

Assum-Dahleen, Laura

From: Assum-Dahleen, Laura
Sent: Wednesday, September 02, 2009 1:04 PM
To: 'Blythe Semmer'; 'amy@aiahonolulu.org'; 'Jeff'; 'aspencer@hawaii.edu'; 'deepak@hcdaweb.org'; 'katie@historichawaii.org'; 'Kiersten Faulkner'; 'malamapon@aol.com'; 'frank_hays@nps.gov'; 'Elaine_Jackson-Retondo@nps.gov'; 'Brian_Turner@nthp.org'; 'Betsy Merritt'; 'Hinaleimoana Falemei'; 'Kawika McKeague'; 'Kehau Abad'; 'keolal@oha.org'; 'chazinhawaii@aol.com'; 'Sherry Campagna'; 'Nancy.A.McMahon@hawaii.gov'; 'pua.aiu@hawaii.gov'; 'Susan.Y.Tasaki@hawaii.gov'; 'john.muraoka@navy.mil'; 'pamela.takara@navy.mil'; 'Faith Miyamoto (Honolulu DTS)'; Foell, Stephanie; Hogan, Steven; 'Leland Chang'; 'Nalani E. Dahl'; Zaref, Amy; 'Judy Aranda'; Zaref, Amy; 'james.barr@fta.dot.gov'
Cc: 'rtam1@honolulu.gov'; 'bnagao@honolulu.gov'; 'kpatterson@honolulu.gov'; Hogan, Steven; Spurgeon, Lawrence; 'Faith Miyamoto (Honolulu DTS)'
Subject: Section 106 Meeting updated Sep 3

Aloha!

As discussed, the next Section 106 Meeting will be tomorrow at 8 am to 10 am (HST) at the ASB Tower, PB offices, 24th floor.

Telephone Access: 1-888-742-8686, Conference ID 3784294

Mahalo!

10/26/2009

AR00061076

September 3, 2009

MEMORANDUM

TO: Section 106 Consultation Process Participants
FROM: Leland Chang
SUBJECT: Notes From Today's Session

Aloha. I am forwarding the notes from this morning's (Thursday, September 3rd) session. I look forward to continuing with our process at our meeting next week.

Mahalo.

**Brainstorming Potential Responses
to Outstanding PA Elements and Issues**

Main Street

Valuable because it would address cumulative individual effects and overall impact on Oahu; it would help with managing historic resources; bigger picture approach; represents a package of tools

- a. Need for tools and analysis on front end. What's happening to these resources?
- b. More discussion regarding cumulative effects and possible mitigation
- c. Collective approach – multiple resources in one area
- d. Documentation and education for property owners regarding National Register
- e. Main Street is a resource for businesses in historic preservation and economic development

Certified Local Government

Allows counties to define important properties. CLG reviews permit applications and design guidelines. Honolulu has a historic preservation program (planned but not implemented). With the database of defined important properties, when a permit is submitted for a defined property, it is red flagged early and mitigation can be approached right away. Provides local involvement and city-level management. It is proactive.

- a. Additional assessment; ongoing monitoring, investigations
- b. The advantage of a PA is that it provides for ongoing consultation

Delay in Executing PA until after consultation on identifying resources to be studied

Important not to delay because each day of delay adds costs. 106 process has been moving along for some time. Need PA to obtain ROD

- a. City scopes studies with Concurring Parties
- b. Finish studies expeditiously
- c. PA - develop SOWs by time certain; then execute the PA and engage in consultation as studies proceed
- d. PA states the process
- e. Arrange study plans according to phases

Height of the Line

Flexibility in adjusting height for parts of the route would have greater benefit for historic resources.

- a. 106/NEPA (EIS) process – alternatives have been addressed
- b. Elevated some places, at-grade for others
- c. PA is for the project as planned. Significant changes would mean going back to the beginning

OIBC - Invited signatory [OIBC was not present at the time this was discussed]

- a. FTA amenable to involved parties signing as concurring parties
- b. FTA will consult with ACHP and SHPD re. the request by OIBC to be an invited signatory

Define alternatives suitable for discussion

- a. Other kinds of mitigation (relates to item re. balance of documentation and other forms of mitigation)

Public access to database

- a. City will provide all materials and data
- b. Offers to any appropriate body which can maintain a searchable database
- c. Researchable
- d. Need to partner with another agency and City will assist transfer.
- e. City maintains database
- f. Some information is sensitive. Need to screen. Not all should be publicly available.
- g. Create protocol for what to make available (DPP-DLNR)

Creative Zoning

- a. CLG could help with this
- b. DPP has architectural guidelines for special districts; TOD will be treated in a similar way with new overlay zoning
- c. Ordinance 0904

September 3, 2009

Outstanding PA Elements and Issues

1. **Main Street**
 - a. Cumulative individual effects
 - b. Overall impact on Oahu
 - c. Help with managing historic resources
 - d. Bigger picture
 - e. Package of tools / economic development
 - f. Need for tools / analysis on front end. What's happening to these resources?
 - g. More discussion regarding cumulative effects and possible mitigation.
 - h. Collective approach – multiple resources in one area.
 - i. Documentation and education for property owners regarding National register
 - j. Main street is a resource for businesses in historic preservation and economic development.

2. **Certified Local Government**
 - a. Counties can define important properties.
 - b. CLG reviews permit applications and design guidelines.
 - c. Honolulu has a Historic Preservation program planned but not implemented.
 - d. With the database of defined important properties, when a permit is submitted for a defined property it is red flagged early and mitigation can be approached right away.
 - e. Local involvement.
 - f. City level management.
 - g. Proactive.
 - h. Additional assessment; ongoing monitoring, investigations
 - i. The advantage of a PA is that it provides for ongoing consultation.

3. **Delay in Executing PA until after consultation on identifying resources to be studied**
 - a. Will scope studies with Concurring Parties
 - b. Finish Studies expeditiously
 - c. PA – SOW by time
 - d. PA is executed and consultation continues as studies proceed.
 - e. PA states the process.
 - f. Focus study plan according to phases.

4. **Height of the Line (Alternatives)**
 - a. Flexibility – greater benefit for historic resources.

- b. 106/NEPA (EIS) process – alternatives
 - c. Elevated some places, at-grade for others
- 5. OIBC – Invited signatory
 - a. FTA amenable to consulting parties – ACHP, SHPD as concurring parties.
 - b. FTA will consult with ACHP and SHPD
- 6. Define Alternatives suitable for discussion
 - a. Other kinds of mitigation
- 7. Public Access – Database
 - a. City provides all materials / data
 - b. Offers to any appropriate body
 - c. Researchable
 - d. Need to partner with another agency and City will assist transfer.
 - e. City maintains database
 - f. Some information is sensitive. Need to screen. Not all publicly available.
 - g. Create protocol for what to make available (DPP-DLNR)
- 8. Creative Zoning
 - a. CLG could help with this
 - b. DPP has architectural guidelines for special districts which include TOD
 - c. New overlay zoning
 - d. Ordinance 0904

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

**Section 106 Consulting Parties Meeting
PB Americas Office, 1001 Bishop Street, Suite 2400
Thursday, September 3, 2009
8:00 a.m.**

Meeting Notes

- A. Welcome and Introductions [Leland Chang]
Thank you for your continued participation.

- B. Meeting Purpose and Groundrules [Leland Chang]
We want to review the Outstanding PA Elements and Issues identified at the September 2, 2009 meeting and work toward resolution of these issues. Can we move from the realm of 'No Way' to 'Possible'?

- C. Agenda Review [Leland Chang]

- D. Opening Statements
 - a. OIBC [Kehau Abad]
Major decision to a given route and given technology prior to these studies. Their power allows them to protect burials in place. There is a real possibility that they can only preserve 2 of 4 burial sites. Fundamental concern. Previous decisions truncate OIBC responsibility at these sites.
 - b. NPS [Elaine Jackson-Retondo]
FTA Answer Questions Section 106 Consultation Schedule and parallels with NEPA – issues in EPA assessment of the DEIS. EPA recommendation in DEIS to address the potential impacts of the extensions - this could affect the contents of the PA.
 - c. FTA [Ted Matley]
This is a linear process and we have defined through our email correspondence FTA's position on where the project is in this process.
 - d. Project Team [Lawrence Spurgeon and Faith Miyamoto]
The team offers the following for consideration and resolution:
Architectural Historian
The City shall include an architectural historian on the Project through the completion of Project construction. The historian shall oversee completion of the elements of this PA, coordinate with the SHPD regarding the elements included in this PA, and coordinate with the Department of Planning and Permitting regarding land use planning activities, including transit oriented development, in the vicinity of project stations.

IX.

B) This PA identifies all reasonably foreseeable effects caused by the Project to historic properties within the area of potential effect. Should any Signatory identify potential additional reasonably foreseeable effects of the Project after the execution of this PA, the FTA shall determine if the identified effect constitutes an adverse effect and shall request concurrence of the finding from the SHPD and consult with the Signatories to determine appropriate mitigation commensurate to the effect.

X.

F) The City shall consult with the OIBC to develop an approach for consultation regarding any iwi kupuna discovered during the archaeological inventory survey. The City shall complete a draft approach for OIBC review within six months of the adoption of this Programmatic Agreement.

VIII.

D) The City shall undertake a Humanities Program to enhance visitor and resident exposure to the depth of history and culture in the vicinity of the Project. The City shall approach island schools to propose and develop the content for the materials included in Stipulation VIII.

e. ACHP [Blythe Semmer]

We assume that this is a general process that provides for ongoing consideration. We should work further to develop specifics and timelines.

E. Outstanding PA Elements and Issues [Leland Chang]

Please refer to Memorandum from Leland Change on Notes from Today's Session

F. Next Steps

Next meeting scheduled Thursday, September 10 or Friday, September 11, 2009. Project team will poll and advise.