Honolulu High-Capacity Transit Corridor Project
Programmatic Agreement Between the Federal Transit Administration, Hawaii State Historic Preservation Officer and Advisory Council on Historic Preservation

Section 106 Consulting Parties Meeting

PB Americas Office, 1001 Bishop Street, Suite 2400
Wednesday, October 21, 2009
8:30 a.m.

Meeting Notes

Attendees
ACHP: Blythe Semmer (call-in)
AIA Honolulu: Spencer Leineweber (call-in)
FTA: Ted Matley, Jim Barr (both call-in)
Hawaiian Civic Clubs: Ko'olaupoko/Mahealani Cypher
Historic Hawaii Foundation (HHF): Kiersten Faulkner, Katie Kastner
National Trust for Historic Preservation (NTHP): Betsy Merritt, Brian Turner (both call-in)
National Park Service, Pacific West Region: Elaine Jackson-Retondo (call-in)
Oahu Island Burial Council: Kehau Abad
RTD Project Team: Faith Miyamoto, Lawrence Spurgeon, Stephanie Foell (call-in), Steve Hogan, Nalani Dahl, Judy Aranda
State Historic Preservation Division: Pua Aiu, Nancy McMahon (both call-in)
Department of Planning and Permitting (DPP): Kathy Sokugawa, Terry Ware
Moderator: Leland Chang

A. Welcome and Introductions
- Leland Chang welcomed the consulting party (CP) participants and agencies.
- Self introductions were made by each representative.

B. Programmatic Agreement Council Resolution

Project Team	In order for the City's Department of Transportation Services (DTS) to sign the PA, authorization is needed by the City Council. As a parallel process, Resolution 09-306, which authorizes the DTS Director to sign the PA, is on the Council's Transportation Subcommittee agenda set for October 26 and before the full City Council on October 27. The current version of the PA (dated 10/9/09) is an attachment to the Resolution.
HHF	Does City Council have to review the final PA to approve the Resolution?

Project Team	Minor changes to the PA can be made; however, substantive changes such as commitment of additional funds would need to go back to the City Council for approval.
HHF	Is FTA ok with DTS as a signatory?
FTA	Yes.

C. PA Comments received through October 16, 2009

Project Team	Comments have been received from HHF and NPS; still awaiting ACHP comments. A rating system was suggested to resolve acceptance or exclusion of Consulting Parties (CPs) comments. Independent ratings would be completed by each of the three signatories and rated as follows: 1) Essential to PA, 2) neutral, or 3) excluded from PA.
All	After some discussion by the CPs, a decision was made not to rate outstanding comments received.
ACHP	ACHP is still working on comments and has a goal to return comments by Friday, October 23rd. ACHP will take into consideration all comments received from the CPs. For the record, and despite a recent news article in the Honolulu Advertiser which reported that signatures on the PA would occur today, ACHP has not agreed to endorse the PA. The PA will be reviewed by management on status as a signatory. It should be noted that the PA is FTA's agreement and FTA will ensure compliance and implementation of the PA.
HHF	In order to review all the input received to date, HHF requested that a matrix be developed that lists all of the provisions, what's outstanding and the reason(s) for acceptance or non acceptance of suggested provisions and various text changes.
Project Team	A matrix will be prepared and submitted to CPs when completed.
ACHP	There are still some outstanding concerns regarding the Alternatives Analysis process and how archaeological resources (burials) were considered in the analysis. For the Section 106 Administrative Record, a summary of this process should be documented.

OIBC	A letter from OIBC to FTA regarding OIBC's position on the PA process and their involvement in the overall process concerning burials was distributed to the CPs for information purposes.
FTA	Typically during the AA phase, a screening level analysis of various resources is completed. Usually, an in depth analysis is not completed during this phase. The process provided the public the opportunity to weigh-in on issues of concern.
Project Team	The cultural resources and archaeological studies that were done for purposes of the AA were broad. In 2005, OIBC had not been formally invited to participate. However, as FTA mentioned, the scoping process was a public process. A summary will be prepared to document what was considered (or not considered) regarding archaeological/burial resources during the AA process.

D. Process for Finalizing PA

FTA	If three signatories have issues, they need to work it out amongst themselves. This could include contacting specific CPs on specific issues.
Project Team	For next PA meeting, the Final PA will be distributed.
AIA	Spencer felt it would be premature to go to the City Council with the draft PA attached to the Resolution.
FTA	Ted felt that the next PA meeting, currently set for Monday, October 26, should be rescheduled. Also, FTA doesn't want to compromise the process and expressed concern about the City Council having a "draft" as the basis for their action
Project Team	The current version of the PA that is attached to the Resolution contains the basic concepts that have been agreed to by the CPs. Any new changes to the Final PA are not likely to be substantive. This 4-month PA process needs to be concluded and the Project Team needs support from FTA and the CPs to complete this process.
NPS	Staff from NPS, NTHP and SHPD has meetings all next week in Honolulu at Pearl Harbor. They would be unavailable to meet for the next PA meeting, if scheduled for October 26. Further, they would have insufficient time to review and provide meaningful comments to a Final PA.

NTHP	Betsy requested that an informal meeting of NPS/NTHP/SHPD/FTA/Project Team be held on October 26. Agreement with these entities to hold the meeting was reached.
Project Team	A suggestion was made to develop yet another version of the PA that reflects NPS' comments and once ACHP' comments are in hand, to reissue adding ACHP's comments.
ACHP	Blythe requested that another version of the PA <u>not</u> be developed and distributed but await receipt of ACHP's comments before reissuing as Final. Instead, distribute the matrix.
Project Team	Proposed schedule would be as follows:

Receive ACHP comments	Fri Oct 23
Distribute matrix	Wed/Thur Oct 21- 22
Finalize PA	Mon Oct 26
Review Final PA by CPs	Tues/Wed Oct 27- 28
Legal Sufficiency PA review by ACHP, FTA & NPS	TBD

FTA	Jim stated that FTA is conferring internally on whether they want a draft PA before the City Council.
Project Team	Faith clarified that it is not the Final PA that is at issue but rather approving DTS' ability to sign the PA. This matter will be discussed further with FTA after this meeting.
Next Meeting	To be determined.