

FTA is requiring the City and County of Honolulu to be an Invited Signatory to the Section 106 (Historic Preservation) Agreement for the Honolulu High Capacity Transit Corridor Project (along with the Hawaii State Historic Preservation Officer, the Advisory Council on Historic Preservation, and FTA). This is a standard FTA practice for the grantee to be a full signatory to a historic preservation agreement, which requires significant action by the grantee during final design and construction.

Given that a Full Funding Grant Agreement will not be in place until sometime in the future (the project is not yet approved into PE), and that the City is contemplating project actions before that time through Pre-Award Authority and Letters of No Prejudice, FTA is concerned that there be sufficient legal mechanisms in place to ensure compliance by all parties in the Section 106 requirements.

FTA understands that the City has determined that a City Council action is required for the City to enter into a binding agreement such as the Section 106 agreement. FTA does not believe that any additional time required for this action will significantly affect the project timeline and will provide for a higher degree of visibility and information among local officials of the mitigation activities that will be necessary as part of the project.

FTA has prepared three major EISs in the past (in the 1980's, in the 1990's, and in 1999-2003) on New Starts projects in the same general Honolulu corridor, and none of these New Starts projects has been built. All died due to local opposition or state and local funding shortfalls. If the current project is destined to suffer the same fate in a City Council vote, it would be better if that happened sooner rather than later, after more funds have been wasted on project planning and design.