Branch, Department of Health (DOH)

Michael Carberry, Inspection & Abatement Section Supervisor, advised that Vector Control would only become involved if the animals became a public health issue (i.e., animals transmitting sickness to humans, etc.). He recommended that the KHLF continue to naturally control the population of the animals by not feeding them. He also suggested that if the situation worsens, trapping the animals and turning them over to the Hawaiian Humane Society for action would be the best, most humane, alternative.

3. Hawaiian Humane Society

The Hawaiian Humane Society advised that they are equipped to accept any stray animals. The fee to surrender an owned animal is \$35.00 apiece. Since the KHLF does not own these feral animals it is expected that there would be no cost to surrender these

animals. The Hawaiian Humane Society's Admissions Department contact number is (808) 356-2285.

Management Plan

Based on the guidance from the HISC, Vector Control, and Humane Society, the KHLF provides the following management plan:

1. Park staff will discontinue all manual feeding of the chickens and peacocks
2. Park staff will continue to log the monthly population of chickens and peacocks
3. KHLF will include the feral animal population count as part of its monthly report to HCDA
4. In the unlikely event that the number of feral animals exceeds ten (10) chickens or five (5) peacocks, Park staff will humanely trap at least 50% of those animals. The live animals will then be surrendered to the Hawaiian Humane Society.

KHLF believes that the ongoing process of denying feed to these animals will allow natural attrition; which will result in the animals instinctively adjusting their numbers to reach a state of equilibrium with respect to their population and the natural carrying capacity of the Park.

KHLF has already determined that this practice has resulted in the decline of the population of chickens and peacocks at the Park. As of July 2020, there were five (5) chickens and two (2) peacocks observed at the Park. This is down from the January 2020 count of seven (7) chickens and three (3) peacocks.



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FEB 10

'EWA HINAHINA OUTPLANTING





KHP volunteers helped to outplant 'Ewa hinahina with SWCA Environmental Consultants.

The true inoa Hawai'i for the 'Ewa hinahina (or 'āhinahina) has been lost to time. This plant, known scientifically as *Achyranthes splendens* var. *rotundata*, has now become extremely rare to find in the wild and has been designated as endangered. At the park, the 'Ewa hinahina naturally flourished once again when the invasive species (such as kiawe and haole koa) were cleared from the land.

Last year, we were connected with SWCA Environmental Consultants, who knew someone that wanted to repatriate 'Ewa hinahina back to its natural habitat. After lots of coordinating, planning, and obtaining the proper permitting, volunteers met SWCA Environmental Consultants and their gracious donor, Auntie Betsy Wilson, at the park on February 3, 2023 to outplant over 100 'Ewa hinahina in the park.





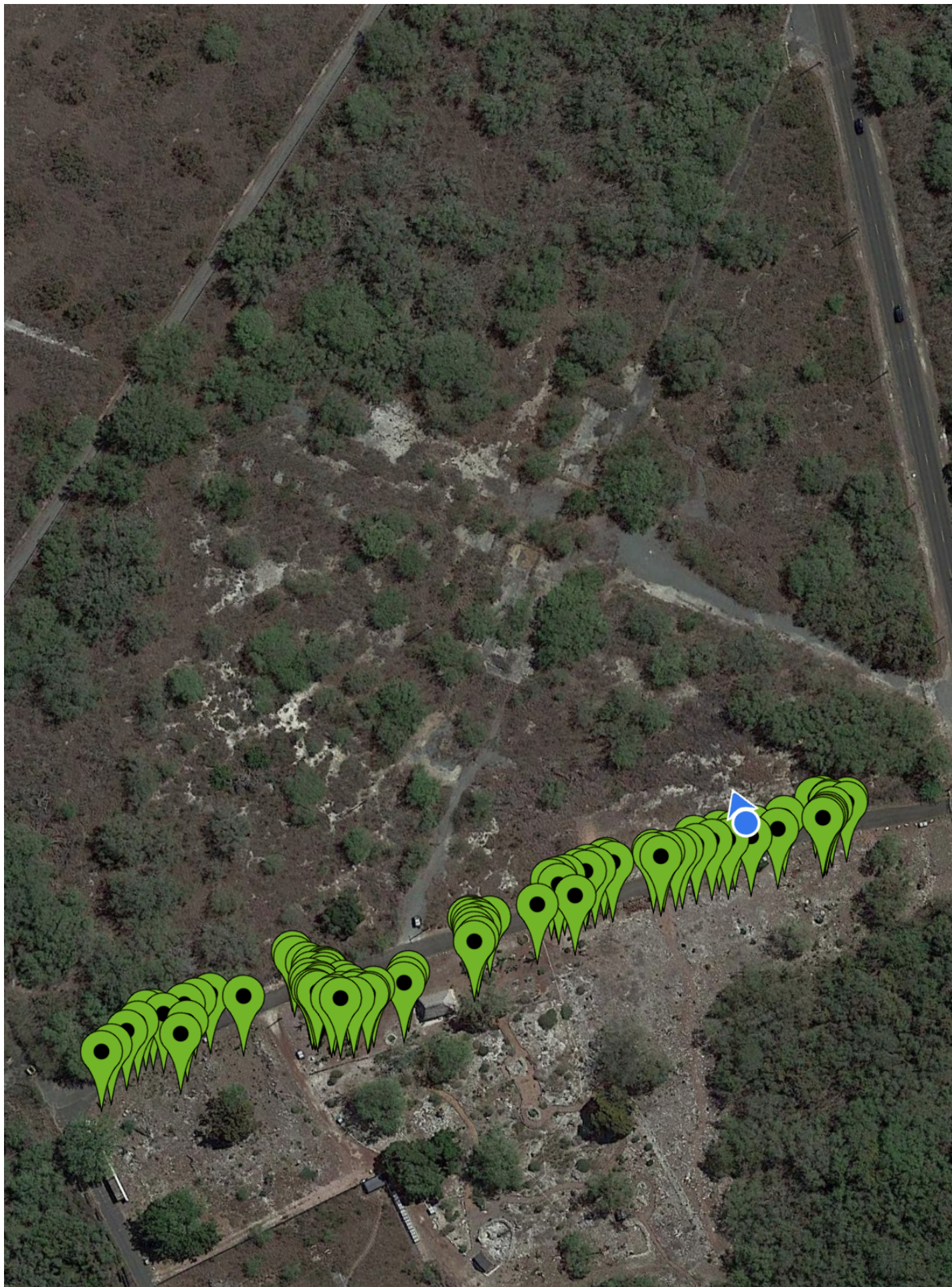
SWCA Environmental Consultants help plant 'Ewa hinahina at the Kalaeloa Heritage Park.

Mahalo nui to Aunty Betsy, SWCA Environmental Consultants, and DLNR DOFAW Plant Extinction Program for helping us plant and coordinate!

Learn more about the 'Ewa hinahina

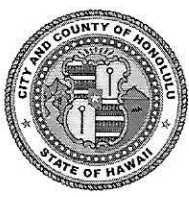
2023 KAISER PERMANENTE ANNUAL DAY OF SERVICE





Milestone 7 – Available Grants

- <https://www.achp.gov/>
- <https://www.archaeological.org/programs/public/site-preservation/grants/>
- <https://www.archaeological.org/grant/site-preservation/>, 01 Nov 2020, \$15K
- <http://www.wmf.org/>
- <http://www.tiffanyandcofoundation.org/guidelines.aspx#land>
- <https://www.nationalservice.gov/resources/environmental-stewardship/grant-opportunities-taggedenvironment>
- <https://www.insidephilanthropy.com/grants-for-conservation>
- <https://freshwaterfuture.org/grant-funders/>
- <https://www.americaspromise.org/news/funding-opportunities-205>
- <https://usa.grantwatch.com/grant/174413/fellowships-to-usa-descendants-of-native-american-tribes-andhawaii-and-alaska-natives-to-share-and-preserve-cultural-knowledge.html>
- <https://www.grantwatch.com/grant/144701/grants-to-usa-nonprofits-indian-tribes-ihes-and-agencies-forsenior-volunteer-programs.html>
- <https://usa.grantwatch.com/grant/155784/awards-to-usa-individuals-in-multiple-states-to-recognize-volunteerefforts-in-environmental-stewardship.html>
- <https://usa.grantwatch.com/grant/189833/grants-to-usa-and-united-kingdom-nonprofit-cultural-institutionsfor-collaborative-projects-to-advance-digital-research.html>
- OHA Kako’o Grant



DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET * HONOLULU, HAWAII 96813
 Phone: (808) 768-8220 * Fax: (808) 768-6111

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 10/20/2020 10/19/2020 07:36:54 10
 REC DTO1 WALKIN LS
 RECEIPT # 642219 10/19/2020 OFLN
 Dept 9034 6238 BUILDING

BUILDING PERMIT

FOR THE PERFORMANCE OF WORK UNDER THE
 BUILDING ELECTRICAL, PLUMBING, AND SIDEWALK CODES
 CHAPTERS 16, 17, 19, AND 20, RESPECTIVELY, AND UNDER CHAPTER 18
 (FEES AND PERMITS) OF THE REVISED ORDINANCES OF
 THE CITY AND COUNTY OF HONOLULU

Recpt Tot \$ 802.00
 802.00 CK .00 CA

LOCATION

Zone	Section	Plat	Parcel
9	1	013	069

Site Address (if other than primary): **Kalaeloa Heritage Park**

\$802.00

PERMIT FEE

Type of Payment(s)

Cash
 Check **X**
 Charge

PROJECT:

Accepted Value of Work: **\$40,000**

(BP #855566) [TMK: 91013069] Kalaeloa Heritage Park / Kalaeloa Heritage Park Hale - New traditional hawaiian hale

TYPE OF WORK

New Building Y

Other Hale

RIGHT OF WAY WORK

Driveway: New: Existing: Private:
 Sidewalk Types: Curbing Types: Driveway Types:
 Linear Ft. of Sidewalk: Linear Ft. of Curbing: Linear Ft. of Driveway:

Please notify the Building Inspector listed below at least 24 hours before starting work in the Right-Of-Way.

GENERAL CONTRACTOR

NONE

Contact Info: **OWNER/BUILDER**

Lic. No.:

NOTES

DATE ISSUED **10/19/2020**

Location Permit Issued **FMB**

Location Application Created: **FMB**

Permission is hereby given to do above work according to conditions hereon and according to approved plans and specifications pertaining thereto, subject to compliance with ordinances and laws of the City and County of Honolulu and State of Hawaii.


 FOR DIRECTOR OF DEPARTMENT OF PLANNING AND PERMITTING

THIS PERMIT MUST BE POSTED IN A CONSPICUOUS PLACE ON THE SITE DURING THE PROGRESS OF WORK. THIS PERMIT MAY BE REVOKED IF WORK IS NOT STARTED WITHIN 180 DAYS OF DATE OF ISSUANCE OR IF WORK IS SUSPENDED OR ABANDONED FOR 120 DAYS.

ELECTRICAL AND PLUMBING WORK TO BE DONE BY LICENSED PERSONS AS REQUIRED UNDER CHAPTER 448 E, HAWAII REVISED STATUTES.

NOTICE TO HOMEOWNERS: This is to inform all homeowners that improvements to your home may require approval by your Homeowners Association or authorized representative prior to the commencement of construction.

Approval by the Department of Planning and Permitting does not certify compliance with the Covenants, Conditions and Restrictions or other design restrictions administered and enforced by your Homeowners Association.

ALL CONSTRUCTION UNDER THIS BUILDING PERMIT IS SUBJECT TO INSPECTION BY THE BUILDING OFFICIAL. IT SHALL BE THE DUTY OF THE PERSON DOING THE WORK AUTHORIZED BY THIS PERMIT TO NOTIFY THE BUILDING OFFICIAL THAT THE WORK IS READY FOR INSPECTION.

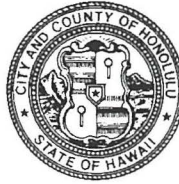
THE FOLLOWING ARE THE INSPECTORS ASSIGNED TO INSPECT THE CONSTRUCTION UNDER THIS PERMIT AND THEIR TELEPHONE NUMBERS:

	<u>Building Inspector</u>	<u>Electrical Inspector</u>	<u>Plumbing Inspector</u>	<u>Storm Water Quality Inspector</u>
Name	GARY SAQUILON			
Phone No.	(808) 768-3187			

APPLICATION NO.: **A2020-04-0659**

JobID: 80837487

PERMIT NO.: **855566**



CERTIFICATE OF OCCUPANCY

CITY AND COUNTY OF HONOLULU
DEPARTMENT OF PLANNING AND PERMITTING
BUILDING DIVISION

KALAELOA HERITAGE PARK HALE
NAME AND/OR DESCRIPTION OF STRUCTURE

OWNER: Kalaeloa Heritage and Legacy Foundation ADDRESS: P.O. Box 75447

BUILDING ADDRESS: 91-1940 Coral Sea Road

TAX MAP KEY: 9-1-013: 069 MAJOR OCCUPANCY GROUP: A-3

USE ZONE: F-1, Military and Federal Preservation TYPE OF CONSTRUCTION: VB

SPECIAL DESIGNATION: None APPLICABLE CODE: 2012 IBC

PERMIT NO(S): 855566 DATE(S): 10/19/2020

REMARKS: ALLOWANCE FOR: Automatic Sprinkler System
 Separation on ___ Sides
 Area Separation Wall
 Frontage Increase ___%

The above-described structure has been inspected and the following occupancy thereof is hereby authorized:

OCCUPANCY		Floor Area (Sq. Ft.)	Maximum Allowable Occupant Load (Persons)
1 st Floor	A-3, Museum	804	

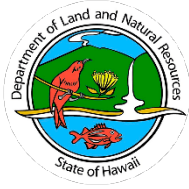
By:  JUN 22 2023
CHIEF BUILDING INSPECTOR DATE

Approved:  JUN 22 2023
DIRECTOR DATE

This certificate must be posted and permanently maintained in a conspicuous place at or close to the entrance of the building or structure referred to above.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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 | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

December 14, 2022

Craig K. Nakamoto, Executive Director
Hawaii Community Development Authority
547 Queen Street
Honolulu, HI 96813
craig.k.nakamoto@hawaii.gov

IN REPLY REFER TO:
Project No. 2021PR01062
Doc. No. 2212MA01
Archaeology
Culture and History

Dear Mr. Nakamoto:

**SUBJECT: HRS Chapter 6E-8 and 6E-43 Historic Preservation Reviews –
After-the-Fact Project Review
Kalaeloa Heritage Park Burial Vault
Honouliuli Ahupua'a, 'Ewa District, Island of O'ahu
TMK: (1) 9-1-013:069**

The State Historic Preservation Division (SHPD) received a letter dated August 18, 2022 from the Hawaii Community Development Authority (HCDA) requesting retroactive concurrence that a project titled *Kalaeloa Heritage Park Burial Vault, Located at 91-1940 Coral Sea Road, Kapolei, Honouliuli Ahupua'a, O'ahu, TMK: [1] 9-1-013:069* was conducted in compliance with SHPD requirements and guidelines and, in particular, that the burial vault constructed for this project meets SHPD requirements. SHPD received HCDA's letter on August 30, 2021 HICRIS, along with copies of the following: (1) *Burial Vault Documentation: Kalaeloa Heritage Park* (Kalaeloa Heritage and Legacy Foundation 2021); (2) "Kalaeloa Heritage Park: Conceptual Plan" (taken from Townscape, Inc. 2014:7); (3) *Kalaeloa Heritage Park, 'Ewa, O'ahu: Final Environmental Assessment* (Townscape, Inc. 2014); and (4) a relevant email between HCDA and Kalaeloa Heritage and Legacy Foundation (KHLF) concerning the need for resolution of this matter with SHPD (Leaverton [HCDA] to Victor [KHLF], August 5, 2021).

The current letter serves to acknowledge receipt of the aforementioned submission materials, as well as providing the SHPD's after-the-fact review of the Kalaeloa Heritage Park Burial Vault project, per HRS Chapter 6E-8 and HAR §13-275-3. This letter also provides SHPD's after-the-fact acceptance of the burial vault as meeting SHPD requirements, per HRS Chapter 6E-43 and HAR §13-300-33 (b)(3).

The Kalaeloa Heritage Park Burial Vault, referred to in documents as Nā Iwi Kūpuna Repository, currently sits near the northern edge of HCDA-owned Kalaeloa Heritage Park (KHP), located at 91-1940 Coral Sea Road in Kapolei. The project for the vault's construction was initiated in 2011 by the KHLF, at the request of the SHPD, to serve as a repository for human remains recovered during previous archaeological work in the area, as well as to hold any inadvertent discoveries made in the park thereafter. No record of this recommendation has been found, by either HCDA or SHPD, as of the writing of this letter (Kalaeloa Heritage and Legacy Foundation 2021). KHLF began construction of the vault on HCDA-owned lands at KHP in 2012 (Townscape, Inc. 2014:3,5). KHLF constructed the burial vault from a decommissioned steel bank vault with intact door, which they faced with dry-stacked coral rock to create a structure standing 10 ft. long x 10 ft. wide x 3.5 ft. tall. All reinterred remains were wrapped in cloth and laid

on sand, taken from the park, which had been placed on the floor of the bank vault. The vault was sealed with the same coral rock. A guardian pohaku was placed on top, facing the leina ka'uhane at Kaena Point. KHLF staff performed protocol—including Noho 'Ana Ke Akua, E Ulu, and Nā 'Aumākua prayers/chants—as remains were being interred. These remains included 22 sets of iwi repatriated from SHPD to Chiefly 'Ewa lineal descendant Shad Kane (Kalaeloa Heritage and Legacy Foundation 2021). The larger park surrounding the burial vault currently serves as an interpretive site that hosts cultural site tours and community workdays (Townscape, Inc. 2014:3). Neither the vault nor its surrounding area are included on organized site tours, however, and visitors are only brought to the edge of the surrounding kou grove upon request (Kalaeloa Heritage and Legacy Foundation 2021).

Cultural resources in this parcel were last inventoried by a Secretary of the Interior-qualified archaeologist in the 1990s, as part of the NHPA Section 106 Review Process triggered by the closure of Naval Air Station Barbers Point and disposal of surplus Navy lands (Tuggle and Tomonari-Tuggle 1997; Wickler and Tuggle 1997). No project-oriented literature review or archaeological field inspection or survey was conducted prior to ground disturbing work associated with the construction of the burial vault in 2012. A 2014 Final Environmental Assessment, produced in advance of proposed near-term and long-term improvements of Kalaeloa Heritage Park, summarized the archaeological survey work and findings from the 1990s (Townscape, Inc. 2014). The 2021 Burial Vault Documentation report summarized these same earlier findings, as well (KHLF).

No Determination of Effect conforming to HAR §13-275-7 standards has been presented for this project by HCDA or KHLF. The lack of any targeted archaeological review in advance of construction of the burial vault **forecloses the SHPD from being able to produce a retroactive determination of project effect**. Such a determination is based on an evaluation of the significance of historic properties within a project area, which involves assessment of the physical integrity of potentially significant properties before they are impacted by a project, per HAR §13-275-6 and -7.

The SHPD hereby notifies the HCDA that the existing burial vault meets SHPD requirements for the reinterment of iwi kūpuna.

Please contact Hinano Rodrigues, Culture and History Branch Chief, at Hinano.R.Rodrigues@hawaii.gov for any concerns regarding the burial vault; and Susan A. Lebo, Archaeology Branch Chief, at Susan.A.Lebo@hawaii.gov or Megan E. Alvarez, O'ahu Island Archaeologist IV, at Megan.Alvarez@hawaii.gov for any matters concerning archaeological resources or this letter.

Aloha,
Susan A. Lebo
Signed For
Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Dwight Victor, KHLF President, dvictor@khlfoundation.org
Lindsey Doi, HCDA Asset Manager, LindseyDoi.Leaverton@hawaii.gov