September 2015

# REVIEW AND DISPOSITION OF COMMENTS MADE UNDER STIPULATION IX.D

Process

Outcome

Consultation

**1) Consulting Party notifies FTA and HART of potential indirect or cumulative effect with the following information:**

- Identify the affected resource
- Describe impact and cause of impact
- Explain how the impact is different from what is stated in the Final EIS
- List any additional information or related studies

(Per Stipulation IX.D and PA Appendix A)

**Consulting Party Involvement**

**2) HART and FTA share the letter and background information with Kakoʻo.**

(Per Stipulation IX.D and PA Appendix A)

**Consulting Party Involvement**

**3) Kakoʻo, HART and FTA inform Consulting Parties.**

(Per Stipulation IX.D and PA Appendix A)

**4) Kakoʻo collects comments from Consulting Parties, researches, and makes recommendations to FTA and HART within 30 days.**

- Is the resource within the APE?
- Was the resource previously determined eligible for the NRHP?
- Was the issue analyzed in the FEIS?
- What is the relationship to the project?
- What studies and compliance have been completed under Hawaii Revised Statutes Chapter 6e?
- Possible next steps?

(Per Stipulation I.H.10 and PA Appendix A)

**5) Within 7 calendar days of receipt of recommendations from Kako'o, FTA will take appropriate action.**

(Per PA Appendix A)

**Consulting Party Involvement**

**6a) FTA decides further action is warranted.**

- Meet with Consulting Parties
- Discuss actions under the new circumstances to mitigate effects
- Consult with SHPD, as needed

(Per Stipulation IX.D)

**6b) FTA decides no further action is warranted.**

For example, when:

- The resource is distant from the project and well outside the APE.
- Issue or type of issue was previously analyzed in the FEIS.
- Mitigation provided in PA already covers this type of issue
  - IV.A-B (Design Standards)
  - VII. A-F (Educational and Interpretive Programs, Materials, and Signage)
  - IX.B (Historic Preservation Committee and Fund)
  - IX.E (Chinatown and Merchant Street Districts)

(Per Stipulation IX.A-F)

**7) FTA communicates the decision and outcome to the Consulting Parties.**

(Per PA Appendix A)

**Consulting Party Involvement**

**8) Should any Signatory or Invited Signatory to the PA object to the action, the FTA shall consult with the objecting party to resolve the objection and consult with the ACHP, as needed.**

(Per Stipulation XIV.C)