Elizabeth Merritt
National Trust for Historic Preservation
1785 Massachusetts Avenue, NW
Washington, DC 20036

Brian Turner
National Trust for Historic Preservation
1785 Massachusetts Avenue, NW
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Dear Ms. Merritt and Mr. Turner:

Thank you for your letters of October 22, 2009 and November 23, 2009 commenting on the draft 106 Programmatic Agreement (PA) for the Honolulu High-Capacity Transit Corridor Project (HHCTP). The FTA appreciates the participation of NTHP staff in the 106 process.

It is the purpose of NEPA to foster excellent environmental action and the process is intended to help us make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment. It is the intention of FTA to meet the requirements of NEPA, and we agree with NTHP that our NEPA document must meet a these legal sufficiency requirements. To this end, FTA is currently reviewing the Administrative Final Environmental Impact Statement and Section 4(f) Evaluation (AFEIS) for the HHCTP.

The avoidance of Section 4(f) resources is an important consideration in designing and screening of alternatives. We expect that our analysis will be persuasive in demonstrating that the majority of public parks, recreational resources and historic resources identified within the study corridor were specifically avoided by the HHCTP, and that we are developing a transit project that causes the least overall harm to these resources.

In your October letter, you accurately point out that under Section 106, FTA is responsible for determining "reasonably foreseeable indirect and cumulative effects." FTA is attempting to meet this responsibility under NEPA by reviewing all planned and proposed development projects within or adjacent to the Area of Potential Effect (APE). We agree that it would be helpful to monitor historic property demolition in the APE and advise the PA conferees regarding the on-going condition of historic properties in the project area. We support such a stipulation in the PA.

However, we remain concerned that future changed land use conditions in the corridor may not be project related. Again we are tasked under NEPA with determining what impacts are related to the project and what impacts are reasonably foreseeable. There is a stipulation under discussion in the draft PA called Measures to Address Reasonably Foreseeable and Cumulative Effects Caused by the Project. We trust that through continuing negotiations, the stipulation in the final PA will effectively address NTHP

concerns about future demolitions and FTA's concerns that its 106 responsibilities are not open-ended.

With regard your concern about restricting future consultation to "concurring" parties: FTA and the participating parties have modified the draft 106 PA language so that it will not restrict the participation of any consulting parties. All participating parties will be able to review, comment, attend kick-off meetings and otherwise participate in all future 106 consultations.

Your November letter discussed the issues of the accuracy APE maps attached to the PA and the Makalapa Historic District boundaries. FTA and the staff of the Hawaii State Historic Preservation Division (SHPD) have been working with HTS to ensure that the PA attachments will be accurate, up-to-date and delineate the proper boundaries of the APE.

With regard to the accuracy of boundaries for Makalapa, on January 25, 2010, the Commanding Officer of the U.S. Navy at Pearl Harbor sent a letter to DTS clarifying the historical and cultural significance of Makalapa. In his letter of the Commander stated that the station's "Integrated Cultural Resources Management Plan (ICRMP) provides guidelines for the appropriate treatment of cultural landscape features, buildings and structures." The letter goes on to state that "the ICRMP should not automatically be assumed to indicate a specific historic or cultural significance."

The Navy's ICRMP for the Pearl Harbor Naval Complex has depicted a single Makalapa Housing Zone, with two distinct sub-areas since 2002. The City, with the concurrence of the SHPD, chose to evaluate the two housing areas as separate districts rather than a single Makalapa Housing Zone. It is the Commander's opinion that, "the Navy does not disagree with the approach taken by the City." With the concurrence of the SHPD and the Navy, FTA supports the finding that the Makalapa Housing area consists of the separate contributing sub-areas of Makalapa and little Makalapa.

The PA Signatories are currently completing the final edits on the Section 106 Programmatic Agreement for the HHCPT. Thank you again for your continuing participation in this process.

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Leslie T. Rogers
Regional Administrator, FTA Region IX

Cc
Ted Matley, Ray Sukys and Jim Barr, FTA
Blythe Semmer, Charlene Vaughn and Reid Nelson, ACHP
Elaine Jackson-Retondo and Frank Hays, National Park Service

Lore Aguayo, Navy Region Hawaii
Pua Aiu, Nancy McMahon and Susan Tasaki, Hawaii State Historic preservation Division
Kawika McKeague, Chair, Oahu Island Burial Council
Faith Miyamoto, City and County of Honolulu
Lawrence Spurgeon, Parsons Brinckerhoff
Spencer Leineweber, (Ted: what is this persons association?)
Kiersten Faulkner, Historic Hawaii Foundation