
From: Miyamoto, Faith
To: 'Natasha Baldauf'
Sent: 7/30/2010 4:56:37 PM
Subject: FW: Kokua on School Assignment Regarding Rail Project

Hi Natasha –

Section 106 of the National Historic Preservation Act and HRS Chapter 6E are both laws that protect historic resources. HRS Chapter 6E in particular, protects pre-discovered and inadvertently discovered native Hawaiian burials.

The Section 106 programmatic agreement prepared for the Rail Transit Project primarily addresses federal historic preservation requirements under Section 106. The Section 106 programmatic agreement was developed over a period of months in consultation with over 30 interested organizations including the State Historic Preservation Division (SHPD), the Oahu Island Burial Council (OIBC), and federal and state agencies. Consequently, the document reflects not only what Section 106 requires, but also what the parties agreed to.

You will find that the Section 106 programmatic agreement also addresses HRS Chapter 6E. The Section 106 programmatic agreement does not replace HRS Chapter 6E compliance. As you saw from your review of the technical reports, the entire project was studied for impacts to historic sites and native Hawaiian burials. There were no known or discovered burial sites within the project area, but the study did make a determination that the likelihood of discovering burial sites was higher in some areas than in others. In addition to the technical reports, and prior to construction, archaeological inventory surveys (AISs) will be conducted. Pursuant to HRS Chapter 6E, the state or City permit granting authority will be required to notify SHPD when the project applies for permits (e.g., grading and grubbing) if the AIS shows that the project may impact a burial or other historic site. This would also include coordination with OIBC for pre-discovered burials.

Historic and native Hawaiian burial resources are very important to the City. Initial project planning included measures to avoid, minimize, and/or mitigate impacts. By conducting an AIS prior to construction, the project will be able to further address these resources. In most cases, the project anticipates that it will be able to avoid these resources through refinements in final design; e.g., by relocating or removing columns.

Thank you for your interest in the project.

Faith Miyamoto

From: Natasha Baldauf [mailto:natasha.baldauf@gmail.com]
Sent: Wednesday, April 14, 2010 2:15 PM
To: Miyamoto, Faith
Subject: Re: Kokua on School Assignment Regarding Rail Project

Aloha Faith,

I really appreciate your response to my email and pointing me to the Rail Project's website for the necessary technical reports. After conducting my research, I have a question that I would like to get clarification about, given your involvement with the Rail Project, I hope that you can help me with this.

From my understanding, the City, SHPD, and FTA have chosen to enter into a Programmatic Agreement to govern the treatment of archaeological and other historic resources. I perused our state historic preservation administrative rules as well as the federal historic preservation regulatory framework, but only the federal regulations state that PA's are an option as an alternative to the normal section 106 process. I know that this isn't the first PA that the State or City has entered into, so I was wondering if you could point out to me the state administrative rule or statute that allows for the City to bypass our normal section 106 process pursuant to Haw. Rev. Stat. 6E. It must be there, because I know this isn't a groundbreaking move (since it's been done before), but I just can't find it. I think if I had this bit of information, it would make my paper a little more complete. I really appreciate your kokua.

I'll wait to hear from you.
Natasha Baldauf

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On Tue, Feb 9, 2010 at 11:47 AM, Miyamoto, Faith <fmiyamoto@honolulu.gov> wrote:
Hi Natasha –

You can go to our website at www.honolulustransit.org to look at some of the technical reports that the project has prepared. Also, the project has been coordinating with the Oahu Island Burial Council. You can view their meeting minutes at the State Historic Preservation Division website.

Hope this helps.

Faith

From: Natasha Baldauf [mailto:natasha.baldauf@gmail.com]

Sent: Thursday, February 04, 2010 11:14 AM

To: Miyamoto, Faith

Subject: Kokua on School Assignment Regarding Rail Project

Aloha Faith,

My name is Natasha Baldauf and I am a student of the University of Hawai'i. I am writing a paper on the City's Rail Project, specifically focusing on how the City is taking steps to prevent disturbance of Native Hawaiian burials. I understand that you work for the City's Department of Transportation Services so I was hoping that you could provide me with any information you have that you think would be pertinent to my research so that I can gain a complete picture of the City's role. Any information to that effect would be greatly appreciated!

I will wait to hear from you.

Mahalo Nui,
Natasha Baldauf