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**From:** Miyamoto, Faith  
**To:** 'Blythe Semmer (bsemmer@achp.gov)'  
**CC:** Ted.Matley@dot.gov; James.Barr@dot.gov  
**Sent:** 11/12/2009 4:29:07 PM  
**Subject:** FW: Honolulu Transit Section 106 and Navy lands

Hi Blythe -

Just wanted to give you a "heads up" that this Navy issue may be brought up at tomorrow's Section 106 CP meeting. Kiersetn raised the issue again in her final comments on the PA. See Comment No. 4. You may be called upon to provide an interpretation of the Section 106 rules.

Looking forward to a good meeting tomorrow. Thanks for all your help.

Faith Miyamoto  
Department of Transportation Services  
City and County of Honolulu

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			including demolition, physical occupation of the site, damage from noise or vibration, effect on setting, feeling or association, etc.
4	4, 1 <sup>st</sup> Whereas Clause	States "the Project will cross lands controlled or owned by the Federal Government..."	Which Federal agency(s) owns the land? By providing a right of access, that Federal agency may have its own undertaking, in which case it will need to comply with Section 106 for that undertaking. Are those federal agencies invited signatories to this PA? Will another PA need to be developed? How will that affect the project schedule and final clearances?
5	6, Stipulation III	Identification and Protection of Archeological Sites and Burials	Methodology for approving the surveys and plans should be included. HHF defers to OIBC on this matter, and notes that OIBC has requested "inclusion of the OIBC in decisions regarding the approval of the AIS Plan, AIS, Archaeological Monitoring Plan, and Burial Treatment Plan."
6	6, Stipulation III.A.2	Archeological Inventory Survey (AIS)	Methodology for conducting the survey should be included. HHF defers to OIBC and SHPD on appropriate methodology, but notes that OIBC has requested that the AIS "include a 100% subsurface investigation by archaeological excavation (rather than by ground penetrating radar that would be ineffective in sand deposits) of every area to be affected by ground disturbance, including but not limited to the locations of columns, stations, traction power substations, and utility relocations."
7	9, Stipulation IV. A.	States that "the city shall be guided by the Secretary of the Interior's Standards for the Treatment of Historic Properties..."	Should change this to say that the City shall follow the Secretary of the Interior's Standards for the Treatment of Historic Properties.
8	10 and 11, Stipulation V.	Allows for SHPD opportunity to comment on both Historic Context Studies and CLRs, but only requires the City to consider comments while preparing the final version.	The City should need SHPD's concurrence on the final drafts before they are complete.

-----Original Message-----

From: Kiersten Faulkner [mailto:kiersten@historichawaii.org]

Sent: Friday, October 30, 2009 6:48 AM

To: bsemmer@achp.gov; James.Barr@dot.gov; pua.aiu@hawaii.gov

Cc: betsy\_merritt@nthp.org; Miyamoto, Faith; elaine\_Jackson-Retondo@nps.gov; Kiersten Faulkner

Subject: Honolulu Transit Section 106 and Navy lands

Blythe, Jim and Pua:

In reviewing the outstanding issues related to the Honolulu Rapid Transit project and Section 106, I have a note that says Navy may be subject to its own Section 106 requirements for this project. I believe the question was whether or not the corridor transects federal land and if Navy is conveying a right of access.

Has anyone checked the title for the right of way that transects Pearl Harbor and the mauka

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lands (CINCPAC, Little Makalapa, etc.)? Has the issue of a Navy undertaking been checked and resolved? Can someone document the outcome for me, please?

Thank you,  
Kiersten Faulkner  
Historic Hawaii Foundation