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CITY AND COUNTY OF HONOLULU
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MUFI HANNEMANN
MAYOR



October 13, 2009

Mr. Mark Kawika McKeague, Chair
and Members of the Oahu Island
Burial Council
Kakuhihewa Building
601 Kamokila Boulevard, Suite 555
Kapolei, Hawaii 96707

Dear Chair McKeague and Members:

For more than a year now, the City has been working with the Oahu Island Burial Council (OIBC) on the Honolulu High-Capacity Transit Corridor Project. On behalf of the City, thank you for the many meetings and hundreds of hours of work the OIBC has devoted to the project. We certainly appreciate your participation and patience as we believe our discussions have resulted in a better understanding of your important role and responsibilities involving the protection of iwi kupuna that may be affected by this project.

Your participation in the development of the Programmatic Agreement (PA) under Section 106 of the National Historic Preservation Act of 1966, as amended, has been invaluable. The City is committed to working with the OIBC to address concerns about iwi kupuna that may be encountered during development of the project. We hope that our commitment has been illustrated through our careful consideration of comments from the OIBC and other consulting parties in the development of the PA. We believe that the resulting elements of the agreement commit the City to a level of inventory survey in critical areas that has never previously been performed for any project. We have also agreed to start the archaeological inventory survey (AIS) for Phase 4, the area of most concern for the discovery of iwi kupuna, a year earlier than originally proposed. These surveys will help us obtain critical information that we will use to address concerns ahead of time and should help inform future projects with enhanced information about iwi kupuna in the project area.

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The City recognizes that the OIBC has concerns about the Federal project development process for transit projects. The process evaluates and balances a broad range of factors, resulting in the identification of a Locally Preferred Alternative (LPA). Although we recognize that the OIBC was not a participant in the Alternatives Analysis that resulted in the selection of the LPA, Native Hawaiian burials were considered in the preparation of the Alternatives Analysis.

We also recognize that the OIBC is concerned with the phased identification and evaluation approach for investigation that is being used for the project, as allowed for in 36 CFR 800.4(b)(2). The City understands that this approach may lead to the location of specific Native Hawaiian burials during the AIS, and the City recognizes that the OIBC may require Native Hawaiian burials identified in the AIS to be preserved in place. We are committed to working closely with the OIBC and descendant families to find the best solutions possible for both the iwi kupuna and the project.

Representatives of the OIBC have requested that a "WHEREAS" clause be included in the PA that acknowledges the OIBC's responsibilities regarding iwi kupuna. We are committed to working with the OIBC on appropriate language for inclusion in the PA, to the best of our capability.

Recognizing all the dedication and hard work by OIBC members that have contributed to the PA, we hope that the OIBC will concur with the agreement and that the City and the OIBC may continue to work together to find ways to best protect iwi kupuna. As I stated before, we look forward to working closely with the OIBC throughout the duration of the project in a manner that will be respectful of our responsibilities to all of our constituents, both past and present. You have my personal commitment to this end.

With warm regards and aloha,

Yours truly,

Mufi Hanemann
Mayor