



## HAWAII EMPLOYERS COUNCIL

February 7, 2022

**Via Certified Mail and Email: [DLNR.Intake.SHPD@hawaii.go](mailto:DLNR.Intake.SHPD@hawaii.go)**

Dr. Alan S. Downer, Ph D.  
Administrator  
Mary M. L. Kodama  
Architectural Historian  
Hawai'i State Historic Preservation Division  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD., STE 555  
KAPOLEI, HAWAII 96707

Subject: HEC Office Building  
2682 Waiwai Loop  
Honolulu, HI 96819  
TMK # (1)1-1-016-004-0000

Dear Dr. Downer and Ms. Kodama:

This is in response to Ms. Kodama's email to me dated February 7, 2022, regarding the above subject property (the "Property"). Per your email, we understand the Property will be presented to the Hawaii Historic Places Review Board (the "Review Board") on March 18, 2022, for consideration to the Hawaii Register of Historic Places and recommendation for the National Register of Historic Places. As you know, HEC, the fee owner of the Property, did not submit the nomination request. In that regard, we offer the following comments.

The Hawaii Employers' Council Building is being nominated to the Hawaii Register of Historic Places ("HRHP") because the Honolulu Authority for Rapid Transportation ("HART") is receiving federal funding from the Federal Transit Administration for the Honolulu High-Capacity Transit Corridor ("Rail Project"), and therefore must comply with the Section 106 of National Historic Preservation Act of 1966 ("Section 106"). Pursuant to Section 106, a Programmatic Agreement ("PA") was entered into between the federal agency, HART, and State Historic Preservation Division ("SHPD"). In 2011, the PA identified the Hawaii Employers' Council Building as a historic property that would be adversely impacted by the Rail Project. As a result of this adverse impact, Stipulation VI.C of the PA specifically requires HART to submit draft National Register of Historic Places nomination forms to SHPD to nominate this Property to the HRHP.

In accordance with Section 13-198-4(d) of Title 13 of the Hawaii Administrative Rules, Department of Land and Natural Resources, Sub-Title 8, Hawaii Historic Places Review Board, Chapter 198, The Hawaii and National Registers of Historic Places Program ("Chapter 198"),

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HEC hereby notifies the Review Board that it objects to the nomination of the Property for listing into the Hawaii Register of Historic Places as provided under Chapter 198.

For this reason, HEC, as fee owner of the subject Property, respectfully objects to the listing of the Property on the above-described historic registers. It is our understanding that it is a matter of long practice that the Review Board does not list properties in the Hawaii Register of Historic Places over the private owner's objections. We ask that the Review Board consider that precedent in its deliberations on this matter.

Sincerely,

Hawaii Employers Council

A handwritten signature in black ink, appearing to read 'Robert W. Fung', with a stylized flourish at the end.

Robert W. Fung  
Its Secretary

STATE OF HAWAII )  
 )SS.  
CITY AND COUNTY OF HONOLULU )

1. I am the Secretary and General Counsel of the Hawaii Employers Council (hereafter "HEC").

3. HEC is the sole owner in fee simple of the property located at 2682 Waiwai Loop, Honolulu, Hawaii 96819 (TMK # (1)1-1-016-004-0000) (hereafter, the "Property").

5. In accordance with Section 13-198-4(d) of Title 13 of the Hawaii Administrative Rules, Department of Land and Natural Resources, Sub-Title 8, Hawaii Historic Places Review Board, Chapter 198, The Hawaii and National Registers of Historic Places Program ("Chapter 198"), HEC hereby notifies the Hawaii Historic Places Review Board that it objects to the nomination of the Property for listing into the Hawaii Register of Historic Places as provided under Chapter 198.

FURTHER, AFFIANT SAYETH NAUGHT.

*[Handwritten signature]*

**Notary Certificate on next page.**

State of Hawaii

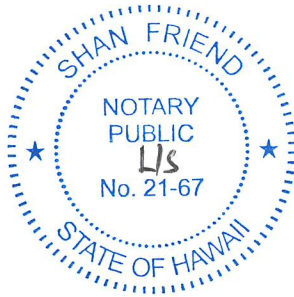
S.S.

County of Honolulu

On this \_\_\_\_\_ day of FEB 11 2022, 2022, before me personally appeared Robert W. Fung, who being by me duly sworn, did say that he is the Secretary of Hawaii Employers Council, and that the instrument was signed and sealed in behalf of the corporation, and acknowledged the instrument to be the free act and deed of the corporation.

Witness my and seal.

(Seal)



Shan Friend  
Signature of Notary Public

Print Name: Shan Friend

My commission expires:  
08/01/2025

SP <sup>7</sup>  
Doc. Date: FEB 11 2022 # Pages (2)  
Notary Name: Shan Friend First Circuit  
Doc. Description Affidavit of Robert W. Fung  
Shan Friend FEB 11 2022  
Notary Signature Date

