

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 10, 2010

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LAND
STATE PARKS

Mr. Kirk W. Caldwell.
Managing Director
City and County of Honolulu
530 S. King Street
Honolulu, Hawaii 96813

Dear Mr. Caldwell:

I just received your letter of June 8, 2010 regarding the Honolulu High Capacity Transit Corridor Project. In that letter you state that "consultation has been concluded in accordance with Section 106 of the National Historic Preservation Act (as amended) and its implementing regulations under 36 CFR 800, and the Programmatic Agreement (PA) has been finalized."

I'm a bit perplexed by your statement. The Programmatic Agreement has not been finalized, nor has consultation been concluded. My understanding is that the Federal Transit Authority is the entity that determines the finality of the Section 106 consultation, and that the Programmatic Agreement is finalized upon agreement and signature of the signatory parties.

I have been in conversation with the staff at the Federal Transit Authority this week regarding the consultation process, discussing the final issues to be resolved in the consultation, and recommending that we move forward on those matters. I understand that National Parks Service has raised some matters to the FTA as well. I believe the FTA is internally discussing the next steps in the process and will be getting back to the parties soon.

I am copying this letter and your June 8 correspondence to the FTA for their information, and look forward to hearing from them soon.

Sincerely,

A handwritten signature in black ink, appearing to be "LH Thielen".

Laura H. Thielen

cc w/enc.: Leslie Rogers, Regional Administrator, FTA
Ted Matley, FTA
Elizabeth Zelasko, FTA

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