

Federal Transit Administration (FTA)
 Document Review & Concurrence Form

CONCURRENCE BROUGHT FORWARD
 BY Sharon Buckner
 12-8-08

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The Honorable Dirk Kempthorne
 Secretary of the Interior
 Department of the Interior
 1849 C Street, N.W.
 Washington, DC 20240

Re: Honolulu High Capacity Transit Corridor Project

Dear Secretary Kempthorne:

The purpose of this letter is to notify you, pursuant to 36 C.F.R. § 800.10(c), of a consultation involving the Pearl Harbor National Historic Landmark (NHL) and to invite you to participate.

The City and County of Honolulu, Department of Transportation Services (DTS), is proposing to construct an approximately 20-mile elevated guideway transit system in Honolulu. The environmental study area is the travel corridor between Kapolei and the University of Hawai'i at Mānoa and Waikīkī. This corridor includes the majority of housing and employment on O'ahu.

Implementation of the project may have an adverse effect on the Pearl Harbor NHL, a large parcel of land in some of the most densely populated areas in Honolulu. Despite measures to minimize harm, if the project is to serve these population areas, it would impact the Pearl Harbor NHL, although the locally preferred alternative under consideration would only impact approximately 0.6 acres of the more than 12,600-acre Park. There would be no impact to any buildings or structures, and the impact would not harm the historical, archaeological and cultural qualities of Pearl Harbor NHL. A map of the study corridor and a map of the potentially impacted area are enclosed.

It may be possible that impacts to the Park qualify for a *de minimis* finding. See 23 C.F.R. § 774.17(4) and (5), 73 Fed. Reg. 13368, 13400 (2008). In this case, a *de minimis* impact finding may be made by FTA only in consultation with DTS, the Hawaii State Historic Preservation Officer, and the Department of the Interior, National Park Service as the official agency with jurisdiction over the protected resource. In the context of the consultation process, the conferees would have to agree upon measures necessary to eliminate any adverse effect on activities, features, and attributes of the resource and engage in all possible planning to minimize harm. Should the conferees

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