

Appendix D—Section 106 Correspondence

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

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MUFI HANNEMANN
MAYOR



WAYNE Y. YOSHIOKA
DIRECTOR

RICHARD F. TORRES
DEPUTY DIRECTOR

August 25, 2008

RT8/08-276186

The Honorable Laura Thielen, Chairperson
Department of Land and Natural Resources
State Historic Preservation Division
Kakuhihewa Building, Room 555
601 Kamokila Boulevard
Kapolei, Hawaii 96707

Attention: Ms. Pua Aiu, SHPD Administrator

Dear Ms. Thielen:

Subject: Honolulu High-Capacity Transit Corridor Project

The City and County of Honolulu Department of Transportation Services (DTS), in cooperation with the U.S. Department of Transportation Federal Transit Administration (FTA), is evaluating the impacts of a high-capacity transit system on O'ahu. The project study area is the travel corridor between Kapolei and the University of Hawai'i at Mānoa (UH Mānoa).

Enclosed for your review and concurrence, please find the Determinations of Eligibility for the Honolulu High-Capacity Transit Corridor Project. These determinations were completed in accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and the State of Hawai'i Revised Statutes (HRS), Chapter 6E, which addresses projects funded or permitted by state or county agencies. Thirteen consulting parties were invited to participate in the Section 106 process and to assist in the identification of historic built resources. The enclosed eligibility determinations cover the portion of the study corridor between East Kapolei and Ala Moana Center, which would be affected by the Project currently under development.

In order to fulfill the letter and spirit of the Section 106 process, DTS in consultation with the State Historic Preservation Division, established an Area of Potential Effects (APE) that included all properties one tax map lot deep flanking the proposed project corridor. Architectural historians assessed these parcels for the presence of resources that were previously listed in or determined eligible for listing in the National Register of Historic Places. Remaining resources that were constructed before 1969 were also identified and evaluated for eligibility for listing in the National Register. A range of resource types was encountered and included residential, commercial, military, and sacred architecture and historic landscape features. Resources were evaluated on forms that include photographs, brief architectural descriptions, and significance and integrity evaluations. In all, 626 resources or potential districts constructed before 1969 were newly identified, and DTS is recommending that 79 are eligible for listing in the National Register.

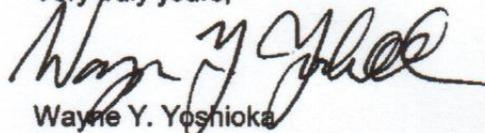
The Honorable Laura Thielen, Chairperson
Page 2
August 25, 2008

Please direct any formal written comments to:

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813

If you would like project staff to provide an update, please contact Ms. Stephanie Roberts at (808) 768-6143 to schedule a meeting.

Very truly yours,

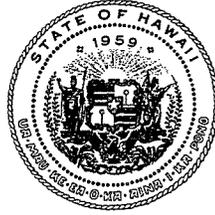


Wayne Y. Yoshioka
Director

Enclosures

- cc: Ms. Astrid Liverman, Acting Architectural Branch Chief
Mr. Raymond Sukys, Federal Transit Administration, Region IX
U.S. Department of the Interior, National Park Service
- Mr. Frank Hays, Director, Pacific West Region-Honolulu
 - Dr. Elaine Jackson-Retondo, Architectural Historian,
Architectural Resources Team
National Trust for Historic Preservation
 - Ms. Elizabeth S. Merritt, Deputy General Counsel
 - Ms. Anthea Hartig, Director and Mr. Anthony Veerkamp,
Senior Program Officer
Historic Hawaii Foundation
 - Ms. Kiersten Faulkner, Executive Director
Advisory Council on Historic Preservation
 - Ms. Kelly Yasaitis Fanizzo, Historic Preservation Specialist

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

September 26, 2008

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813

LOG NO: 2008.3762
DOC NO: 0809AL44
Architecture

Dear Mr. Yoshioka:

**SUBJECT: Section 106 (NHPA) Consultation
Honolulu High-Capacity Transit Corridor
Purpose and Need for the Project and Alternatives Chapters, Draft
Environmental Impact Statement
Technical Report: Historic Resources
Island of O'ahu
TMK: (1) (various)**

This is in response to your transmittal, dated August 18 and received in our office on August 22, 2008. Thank you for providing the opportunity to comment on the draft Historic Resources Technical Report, dated August 1, as well as confidential, intergovernmental advance portions of the draft Environmental Impact Statement. Our office requested to postpone our response until after our September 19 project update and coordination meeting with staff from Parsons Brinckerhoff, Mason Architects Inc., and other stakeholders. This slight delay enables us to incorporate useful information from that meeting into our response.

The proposed project covers the fundable twenty-mile segment of the corridor between East Kapolei and the Ala Moana Center with alternatives for both Fixed Guideway Transit Alternatives of the Salt Lake and Airport routes. Complete analysis of the historic resources and determination of effect for the University of Hawaii, West Kapolei, and Waikiki spurs have not been fully addressed in the documentation, as those portions of the project are not yet funded and will be subject to additional consultation at a future time. Consultation between the Federal Transit Administration, State Historic Preservation Officer, and other consulting and concurring parties will result in a Memorandum of Agreement regarding the proposed undertaking's impact to architectural resources.

The State Historic Preservation Division (SHPD) has several comments that it would like to offer for consideration at this time:

Table S-1: Summary of Identification, Evaluation, and Effects—Historic Resources (p. S-2) presents the findings of the number of State or National Register of Historic Places listed, known eligible, or evaluated eligible resources, numbering in total 119 if both the Salt Lake and Airport segments are completed. However, the summary only indicates a total of six resources for which the FTA proposes a determination of adverse effect due to demolition. The SHPD does not concur with this preliminary determination that adverse effects for this project are limited to those six resources. The Historic Hawai'i Foundation expressed the same concern in their letter of September 15, specifically regarding

construction passing over historic bridges, indirect impacts, and individual listed resources and districts. Examples of indirect impacts would include those to landscapes such as the Sumida Watercress Farm and 'Aiea Plantation Cemetery, and to individual resources such as the PetsWell Animal Hospital designed by locally renowned architect Vladimir Ossipoff.

However, our discussion indicated that the Federal Transit Administration has not yet completed its review for effect determinations pending our office's response to individual eligibility determinations. In a separate transmittal shortly forthcoming, the SHPD will comment in more detail regarding the findings of the technical report in relation to the eligibility determinations submitted for individual resources. We appreciate the amount of substantive research that characterizes the submitted documentation.

Furthermore, we were encouraged that at our meeting it was indicated that indirect impacts to landscape and setting, including viewsheds *makai to mauka*, will be examined to determine the broader impact of the corridor itself. We believe that this macroscopic dimension will aid in accurately reflecting the comprehensive effect of the proposed project and in turn facilitate identification of appropriate mitigation.

·Based on new information emerging regarding resources in the vicinity of former Marine Corps Air Station 'Ewa Field, additional consideration should be given to resources, if any, in the area of potential effect associated with the December 7, 1941 attack. Please further qualify the description of MCAS 'Ewa (p. 4-2), for which a few resources remain extant (p. 4-8). Ongoing consultation with the Navy regarding the transfer of parcels in this area to a private developer has recently revealed the necessity for more thorough investigation as to the status and eligibility of these resources. This includes the MCAS 'Ewa runways (p. 4-10), which should be evaluated in accordance with the National Park Service bulletin, *Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields*.

·In response to the description of proposed station characteristics and potential siting (pp. 2-19-31), the SHPD suggests in the next few months, as more information comes available, engaging in a site visit to better visualize scale and setting at these locations. We are also interested in additional information regarding the dimensions and materials of the stations and how stations will be individualized to harmonize with the local character of a neighborhood or site. Staff from Parsons Brinckerhoff has very helpfully provided CADD renderings of the corridor at locations including the Nu'uuanu Stream Bridge, and we would be interested in similar visuals for the proposed stations.

Regarding the image (fig. 2-41) depicting the installation of a traction power substation, we would like to inquire as to whether there will be an effort to provide a design component to these mechanical features/support facilities so that they better harmonize with the local character of their setting.

·Please clarify as to whether the Advisory Council on Historic Preservation is formally participating in this consultation. It is also our understanding that the National Trust for Historic Preservation and Hawaii's Thousand Friends have expressed interest in participating in consultation. As such, they should be included in the list figured on pp. 2-4-5.

·Due to the stated importance (p. 2-4) of the Chinatown National Register district's historic connection with the waterfront, we believe that the placement of the transit corridor will result in an adverse effect on that district, although planners have made distinct efforts to minimize that harm. As a result, the updating of the Chinatown NRHP nomination would constitute appropriate mitigation.

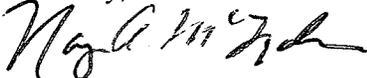
Regarding mitigation, the SHPD strongly supports the suggestions offered by the Historic Hawai'i Foundation as proportional to the direct, indirect, and cumulative impacts of the corridor. These include: public access to documentation; National Register updates and nominations; City and County of Honolulu certified local government designation; Main Street program development; restoration of historic Irwin Park; and context sensitive design solutions. In compliment, the SHPD would like to add, in terms of public access to documentation, that digitization of our office's O'ahu Island inventory would contribute to the National Conference of State Historic Preservation Officers' ongoing effort to promote a comprehensive, nationwide historic resources inventory. Additionally, if historic as well as contemporary Sanborn Fire Insurance maps could be provided to our office, it would enhance the SHPD's future ability to accurately review projects on O'ahu as well as contribute to the availability of this type of documentation to the public.

The draft Technical Report also offers suggestion of forms of mitigation, including Historic American Building Survey documentation. The statement on p. 6-2, however, should be clarified: "All of this documentation would be provided to SHPD, who would have a role in coordinating and completing this effort." While our office would act as a repository for mitigation documentation, due to understaffing, we would not be able to take an active role in completing any documentation. Other suggestions include interpretive signage, cultural landscape reports, historic context reports, and multiple property NRHP submissions. Our office appreciates all of these suggestions, which along with those offered by Historic Hawai'i Foundation, should be actively considered as consultation continues. Regarding cultural landscape reports, it would be appropriate, given the overall adverse effect of the project (p. 5-9), to complete a report that extends the length of the corridor.

To confirm from our meeting, the final EIS will include the list of properties proposed to be acquired or demolished as well as identify the preferred alternative regarding the Salt Lake Boulevard and Airport routes. This information will aid in ongoing discussion regarding mitigation commitments.

Thank you for the opportunity to comment. Comments from our Archaeology and History and Culture branches will be sent under separate cover. Should you have any additional questions or concerns, please do not hesitate to contact Dr. Astrid Liverman in our O'ahu office at (808) 692-8015.

Sincerely,



Nancy A. McMahon
Deputy State Historic Preservation Officer

AMBL:

c:

Laura H. Thielen, State Historic Preservation Officer and Chairperson, Department of Land and Natural Resources [email]

U.S. Department of the Interior, National Park Service

Frank Hays, Director, Pacific West Region-Honolulu [email]

Dr. Elaine Jackson-Retondo, Architectural Historian, Pacific West Region [email]

National Trust for Historic Preservation

Brian R. Turner, Law Fellow, Western Office [email]

Elizabeth S. Merritt, Deputy General Counsel, Law Department [email]

Historic Hawaii Foundation, Kiersten Faulkner, Executive Director [email]

Mr. Wayne Yoshioka, Director
Department of Transportation Services
Page 4 of 4

LOG NO: 2008.3762
DOC NO: 0809AL44

Advisory Council on Historic Preservation, Katry Harris, Historic Preservation Specialist,
Office of Federal Agency Programs, 1100 Pennsylvania Avenue N.W., Suite 809,
Washington, D.C. 20004

Office of Hawaiian Affairs Honolulu, 711 Kapi'olani Boulevard, Suite 500, Honolulu, Hawai'i
96813

Dee Ruzicka and Wendy Wichman, Mason Architects Inc. [email]

Lawrence Spurgeon, Supervising Environmental Engineer, Parsons Brinckerhoff [email]

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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LAURA H. THIELEN
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

October 3, 2008

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813

LOG NO: 2008.3917
DOC NO: 0810AL02
Architecture

Dear Mr. Yoshioka:

SUBJECT: Section 106 (NHPA) Consultation
Honolulu High-Capacity Transit Corridor
Eligibility Determinations
Island of O'ahu
TMK: (1) (various)

This is in response to your transmittal, dated August 25 and received in our office on September 2, 2008. The submitted determinations of eligibility for structures along the proposed Honolulu High-Capacity Transit Corridor include all properties one tax map lot deep flanking the corridor. Professional architectural historians (Mason Architects Inc.) assessed all resources constructed before 1969, including residential, industrial, commercial, military, and sacred resources as well as historic landscape features. Inventory forms provided photographs, brief architectural descriptions and significance and integrity evaluations. A total of 626 resources were identified and 79 presented as listed on or eligible for listing on the National Register of Historic Places in accordance with the National Park Service criteria. We appreciate the amount of substantive research that characterizes the submitted documentation.

Determinations pertain to the fundable twenty-mile segment of the corridor between East Kapolei and the Ala Moana Center with alternatives for both Fixed Guideway Transit Alternatives of the Salt Lake and Airport routes. Complete analysis of the historic resources and determination of effect for the University of Hawaii, West Kapolei, and Waikiki spurs have not been fully addressed in the documentation, as those portions of the project are not yet funded and will be subject to additional consultation at a future time.

The State Historic Preservation Division (SHPD) generally concurs with the determinations provided, although we have some concerns regarding the potential eligibility of some additional properties. Following our September 19 meeting with project coordinators, we did have the opportunity to discuss our preliminary review of the eligibility documentation with staff of Mason Architects, who were subsequently extremely helpful in providing additional photographs of specific properties.

At this time and based on those photographs, we would like suggest that the following additional properties be considered potentially eligible as good examples of representative local building typologies, rural landscape, vernacular structure, and pre-stress engineering accomplishment respectively:

Waipahu-'Aiea Segment

94-526 Farrington Highway (1956)—Ishira House
94-143 Pupukahi Street (1965)—Terahira Apartments

94-1031 Kahuamoku Street (1965)—Carvalho Apartments
94-965 Awane Street (1956)—Ohara Apartments
94-1066 Awaiki Place (1959)—Sandobal House
96-121 Waiawa Road—Watercress of Hawaii
96-135 Kamehameha Highway (1937)—Solmirin House

Kalihi-Ala Moana Segment

1441 Kapiolani Boulevard (1959)—Ala Moana Building

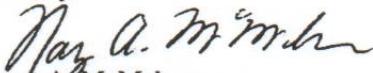
Some buildings we would appreciate further photographed for our state historic resource inventory are:

606 Coral (1963)
975 Queen Street (1941)—Tropical Lampshade
1209 Kona Street (1943)—Honolulu Hardwoods

Finally, based on new information emerging regarding resources in the vicinity of former Marine Corps Air Station 'Ewa Field, additional consideration should be given to resources, if any, in the area of potential effect associated with the December 7, 1941 attack. Please further qualify the description of MCAS 'Ewa (p. 4-2), for which a few resources remain extant (p. 4-8). Ongoing consultation with the Navy regarding the transfer of parcels in this area to a private developer has recently revealed the necessity for more thorough investigation as to the status and eligibility of these resources. This includes the MCAS 'Ewa runways (p. 4-10), which should be evaluated in accordance with the National Park Service bulletin, *Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields*.

Thank you for the opportunity to comment. Should you have any additional questions or concerns, please do not hesitate to contact Dr. Astrid Liverman in our O'ahu office at (808) 692-8015.

Sincerely,



Nancy A. McMahon
Deputy State Historic Preservation Officer

AMBL:

c:

Laura H. Thielen, State Historic Preservation Officer and Chairperson, Department of Land and Natural Resources [email]
U.S. Department of the Interior, National Park Service
Frank Hays, Director, Pacific West Region-Honolulu [email]
Dr. Elaine Jackson-Retondo, Architectural Historian, Pacific West Region [email]
National Trust for Historic Preservation
Brian R. Turner, Law Fellow, Western Office [email]
Elizabeth S. Merritt, Deputy General Counsel, Law Department [email]
Historic Hawaii Foundation, Kiersten Faulkner, Executive Director [email]
Advisory Council on Historic Preservation, Katry Harris, Historic Preservation Specialist,
Office of Federal Agency Programs, 1100 Pennsylvania Avenue N.W., Suite 809,
Washington, D.C. 20004
Office of Hawaiian Affairs Honolulu, 711 Kapi'olani Boulevard, Suite 500, Honolulu, Hawai'i
96813
Dee Ruzicka and Wendy Wichman, Mason Architects Inc. [email]
Lawrence Spurgeon, Supervising Environmental Engineer, Parsons Brinckerhoff [email]

From: Astrid.M.Liverman@hawaii.gov [mailto:Astrid.M.Liverman@hawaii.gov]
Sent: Friday, November 14, 2008 11:18 AM
To: Ann Yoklavich
Cc: Faith Miyamoto (Honolulu DTS) (fmiyamoto@co.honolulu.hi.us); Spurgeon, Lawrence;
Nancy.A.McMahon@hawaii.gov
Subject: Re: FW: E-mail and phone call about additional properties to be re-evaluated

Dear All:

The SHPD concurs with the recommendations below for eligibility assessment forms based on the additional information submitted to our office by Mason Architects Inc. on October 21 and in subsequent telephone conversations. The integrity of the Sandobal House has been compromised by a recent addition. The Solmirin and related residences do not retain sufficient integrity. Watercress of Hawai'i should be examined for its context as a historic landscape to which the structures are non-contributing. A single form can be prepared for the Okahara and Ohara apartment structures.

Thank you for your time and attention. Should you have any questions, please do not hesitate to contact me.

Best regards,

Astrid M. B. Liverman, Ph.D.
Architecture Branch Chief
State Historic Preservation Division
Department of Land and Natural Resources

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601 Kamokila Blvd., Suite 555
Kapolei, Hawai'i 96707
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"Ann Yoklavich" <ay@masonarch.com>

11/10/2008 06:23 PM

To <Astrid.M.Liverman@hawaii.gov>
cc "Spurgeon, Lawrence" <Spurgeon@pbworld.com>, "Faith Miyamoto (Honolulu DTS)" (fmiyamoto@co.honolulu.hi.us) <fmiyamoto@honolulu.gov>
Subject FW: E-mail and phone call about additional properties to be re-evaluated

1/5/2009

Hi Astrid,

Thanks for calling back about this e-mail on November 4. When we met with PB that afternoon, Lawrence said it would be fine for you to answer this e-mail with an e-mail, rather than having to issue another official letter, in addition to the SHPD letter dated October 3, 2008 (LOG no. 2008.3917 / DOC No. 0810AL02). He just asked that when you reply, if you could please cc: him and Faith Miyamoto (e-mail addresses above).

In summary, the parcels for which we will prepare additional eligibility assessment forms will be the following:

TMK	Address	Name
94025008	94-526 Farrington	Ishihara House
94039082	94-143 Pupukahi St	Terahira Apts
94017043	94-1031 Kahuamoku St	Carvalho Apts
94019020 & 94019021	94-965 & 973 Awanei St	Ohara & Okahara Apts
96003026	96-121 Waiawa Rd	Watercress of Hawaii
23039001	1441 Kapiolani Blvd	Ala Moana Bldg

As I recall our discussion on November 6, you agreed that the Sandobal House (TMK 94038050) and the Solmirin and other houses (TMK 96003018) did not retain sufficient integrity for NR eligibility. The eligibility form for the Watercress of Hawaii parcel will stress the landscape as NR-eligible, rather than the buildings. An eligibility form will be prepared to include the Okahara Apartments, as well as the Ohara Apartments, since they are almost identical. If you prefer, separate forms for these two adjacent parcels could be prepared.

Thank you again for your assistance.

Aloha,
Ann Yoklavich

From: Ann Yoklavich
Sent: Monday, October 20, 2008 1:33 PM
To: 'Astrid.M.Liverman@hawaii.gov'
Cc: 'Spurgeon, Lawrence'; Dee Ruzicka; Wendy Wichman
Subject: Photos of the 8 additional properties to be re-evaluated and questions about some of them

Hi Astrid,

Dee will mail you today a CD of further photographs that we took of the eight properties, listed in the SHPD's October 3, 2008 letter as the additional ones to be considered potentially

eligible. In addition, we have included the requested further photographs, for the State Historic Resource Inventory, of the three parcels in Kaka'ako.

The new photos and other information led us to ask you about the evaluation forms for the following:

Sandobal House (TMK 94038050 at 94-1066 Awaiki Place):

The photo on the form was taken in 2006, as part of the Alternatives Analysis phase of the Transit project. Since then an addition, which is larger than the original house, has been built in the rear. The photos on the CD show that this addition is visible from the street, both along the sides of the house and because a portion of the addition's roof is visible above the original carport roof. Due to the large addition, the building perhaps does not retain sufficient integrity for eligibility?

Parcel with houses owned by the Solmirin, Sismar, and Alipio families (TMK 96003018 at 96-135 etc. Kamehameha Highway):

(We will re-label the name of the property with the original owners' name on tax records – Ida Mahikoa). This is the parcel that includes the Quonset hut house, plus one that is difficult to photography due to trees and storage structure in the front yard. We are not sure of all the dates, but the house shown on the form we had previously labeled as Solmirin and other houses (occupied by Solmirin or Sismar, we are not sure who occupies it), dates from 1950, not 1937. The 1937 date may have been an error on the database list we started with. The photographs show a total of six houses on the parcel, but the back three are either recent structures or so heavily altered, that the three along the Kamehameha Highway are the relevant ones. Even those three, we found, are more extensively altered than some of our initial inventory photos indicated. For instance, there are three kinds of siding, rebuilt foundation walls of CMU, plus a carport and another covered area supported by CMU posts. We are including an aerial photo of the area (enlarged from the pane map) to help you figure out the shots. Your comments on the integrity of these houses would be helpful.

Watercress of Hawaii (TMK 96003016, various address on Waiawa Road):

We are also including an aerial map with the photo numbers indicated to show where the numerous new photographs were taken. For this parcel, we were leaning towards writing the form about the eligibility of the agricultural landscape, but not the buildings, due to the extensive alterations to all. Would you agree with that approach?

We would appreciate any observations or insights that you could share with us about these parcels. Thanks for your help. I will be gone the last week of October, but please call Dee or Wendy if you have any questions about these additional photos.

Aloha,
Ann

Ann Yoklavich
Architectural Historian
Mason Architects, Inc.
119 Merchant Street, Suite 501
Honolulu, HI 96813
ph. (808) 536-0556
fax (808) 526-0577

HISTORIC HAWAII FOUNDATION

September 15, 2008

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street
Honolulu, HI 96813

RE: Section 106 Consultation for the Honolulu High-Capacity Transit Corridor Project & Review of Historic Resources Technical Report

Dear Mr. Yoshioka:

Thank you for referring the above-mentioned project to Historic Hawai'i Foundation for consultation under Section 106 of National Historic Preservation Act. We also look forward to seeing the Draft Environmental Impact Statement and reviewing it for additional information about potential historic, cultural, archeological, visual and environmental effects from the project.

Interests of Historic Hawai'i Foundation

Since 1974, Historic Hawai'i Foundation (HHF) has been a statewide leader for historic preservation. HHF's mission is to preserve and encourage the preservation of Hawaii's historic buildings, places, objects and communities. HHF's interest in this undertaking is in assisting the project team to avoid, minimize and mitigate effects to historic properties from the Transit Corridor Project.

Methodology

HHF recognizes the immense scope of this undertaking and the extensive research that has been done. We concur with the methodology that was used and appreciate the succinct and concise presentation of findings and recommendations. We also concur with the phased approach of first determining the Area of Potential Effect (APE), followed by the determination of eligibility, the assessment of effects, and finally the package of mitigation measures. We anticipate being a consulting and concurring party to the Memorandum of Agreement that will memorialize the final agreements.

Determination of National Register Eligibility

The overview of historic resources and the determination of National Register eligibility for each parcel appear to be substantive and accurate. HHF has not conducted independent research or evaluation of the sites and will defer to State Historic Preservation Division (SHPD) for concurrence or challenge to the determination of eligibility.



Assessment of Effects

Historic Hawai'i Foundation has concerns regarding the determination of effect for properties along the planned transit route. The Historical Resources Technical Report states that: as described in 36CFR 800.16(i), "effect means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register." Alteration of a property's historic characteristics includes changes that affect any of the seven aspects of historic integrity. These are feeling, association, workmanship, design, setting, location and materials. The technical report accurately notes that the following activities constitute an adverse effect:

- Physical destruction of or damage to all or part of the resource;
- Alteration of a resource, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous-material remediation, and provision of handicapped access, that is not consistent with the secretary's standards for the treatment of historic properties (36 CFR 68) and applicable guidelines;
- Removal of the resource from its historic location;
- Change of the character of the resources' use or of physical features within the setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features; or
- Neglect of a property that causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance.

We are concerned that contrary to this definition of adverse effect, the technical report states that there is no effect at all to a number of historic bridges when the guideway passes over them. The presence of the guideway over the historic bridges introduces visual, atmospheric, and audible elements that diminish their historic integrity, most notably their setting, feeling, and association. We feel strongly that these impacts should be acknowledged and appropriate mitigation commitments should be proposed.

Likewise, it is inappropriate that a "no adverse effect" determination is proposed for numerous structures, for which there is "no direct impact to the parcel." Again, it is possible for an indirect impact, such as the visual, atmospheric and audible, to constitute an adverse effect to historic properties.

The technical report identifies only six adverse effects to historic resources. HHF disagrees with this determination, as the adverse impacts to historic properties are much greater than just the direct impacts that are occurring in the six instances identified. We are particularly concerned about impacts to the Chinatown Historic District, the Pearl Harbor National Historic Landmark, the Nu'uano Bridge, and the Dillingham Transportation Building. We are also concerned about impacts from the future extensions to Kalaeloa, University and Waikiki. Although we recognize that those segments are not part of the current undertaking, they are reasonably foreseeable as a result of the project and system-wide decisions being determined at this stage.

Issues such as view planes, setting, and the feeling associated with a historic property must be taken into consideration to accurately assess the full impact of the project on historic structures, sites and objects. The visual impacts to historic properties extend beyond the impacts identified in this report. We recommend that these indirect impacts be addressed and appropriate mitigation be proposed.

In addition, the cumulative effect to the collective of historic resources is greater than the sum of impacts to individual parcels. The scale of the project is such that it will irreparably change both the rural and urban landscapes through which it passes. The overall effect on the entire corridor should be acknowledged.

Mitigation Measures

HHF appreciates that care has been taken to avoid or minimize direct impacts to many historic properties, especially by using existing right of way and transportation corridors wherever possible. This allows for minimizing new land acquisition and subsequent direct impacts to historic properties, structures, trees and other sites. We also appreciate that site decisions for station areas and parking facilities have considered impacts to historic structures and adjustments have been made to avoid those impacts.

However, even with these modifications, the scale of the effect is immense. Mitigation measures need to be proportional to the impact and to take into account both the direct and cumulative effects on the corridor. The technical report notes several categories of potential mitigating actions and states that additional discussions and consultation will result in a full determination of mitigation.

HHF concurs with the general categories of mitigation outlined in the report, including documentation, seeking opportunities for historic and architectural interpretation, and cultural landscape reports. We also recommend that the mitigation consultation consider additional measures, such as:

1. Public access to documentation: The research into the history, architecture, events and patterns of development along the corridor is important information that could have multiple applications beyond the immediate project. This information, especially the site-specific inventory sheets, should be made available in an accessible form to other researchers. One possibility is to develop a web-based research platform with all the historic inventory information. It should be interactive, searchable, geo-coded and serve as the foundation for later additions from other research. Especially if combined with the State's inventory of all historic resources on O'ahu, this could be a powerful tool for historic preservation projects throughout the City & County. Joint hosting with the State Department of Land and Natural Resources or the State Office of Planning could be explored. Other potential partners could include the Office of Hawaiian Affairs and the Department of Defense, which also maintain inventories of historic resources.
2. National Register Nominations: The technical study has identified 76 parcels or districts that are eligible for designation on the National Register of Historic Places. Nominations for these resources should be prepared and submitted for formal designation. In addition, several

existing historic districts adjacent to the transit corridor, such as the Chinatown District and the Pearl Harbor National Historic Landmark, should have updates to the district nomination forms.

3. City & County of Honolulu Preservation Program: The City & County of Honolulu is the only local government in the state that lacks a comprehensive preservation program, including a preservation commission, integration with comprehensive land use planning and permitting, and review of impacts to historic buildings and sites. With the expected impacts not only from the transit project, but also from associated transit-oriented development, the City needs to be prepared to educate, evaluate and integrate preservation considerations into land use decisions. The National Historic Preservation Act and its implementing regulations through the National Park Service provide local governments with flexibility and local decision-making powers for addressing these issues through the Certified Local Government (CLG) Program. The City & County of Honolulu should establish a local preservation program consistent with the CLG requirements and apply for CLG designation, appoint a qualified preservation commission, staff the commission adequately, and provide for its on-going training and effective participation in land use matters.
4. Main Street Program: Main Street is a national program that works with local communities to achieve economic development goals through historic preservation, especially by means of rehabilitation of historic buildings, use of tax incentives and grant programs, public education programs, and marketing for heritage tourism. Hawai'i is one of only five states that lacks a Main Street coordinator and dedicated funding for Main Street programs. The City & County should support the re-establishment of the Main Street program, either by serving as the coordinator or cooperating with another coordinating agency, and providing dedicated funds for its successful implementation throughout the life of the transit project. In addition to the communities directly impacted by transit that could benefit from the Main Street program (Waipahu, 'Aiea, Kalihi, Chinatown, Mō'ili'ili), this program would also serve other O'ahu communities, such as Hale'iwa, Kahuku and Kailua.
5. Restoration of Historic Irwin Park: Irwin Park is a historic site between Aloha Tower and Ala Moana Boulevard. Despite being a dedicated park, it is being used as a parking lot for Aloha Tower Marketplace. Irwin Park should be restored as an urban green space, offering visual relief and passive recreation for the nearby station area.
6. Station Design and Context Sensitive Solutions: architectural and landscape designs for the stations and the guideway infrastructure should be responsive to and compatible with each area's history, culture and architectural context. Each segment should be differentiated and unique for increased compatibility with the local communities.

Additional mitigation opportunities may develop throughout the consultation process. We look forward to a full discussion about how to integrate the transit corridor into the existing settings and to mitigate the impacts to historic resources.

Thank you for the opportunity to comment. Please let me know if you have any questions or comments. We look forward to the next phase of review and consultation.

Very truly yours,

A handwritten signature in black ink that reads "Kiersten Faulkner". The signature is written in a cursive, flowing style.

Kiersten Faulkner, AICP
Executive Director

Copies via email:

Laura Thielen, State Historic Preservation Officer & Chair, DLNR

Pua Aiu, Administrator, State Historic Preservation Division

Astrid Liverman, Architectural Branch Chief, SHPD

Elaine Jackson-Retondo, National Park Service

Frank Hays, National Park Service

Melia Lane-Kamahele, National Park Service

Betsy Merritt, National Trust for Historic Preservation

Brian Turner, National Trust for Historic Preservation

Kelly Yasaitis Fanizzo, Advisory Council on Historic Preservation

Blythe Semmer, Advisory Council on Historic Preservation

Lawrence Spurgeon, Parson Brinckerhoff

Ann Yoklavich, Mason Architects, Inc.

Henry Eng, Department of Planning and Permitting



HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



**KAKAAKO
KALAELOA**

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RT9/08 - 279827

Ref. No.: PLTRANS 7.18

September 16, 2008

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813

Dear Mr. Yoshioka:

Re: Section 106 – Coordination for the Honolulu
High-Capacity Transit Corridor Project

Thank you for the opportunity to review the documents relating to the Honolulu High-Capacity Transit Corridor Project. In particular, we have reviewed the proposal with respect to effects on historic, cultural, and archaeological resources.

We have the following comments to offer:

1. On page 5-21 of the Cultural Technical Report, reference was made to the "Queen Street Burial Mound" and the "Halekauwila Street Burial Mound." The location of these burial mounds within a Kakaako Community Development District ("KCDD") reference map would greatly enhance public and agency review.
2. Based on the potential of the project to impact pre-contact and post-contact archaeology and burials in the Kakaako District, we recommend:
 - (a) an Archaeological Inventory Survey is conducted along the proposed area of the Transit Corridor;
 - (b) a preservation plan for known historical and cultural resources is articulated; and
 - (c) a strategy is defined for coordinating the development of the Transit Corridor with the likely discoveries of iwi or other finds in the Transit Corridor Project area.

ENGINEER'S OFFICE
CITY OF
TRANSPORTATION SERVICES

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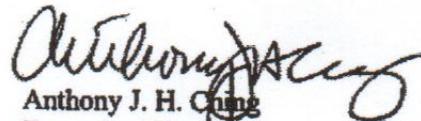
Mr. Wayne Yoshioka
Page Two
September 16, 2008

The City and County should work closely with the State Historic Preservation Division, the Office of Hawaiian Affairs, and Native Hawaiian community in developing and implementing these strategies, protocols and programs.

3. The Hawaii Community Development Authority ("HCDA") should be notified in writing of any burials or archaeological finds that may be unearthed due to the project.
4. We recommend that your department work with area landowners (General Growth Properties, Inc. and Kamehameha Schools) and the HCDA in finalizing the alignment of the Transit Corridor and station locations within the KCDD.

If there are any questions, please feel free to call me at 587-2870.

Sincerely,


Anthony J. H. Chung
Executive Director

AJHC/DN/TM:ll

R79/08-279820

AIA Honolulu

A Chapter of The American Institute of Architects



17 September 2008

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and county of Honolulu
650 south King Street, 3rd Floor
Honolulu, Hawaii 96813

Dear Mr. Yoshioka,

RE: Section 106 Coordination for the Honolulu High Capacity Transit Corridor Project

On behalf of the American Institute of Architects (AIA), we thank you for the opportunity to review the Historic Resources Technical Report for the Honolulu High - Capacity Transit Corridor Project dated August 1, 2008. As architects, we are pleased that the City of Honolulu is taking positive measures in considering possible effects to historic buildings and sites along the transit corridor. The report covers a broad area of many structures along the entire proposed transit corridor and attempts to address areas of potential effect, as well as whether any adverse effects impact specific sites or structures.

We found that many of the sites are not listed on the National Register of Historic Places and the agreement on the eligibility has not been determined by the State Historic Preservation Division and therefore it may be premature to comment on these. More information and clarification on the potential effects to each site would be helpful for evaluations.

We did note that the report discussed the Local Historic Regulations and the City's Land Use Ordinance (LUO) providing special objectives for preserving historic significance and architectural characteristics listed for the Chinatown and Hawaii Capital Special Districts and this included the waterfront precinct around Aloha Tower. This reiterates the National Register nomination wording about the historic importance of the Chinatown connection to the waterfront and the LUO objective to "retain makai view corridors as a visual means of maintaining the historic link between Chinatown and the harbor". This is very consistent with some of the concerns of the AIA and we believe that the report's assessment of effects as "No Adverse effect" is not consistent with the aforementioned objectives.

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17 September 2008
Mr. Wayne Yoshioka, Director
Page 2

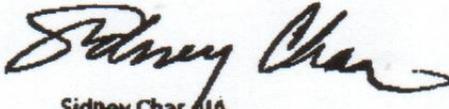
In addition, adverse effects as defined in the Section 106 regulations include the following: "Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance" and introduction of

visual, atmospheric or audible elements that diminish the integrity of the property's historic features". We believe that these criteria should be applied in the consideration of the elevated transit structure in close proximity to the Chinatown and Aloha Tower waterfront areas. The report does not address mitigation measures for these important historic areas as it did not consider there are adverse effects.

We also observed that the section on assessments of effects identified six historic properties with proposed adverse effects but the report did not provide much information on these properties nor sufficient photographic documentation for these areas. We believe that the report should relook at the issues related to the Chinatown and Waterfront area as the visual impacts may be contrary to the historic and City's LUO objectives.

We look forward to the comments by others to the subject report as well as further information on mitigation measures. We have circulated the report to other members of our AIA Transit Task Force for their information and comment. We are also interested in any effects as identified by the Draft EIS and any effects to the environment. Once again, we appreciate being included in the review of this design process for this extremely important project for the City of Honolulu.

Aloha!



Sidney Char AIA
President

cc: Mayor Mufi Hanneman
Wayne Hashiro
Trudi Saito
David Akinaka
Amy Blagriff

R710/08-282858



Ali'i Sir Wayne Iokepa, K.G.C.K.
Ali'i 'Ai Moku

www.royalorderofkamehameha.org

Ali'i Sir Māhealani Pal, K.C.K.
Kūka'ōlelo



**OFFICE OF THE KŪ'AUHAU
MOKU O KONA**

P.O. Box 1924

Kailua Kona, Hawai'i 96745

October 6, 2008

Mr. Wayne Yoshioka
Director, Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawai'i 96813

Re: Section 106 Coordination for the Honolulu High-Capacity Transit Corridor Project

Aloha Mr. Yoshioka,

Mahalo a nui loa for your letter dated August 21, 2008 with regards to the above subject matter. We have had time to review the Cultural & Archaeological Resources Technical Reports and at this time have no immediate concerns or questions about the project. If we do have concerns or questions at a later time, we will inform you by a follow-up letter.

The Order of Kamehameha I was established on April 11, 1865 by his Majesty King Kamehameha V (Lot Kapuāiwa) to honor the legacy of his grandfather, the unifier of these Islands, Kamehameha the Great. The Order was re-organized by Prince Jonah Kūhiō Kalaniana'ole in 1902. One of the Order's major purpose is to preserve and perpetuate the ancient customs and traditions of Hawai'i.

Mahalo again for your letter and if in the future you find the need for our assistance, do not hesitate to contact us through our website, www.royalorderofkamehameha.org.

*"E nā'i wale no 'oukou, i ku'u pono 'a'ole i pau."
"Strive to pursue my unfinished good deeds."
Kamehameha I*

Me ka 'oia 'i'o,
Russell Pal
Ali'i Russell Pal
Kū'auhau, Moku O Kona

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DIRECTOR'S OFFICE
DEPARTMENT OF TRANSPORTATION SERVICES



R710/08-282859

**NATIONAL
TRUST
FOR
HISTORIC
PRESERVATION**

October 6, 2008

Mr. Wayne Yoshioka, Director
Dept of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813

Re: Honolulu High-Capacity Transit Corridor Project

Dear Mr. Yoshioka,

The National Trust for Historic Preservation is concerned with the potential adverse effects on historic properties associated with the High-Capacity Transit Corridor project on the island of Oahu. While we recognize that expanding transit alternatives is essential to reducing congestion in and around Honolulu; the magnitude of this project puts the integrity of many sites of architectural and archaeological significance at risk. As such, the National Trust requests to participate in the review process as a "consulting party" under Section 106 of the National Historic Preservation Act (NHPA), pursuant to 36 C.F.R. § 800.2.(c)(5) and 800.3(f)(3).

We appreciate the efforts by the Department of Transportation Services to analyze adverse effects on historic properties for a project of such grand scale. We do have concerns, however, that the definition of "adverse effect" was improperly applied in the Historical Resources Technical Report, as it indicates only six adverse effects to historic resources associated with this twenty-mile-long project. In addition, given the magnitude of the undertaking, it is improper to assess effects solely on a parcel by parcel basis. Rather, it essential that indirect, secondary, and cumulative effects be taken into account in a more holistic manner. The National Trust for Historic Preservation also strongly supports the request by the Historic Hawaii Foundation to include extensive mitigation measures as this project proceeds.

In addition to our concerns about the preliminary assessment of effects, we received a letter today raising a new issue - the announced intention to invoke 36 C.F.R. § 800.8(c) in order to use the process and documentation prepared under the National Environmental Policy Act

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NATIONAL TRUST FOR HISTORIC PRESERVATION

Mr. Wayne Yoshioka

October 3, 2008

Page 2

(NEPA) for purposes of Section 106. We have questions about whether § 800.8(c) is properly invoked in this case, and we would like more information from the Advisory Council on Historic Preservation (ACHP) as to whether § 800.8(c) is applicable here. For example, does the City and County of Honolulu qualify as an "agency official" under § 800.2(a), for purposes of invoking this regulation? Does a notice issued at this point in the ongoing consultation process constitute notice "in advance" under the terms of § 800.8(c)? This provision in the Section 106 regulations is not used very often by federal agencies, so we are less familiar with the ACHP's expectations as to how it typically operates. We would be open to proceeding under § 800.8(c), but only if the ACHP will be actively involved in the consultation and determines that the regulatory criteria are met.

Interests of the National Trust

The National Trust for Historic Preservation was chartered by Congress in 1949 as a private nonprofit organization for the purpose of furthering the historic preservation policies of the United States and facilitating public participation in the preservation of our nation's heritage. 16 U.S.C. § 468. With the support of our 280,000 members nationwide, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government. The Trust has nine regional and field offices around the country, including a Western Office in San Francisco, which is specifically responsive to preservation issues in Hawaii.

The Trust has a particular interest in enforcing federal agency compliance with the National Historic Preservation Act, since the Chairman of the Trust has been designated by Congress as a member of the federal Advisory Council on Historic Preservation. *Id.* § 470i(a)(8). In addition, the Trust has a long history of involvement in transportation issues, both at the national policy level and with respect to individual undertakings, including enforcement of Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303, which we believe is applicable to this project. We think the National Trust could play a constructive role in the consultation process for the proposed undertaking, by bringing our national perspective and experience to the table.

Mr. Wayne Yoshioka
October 3, 2008
Page 3

Please include both of the following representatives of the National Trust on your list of consulting parties, and for the distribution of all notices and information prepared under Section 106, NEPA, and Section 4(f):

Elizabeth Merritt, Deputy General Counsel
National Trust for Historic Preservation
1785 Massachusetts Ave. NW
Washington, DC 20036
betsy_merritt@nthp.org
202-588-6035

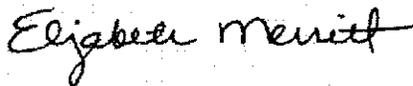
Brian R. Turner, Legal Fellow
National Trust for Historic Preservation
5 Third Street, Suite 707
San Francisco, CA 94103
brian_turner@nthp.org
415-947-0692

Thank you for including us in the review process; we look forward to participating as the consultation moves forward for the proposed construction of the Honolulu High-Capacity Transit Corridor on the island of Oahu, Hawaii.

Sincerely,



Brian R. Turner
Legal Fellow, Western Office



Elizabeth S. Merritt
Deputy General Counsel

cc: Leslie T. Rogers, Regional Administrator, Region IX, FTA
Raymond Sukys, Director of Planning & Program Development,
Region IX, FTA
Christopher Van Wyk, Office of Planning & Environment, FTA
Julie Atkins, Office of Planning & Environment, FTA
Blythe Semmer, ACHP
Kelly Fanizzo, ACHP
Elaine Jackson-Retondo, NPS

Mr. Wayne Yoshioka
October 3, 2008
Page 4

Laura Thielen, SHPD
Nancy A. McMahon, SHPD
Astrid Liverman, SHPD
Kiersten Faulkner, Historic Hawai'i Foundation



DEPARTMENT OF THE NAVY

COMMANDER
NAVY REGION HAWAII
850 TICONDEROGA ST STE 110
PEARL HARBOR HI 96860-5101

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12 NOV 2008

CERTIFIED MAIL NO. 7003 1680 0000 7269 2083

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, HI 96813

Dear Mr. Yoshioka:

We recently received a copy of your Historic Resources Technical Report for the Honolulu High-Capacity Transit Corridor Project. We are concerned that the City and County of Honolulu (CCH) has conducted assessments of Navy properties and evaluated said properties for National Register eligibility without Navy input. Accordingly, several of the eligibility determinations listed in the Transit Corridor report conflict with determinations upon which Navy previously received State Historic Preservation Office (SHPO) concurrence. These include both sites and structures on Navy owned property at the former Naval Air Station Barbers Point. We maintain that Navy's National Register for Historic Places (NRHP) eligibility determinations remain valid and that CCH may not revise these determinations on Navy's behalf.

Navy consulted with the SHPO during development of the 1999 Barbers Point Base Realignment and Closure (BRAC) Environmental Impact Statement (EIS) and during the 2002 Ford Island Master Development (FIMD) Programmatic EIS. Through these processes, Navy received concurrence on all Barbers Point NRHP eligibility determinations as documented in these EISs. Surveys conducted during the 1990s including our 1997 Phase I Cultural Resources Survey and Inventory Summary, cultural resource surveys leading up to the 1997 survey, and the Navy's 1999 Cultural Resources Management Plan formed the foundation for these consultations.

As we recently conveyed 499 acres at Barbers Point pursuant to congressional mandate, we are especially interested in the following structures on the 499 acres:

- Quonset huts 1144, 1149, 1150, 1152, 1153, 1562, and 1570
- Facilities 5, 77, 128, 476, 477, and 484

With respect to the Quonset huts, Navy determined these Quonset Huts as "not eligible" for listing on the NRHP. Navy operates under a nationwide Programmatic Memorandum of Agreement (PMOA) for World War

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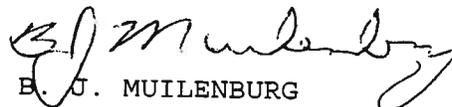
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II Temporary Buildings. The Advisory Council for Historic Preservation (ACHP) and the National Council of State Historic Preservation Officers (NCSHPO) established conditions and stipulations under which the temporary building demolition program would be carried out for the Department of Defense. The Navy, SHPO, ACHP, National Trust for Historic Preservation, Historic Hawaii Foundation, and the Oahu Council of Hawaiian Civic Clubs subsequently signed a 2003 *Programmatic Agreement Regarding Navy Undertakings in Hawaii* which recognizes the World War II Temporary Buildings PMA and addresses treatment of these Quonset huts. Specifically, the parties to the 2003 PA will be notified of any adverse action to be taken with respect to these structures, and the Navy agrees to engage in discussions to explore preservation options for these structures.

Navy surveys determined facilities 5, 77, 128, 476, and 477 as "not eligible" for NRHP listing. Navy also considers facility 484 as "not eligible" for NRHP listing because of its association with facility 128 (radio transmitter facility). Navy is unaware of any new information that has surfaced since we received SHPO concurrence on our site evaluations. Only Building 77, which was constructed in 1958, has become 50 years old since our surveys were conducted. Despite its age, Building 77 was originally included in our 1997 survey as part of the Cold War Building Inventory (Appendix B.II in Tuggle and Tomanari-Tuggle 1997 Part I) and was determined ineligible for listing on the NRHP.

We request that you revise your report to reflect Navy's eligibility determinations for the above-listed structures. We plan to review your Historic Resources Technical Report in more detail with respect to all Navy property at the former NAS Barbers Point, and we look forward to receiving your reply related to the 499 acres. We also intend to send separate correspondence on the proposed corridor alternatives as they relate to Navy property and operations. Please contact Mr. John Muraoka, (808) 473-4137 extension 239, if you require additional information related to historic resources.

Sincerely,



B. J. MUIENBURG
Captain, CEC, U.S. Navy
Regional Engineer
By direction of the
Commander



December 8, 2008

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Wayne Yoshioka
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, HI 96813

Dear Messrs. Matley and Yoshioka:

The Honolulu Chapter of the American Institute of Architects (AIA Honolulu) strongly supports the concept and implementation of a fixed guideway steel-on-steel rail system as an integral part of the future plans to meet the needs our growing island communities. We therefore offer the following comments and recommendations to assist the City in strengthening community support, enhancing our neighborhoods and environment, investing taxpayer money wisely, and ensuring Federal funding for the project.

Review of Project Goals and Objectives

A recent study by AIA National and the Center for Transportation Studies found that ***“the success of transportation projects requires integrating transportation design with social, economic, and cultural resources. The time for looking at transportation projects through the single lens of mobility, or even simple access and connectivity, is long gone.”*** However, Chapter 1 of the Draft EIS outlines project goals and objectives that are focused almost exclusively on mobility concerns.

AIA Honolulu therefore recommends that the current project goals should be expanded and integrated with stronger community-planning objectives. We encourage the use of social, environmental, and aesthetic criteria – as well as economic efficiency – in the planning and design of transit system routes and supporting facilities. Transit system routes and facilities should further support land use objectives – including urban growth management and efficient transit mode linkages – and respect significant human, cultural and natural environments as defined by the City’s Primary Urban Center Development Plan.

Other cities such as Portland, Salt Lake, and Sacramento have wisely integrated transportation, social, economic, and cultural objectives during the EIS process and as a result have built popular rail transit systems which not only transport people efficiently but also create desirable, livable communities. This emphasis on the bigger picture can best be summed up by the transit-planning protocol followed by Portland since the 1970’s: ***“We define what kind of place we want to be and then identify the appropriate transportation options to serve it.”***ⁱⁱ

Likewise, it is our understanding that the Federal Transportation Administration’s evaluation criteria for New Starts funding goes well beyond measuring mobility improvements. According to its *New Starts and Small Starts Evaluation and Rating Process*, proposed projects are graded against the full range of the following justification criteriaⁱⁱⁱ:

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- **Transit Supportive Land Use Policies and Future Patterns**
- **Environmental Benefits**
- **Cost Effectiveness**
- **Mobility Improvements**
- **Operating Efficiencies**

We similarly recommend that the Honolulu Rail Transit project goals and objectives be amended to align closely with these key criteria in order to ensure qualification for Federal funding.

Additionally, because our island economy remains heavily dependent upon tourism, we feel it essential that the project objectives should address minimizing economic impact to the visitor industry and to our island's visual appeal. For instance, views from cruise ships and visitors' visual expectations of Hawaii, Honolulu, and Waikiki should be considered.

Review of Project Impacts

AIA Honolulu has also carefully reviewed the Draft EIS in relation to our chapter's public policies on transportation. We respectfully offer the following comments regarding the impacts an elevated guideway will have to our communities.

The City and County of Honolulu's Primary Urban Center Development Plan (PUC) is a comprehensive planning document mandated by the City's Charter to guide "the development and improvement of the City" into the year 2025.^{iv} The PUC clearly defines guidelines to "**preserve and enhance significant mauka or makai view corridors along major collector streets.**"^v Unfortunately, the proposed elevated rail structure will block mauka and makai view corridors particularly along Nimitz Highway through historic Chinatown and Downtown. Although the PUC provides criteria for protecting mauka views from the Ala Wai promenade^{vi}, the Draft EIS does not address visual impacts along the planned elevated segment serving the University of Hawaii at Manoa.

In addition, the PUC notes "**as demonstrated in leading cities throughout the world, recapturing visual and physical access to the urban waterfront can stimulate economic renewal and be a source of civic pride.**"^{vii} Examples of popular waterfront destinations that have removed their elevated transportation structures include San Francisco, Boston, Seattle, and Sydney. The PUC goes on to stress that a major impediment for Honolulu is Nimitz highway that "**effectively acts as a physical and visual barrier cutting off the waterfront from mauka pedestrian travel.**"^{viii} Elevated rail stations and structures along the waterfront will make a poor situation worse by introducing an additional physical and visual barrier. This will largely undo the tremendous past efforts by the State Department of Transportation to reintegrate the Aloha Tower with the rest of Downtown Honolulu.

AIA Honolulu also promotes the preservation and enhancement of historic and cultural districts such as Chinatown and the Hawaii Capital District. Our understanding is that the elevated Chinatown station and guideway structures would be approximately 40-50 feet above grade.^{ix} We therefore respectfully disagree with the finding that the elevated system will pose "no adverse effect" to our historic districts^x particularly when the Draft

EIS states that ***“the project elements would contrast substantially with Chinatown’s historic character”^{xvi}*** and that through the Downtown area ***“the bulk and scale of the guideway would contrast with the more pedestrian scale [and] character of the streetscape.”^{xvii}***

We are deeply concerned that despite documenting many of the significant visual and aesthetic impacts of the elevated guideway, the Draft EIS fails to propose mitigation measures to effectively counteract negative impacts on views, connection with the waterfront, historic districts, and pedestrian streetscapes. AIA Honolulu also recommends that rather than providing selective, localized views of the transit guideway and stations, broader visualization studies should also be performed. Panoramic mountain and waterfront views as defined by the PUC should be shown, keeping in mind the potential economic impact upon our tourist industry.

The AIA further advocates the creation of safe, healthy, and easily accessible environments for transit passengers as well as pedestrians and residents along the transit route. We are concerned that the areas below elevated rail structures and stations will become blighted, “nuisance” environments and that the lack of natural public sightlines into stations will diminish safety and security for passengers waiting on platforms. The proposed elevated platforms and concourses will also impede convenient access for both able-bodied and disabled users.

Finally, the AIA promotes sustainable planning, design, and operation of transit systems. Economic efficiency is also essential. The Draft EIS notes that it will take over 7 times the energy to construct an elevated guideway compared with an at-grade system.^{xviii} We wish to also emphasize that an elevated guideway will require substantially greater amounts of materials, construction, and time in comparison with at-grade systems. Similarly, elevated systems require increased electrical consumption to power elevators, escalators, and additional lighting. Increased and ongoing operating and maintenance costs for public restrooms, painting, graffiti mitigation, and landscaping should also be accounted for in life cycle cost estimates. AIA Honolulu therefore considers an elevated system to be the least sustainable and cost effective option available to our communities.

Recommendations

For these reasons, AIA Honolulu urges the City to consider a more flexible rail transit solution capable of running at, below, or above grade to accommodate the particular conditions within each community. Third rail technology should not be our only option. Widely used alternatives such as overhead lines would allow much greater flexibility and would more effectively accommodate social, economic, cultural, and community planning objectives. Flexible transit solutions would also more easily satisfy the FTA’s funding justification criteria for:

- Transit Supportive Land Use Policies and Future Patterns
- Environmental Benefits
- Cost Effectiveness
- Mobility Improvements
- Operating Efficiencies

Impacts to our visual, historic, and cultural resources would be mitigated. There would be fewer detrimental consequences for our tourist industry. More of the cultural indigenous character of our communities, neighborhoods, and pedestrian streetscapes would be preserved or even enhanced. Sustainable objectives would be more easily achieved with lower requirements for energy, material, construction, time, and cost. In comparison with elevated systems, at grade systems would require less taxpayer funding and offer greater flexibility and affordability in planning for future extensions.

AIA Honolulu sincerely thanks the City and County of Honolulu for this opportunity to offer our comments and recommendations publicly. We have enjoyed greater dialogue with the City on transit issues in recent months and we reaffirm our willingness to work together with the Mayor, his administration, its consultants, and the City Council on developing viable and effective regional community planning and urban design solutions for this historic project, including the possibility of alternative mass transit corridors.

Sincerely Yours,



Sidney C.L. Char, AIA
President AIA Honolulu

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- ⁱ Moving Communities Forward, p. 44
 - ⁱⁱ Community Building Sourcebook, Land Use and Transportation Initiatives in Portland Oregon, p. 1-4
 - ⁱⁱⁱ FY2009 New Starts and Small Starts Evaluation and Rating Process, p. 3
 - ^{iv} Primary Urban Center Development Plan (PUC), p. 1-1
 - ^v PUC, p. 3-12
 - ^{vi} PUC, p. 3-4, 3-5
 - ^{vii} PUC, p. 3-38
 - ^{viii} PUC, p. 3-39
 - ^{ix} Draft EIS, p. 2-24
 - ^x Draft EIS, Table 5-2, p. 5-7
 - ^{xi} Draft EIS, p. 4-77
 - ^{xii} Draft EIS, p. 4-82
 - ^{xiii} Draft EIS, p. 4-159

HISTORIC HAWAII FOUNDATION

29/20/

December 10, 2008

Mr. Wayne Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street
Honolulu, Hawai'i 96813

**RE: Honolulu High-Capacity Transit Corridor Project,
Review of Draft Environmental Impact Statement (EIS)/Section 4(f) evaluation**

Dear Mr. Yoshioka:

Thank you for referring the above-mentioned project to Historic Hawai'i Foundation (HHF) for review and comment under the National Environmental Policy Act (NEPA) and Section 4(f) of the Department of Transportation Act, 49 USC §303. HHF previously reviewed and provided comments on the Historic Resources Technical Report (September 15, 2008) as a consulting party to the review process under Section 106 of the National Historic Preservation Act (NHPA), pursuant to 36 CFS §800.2.(c)(5) and 800.3(f)(3).

HHF also notes that the Department of Transportation Services has provided notice that it intends to use the process and documentation prepared under NEPA in order to comply with its NHPA Section 106 obligations. HHF shares the concerns raised by the National Trust for Historic Preservation in its letter of Oct. 3, 2008 about combining the two processes. We look forward to the response from the federal agencies and Advisory Council on Historic Preservation to address the propriety of this proposal and the circumstances under which it would be appropriate.

The proposed Honolulu Transit Corridor project will have a dramatic impact on the landscape of the island of O'ahu; this includes not only the direct impact to specific parcels, but primarily the visual effect on the landscape and historic resources. HHF is concerned that the Draft EIS does not accurately take into account these larger impacts, but rather focuses on those adverse effects caused by the direct taking of land.

As indicated in 36 CFR 800.16(i), effect means "alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register." The following activities constitute an adverse effect: physical destruction of or damage to all or part of the resource; alteration of a resource, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary of Interior's standards for the treatment of historic properties; removal of the resource from its historic location; change of the character of the resources' use or of physical features within the setting that contribute to its historic significance; introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic feature; or neglect of a property that causes its deterioration, except where such neglect and



HISTORIC HAWAII FOUNDATION

deterioration are recognized qualities of a property of religious and cultural significance (emphasis added).

Table 4-32 of the draft EIS lists properties preliminarily determined eligible for listing on the National Register of Historic Places. Of these, only seven individual structures were determined to be adversely effected by the proposed project. This assessment is unacceptable, as in a large number of cases the “introduction of visual, atmospheric, or audible elements that diminish the integrity of the property’s significant historic features” will occur. It is crucial that these impacts are recognized and properly mitigated.

For many of those properties for which it was determined that there will be “no effect” or “no adverse effect,” Table 4-32 indicates the description of the effect as “no property acquisition.” This determination is in error. The mere fact that either no property acquisition or only a minor acquisition occurs does not mean that there is “no effect” or “no adverse effect.” The dramatic visual change and impact to view sheds caused by the presence of the guideway and rail stations does in fact constitute an adverse effect.

It is vital that direct, indirect and cumulative impacts to districts, bridges, view planes, and individual structures as a result of the presence of the guideway and rail stations are acknowledged and properly identified as adverse effects. Table 4-10 acknowledges that visual impacts exist; it needs to be further acknowledged that, where historic resources are present, these impacts likely constitute an adverse effect.

HHF also has serious concerns regarding the evaluation of Pearl Harbor as historic resource. Page 4-59 discusses visually sensitive resources. The paragraph discussing landmarks should differentiate designated National Historic Landmarks (NHL)—which are of extreme importance to our nation’s history—from visual landmarks such as parks and open space. The draft EIS does not do so, thus downplaying the significance of the Pearl Harbor NHL. The sentence of greatest concern reads, “Pearl Harbor is considered a historical landmark because of the part it played in the island’s history.” This is an egregious understatement regarding Pearl Harbor, the bombing of which brought the United States into World War II. It has great significance both to the Nation and to the world for its extreme importance that reaches far beyond its history at a state level. The fact that Pearl Harbor is a designated NHL of great importance to the nation should be clearly stated in the draft EIS.

The visual effects to each area that the transit line will pass through are evaluated in Table 4-10. For the Pearl Harbor segment, the Draft EIS indicates that the visual impact will be moderate, but states that “the guideway would dominate the linear view corridor above the highway. However, Kamehameha Highway is a major transportation corridor and visual effects would not be substantial.” While Kamehameha Highway is a substantial roadway, its impact is nowhere near that of a 60-foot high guideway. Thus, the impact to historic view planes and the character of the National Historic Landmark (NHL) will be high.

We have additional concerns about the assessment of some of the other visual impacts of the project, especially in the Chinatown areas, where in some cases the impact is only listed as moderate. For the view from Maunakea Street looking ma kai, for example, the draft EIS indicates that the



HISTORIC HAWAII FOUNDATION

existing visual quality is high and that the impact would be moderate, even though the assessment of the impact reads: "the guideway and columns would be prominent features in the ma kai views of Honolulu Harbor, partially blocking views of the sky." The EIS should acknowledge the high level of impact, especially given the fact that Chinatown is both listed on the National Register of Historic Places and is designated by the City and County of Honolulu as a Special Design District.

The Honolulu special design district guidelines indicate that there are certain view planes from Chinatown to Honolulu Harbor that are significant and should be preserved. One of the objectives of the district is "to retain ma kai view corridors as a means of retaining the historic link between Chinatown and the harbor." In addition to the visual impact that the transit line will have on the district, it will also impact this historic visual link. For both of these reasons, the project constitutes an adverse effect on the Chinatown District.

In regards to former Naval Air Station Barber's Point, previous documentation in the Historic Resources Technical Report indicated that resources at this site were determined eligible for listing on the National Register. However, these resources have not been included in Table 4-32 listing the historic properties within the Area of Potential Effect (APE). HHF deferred to the State Historic Preservation Division (SHPD) on determinations of eligibility. Please provide an explanation for the changed circumstances that led to a different determination of eligibility for these resources.

The State Historic Preservation Division's letter of September 26, 2008 stated that additional consideration should be given to resources at former Marine Corps Air Station 'Ewa Field. This was not done in this draft EIS. Five sites at Pearl Harbor were recently designated by President Bush as part of the Valor in the Pacific National Monument. Though not officially part of the monument, Barbers Point (Kalaeloa), which was also attacked on December 7, 1941, was one of twelve sites nationwide that received official recognition for its importance of telling the story of World War II in the Pacific. Given its extreme importance and proximity to the transit line, it should be further evaluated.

In previous correspondence, HHF suggested potential measures to mitigate impacts to historic resources from this undertaking. A commitment to providing the mitigation measures, including timelines and responsible parties, needs to be complete as part of the final EIS and made part of the Record of Decision, in addition to any Section 106 documentation.

Since 1974, Historic Hawai'i Foundation has been a statewide leader for historic preservation. A non-profit, membership-based organization, HHF's mission is to preserve and encourage the preservation of Hawai'i's historic buildings, sites, objects and communities.

Thank you for the opportunity to comment. We look forward to the opportunity to discuss the proposed project, the impacts to historic resources and appropriate mitigation efforts.

Very truly yours,



Kiersten Faulkner, AICP
Executive Director



HISTORIC HAWAII FOUNDATION

Copies (via email)

Laura Thielen, State Historic Preservation Officer/Chair, DLNR

Pua Aiu, Administrator, State Historic Preservation Division

Astrid Liverman, Architectural Branch Chief, SHPD

Elaine Jackson-Retondo, National Park Service

Frank Hays, National Park Service

Melia Lane-Kamahele, National Park Service

Betsy Merritt, National Trust for Historic Preservation

Brian Turner, National Trust for Historic Preservation

Kelly Yasaitis Fanizzo, Advisory Council on Historic Preservation

Blythe Semmer, Advisory Council on Historic Preservation

Lawrence Spurgeon, Parson Brinckerhoff

Ann Yoklavich, Mason Architects, Inc.



LX DS/TM



United States Department of the Interior

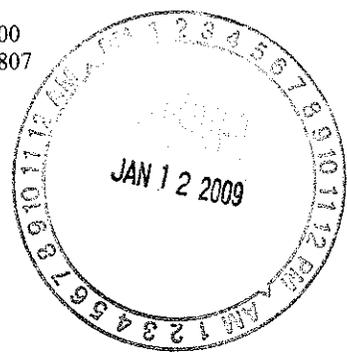


NATIONAL PARK SERVICE
Pacific West Region
1111 Jackson Street, Suite 700
Oakland, California 94607-4807

IN REPLY REFER TO:

A3615 (PWR-PA)

JAN 06 2009



Leslie Rogers
Regional Administrator
U. S. Department of Transportation
Federal Transit Administration
201 Mission Street
Suite 1650
San Francisco, CA 94105-1839

Dear Mr. Rogers:

Thank you for your recent letter notifying the Department of the Interior, National Park Service (NPS) of the City and County of Honolulu's Department of Transportation Services (DTS) consultation for a proposed 20-mile elevated guideway transit system on Oahu and your invitation to participate in this consultation per 36 C.F.R. § 800.10(c). The National Park Service accepts the invitation and looks forward to working with you and your staff.

Your letter also seeks our determination about prospects for a de minimus finding for the impact of the Honolulu High-Capacity Transit Corridor Project on the Pearl Harbor National Historical Landmark District (NHL). The NPS supports the concept of a transit system with a primary or alternate route that includes a station with convenient access to the USS Arizona Memorial (included with the recently designated WWII Valor in the Pacific National Monument) and will participate in the planning process as applicable. However, the proposed de minimus finding seems premature and the NPS cannot, at this time, concur with a de minimus finding due to the reasons described below. NPS will participate in the ongoing consultation process and will provide our determination once an assessment of effect for the Pearl Harbor NHL District, the Bowfin NHL, and the Valor in the Pacific National Monument have been completed and once we have conferred with the State Historic Preservation Office. The NPS also will provide formal comments on the Draft Environmental Impact Statement (DEIS) by the February 6 deadline.

Proposed Transit System Construction within the Pearl Harbor NHL. The boundary of the NHL proceeds along the Pearl Harbor side of Kamehameha Highway from Aloha Stadium to the opposite side of Radford Drive. Three station entrances (stops) to the transit system are proposed within that distance: Aloha Stadium Station, Arizona Memorial Station, and Pearl Harbor Naval Base Station. The DEIS only discusses impacts associated with the Pearl Harbor Naval Base Station (Table 4-32, Historic Properties within Project's Area of Potential Effect). The DEIS should analyze the potential impacts of the other two proposed station entrances within the Pearl Harbor National Historic Landmark before a de minimus



finding can be considered. For example, there would be a major impact at the proposed USS Arizona Memorial Station proposed to be located on an existing NPS parking lot. There is currently not enough parking at the site, so losing this parking space would have a major effect on NPS operations and visitation.

Visual Impact. A 30-40 foot tall elevated guideway transit system along Kamehameha Highway could cause significant negative impacts to the Pearl Harbor NHL view shed. The NPS recommends that a view shed analysis be completed for the proposed route before a de minimus finding can be considered.

Potential Impacts to Soundscape. The DEIS is not clear about the existing acoustic environment and what impacts to the soundscape of the Pearl Harbor NHL the proposed guideway rail system would generate. A soundscape analysis should be completed to determine impacts to the Pearl Harbor and USS Bowfin NHL's and the USS Arizona Memorial before a de minimus finding can be considered.

Potential Vibration Effects. The DEIS states that vibration levels should not exceed 65 VdB, which is below the 72 VdB allowed by the FTA around residential buildings. Analysis should be included for potential vibration effects on historic structures before a de minimus finding can be considered.

WWII Valor in the Pacific National Monument The DEIS does not analyze the potential impact to the newly designated monument.

At this time, the NPS does not concur with a de minimus finding in regards to impacts of the Honolulu High-Capacity Transit Corridor Project on the Pearl Harbor NHL. The National Park Service looks forward to working with the conferees to develop the measures necessary to eliminate or mitigate adverse effects of the proposed transit project on the significant historic resources of the Pearl Harbor NHL District, the USS Bowfin NHL, and the WWII Valor in the Pacific National Monument.

Sincerely,

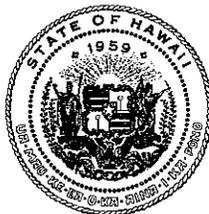
Patricia L. Neubacher

for

Jonathan B. Jarvis
Regional Director, Pacific West Region

297860

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 2, 2009

Mr. Wayne Y. Yoshioka, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawai'i 96813

Subject: Honolulu High Capacity Transit Corridor Project (City and County of Honolulu)
Draft Environmental Impact Statement/Section 4(f) Evaluation

Dear Mr. Yoshioka:

Thank you for the opportunity to review the above-referenced submittal received November 2008, regarding improved transportation equity in the corridor between Kapolei and the University of Hawai'i at Manoa on the island of Oahu. After review by the Department of Land and Natural Resources (DLNR), division comments have been compiled. The following is representative of the State Historic Preservation Division, the Commission on Water Resource Management and Division of Aquatic Resources, the Division of Engineering, Land Management, the Division of Forestry and Wildlife, and State Parks.

I. Historic Preservation

The State Historic Preservation Division (SHPD) disagrees with the Federal Transit Administration (FTA) that this project will have "no adverse effect" on known and potentially unknown historic properties, potential burial sites, cultural landscapes and traditional cultural properties. The FTA's determination has the potential to eradicate over 80 potentially eligible known sites and overlooks impacts existing viewplanes in Ewa, Chinatown and to individual properties. Additionally, the SHPD has concerns about the treatment of potential burials and archaeological sites, including cultural layers that may be found during the archaeological inventory phase. To date the State Historic Preservation Officer has not concurred the FTA's determination.

A. Architecture: The Architecture Branch provides documents on the draft Historic Resources Technical Report on September 26, 2008 (2008.3762/0809AL44). On December 17, 2008, the SHPD Architecture Branch participated in a workshop

regarding effect determinations for the proposed Transit Corridor project as part of ongoing Section 106 consultation under the National Historic Preservation Act alongside representatives from Parsons Brinckerhoff (PB), the City and County of Honolulu's Department of Transportation Services, Historic Hawai'i Foundation, and the National Trust for Historic Preservation. A total of 83 architectural resources within the area of potential effect have been determined eligible for nomination to the National Register of Historic Places. PB staff presented a finding of adverse effect for a total of seven properties: Solmirin House; Afuso House; Higa Fourplex; Teixeria House; Kamani Trees (Dillingham Blvd.); Dillingham Transportation Building; and the Boulevard Saimin property. A finding of no historic properties affected or no adverse effect was presented for the remaining 76 properties located along the corridor.

SHPD Architecture Branch has expressed concern over these preliminary determinations on a number of points. First, a finding of no historic properties affected implies that no historic properties are present in the area of potential effect or that the undertaking will have no effect as defined in 36 CFR Part 800.16(i). However, it appears that FTA has only affected the project's direct affects and has not taken into account the indirect affects of the project on historic resources. For example, the raised guideway may impede customary viewplanes, changes to the scale and character of the setting, or transit based development around stations may have long-term impacts to the historic resource.

SHPD believes that visual effect must be given greater consideration where it concerns impacts to integrity of setting, feeling, and association. For example, the indirect effects of guideway crossings on Nu'uuanu Stream Bridge and Hono'uli'uli Stream Bridge. Other resources that deserve additional consideration for indirect impacts per 36 CFR Part 800.5(a)(2)(v), include the 'Aiea (Honolulu Plantation) Cemetery, Tong Fat Wood Tenement Buildings, Aloha Tower, OR & L Depot, Mother Waldron Park, Walker Park, Irwin Park, and the Aloha Chapel. SHPD suggested that simulations be developed to analyze the character of visual and atmospheric effects and parcel takings to this and other individual resources. Adverse effects are not confined to direct impacts to a parcel and can include cumulative and far-reaching impacts to historic resources as provoked by the Project, including proposed transit based development around transit stations.

The above should also be duly re-considered in regards to constructive use determinations under Section 4(f) of the Department of Transportation Act. Per 23 CFR Part 774.15(a), as published in the Federal Register Vol., 73, No. 49 (March 12, 2008): "A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired." Impairments include noise level increase, obstruction or elimination of primary views, restriction of

access, vibration impacts, etc. Table 5-2 cites *de minimis* findings for direct use determination under Section 4(f) for the six Quonset hut grouping along Dillingham Boulevard, Chinatown historic district (see below), Hawaiian Electric, Radford High School, and Pearl Harbor National Historic Landmark (see below). These determinations are still pending.

Regarding the Chinatown historic district, listed on the National Register of Historic Places on January 17, 1973, SHPD expressed specific concerns. The district nomination records the following description:

“The boundaries of the district, as established by the Hawai‘i Historic Places Review Board, are as follows: a 50 ft. line on the ‘*ewa* (north) side of Nu‘uanu Stream, the *mauka* (east) side of Beretania Street, a line 50 ft. from the building line on the Diamond Head (south) side of Nu‘uanu Avenue, and 50 ft. *makai* (west) of the longest pier stretching into Honolulu Harbor. The major reason for its early development and continuous history as a commercial area was due to the close proximity to Honolulu Harbor.”

Under statement of significance, the nomination reads:

“Throughout the whole of its 180 years as a trading center in the Pacific, Honolulu has always been closely identified with its harbor--the principal channel of contact with the outside world. It is, however, that portion of Honolulu immediately adjacent to the harbor at the mouth of Nu‘uanu Stream which holds the longest continuous history of native and immigrant settlement and where the story of Hawai‘i’s common folk has been most compactly unfolded (...)”

As the intimate connection between the architectural district and the waterfront are called out as character-defining features of the National Register nomination, SHPD has significant concerns regarding a determination of no adverse effect to the district.

SHPD Architecture is in receipt of the FTA’s December 11, 2008 letter inviting consultation with the Secretary of the Interior regarding potential adverse effect to the Pearl Harbor National Historic Landmark. SHPD looks forward to continuing consultation regarding this site. We are in receipt of the Historic Hawai‘i Foundation’s (HHF) December 10, 2008 letter which raises questions regarding the inadequacy of the description given in the Draft EIS to the vital significance of the National Historic Landmark.

Moreover, in reference to the above-named correspondence, please verify that the resources of the former Naval Air Station Barber’s Point and lands west of the West Loch station were omitted because they will be fully consulted on in a separate Draft EIS at a later time. As referenced by HHF, discussion of the resources associated

with former Marine Corps Air Station 'Ewa Field should parallel the import of the newly designated Valor in the Pacific National Monument.

Discussion of effect determinations and the above-named points is scheduled to continue with consulting parties. SHPD Architecture participated in a driving tour of the proposed route (Airport alternative) with PB staff and the Historic Hawai'i Foundation on January 9. We will resume discussion of draft mitigation commitments following closer concurrence on effect determinations. Regarding Table 4-5, "Acquisitions and Displacements Summary," please provide an itemized list of how many parcel acquisitions and displacements by land use impact eligible historic resources. Finally, please note that National Register criteria considerations D and G are not cited regarding methodology. Federal Transit Administration has not yet completed its review for effect determinations pending our office's response to individual eligibility determinations.

- B. Archaeology: The Area of Proposed Effect (APE) was divided into 10 different sub-areas to evaluate below-ground effects. The proposed project covers the fundable twenty-mile segment of the corridor between East Kapolei and the Ala Moana Center with alternatives for both Fixed Guideway Transit Alternatives of the Salt Lake and Airport routes. The project does affect potential human burials, subsurface features and cultural deposits that have not yet previously been identified. We agree that once column locations are identified archaeological inventory work would focus on these locations and if historic properties are identified then mitigation plans should include archaeological monitoring, possible archaeological data recovery and burial treatment plans. SHPD participating in on-going 106 consultation on a Programmatic Agreement to address the above issues.
- C. Culture and History: SHPD Culture and History Branch concurs that the transit project as a whole will change the character of the physical features within the corridor (36CFR 800.5). SHPD is specifically concerned about the affect view planes from traditional lookout points such as Makakilo and Pu'u Kapolei. As stated in our September 26, 2008 correspondence: "Furthermore, we were encouraged that at our meeting it was indicated that indirect impacts to landscape and setting, including view sheds *makai* to *mauka*, will be examined to determine the broader impact of the corridor itself. We believe that this macroscopic dimension will aid in accurately reflecting the comprehensive effect of the proposed project and in turn facilitate identification of appropriate mitigation." Other examples of character changing impacts would include those to landscapes such as the Banana Patch community, Sumida Watercress Farm and Aiea Plantation Cemetery. At the same time, we do recognize and appreciate that some modifications to the alignment have been made specifically to minimize adverse effect.

The Oahu Island Burial Council (OIBC), Hui Malama I Na Kapono, and Office of Hawaiian Affairs have been consulted, as stipulated in the National Historic Preservation Act, Section

106. OIBC at their January 14, 2009, meeting summarized their consultation work with HTA but seemed to be only addressing the Programmatic Agreement concerns and not the Draft EIS or relevant studies. We will defer their comments on the Draft EIS at this time.

We understand that a Memorandum of Agreement is being developed to address the concerns of the Architecture and a Programmatic Agreement is being developed to address Archaeology and Cultural/History respectively. Also, please note that the Advisory Council on Historic Preservation, National Park Service, and the National Trust for Historic Preservation were not listed as consulting parties in the Draft EIS.

We have not reviewed the *Honolulu High Capacity Transit Corridor Project Archaeological Resources Technical Report*. In a separate transmittal shortly forthcoming, the SHPD will comment in more detail regarding the findings of the technical report. We look forward to the Archaeological Inventory Survey Plan (Phase I) which will be done by the construction phases, along with an Archaeological Inventory Survey Report(s) and an Archaeological Monitoring Plan.

If there are any questions, please contact Pua Aiu, SHPD Administrator, at 692-8015.

II. Aquatics and Water Resource Management

The proposed Honolulu High-Capacity Transit Corridor Route will cross the following streams: Honouliuli, Waikele, Kapakahi, Kalo'i Gulch, Waiawa, Waimalu, Kalauao, Aiea, Halawa, Moanalua, Kalihi, Kapalama, and Nu'uaniu which all empty into the Pacific Ocean along the southern coast of the island of Oahu. All these streams are perennial except for Kapakahi and Kalo'i Gulch which are non-perennial. The Division of Aquatic Resources (DAR) has conducted many biological surveys in Waikele, Waiawa, Halawa, Moanalua, Kalihi, and Nu'uaniu streams and has observed native macrofauna. The estuarine, lower and middle reaches native macrofauna which may be impacted by the transit corridor include native fish species such as *Stenogobius hawaiiensis*, *Eleotris sandwicensis*, *Mugil cephalus*, *Kuhlia xenura*, *Kuhlia sandwicensis*, and the native freshwater crustacean, *Macrobrachium grandimanus*. Other native macrofauna which migrate to the upper reaches would also be impacted during their migration through this corridor. Impacts on the native macrofauna and other aquatic resources can be minimized by avoiding any work in the stream channels or along banks. Impacts on the nearshore reefs and fauna would also be minimized by not disturbing the stream channels or banks and addressing heavy rainfall runoff from this project.

Additionally, the following mitigative measures should be implemented during the construction of the fixed rail transit system and associated areas to minimize the potential for erosion, siltation and pollution of the aquatic environment include:

1. Lands denuded of vegetation should be planted or covered as quickly as possible to prevent erosion;

2. Scheduling site work (particularly the excavation and grading) during periods of minimal rainfall;
3. Use to silt fences or other means to prevent sediments from entering the stream; and
4. Preventing construction materials, petroleum products, debris and landscaping products from falling, blowing or leaching into the aquatic environment.

We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMP's may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://hawaii.gov/dbedt/czm/initiative/lid.php>.

There may be the potential for ground or surface water degradation/contamination and we recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.

A Stream Channel Alteration Permit is required by CWRM before any alteration(s) can be made to the bed and/or banks of a stream channel. The planned source of water for this project has not been identified in the Draft EIS report, therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.

We recommend that the Final EIS disclose projected potable and non-potable water demands associated with the project, including indirect and cumulative effects such as the City and County's proposed transit oriented development that will surround the rail system. We also recommend that the proposed sources to meet these demands be identified.

If there are any questions, please contact Ken Kawahara, Water Deputy, at 587-0214.

III. Engineering

DLNR, Engineering Division, has reviewed the subject document, and have no comments at this time regarding flood zone(s) traversed by proposed project alignment. However, we do have the following general comments:

1. Column construction in streams will likely trigger comments related to aquatic habitat and biological/environmental issues. Response to these issues would have to be prepared.
2. As required by the City and County of Honolulu's Flood Plain Management Ordinance, any construction planned in a Flood Zone designated as AE (Floodway) will require a detailed floodway study and/or no risk certification.
3. A Conditional Letter of Map Revision (CLOMR) is required if there are any changes in water level (44 CFR 65.12).

4. Note that FEMA is conducting a Flood Insurance Risk Study that will update approximately 60 miles (Kaena Point to Kawaioloa Point) of coastal flood hazard boundaries. Preliminary study results have been issued to the City and County of Honolulu, Department of Planning and Permitting.

Please note that the project site must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards.

If there are any questions, please contact Eric Hirano, Engineering Administer, at 587-0230.

IV. Land

Among the lands owned and managed by DLNR are two parcels in East Kapolei, Ewa, Hawai'i, located west of the proposed North-South Road alignment and mauka and makai of Farrington Highway. The two parcels are identified by Tax Map Key Numbers (1) 9-1-17:86; and 9-1-18:05 (the "DLNR Parcels"). These parcels have excellent long-term development potential, and DLNR has accordingly identified these parcels as future income producing lands to support DLNR's operations and maintenance/management of the State's public lands and natural and cultural resources. DLNR has also communicated its desire to the City and County of Honolulu (the "City") to have these parcels rezoned to allow for commercial and/or other income-producing uses.

Various sections, figures, and tables in the Draft EIS provide for the fixed guideway alignment and a park-and-ride facility to be located within the DLNR Parcels, e.g., Figures 2-2, 2-3, 2-4, 2-5, 2-15, 2-38, 2-44, 4-3, Table 2-6, Appendix A. However, it is not clear whether these parcels are included among the properties identified by the City for acquisition (see Section 4.3 and Table 4-5) and whether compensation will be paid for any such acquisition.

The conveyance of any easement or other rights over the DLNR Parcels to allow such facilities, and the amount of compensation to be paid for such easement/rights, if any, requires the approval of the Board of Land and Natural Resources (BLNR). As of the date of this memorandum, BLNR has not granted any such approval, and therefore, BLNR's approval should be added to the list of Anticipated Permits and Approvals required for the proposed project (Table 4-37). It should also be noted, however, that DLNR has had prior discussions with the City regarding use of portions of the DLNR Parcels for the proposed transit project and DLNR's desire to rezone the DLNR parcels, and DLNR intends to continue to work with the City on these issues.

We understand that either route proposed in the Draft EIS involves some State Lands managed by other State agencies or entities. In most cases, these State Lands have been set aside to the government agency for a specific purpose, pursuant to Section 171-11, HRS. Any uses deviated from the specific purposes in the set aside require approval from the Governor and the BLNR.

The State is currently prohibited from conveying any portion of ceded lands due to a Hawai'i Supreme Court decision dated January 31, 2008. If any proposed acquisition of property requires fee title conveyance of the ceded lands, the outcome of the appeal filed by the State to the US Supreme Court may affect the final design of the project.

For future easy reference, it may be helpful if the Final EIS contains a table on the acquisition with information on ownership and current uses on the affected properties.

If there are any questions, please contact Morris Atta, Land Administrator, at 587-0456.

V. Forestry and Wildlife

According to comments submitted September 15, 2008, the Division of Forestry and Wildlife (DOFAW) stated that on Page S-1 – *Abutilon* is mentioned as “threatened,” but it is actually listed as “endangered” according to State and Federal law. DOFAW would like to provide the following for your consideration.

The existing State Department of Transportation Habitat Conservation Plan (HCP) for *Abutilon*, covers only a limited geographic area related to North-South road (DOT), Kapolei Parkway, University of Hawaii West Oahu, DHHL right-of-entry and subdivision, and DLNR future development plans (pgs 9-18). Additional DHHL lands are included under a Certificate of Inclusion registered with the Land Court. The City and County of Honolulu land ownership was identified in the original HCP (pg 9) and a Certificate of Inclusion issued for a portion of their lands. However, the current HCP does not include all affected lands or current planned activities within the rail transit corridor (see attached Table 3. Landownership of Parcels at Kapolei Properties). Activities and lands within the HCP area can be included by an additional Certificate of Inclusion, but activities outside the HCP area will need an amendment or new HCP.

Mitigation activities should address increased fire management measures. Although the current HCP includes a fire management strategy, it does not take the proposed project into consideration, so it does not address fire concerns for the project under review. The project under review could create new threats to the *Abutilon* reserve, with concern of discarded cigarettes or equipment sparks for example.

The level of fire management identified in the current HCP includes:

“A fire management strategy consisting for the following measures is being implemented to ensure that the plants are not accidentally destroyed.

- Identification of fire fighting resources available near the Kapolei population;
- Provide information to fire stations to assist them in protecting *A. menziesii* from fire;
- Identification of water resources near the Kapolei population.

The details of the fire management strategies are described in the Final Interim Management Report for *Abutilon menziesii* (DLNR DOFAW 2003, Appendix G).” (p. 21).

If additional plants are discovered outside the boundaries of the lands covered under the current HCP, then the transit corridor will need a new Habitat Conservation Plan (see attached information on HCP and ITL) or an amendment to the existing HCP. Additionally, should a plant survey of the transit corridor show no endangered plants in the Kapolei-Ewa area, it does not constitute a finding of no plants present because plants can emerge following rainfall or scarification. Therefore, it is recommended that multiple surveys are done and that the biology of endangered flora and fauna be considered, especially that of the *Abutilon*.

The issue of invasive species is not addressed in the Honolulu High-Capacity Transit Draft EIS. The implementation of this project creates risks related to the introduction of new harmful invasive species, weeds or pests that could be brought into Oahu by importation of heavy equipment and materials sourced from sites off island, be it from other islands or continental locations. For example the red imported fire ant is a serious pest in a number of southern and coastal states including: CA, TX, NC, AR, NM, DE, and in other areas around the world. Recent economic input analysis indicated that if established in Hawai‘i, the estimated negative impacts to Hawai‘i’s economy could be as high as \$200 million within 20 years and it would affect our way of life and human health. Apart from the potential introductions from out-of-state import risks are the intra-state risks between islands. A number of pests are present on other islands in Hawai‘i but not present or are under control on Oahu, e.g. miconia, little fire ant and coqui frogs. Appropriate mitigation would involve implementing prevention measures, paying close attention to pests at the site of origin for incoming equipment and materials, cleaning, inspections and treatment both before shipping and after arrival on Oahu would reduce these risks significantly.

The Draft EIS describes plans for the planting of trees and other landscaping projects. Nursery plants sourced from outer islands are a known pathway for “hitchhiker pests,” and should be subject to inspections and appropriate treatment. Also, the plants that are considered for planting could themselves become harmful invaders or contribute to existing problems, if not screened properly. Species under consideration for planting should be reviewed using the University of Hawai‘i, Weed Risk Assessment system that allows high-risk potentially harmful species to be identified, while low risk alternatives could be a more suitable species selected for this project.

The subject project Draft EIS did not address tree removal plans, or lack there of, in the rail transit corridor. If tree removal is part of the construction process, there is concern in central Honolulu in the Kapiolani Blvd. area where a population of white tern, *Gygis alba* or Manu-o-kū, is known to nest.

Further mitigation could involve implementing pre and post construction surveys to determine what plant species are present along the transit pathway and remove any potentially invasive species as a post construction mitigation action. If the prevention mitigation measures mentioned above are implemented successfully, this latter problem will likely be minor or insignificant.

If there are any questions, please contact Paul Conry, DOFAW Administer, at 587-4182.

VI. State Parks

The subject project Draft EIS does not acknowledge the transit corridors alignment near State Parks, and the impacts it may have on those areas.

Section 5.4.1 of the Draft EIS states that the project will require direct property acquisition of several recreational areas, one of which is Ke'ehi Lagoon Beach Park, resulting in a section 4(f) use. Directly adjacent to the beach park is the Hawai'i Disabled American Veteran's (DAV) Keehi Lagoon Memorial that was set aside to the department and is operated and maintained by the Hawai'i DAV. Its location may place it near the alignment for both the Airport and Salt Lake alternatives, however, there is no mention of it in the document.

We also note that Aiea Bay State Recreation Area, also under our jurisdiction and a section 4(f) area, was discussed in the Draft EIS and determined to have no use based on the criteria for review of 4(f) properties. There is concern that the criteria used to make this determination is unclear.

If there are any questions, please contact Dan Quinn, State Parks Administrator, at 587-0292.

Thank you for the opportunity to submit comments.

Sincerely,



Laura H. Thielen, Chairperson
Department of Land and Natural Resources

DIRECTOR'S OFFICE
DEPT. OF LAND AND NATURAL RESOURCES
TRANSPORTATION SERVICES

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c: Mr. Ted Matley, FTA Region IX



United States Department of the Interior

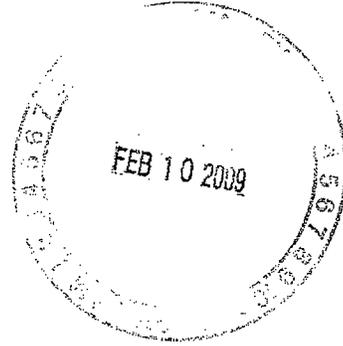
NATIONAL PARK SERVICE
Pacific West Region
1111 Jackson Street, Suite 700
Oakland, California 94607-4807



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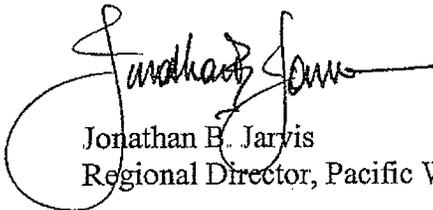
Wayne Y. Yoshida
Director, Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813

Dear Mr. Yoshida:

Thank you for your letter and Draft Environmental Impact Statement (EIS) to review regarding the City and County of Honolulu's Department of Transportation Services (DTS) proposed Honolulu High-Capacity Transit Corridor Project.

The National Park Service (NPS) supports the concept of a transit system with a primary or alternate route that includes a station with convenient access to Valor in the Pacific National Monument (formerly known as the USS Arizona Memorial) but has some significant concerns and comments. Please see the enclosure for a complete list of NPS comments. The National Park Service looks forward to working with the U. S. Department of Transportation on this important project. If you have any questions please contact Frank Hays at 808-541-2693 extension 723 or email him at Frank_Hays@nps.gov.

Sincerely,



Jonathan B. Jarvis
Regional Director, Pacific West Region

Enclosure

cc:

✓ Ted Matley, Federal Transit Administration, Region IX
Frank Hays, Pacific West Region, Honolulu
Patty Neubacher, Pacific West Region



REVIEW COMMENTS

DATE: 2/4/09

AGENCY: National Park Service (NPS)

PROJECT: Honolulu High-Capacity Transit Corridor

REVIEWERS: Doug Lentz, Paul DePrey, Frank Hays, Elaine Jackson-Retondo, Melia Lane-Kamahele, Alan Schmierer

No.	Page	Topic	Comment
1.	5-6 thru 5-9	Table 5-2, Historic Properties	Consideration/analysis of the impact to the newly established World War II Valor in the Pacific National Monument (NM), Pearl Harbor (NHL), USS Arizona Memorial (NHL), and USS Bowfin (NHL) is absent throughout this DEIS. Analysis of these resources needs to be incorporated. These resources should also be identified on a map that shows their boundaries and proximity to the elevated transit system.
2.	S-8	Archaeological, Cultural, and Historic Resources, paragraph 5 and 6.	It states that up to 61 historic resources for the project could be affected (moved/damaged/destroyed). "Appropriate mitigation measures are discussed in the following Construction Effects section." Mitigation measures are not discussed in the Construction Effects section.
3.	S-9	Cost and Financial Analysis	The Pearl Harbor Historic Sites (USS Bowfin Submarine Museum and Park, Pacific Aviation Museum, Battleship Missouri Memorial, and World War II Valor in the Pacific National Monument, formally USS Arizona Memorial) receive over 1.5 million visitors a year, one of the most visited destinations in the Pacific. All visitors access the Pearl Harbor Historic Sites through World War II Valor in the Pacific National Monument. The National Park Service (NPS) supports either an alternative that includes the Airport Alternative with a stop in reasonable proximity to the NM or a public transportation option that transports visitors from the Salt Lake Alternative (Salt Lake Station) to the NM.
4.	2-19	Airport Alternative	This alternative states "Stations would be constructed at Aloha Stadium, Pearl Harbor Naval Base, Honolulu International Airport, and Lagoon Drive." However, all maps that pertain to this area, and other locations in the DEIS, identify a station at the NM, formally USS Arizona Memorial . See comment 3.

5.	3-29	Figure 3-10	If both the Salt Lake and Airport alternatives are implemented consider consolidating the two Aloha Stadium stations.
6.	3-44	3.4.5. Mitigation of Long-term Transportation Effects Traffic	The NPS is concerned about commuter parking at the NM station. There is currently not enough parking for visitors to the NM. Please include the Pearl Harbor Historic Sites (Pacific Aviation Museum, USS Bowfin Submarine Museum and Park, Battleship Missouri Memorial, and World War II Valor in the Pacific National Monument) in discussions about the NM station location.
7.	3-45 3-48	3.5 Construction-related Effects on Transportation Table 3-26 3.5.7 Mitigation of Construction-related Effects	There is only one road from King Kamehameha Highway that accesses the Pearl Harbor Historic Sites, Arizona Memorial Place. The DEIS does not address this cross street in the narrative or on table 3-26. The Maintenance of Traffic Plan needs to plan for the traffic issues at this intersection prior to construction. The Pearl Harbor Historic Sites are a destination for over 4,000 visitors a day. Please work with the Pearl Harbor Historic Sites to plan for vehicular access for employees and visitors.
8.	4-31	Figure 4-11 Community Resources and Facilities within One-half Mile, Aloha Stadium to Kalihi	Identify World War II Valor in the Pacific National Monument, formally USS Arizona Memorial, and USS Bowfin Submarine Museum and Park as parks or recreation facilities within one-half mile of the transit system.
9.	4-36	Table 4-7 (property acquisition)	The Pearl Harbor Historic Sites are not listed in the table of community facilities and services that will be affected.

	4-36	and Airport Alternative	The DEIS proposes a station at World War II Valor in the Pacific National Monument, formally USS Arizona Memorial. The NPS has concerns with a station at this proposed location. Please include the Pearl Harbor Historic Sites (Pacific Aviation Museum, USS Bowfin Submarine Museum and Park, Battleship Missouri Memorial, and World War II Valor in the Pacific National Monument) in discussions about the NM station location.
10.	4-37	Parklands and Recreation Facilities	The DEIS does not acknowledge, or address the effects of, acquisition of property at the NM but it does show the footprint of a station on the commercial parking lot. There will be a major effect on World War II Valor in the Pacific National Monument if a station is located on half of the commercial bus parking lot. This will need further discussion and involvement with the NPS.
11.	4-40 4-41	Affected Environment Neighborhoods Aiea	This section looks at neighborhoods adjacent to the project and the anticipated effects. The Pearl Harbor Historic Sites attract over 1.5 million visitors to Pearl Harbor every year and are located in the Aiea neighborhood but are not considered in the DEIS.
12.	4-59	Visually Sensitive Resources Kalihi to Ala Moana Center Landscape Unit	The DEIS identifies "Pearl Harbor (East Loch)" in the wrong section. Pearl Harbor is located in the two prior sections, Aloha Stadium to Kalihi and Fort Weaver Road to Aloha Stadium.
13.	4-65 to 84	Viewpoints	The before and after pictures are extremely helpful. A before and after viewshed analysis from the USS Arizona Memorial, the USS Bowfin and from other Ford Island sites looking toward the proposed railway (mauka) should be completed. Consult with NPS and US Navy historians to identify and take actions to preserve or mitigate impacts to historic viewsheds.

14.	4-100	4.9.3 Environmental Consequences and Mitigation	Include the noise model that was used to project noise levels. It should include the noise level 100 yards away from the raised rail line. No noise projections or estimates were done between Aloha Stadium and Hickam Air Force Base and need to be. Noise projections range up to 75 dBA. That is too loud for quiet contemplation or interpretive talks.
15.	4-108	4.10.2 Electric and Magnetic Fields	The maintenance facility at the NM is within the 200 feet of the transit rail line and has not been evaluated for electric and magnetic concerns.
16.	4-125	4.12.3 Environmental Consequences and Mitigation	All night lighting should be down lighting to reduce light pollution of night skies and to protect an endangered bird species.
17.	4-142	4.15.1 Section 106	The NPS should be on this list to review.
18.	4-168	4.18.2 Indirect Effects Airport Alternative	In the DEIS the Arizona Memorial Station and Aloha Stadium Station were left out of this section, both of which are within the Pearl Harbor NHL. Therefore, there are three stations within the NHL and the cumulative impact of that should be evaluated.
19.	4-169	4.18.3 Cumulative Effects	See comment 18.
20.	5-2,3	De Minimis Impacts	At this time, the NPS does not concur with a <i>de minimis</i> finding in regards to impacts of the project on the Pearl Harbor, USS Arizona Memorial, and USS Bowfin NHLs.
21.	5-4	Table 5-1 Publicly Owned Parks and Rec. Areas Adjacent to Project Alignment	The World War II Valor in the Pacific National Monument, formerly USS Arizona Memorial, is publicly owned and adjacent and should be included here.
22.	5-5	5.4 Direct Use of Section 4(f) Properties 5.4.1 Park and Rec. Resources	Please include the Pearl Harbor Historic Sites (Pacific Aviation Museum, USS Bowfin Submarine Museum and Park, Battleship Missouri Memorial, and World War II Valor in the Pacific National Monument, formally USS Arizona Memorial) in discussions about the NM station location
23.	5-34	5.5.2 Parks and Rec. Resources	The NM should fall into Section 4(f) consideration.



Preserving America's Heritage

January 27, 2009

Mr. Leslie T. Rogers
Regional Administrator
Federal Transit Administration Region IX
201 Mission St., Suite 1650
San Francisco, CA 94105-1839

*RE: Honolulu High-Capacity Transit Corridor Project
Honolulu, Hawaii*

Dear Mr. Rogers:

Consulting parties have recently contacted the Advisory Council on Historic Preservation (ACHP) with concerns about the effects of the referenced undertaking on historic properties, particularly visual effects that may result to the Pearl Harbor National Historic Landmark (NHL). The extent and complexity of the planned undertaking calls for the Federal Transit Administration (FTA) to provide appropriate guidance and oversight to its applicant, the City and County of Honolulu Department of Transportation Services (City) to ensure that consulting parties and other stakeholders are involved in consultation in keeping with the spirit and intent of the Section 106 implementing regulations, "Protection of Historic Properties" (36 CFR Part 800).

We would like to confirm our understanding that the FTA has not yet circulated a finding of effect for this undertaking as the City is presently conducting additional study and analysis of effects to historic properties in response to comments received from consulting parties during the recent circulation of a Draft Environmental Impact Statement (DEIS) for the project. Should the FTA conclude, following the results of this additional analysis and consultation with the Hawaii SHPO and other consulting parties, that the undertaking will adversely affect historic properties, or that the development of a Programmatic Agreement is necessary, the agency must notify the ACHP and provide the documentation detailed at 36 CFR § 800.11(e). The Hawaii State Historic Preservation Office (SHPO) has raised concerns about the proposed development of two Section 106 agreement documents should adverse effects result from the proposed undertaking. It is unclear to us how the FTA has proceeded to this point without ongoing consultation with all consulting parties. Further, we wish to clarify that, per the provisions of §800.6 of our regulations, a Section 106 agreement document should address all the adverse effects that may result from an undertaking. It therefore is inconsistent per 36 CFR Part 800 for the FTA to develop two agreement documents for this single undertaking.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

We request an update on the status of the Section 106 consultation for the Honolulu High-Capacity Transit Corridor as well as information about how the FTA is providing oversight to the City regarding the coordination of the historic preservation review and consultation with all consulting parties, including Native Hawaiian organizations. This information will help us respond to inquiries from consulting parties and members of the public who express concerns about the FTA's Section 106 coordination. We will also be able to better advise the FTA regarding interpretation of the regulations and procedural requirements.

We look forward to your response and to assisting the FTA with its responsibilities under the National Historic Preservation Act. If you have any questions, please contact Blythe Semmer by telephone at (202) 606-8552 or by e-mail at bsemmer@achp.gov.

Sincerely,



Charlene Dwin Vaughn, AICP
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing, and Assistance Section