

## Meeting Summary

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### Kāko’o Meeting

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*Date and Time:* **June 25, 2015, 10:00am**

*Location:* **Alii Place, 1099 Alakea Street, Honolulu, HI 96813**

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The following materials were distributed prior to and/or at the meeting:

- Meeting Agenda
- Meeting Summary – HART Section 106 Programmatic Agreement Meeting (May 21, 2015)
- Review and Disposition of Comments Made Under Stipulation IX.D (June 12, 2015)
- Email from the Kāko’o to Consulting Parties re: HART vs Department of Transportation Responsibilities under the PA (June 18, 2015)
- Letter from the Department of the Navy to Leslie Rogers (FTA) re: Notification of US Navy Real Estate Actions in Support of the Honolulu High Capacity Transit Corridor Project, Honolulu, Hawai‘i (June 2, 2015)

#### WELCOME AND INTRODUCTIONS

The meeting was called to order at 10:02 am and started with self-introductions. This meeting is a regularly scheduled monthly meeting convened by the Kāko’o with the PA Consulting Parties. The items to be discussed in this meeting are included in the action items identified in previous meetings and forwarded by the Kāko’o to the Consulting Parties. This meeting will also provide updates on design of the Downtown Station.

#### REVIEW OF NOTES FROM 21 MAY MEETING

There were no comments on the notes made at the meeting. In the past everyone has thirty days to review and comment. If comments are not received within the next thirty days, the notes are posted on the project website.

#### REVIEW OF ACTION ITEMS

The following is a summary of items listed on the agenda as “Action Items.”

- The procedure for comments and posting of meeting notes was reconfirmed.
- No further comments were received on the Process Flowchart and it is now considered final. The final version was sent to all parties on June 12 and will be on the HART website.
- Clarification on the issue of HART vs the Department of Transportation Services was received. The relevant documents were sent to all parties by the Kāko’o on June 18.
  - HHF recommended that the document be attached to the PA.
  - Question: Anytime we see DTS should we address to HART? Yes.
- The issue of indirect and cumulative effects outlined in the PA is still pending and may be a topic in the July meeting.

UPDATE ON DESIGN PLANS FOR DOWNTOWN STATION. PRESENTATION BY HART  
STAFF FOLLOWED BY DISCUSSION

The presentation was conducted by Ken Caswell, Chief Architect for HART.

Ken did not attend the 2/27/14 meeting where the HART design consultant presented the conceptual design for the downtown station. The purpose of this presentation is to present an update.

HART is continuing to search for ways to develop the process in a cost effective method. HART has decided to utilize what is called a design-build method of construction rather than the previous design-bid process as previously planned.

Question: What is the distinction between design-build and design-bid? *The design consultant in the design-bid process completes plans and these are presented to qualified contractors and they submit a fixed price bid but they have no participation in the design of the systems. In design-build, a more teaming scenario takes place. The contractor and in-house designers work with HART requirements and utilize their construction technologies and experiences. This makes it more efficient and cost effective. As examples, if we specify a construction method that requires a specific crane they may need to buy it. If they have the option of using their other equipment, they don't have to buy the crane which will reduce cost.*

The design-build construction contractor has more input in the design as developed and their in-house staff can make recommendations for improvement. The work presented in February has been halted. HART is now seeking bids from a design-builder.

The work presented in February has not changed. The basic status regarding the downtown station is that we are re-looking at the construction method with minor modifications and the design-builder will be confined to the design shared last February. But the new vendor can make recommendations for changes. The design-build package is scheduled for release later this year. The contractor's design team will be required to have an SOI qualified architect on staff. HART will provide preliminary engineering and design plans for any stations relevant to the PA. When the design builder submits these documents, the information will be shared with the CPs.

Question: Are the other stations in West Oahu were design-bid? *Yes. The current six stations, already awarded, were design bid.*

Question: Why are the downtown stations different? *The cost will be improved if we use design-build. Design-build will be used at all other stations including the airport station group.*

Question: Which category is Pearl Harbor station? *It is in the airport station group and part of the design-build package to be released later this year.*

Question: Is this new procurement for all of the downtown stations? *The eight stations will be in a single design-build package. The four in the airport station group will be the*

*same. The airport station group will be going out in the next 2-3 months. The city station group in late 2015.*

Question: When we had the design presentation, they were looking into a design alternative that would move the touchdown into the Pacific Guardian Center. Update? *This concept with the entry structure area utilizes part of the Pacific Guardian Center. This concept will be presented to the design-builder. We are still in negotiations with the property owner.*

Comment: HHF was supportive of that concept.

Question: The other issue was the pedestrian issue with capacity along Ala Moana, Alakea and Bishop. Will this issue be addressed in the design? *We are working with HDOT to improve the sidewalks along Nimitz and to improve the pedestrian flow along Bishop. There will be some improvements along Alakea and Richards. We are looking at the pedestrian flow.*

Comment: On the makai side the touchdown is next to HECO and Irwin Park. The park improvement plan was to integrate access to the station. *The actual park is outside the station boundary. We are looking at the pedestrian follow along Nimitz and at the intersection. We want to make certain this is well thought out. Crossing will be both ground level and on a second level concourse. A pass or ticket will be required to use the concourse. We have to discuss this with HDOT.*

On the Irwin Park issue, HART is bringing on a specialist in July with landscape architect background who will be assigned to the parks improvement plan. He is a design landscape architect. In late July or early August we will have a kickoff meeting with the CPs. This is specifically for the parks in the downtown station area and at Mother Waldron Park.

Question: Regarding the airport group procurement and specifically the Pearl Harbor Station. Does the design-build process change the timing? When is the second Pearl Harbor Station workshop occur? *Makalapa ones cannot happen without the nominations going to NPS. The design-builder will have a hand with HART to develop a construction schedule.*

Question: Will the design-builder be aware of the timing constraints in the PA. Are they aware of the benchmarks? *HART will work with the design-builder to factor in their schedule these situation. The design-builder only knows what we tell them which is voluminous. We will be factoring in these schedules. Planning needs to make certain that this information is put into the design-build constraints. The PA will be at the forefront of the package. It is not supplemental but must be adhered to.*

The layout of the stations, the concepts have not significantly changed. The design-builder will be constrained with the current configuration. Some changes may occur in materials and minor changes, but the concept will remain the same.

Question: Regarding Chinatown, the initial design included demolition of historic buildings. A follow up design preserved the building. *That is the plan. We need to make sure the contractor does not get near those buildings.*

Questions: Are these stations still following guidelines to save money by eliminating elevators, escalators and bathrooms? *What guidelines or documents are you referring to? We will provide a level of amenity to our patrons. Access and use is important, while we are being cost-effective, we will have elevators and restrooms at all stations, and a lot of other amenities at these stations. We are providing all ADA requirements, circulation requirements, universal design and a host of things. We are not doing anything that will hinder use of the station. We are value engineering to make sure what we put in is absolutely necessary. These are highly sophisticated stations.*

#### UPDATE ON MAKALAPA NOMINATIONS AND LAND TRANSFER PROCESS

Jessica recently received an updated version of the nominations from Stanley but has not had a chance to review them yet. This will be done as soon as possible and will make sure all previous comments are included. The review will determine if further work is needed. Otherwise it will be sent to the Navy. If more work is needed, it will be circulated to the CPs. If there are lots of concerns it will be opened up again but this is not likely.

Comment: KCH will file an objection that cultural issues have not been identified. This includes the leina o ka uhane and the Malden trails. The shark god caves have been researched and documented. We want to make sure they are considered.

With the national nominations we are registering these two districts, it is not necessary. The nominations focus on specific resources. We could do separate nominations but it is not appropriate to go into every resource if they are not related directly to each other. A National Register nomination is not something in which to nominate multiple resources unless they are directly related to each other.

Question: If you have different periods of significance in the same geographic area can these overlap? *Yes. This is common in urban areas. Periods of significance are different.*

HART refers to the leina as a district. This is fine if HART relates it. SHPD and those in the historic and culture divisions are the ones to make the determination on how to identify the resource. Regardless of what HART relates it to – that's not the determinant. HART does not make the determination. SHPD does in consultation with other well versed individuals.

John Lohr, on behalf of the Navy, reminded everyone they were asked to comment on the conveyance. There are several real estate transactions the Navy was required to comment on. One of these is the conveyance of the land. In April 6<sup>th</sup>, the Navy consulted with the signatories to let them know and to seek consultation if there would be an objection.

Under Stipulation XIV.G in the PA, the Navy is meeting its requirement and commitment to the PA. As a signatory to the PA and as a cooperating agency of the EIS, the Navy has developed a ROD to meet its NEPA requirement. That letter has been provided to the CPs.

As a result of including this conveyance in the National Defense Authorization Act, this transfer is exempt from the base closure process. There is specific language in the Act that exempts this land from the normal process. While this transaction does not go through the GSA process, all other requirements still apply. This exemption does not apply to any other properties and is specific to this site.

Question: Are there historic properties present? The big issue with this site is the boundary determination between Little Makalapa and Big Makalapa and whether the station is in this boundary. *That is the issue that is supposed to be resolved through this nomination.*

*SHPD mentioned that in signatory discussions, the PA was reviewed. The PA states there is not an adverse effect. SHPD determined that they are two separate districts and in consultation with HART is confident with that determination. Historic properties have been identified and effect determined. When drafting the nominations, the boundaries were determined.*

John Lohr indicated the Navy has reviewed the nomination and the boundaries. The Navy provided HART with as much information as possible so they could write a nomination. The comments from the Navy and others was to make sure they can support the boundary in the nomination. The Navy is not saying the boundary is incorrect. We do not have a response to how these comments have been addressed.

Providing this land is a requirement. There is a process in the PA on how to resolve this. The federal preservation officer has signed off, following NEPA and the 106 process. If something comes up at some future date, there will be a process to address it.

Question: Are historic properties present? If present, is there an adverse effect? *(Jon) In the PA, Stipulation VI.C.1 indicates the city shall complete the NR registration forms for Little Makalapa and Big Makalapa. It was determined that there is no adverse effect.*

*(John Lohr) Through the EIS process there are mitigations that have been put to place to address all the adverse effects. In consultation with FTA, there was no objection that we would be able to move forward as long as we stay within the PA. We believe the mitigation to any historic property has been done or is in place. The conveyance of the land, the easement to relocate utilities has been addressed.*

Comment: The mitigation part of the PA addressed identified adverse effect. If an unaccounted adverse effect occurs we cannot say it has been mitigated. *(Blythe) All of us as participants in the PA process and with this specific decision have to operate on what we know at this point and we had to operate with that knowledge. It is always possible that something might change (or not). If something happens that we feel is*

*different and will cause changes in the project, then we use the provision within the PA to handle these changes.*

Comment: This is a situation where the city chose to remain deliberately ignorant since 2009. This issue was raised years ago and the city played chicken by refusing to resolve it and get the keepers' determination. The advisory council should not be tolerating it. *(Blythe) The CPs looked at that historic property differently than what we had from state and federal agencies. We did not have a disagreement that the keeper needed to resolve. The timing was moved up in response CP concerns regarding the design process. We factored that in.*

*(Jessica) When SHPD talked about this, we did discuss what if we are wrong? We felt even if that parcel of land contributed to both districts, the inclusion of the station would not be an adverse effect. These impacts would be mitigated through the special design in the PA. We did not try to kick a can down the road and tried to anticipate all potential outcomes and used these to make sure the PA covered this.*

Comment: If that parcel belongs to one district, there would have been a 4(f) issue. *(Mary) 4(f) is a separate regulation under Section 106. We did look at this through 4(f). Under 4(f), we are not having an impact. Section 4(f) would not preclude us from building a station at this location. What we have today does not change the analysis made before.*

Question: The Navy has already proceeded with utility work. What is the timing for land issues? *There are other requirements. It probably is several months to half a year away.*

Question: I don't understand how the cumulative effects do not apply: how is this not a taking of the land: It's not just building a rail line. There is more infrastructure. It is all causing these effects. *(Jessica) The PA outlines a process for evaluating property and what to do when new adverse effects are found. It's not that new information will not be considered. It is to evaluate if cumulative effects are occurring.*

Question: What is the timeline? *(Jessica) The nomination was received this week and this should be moved forward within the next two weeks and forwarded to HART and the Navy.*

### DISCUSSION OF TOPICS AND DATE FOR NEXT MEETING

The following items were suggested:

- If it's ready, can we get a report from the Humanities Program?
- Let's have the discussion on cumulative and indirect effects.
- Pearl Harbor Station – details on what we should discuss was requested by the Kāko'o.
- Parks planning should be moved to July.

An announcement was made on the upcoming Sustainable Chinatown series starting on June 30, noon at Lyons Associates. The Historic Hawaii Foundation is partnering with the Chinatown Improvement District with a lunch time series of talks on issues facing Chinatown. One of the issues plaguing Chinatown is graffiti. Through the PA, the historic preservation fund included a project for a technical study on graffiti. Results of that study will be presented. The historic preservation grant included money to remove graffiti. It will be opened up next year for applicants.

Kanehili Cultural Hui wanted to note that the June meeting on Hoopili was disrupted by protestors. Many people do not realize that people in West Oahu are not happy and not fooled. We need this on record so we understand that West O`ahu has issues, too, not just downtown.

The next meeting will be on the fourth Thursday in July, 10am at HART.

THE MEETING WAS ADJOURNED AT 11:36 p.m.

**Attending Consulting Parties & Signatories**

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Kiersten Faulkner	Historic Hawaii Foundation
Tanya Gumapac-McGuire	Historic Hawaii Foundation
Ted Matley	FTA (dial-in)
Betsy Merritt	National Trust for Historic Preservation (dial-in)
Jessica Puff	SHPD
John Bond	Kanehili Cultural Hui
Blythe Semmer	ACHP (dial-in)
Mary Nguyen	FTA (dial-in)
Valerie Strom	US Navy
John Lohr	US Navy
Elaine Jackson-Retondo	NPS
Umi Sexton	Aloha Aina Kupuna Iwi

**Attending Project Staff**

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Jon Nouchi	HART
Kawika Farm	HART
Stan Solamillo	HART
Paul Luersen	CH2M Hill/GEC III
Kathleen Chu	CH2M Hill/GEC III
Paul Cleghorn	Kākoʻo
Ken Caswell	HART
Lisa ( )	HART
Joseph Lapilio	Nakiʻi Ku (Facilitator)