
PROGRAMMATIC AGREEMENT ANNUAL MEETING

Date and Time: **January 25, 2013, 10:00 a.m.**

Location: **Ali'i Place, 1099 Alakea Street 17th Floor, Honolulu, HI 96813**

The following materials were distributed to consulting parties on January 23, 2013 and were available at this meeting. They are attached to these minutes:

- Appendix A Meeting Agenda
- Appendix B January 2013 PA Semi-Annual Report (without appendices) (dated January 18, 2013)
- Appendix C Station Relationships to Historic Properties (dated January 25, 2013)
- Appendix D PA Expanded Schedule (dated January 18, 2013)

These minutes are organized by stipulation and aren't in chronological order. Information included in Appendix B isn't necessarily repeated in these minutes.

Purpose

To discuss implementation of the Programmatic Agreement (PA) over the preceding year and planned activities for the coming year.

Discussion

In an attempt to be inclusive at all viewpoints, this meeting was allowed to expand to many topics that were outside of the meeting purpose and/or not applicable to the PA. Disrespect continued to be shown by some consulting party members to others present.

Pule

Bishop Randolph Sykes opened the meeting with a pule followed by introductions. Joanna Morsicato announced the meeting is being audio recorded for the purpose of producing these minutes. Without HART's prior knowledge, Dennis Ragsdale (Kingdom of Hawai'i; Order of Kamehameha) video recorded the meeting.

General Project Update

Construction hold is to continue through completion of AIS work in compliance with 6E per State Supreme Court findings. The hold expected to last through end of summer 2013. (see *Stipulation III.C.*)

Faith Miyamoto summarized the status of the federal case *HonoluluTraffic.com et al. versus the City & County of Honolulu Department of Transportation Services (City)/U.S. Department of Transportation Federal Transit Administration (FTA)*:

On November 1, 2012, Judge Tashima granted summary judgement to the plaintiff on three Section 4(f) counts:

- ❖ Further study on Traditional Cultural Properties;
- ❖ No constructive use of Mother Waldron Park;
- ❖ And, support finding that Beretania Street Tunnel alignment alternative wasn't a feasible and prudent alternative.

Per the court's request, briefs were held on November 30, 2012 and a remedy phase hearing was held on December 12, 2012. On December 27, 2012, Judge Tashima remanded the issue without vacating the Record of Decision (ROD) and issued a partial injunction, which will

remain in effect for 30-days after FTA notifies that the courts requirements have been fulfilled. The ruling restrains any construction or real-property acquisition in Section 4 (City Center). Planning, Engineering, Design and other preconstruction activities including geotechnical investigations are allowed to proceed. There have been no injunctions on any activities in Sections 1 (West O'ahu/Farrington Highway Guideway [WOFH]), Section 2 (Kamehameha Highway Guideway [KHG]) and Section 3 (Airport). There is no requirement by the court to amend the PA; the courts decision has no affect on the PA.

Betsy Merritt (National Trust for Historic Preservation):

- Are you (FTA) going to describe the timetable and procedure for addressing the additional information the court requests on the three issues?
- Will there be the opportunity for public comment on any of the items such as the TCPs and the Beretania Street Tunnel alternative?
- Since all [claims] are Section 4(f) determinations, will these be sent to the Department of Interior (DOI) for review per the normal Section 4(f) process?

HART is preparing the additional information per the court's request and anticipates fulfilling requirements by end of Summer 2013. HART and FTA will need to discuss with attorneys if there will be opportunity for public review and comment. FTA will respond to the National Trust for Historic Preservation's (NTHP) inquiry if the court's requested additional information will be reviewed by DOI.

There are references to Mother Waldron Park and Mother Waldron Playground in numerous PA-related documentation. While both encompass the same area, Mother Waldron Playground is the historical name of a playground as it existed from 1937 until the early 90's when a portion of the playground was demolished to make way for Halekauwila Street. Certain portions of the original playground were preserved. The Park and the Playground overlap in location but are two separate resources.

Joanna Morsicato and Lawrence Spurgeon summarized PA status by stipulation:

I. Roles and Responsibilities

I.G. (Architectural Historian)

This activity overlaps with Stipulation IX.A.

HART conducted two interviews for the Architectural Historian staff position and is scheduled to interview another candidate. HART will consider additional applicants and will inform consulting parties once a selection is made and the candidate accepts. HART continues to advertise the position. Per *Stipulation IX.A*, the Architectural Historian shall oversee stipulations of the PA and coordinate Section 106 project activities with SHPD, Kāko'o, the Department of Planning and Permitting (DPP) and consulting parties.

Kaleo Paik (Kahu O Kahiko)

- Part of the criteria is that the Architectural Historian have firm cultural knowledge of area. Please outline the criteria listed in the PA. Not one cultural resource person in the lead position has a cultural base, including the military.

Lopaka Asam (Pacific Justice & Reconciliation Center)

- Shouldn't you release the names [of the Architectural Historian] before hand instead of asking for validation after the fact?

Criteria for the Architectural Historian position are outlined in the PA. The position is a City civil service position and HART must follow human resource protocol; HART cannot release the names of any candidates during the process.

I.H. (PA Project Manager/Kāko'o)

Paul Cleghorn (Principal, Pacific Legacy) serves as the Kāko'o.

Mahelani Cypher (O'ahu Council, Association of Hawaiian Civic Clubs)

- You need to start the Best Practices Manual (BPM) sooner rather than later, before you start doing other things.

Ha'aeo Guanson (Pacific Justice & Reconciliation Center)

- Major concerns are brought forth. What happens to information given at the kāko'o meetings?

I.H.12 (BPM /Lessons Learned Case Study)

A outline and definitive schedule for the Best Practices Manual (BPM) will be distributed by March 2013.

Betsy Merritt

- It was mentioned that the BPM is being expedited in terms of timetable but on the expanded schedule dated a week ago, the BPM end date is December 2016, which is the latest date for any item.

Kiersten Faulkner (Historic Hawai'i Foundation)

- Need to learn from experiences during initial consultation and development of the PA; part of the discussion was can we learn from that experience, document that and make sure there's a better relationship, better communication, better outcomes as a result of that. That's now 3-4 years ago. Memory is fading and knowledge is being lost. The Lessons Learned pieces needs to take place really quickly and include those of us who were a part of it; a lot of people came later and don't have the same experience.
- Consultation on the implementation of stipulations is ongoing; that's a separate chapter with new players. If you break it down in that way, it might help to address Mahealani's concern with having it done sooner so that lessons from the first few years can apply to the next few years.

The BPM and Lessons Learned Case Study are two separate PA deliverables; HART will update expanded schedule to reflect these as two separate items.

The BPM end date on the expanded schedule is based on language in the PA ("made available...within one year of completion of Phase 1 construction") though a request was made to have it done earlier. The BPM end date on the schedule will be updated.

New Consulting Parties

Kaleo Paik

- The PA is a living body that can be amended.
- Looking at the introduction to the [January 2013 PA] Semi-Annual Report (Appendix B) and see who are the CPs, who are the concurring parties and I see mostly Hawaiian Civic Clubs or benevolent societies but there are hundreds of Native Hawaiian Organizations (NHOs) than what is currently on the list. Kāko'o needs to contact the local DOI office and get the list of registered NHOs.

Ha'aeo Guanson

- Neither is Pacific Justice and Reconciliation Center (PJRC) on the list
Kaleo Patterson (Pacific Justice & Reconciliation Center)

- There should be some recognition of the new consulting parties that have come aboard in the last six months.

Lopaka Asam

- My concern is that all of these people fit into your box. Now, you should have a group of Kanaka Maoli to be involved because it's our interest at stake. You're violating our rights.
- Our list are those "outside of the box".

Consulting parties have a very specific role in the Section 106 process, which leads up to the development of a memorandum of agreement or PA. There is a much larger group of participants since the [Honolulu High-Capacity Transit Corridor Project] PA was signed [in January 2011]. As stated in the stipulation summary, the list on pages 1-2 of the PA include only those who participated in the development of the PA. HART hasn't and will not exclude any additional parties who wish to participate. HART will update the list that it uses in progress reports to include additional parties that have been participating; the list in the PA (the PA itself) will not be amended.

Additional information not provided at meeting:

The following organizations were recognized at the November 1, 2012 Quarterly Meeting, as noted in those meeting minutes; these organizations will be added to the list used in the PA Semi-Annual Reports:

- ❖ *Association of Hawaiian Homelands*
- ❖ *Pacific Justice and Reconciliation Center*
- ❖ *Royal Order of the Crown*
- ❖ *Ka Iwi 'Ōlelo*
- ❖ *Kane Hili Hui*
- ❖ *Kaleikini 'Ohana*
- ❖ *Royal Order of Kamehameha-Moku 'O Kapuāiwa (Chapter 8)*
- ❖ *Council for Native Hawaiian Advancement*
- ❖ *Kingdom of Hawai'i*
- ❖ *Order of Kamehameha*

II. Traditional Cultural Properties (TCP)

II.A. (Studies to Determine the Presence of Previously Unidentified TCPs)

Kumu Pono Associates and SRI Foundation in coordination with Cultural Surveys Hawai'i, continue to develop the TCP study for City Center. HART expects to review a draft of the City Center TCP in March/April 2013.

Mike Lee (Kane Hili Hui)

- A TCP Study is never over as far as what can be added for Historical Properties.
- I provided information including the chants of Helani, Pahukaina and Hawaiian maps that never got in to the TCP Study for Section 1.
- We're told it's never cut off but we've never had a meeting to outline our primary source materials, thus my lawsuit [addendum to *HonoluluTraffic.com et al. versus the City/FTA*], which involves the Karst Cave System not being included in the FEIS. I'm pissed off being involved for three years and when it comes to Hawaiian cultural properties, we are not given an opportunity to meet. The subsurface is critical just as Roman catacombs. The not identifying of our burial caves is problematic and is a part of my current federal lawsuit. How many meetings have you had for Hawaiians to identify cultural properties? You need to schedule a meeting to discuss TCP Study for Phase 1. I want a specific date.
- There's been no take away for the Hawaiian community.

- Ted just said that it's an ongoing process that we can add to but I really feel that we've been shut out from that process.
- HART should hire a Cultural Interpreter; HART archaeologists are not cultural practitioners.

Ha'aheo Guanson

- Concur with Mike; we've been asking for a meeting to provide input. Please provide a meeting date.
- A lack of Native Hawaiians on this project is the overall issue. Hire more Hawaiians.

Hinaleimoana Wong Kalu (O'ahu Island Burial Council)

- Given respect to the other elements of the TCP discussion, quite a while back, the Native Hawaiian view and perception of what is a TCP was discovered. It doesn't coincide with the Federal Guidelines; it's two very distinct things.

Kaleo Paik

- An action item for HART is to have the company [SRIF/Kumu Pono and CSH] justify why these items [Mike Lee's information] weren't included.
- Moanalua Stream was not captured in the TCP Study for Sections 1 through 3.
- One of the critical components regarding TCP studies is to get input from the Native Hawaiian community.

Kiersten Faulkner

- Will the TCP scope for City Center include cultures in addition to Native Hawaiian, like Filipino (for Kalihi) and Chinese (for Chinatown)?
- Per the PA, "evaluate these TCPs...in accordance with guidance in the National Register Bulletin 38." It says it's all cultures.
- It's hard for us to comment on the scope when we don't know what the scope covers.

Pua Aiu (State Historic Preservation Division)

- The PA doesn't limit it to only Native Hawaiian.

Lopaka Asam with Kaleo Patterson

- Show me the title that indicates you have authority and jurisdiction here [in Hawai'i].
- Kanaka Maoli are at the top of the totem pole
- "I nominate her [Kaleo Paik] to replace you [Joanna Morsicato]."

Kanaloa Koko

- It [City Center TCP Study] should be Hawaiians first with the Mahele Study of the area then the immigration of other cultures. Host-culture should be first and foremost.

HART will ensure that Moanalua Stream is covered covered in the City Center TCP Study, if the stream was not already covered in the TCP Study for Sections 1 through 3.

Additional information not provided at meeting:

Moanalua Stream was covered in the TCP Study for Sections 1 through 3.

TCP Study for Sections 1 through 3 is complete and meetings were held. Joanna Morsicato said that she would check on the scope of work for the City Center TCP Study but didn't think it was different than the scope of work for Sections 1 through 3.

Additional information not provided at meeting:

For additional information on the "TCP" process to date, see handout (dated March 6, 2013) that was emailed to consulting parties with the February 2013 progress update on PA stipulations, and is also available on the project website at www.HonoluluTransit.org/Planning, under Stipulation II.

III. Identification and Protection of Archaeological Sites and Burials

III.B (Protocol for Consultation Regarding Treatment of Iwi Kūpuna identified during the Archaeological Inventory Survey [AIS])

As a result of the AIS (see *Stipulation III.C*), there were a total of six human skeletal discoveries including two intact burials (T-142 on Halekauwila St. and Keawe St. and T-227A at Punchbowl St. and Pohukaina St.) and five fragment finds (T-150 at Halekauwila St. and Cooke St., T-141 at Halekauwila St. and Keawe St., T-96 in Chinatown, T-170 on Howard Hughes (private) property, and T-226C at Punchbowl St. and Ala Moana Blvd.). Coordination regarding treatment of these discoveries continues with the State Historic Preservation Division (SHPD), the O'ahu Island Burial Council (OIBC) and cultural/lineal descendants. HART held consultation meetings on November 8, 2012, November 27, 2012, and December 17, 2012. Another consultation will occur on February 7, 2013. In addition to recognized lineal and cultural descendants, potential descendants and community members are invited; HART will not exclude any interested parties from these community meetings.

Betsy Merritt

- Two [T-142 and T-227A] of the six listed in the [January 2013 PA Semi-Annual] report have the status of a “previously identified” burial even though they're new discoveries. I'm confused; what's the implication of that language. Why were two finds given this status? Does it have to be a completely intact burial to get this status?

Per Hawai'i State Law, by definition, findings are “previously identified” if encountered during an AIS. Jurisdiction for “previously known” goes to the OIBC whereas jurisdiction for “inadvertent” goes to SHPD. A find is inadvertent if encountered during construction.

Pua Aiu

- A find doesn't have to be in an intact burial in order to be considered “previously identified.” The difference here is that certain of these were found in what's called a “non-burial context” so they might be found in fill – I think two were found in fill, so it's not in a burial context. So, in these cases, where they're in a non-burial context, the jurisdiction can go to SHPD. We haven't made a decision on this yet.

III.C (Fieldwork)

AIS Reports for WOFH and KHG were approved by SHPD. Airport AIS fieldwork is complete; 47 trenches were surveyed. City Center AIS fieldwork nearing completion; remaining four trenches of the 28 that were added to the original 232 trenches are scheduled for January 26, 2013. AIS Reports for Airport and City Center, which summaries fieldwork activities and findings are in preparation.

Additional information not provided at meeting:

On January 26, 2013, a human pelvis and sacrum were discovered in T-226C at Punchbowl St. and Ala Moana Blvd., bringing the total discoveries to seven for City Center AIS.

Per the approved AISP for City Center, trench locations represent a number of different elements of the project:

- ❖ nearly 100% represent actual/physical column locations while others represent utility locations as a number of columns will be built where there are existing utilities today (need to be moved in the future)
- ❖ station location pillars and
- ❖ Utility locations/re-locations

❖ Trenches for TPSS locations

Mahealani Cypher

- You have an option of putting the column there and relocating the utility or relocating the column to where there are no utilities; doesn't this involve another survey?

Kaleo Paik

- Can PB be more accountable to the staff that they pick for geotechnical-type work? When I ask the person on-site and he has no idea what a coral shelf is – that's scary – because he's only looking at stratigraphy. As the prime contractor, PB needs to make sure that it's subcontractors are looking at things through a cultural lens, especially in these sensitive areas. It's difficult if they come from a foreign place because they don't understand our geography.

Mike Lee

- Addressed concern with 80-foot depth of columns in conjunction with the trench depth that is being studied and how it further affects ancient TCP like voids that carry freshwater that's below [the surface] and that has iwi. You only went to the alluvial layer.
- First Hawaiian Bank Center went through a 6-month delay during construction of their Corporate Tower because they encountered a void cave, which is a public trust resources and a Hawaiian cultural property.
- I keep on putting it for the record in case there's future litigation. We're putting it on the table because if it's not, it's called "inadvertent" under the law. Due care with due notice in due time is part of what the law looks at; not empty yak. I'm putting it down for the record because it exists. If you fail to do it then it's part of your to do list and if we're not here to tell you what your to do list is then how do you know what to do.
- Your view is western-focused. That's your definition of "culture" from a foreign entity.
- The catacombs in Rome are considered archaeological inventory but with us, we get negated because we're not the Pope in Rome. Your [Joanna] view is tinted; it's a western focus. That's why I say cultural interpreter. You don't bother to find out what our culture is in printed documentation where your researches didn't bother to look at because they're experts and not cultural practitioners. You excluded a big swath of our people and cut it off when it suits you; that's not acceptable and we are here to say that it's not acceptable.

Lopaka Asam

- I have to apologize on behalf of our ancestors that we didn't anticipate a choochoo train coming through our bones and I wish you folks would've taken more consideration in the way you designed Punchbowl and show the same care when that was designed for your dog bones and I wish they would be sent back to their ancestral homeland because our iwi isn't there.

HART has the ability to design around the AIS column and utility locations to allow for preservation in place. HART doesn't have jurisdiction on determination and treatment. No additional AIS fieldwork is planned after this weekend.

AIS fieldwork trenching explores cultural layers while geotechnical boring investigates below the cultural layer. HART has received Mike Lee's documentation and had already responded to that request for information. To date, no voids have been encountered during geotechnical borings or column construction (in the 'Ewa plain).

HART maintains commitment to being culturally sensitive. Additional coordination with subcontractors regarding cultural sensitivity has been occurring and will continue. Geotechnical boring has not yet occurred in City Center.

Cultural Monitoring

Cultural Monitoring is not a requirement of the PA. However, HART is voluntarily developing a project-wide Cultural Monitoring Program to be put in place when construction resumes in Fall 2013. Please direct all questions, comments and/or concerns to Joanna Morsicato as she is facilitating the program development.

HART will continue to work with cultural monitors to ensure that cultural sites are protected and treated with sensitivity.

IV. Design Standards

Mayor Kirk Caldwell initiated action to create a more aesthetic guideway and stations design; he is forming a committee. HART expects to be integrated with this initiative to ensure that historic preservation and cultural issues, amongst others, are discussed.

IV.A Design Language Pattern Book

The Design Language Pattern Book has not and will not be modified. It is being utilized to guide project design. Hard-copies were recently distributed at the January 10, 2013 Project-Wide Station Design Workshop.

IV.B. Neighborhood Design Workshops

HART held a Project-Wide Station Design Workshop on January 10, 2013 and collected a set of sticky note comments. HART will respond to these comments. See Appendix B (Station Relationships of Historic Properties), which was a direct outcome of that meeting. Station Design Workshops will be held in 2013 as design progresses.

Ha'aheo Guanson

- It's my understanding that there will be designers and architects present
- It's not like there going to give a presentation where we can't provide input, right?
- If we're at 65% design and we have the idea of incorporating a nautilus shell-shape, is it still possible?

Mike Lee

- You call people out, raise the level of expectation and then slam it down. You should set any parameters up front
- Clarify boundaries up front. If there are OSHA Laws, City Ordinances, etc. that precludes "X," please disclose that in your meeting invitation. People take the time to let you know how they feel but they don't know in the weeds what precludes "X." So, be specific in the parameters that we can do. There's a level of bitterness after when nothing was explained.

Betsy Merritt

- The Design Workshop schedule dated October 30, 2012 talks about when workshops #1 and #2 will occur. Referring to *Next Steps* page 5 of the current Semi-Annual Report, it states "Station Design Workshops for West Oahu, Kamehameha Highway and Airport Station Groups – Spring and Summer 2013." Is that Workshop #1 or #2?

HART's architect and Station Group designers will be present at each workshop and consulting parties will be able to comment and provide input at these workshops.

HART is committed to holding two workshops for each station group. Additionally, there will be workshops for key stations with historic preservation planning considerations (Aloha Stadium, Pearl Harbor Naval Base, Chinatown and Downtown Stations) and HART will clarify how station designers' staff will support design. Workshop #2 for Farrington Highway Station Group (West Loch, Waipahu Transit Center and Leeward Community College stations) is planned to occur in February 2013. Workshop #1 for Kamehameha Highway Station Group (Pearl Highlands, Pearlridge and Aloha Stadium stations), and Workshop #1 Airport Station Group (Pearl Harbor Naval Base, Honolulu International Airport, Lagoon Drive and Middle Street Transit Center stations) will occur in Spring/Summer 2013. Workshop #2 for West O'ahu Station Group (East Kapolei, UH West O'ahu and Ho'opili stations) is scheduled to occur in Spring/Summer 2013.

By Workshop #2 for each station group, there are certain elements (structure, elevators, fair gates, platform length etc.) that cannot be altered. However, there may be ways to incorporate consulting parties' design input. For example, the nautilus shell could be incorporated via floor treatment (tile) if that is concluded to be a recommended design.

IV.C (Preliminary Engineering Design Plans)

Also see Stipulation IV.B

Kiersten Faulkner

- Looking at the proposed schedule, you have the design workshops occurring basically at the same time as final design plans. Per the PA, you should be considering the comments when doing your design plans.
- You need to be careful to make time to apply comments to final design; your schedule doesn't do that.
- What's the architectural design stage? Architects would normally go with conceptual, schematic, design development then construction drawings.
- You don't want consulting parties or community members talking about fire exits or where the outlets are; that's utterly irrelevant. It needs to be focused on massing, materials, finistration, site planning, etc.

Final Design Plans listed on the schedule are generally at 60%. Preliminary Engineering (PE)-level design drawings were developed in 2009 and distributed to consulting parties for review *[on February 25, 2011] and HART received comments from the U.S. Navy, Historic Hawai'i Foundation and the Office of Hawaiian Affairs. Those comments and HART's responses are also available on the project website].* Those comments have been submitted to the appropriate designers.

The Honolulu Rail Transit Project is largely being delivered as an engineering project where even architectural design is following more of an engineering style; the architectural terms conceptual, schematic, etc. don't necessarily apply. "Final Design" takes you from 30% to 60% to 90% and finally to 100%. It's a long period of time with multiple reviews within it.

Station Naming

HART will use a Hawaiian place name as well as a location name for each station. This activity overlaps with Stipulation VII. HART is forming a Station Naming Committee; Hinaleimoana Wong-Kalu volunteered to chair this committee. Hina will work with Lisa Yoshihara, HART's Transit Art Administrator, to create the committee and clarify the process.

Lopaka Asam

- We hope it's [the station names] cultural Hawaiian and not Kaniāla, if you know what I mean.

Hinaleimoana Wong-Kalu

- Joanna has agreed to put my name at the top of the list because there's no one else in the room who is as fluent in Hawaiian.
- In addition to all other concerns brought forth, OIBC has also put forth concerns.
- As the OIBC Chair, I look forward to perhaps maybe a brief sheet of statement in writing that includes everything up until now articulating and detailing the project's very focused dedication and commitment to some of the cultural things (language, sub-surface investigations, cultures in addition to Hawaiian, etc.) that have been brought forth. I have sat at this table for four years now. We'll wait with anticipating for that statement.
- I look forward to the highest level of Hawaiian language, landscaping, aesthetics, etc present and that includes reclaiming our rightful names and rightful places.
- The legacy of iwi that has been encountered is our/their history, language and culture. Don't prostitute our culture but elevate and further embrace it. Focus on the Hawaiian first, then the other cultures fall into place. The legacy of the iwi that serve to guide what happens in the days ahead.

Ha'aheo Guanson

- I will serve under you [on the committee].

Kālani Asam

- Me too [will serve on the committee].
- We'll start with the "Crapital District"; change it back to "Palace District", which is what it was called when I was a Docent at 'Iolani Palace 20-30 years ago.
- You need to understand that your box is our coffin.

Kaleo Patterson

- I volunteer too [to serve on the committee].

Kaleo Paik

- And, Hina can pick and choose who [serves on the committee].

Re-internment Sites

No significant discussion took place

PA stipulations V through XIV received abbreviated discussion. See Appendix B for details per stipulation. Several items are noted below.

V. Recordation and DocumentationV.A. Historic Context Study (HCS)

No update

V.B. Cultural Landscape Reports (CLR)

No update

V.C. Historic American Building Survey (HABS), Historic American Engineering Record (HAER), and Historic American Landscape Survey (HALS) (HHH) Recordation

The PA requires HHH documentation to be completed prior to construction in particular area.

Honouliuli Bridge final HAER awaiting submission to National Park Service (NPS) in coordination with the State Department of Transportation.

Hard-copies of the Waikele Canal Bridge and Highway Overpass, Waimalu Bridge, Kalauao Springs Bridge and Kalauao Stream Bridge HAERs – in final form – were available for review

at this meeting. These HAERs were submitted to the the National Park Service (NPS). They will be uploaded to the project website and to the Historic Properties Database (see *Stipulation VI.F*).

V.E (Digital Photography)

Digital Photography for all adversely affected properties on historic resources along the corridor is complete and will be transmitted to SHPD and City Municipal Library on CD, and uploaded to the historic properties database.

VI. National Register of Historic Places/National Historic Landmark Nominations

There is not a specific time frame for completion of National Register (NR) nominations other than before revenue service – except for sites in proximity to Pearl Harbor. Honouliuli Bridge final NR nomination will be submitted to NPS.

VI.F (Searchable Database of Historic Properties)

A demonstration of the Historic Properties Database (<http://historichonolulutransit.org>) was given prior to the meeting for those individuals that arrived early. The database will be populated as additional recordation and documentation is finalized and approved; information will be uploaded under the corresponding property.

VII. Educational and Interpretive Programs, Materials and Signage

VII.E. Educational Program

HART mailed approximately 3,600 postcards inviting owners of potentially eligible properties in the APE and within a 2,000-foot radius of station locations to the first of two Historic Preservation Educational Workshops, which will occur on February 12, 2013 in conjunction with the the Historic Preservation Fund (HPF) Program noted in *Stipulation IX.B*.

VIII. Mitigation for Specific Historic Properties

No activity to report.

IX. Measures to Address Reasonably Foreseeable Indirect and Cumulative Effects Caused by the Project

Transit-Oriented Development (TOD)

The City Department of Planning & Permitting's Ala Moana Neighborhood TOD Workshop #2 will occur on February 19, 2013.

IX.B (Historic Preservation Committee [HPC])

In January 2013, HART mailed HPF Program letters and applications to 159 owners of eligible properties adjacent to the project or in historic districts adjacent to the alignment with an invitation to the Historic Preservation Educational Workshop noted in *Stipulation VII.E*. The HPC next meets on February 19, 2013. HPF applications due by March 15, 2013.

X. Construction Protection Plan

Construction on hold; no activity to report.

XI. City Contractors and Contract Adherence to PA

See Appendix B for stations that require a Historic Architect.

XII. Post-Review Discoveries

No activity to report.

XIII. Public Information

See Stipulation XIV.

XIV. Administrative Provisions

XIV.A (Implementation Schedule)

The PA Expanded Schedule is attached to these minutes as Appendix D. The schedule is an interactive process and is not set-in-stone. Please advise HART if anything needs to be revised or added.

XIV.E (Monitoring and Reporting)

Consulting parties expressed difficulty with navigating for information. Consulting parties have no objection in continuing to receive emails from Joanna Morsicato as opposed to eBlasts. HART will accommodate those without access to a computer with a hard-copy available for viewing at HART's offices.

Mahelani Cypher

- There should be resource people available to answer our questions here and now. You need to anticipate certain questions.

Lopaka Asam

- I don't mind having a paper trail because I'm computer illiterate.
- I'm afraid about giving my address because I don't want to be hit with a bullet when I come out of my door. That's why I left my number.

Umi Sexton

- There needs to be mailout for those who don't have access to internet.

Mike Lee

- Nothing is heard. There's no eBlast or meeting minutes to make us feel warm and fuzzy that we've brought these things to the table. Nobody out there ever knows what was discussed. The priorities were never listed and blasted out to the stakeholders. We put it on the table year after year. You don't come back with a specific date to follow-up on items we've requested.

XIV.E.2 (Quarterly Meetings)

This meeting functions as the first Annual Meeting of 2013 and also as the first Quarterly Meeting of 2013. The next Quarterly Meeting will occur in April 2013 and HART will continue to hold Quarterly or Ad Hoc Meetings to address active PA topics and to have a more focused discussion for items like Station Naming, Educational and Interpretive Programs and Signage, and Reinternment Sites.

Hinaleimoana Wong Kalu

- For those of us who have been at this table for quite some time now, there's a divergence that's quite clear. To mitigate the concerns, especially those brought forth by the Kanaka Maoli, perhaps you may have a more directly centered meeting.
- The discussion that has occurred here are quite distinct. There are other elements that you are required to do. In terms of your direct outreach to the Hawaiian community, but I think a Hawaiian directed/focused meeting is advisable because it would allow (1) for those of us who represent Hawaiian

views, we have a chance to say this is what the OIBC has come through and (2) allow other Hawaiian voices to say what they've wanted to say and the project respond by illustrating and demonstrating how the project will serve the Native Hawaiian community in honoring our culture, history and language?

- That's a reasonable and prudent request.
- Let's say everyone from top to bottom on this project were Hawaiian and this were a Native Hawaiian Organization, would we be any different? What I fear is that I could come to this table and say some of the things that I have used to say. What I fear is that if we didn't just start to say these things.

XIV.E.3 (Semi-Annual Report)

The January 2013 PA Semi-Annual Report for the period of July 19, 2012 through January 18, 2013 is available on the project website.

XIV.E.4 (FTA's Evaluation of PA)

At this time, FTA feels that no amendments or changes to the PA are needed.

Communication and disseminating of information has improved and continues to be refined.

Adjournment

Umi Sexton who deferred an opportunity to perform the opening pule to Bishop Sykes, performed the closing pule. Bishop Sykes had left before the meeting ended.

Kaleo Paik

- If we're going to do a general prayer from a Western standpoint, I have no problem with that. But, if we're doing pule from a cultural standpoint, the person who performs the opening pule must perform the closing pule. You're opening up portals and they need to be closed.

*** Meeting adjourned at 12:40pm ***

Action Items

- HART to staff Architectural Historian position
- HART/FTA to discuss with attorneys if opportunity for public review/comment of the additional information on the three Section 4(f) claims; respond to NTHP inquiry
- HART to distribute BPM Outline and Definitive Schedule by March 2013
- Kāko'o to contact the local DOI office to get list of NHOs for information
- Schedule meeting with Mike Lee et al to discuss TCP Study for Sections 1 through 3; namely Section 1 (WOFH); justify why not all of the information submitted by Mike Lee weren't included
- Draft CC TCP Study by March/April 2013; clarify scope of work
- Update Expanded Schedule:
 - List BPM and Lessons Learned Case Study as two separate items
 - Update BPM end date
- Upload final HAERs to project website and Historic Properties database
- Update consulting parties list used in PA Semi-Annual Reports
- Schedule a directly centered meeting with Hawaiians

Attending Consulting Parties

Betsy Merritt	National Trust for Historic Preservation
Clare Apana	Malama Kakanilua; Kane Hili Hui
David Nakino	Pacific Justice and Reconciliation Center (PJRC)

Dawn Hegger	Hawai'i Community Development Authority
Dennis Ragsdale	Kingdom of Hawai'i; Order of Kamehameha
Ha'aheo Guanson	PJRC
Hinaleimoana Wong-Kalu	O'ahu Island Burial Council (OIBC)
Jean Rasor	Kahu O Kahiko, Inc.
Jeff Dodge	NAVFAC HI, Navy Region Hawai'i
Gov. John Waihe'e	PJRC
Kālani Asam	PJRC
Kaleo Paik	Kahu O Kahiko, Inc.
Kanaloa Koko	Royal Order of the Crown; Ka Iwi 'Ōlelo
Kiersten Faulkner	Historic Hawai'i Foundation (HHF)
La'akea Suganuma	Royal Hawaiian Academy of Traditional Arts
Mahealani Cypher	O'ahu Council, Association of Hawaiian Civic Clubs
Mike Lee	Kane Hili Hui
Randolph Sykes	PJRC; Interfaith Alliance Hawaii; Inclusive Orthodox Church; Oahu Metropolitan Planning Organization
Robert "Lopaka" Asam	PJRC
Paulette "Ka'anohi" Kaleikini	
Pua Aiu	State Historic Preservation Division (SHPD)
Susan Lebo	SHPD
Tanya Gumarac-McGuire	HHF
Umi Sexton	Kingdom of Hawai'i; Order of Kamehameha

Dial-In Consulting Parties

Blythe Semmer	Advisory Council on Historic Preservation
Ellyn Goldkind	NAVFAC HI, Navy Region Hawai'i
Jerry Norris	Office of Hawaiian Affairs
Ted Matley	Federal Transit Administration-Region IX

Attending Project Staff

Anna Mallon	Honolulu Authority for Rapid Transportation (HART)
Bruce Nagao	HART
Faith Miyamoto	HART
Joanna Morsicato	HART
Kaleo Patterson	HART; PJRC
Barbara Gilliland	Parsons Brinckerhoff (PB)
Gary Omori	PB
Josh Silva	PB
Lawrence Spurgeon	PB
Matt Derby	PB
Pat Lee	PB
Paul Cleghorn	Pacific Legacy, Inc.
Robert 'Aukai Reynolds	HART
Roland Bueno	HART

Appendix A

Meeting Agenda

Appendix B

January 2013 PA Semi-Annual Report
(without appendices)
(dated January 18, 2013)

Appendix C

Station Relationships of Historic Properties (dated January 25, 2013)

Appendix D

PA Expanded Schedule
(dated January 18, 2013)