



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
Arizona, California,
Hawaii, Nevada, Guam
American Samoa,
Northern Mariana Islands

201 Mission Street
Suite 1650
San Francisco, CA 94105-1839
415-744-3133
415-744-2726 (fax)

Mr. Daniel A. Grabauskas
Executive Director/Chief Executive Officer
Honolulu Authority for Rapid Transit
City and County of Honolulu
Alii Place, Suite 1700
1099 Alakea Street
Honolulu, HI 96813

APR 20 2012

Re: Determination of No Historic Properties
Affected and Authorization for
Commencement of Construction,
Honouliuli Ahupua`a Only

Dear Mr. Grabauskas:

The Honolulu Authority for Rapid Transit ("HART") has requested that the Federal Transit Administration ("FTA"): (1) concur that no historic properties within the Honouliuli ahupua`a will be affected by the Honolulu High-Capacity Transit Corridor Project ("Project"); and (2) permit construction to begin in the Honouliuli ahupua`a. FTA responds to those requests as follows:

Under Stipulation II of the National Historic Preservation Act Section 106 Programmatic Agreement for the Project, which was signed in January 2011 ("PA"), HART was required to conduct a phased evaluation of potential traditional cultural properties ("TCP") prior to the commencement of construction on each area evaluated. Consistent with that requirement, HART, among other things: (1) held public, consultation meetings to collect information to assist with the identification of potential TCP within the area of potential effects ("APE") of the Project; and (2) conducted an evaluation of potential TCP within the Honouliuli ahupua`a, the first of five geographic subdivisions within Section 1 of the Project.

HART's efforts to comply with Stipulation II of the PA have resulted in the preparation of the following documents, which comply with 36 C.F.R. § 800.11 and are consistent with the intent of National Register Bulletin 38:

- *Traditional Cultural Properties Report; Honouliuli Ahupua`a; Honolulu Rail Transit Project; Technical Memorandum*, Honolulu Authority for Rapid Transit (March 2012).
- *Preliminary Draft Report: Study to Identify the Presence of Previously Unidentified Traditional Cultural Properties in Sections 1-3 for the Honolulu High-Capacity Transit Corridor Project, Management Summary*, SRI Foundation & Kumu Pono Associates LLC, (March 26, 2012).

- *He Moololo Aina – Traditions and Storied Places in the District of Ewa and Moanalua (in the District of Kona), Island of Oahu; A Traditional Cultural Properties Study – Technical Report*, Maly & Maly (January 20, 2012).

FTA has reviewed HART's report entitled *Traditional Cultural Properties; Honouliuli Ahupua`a; Honolulu Rail Transit Project; Technical Memorandum* and related studies conducted to identify potential TCP within and near the APE of the Project. FTA has also reviewed HART's communications to the Hawai'i State Historic Preservation Division ("SHPD") requesting that it concur with HART's determination of no historic properties affected within the Honouliuli ahupua`a, as well as SHPD's concurrence letter, dated April 2, 2012, and SHPD's letter to HART, dated April 20, 2012. After reviewing these documents, FTA concurs that no potential TCP were identified within the APE of the Project in the Honouliuli ahupua`a and, as a result, the Project would not affect TCP within the Honouliuli ahupua`a. Therefore, FTA also has, in accordance with 36 C.F.R. § 800.4(d)(1), determined that no historic properties within the Honouliuli ahupua`a would be affected by the Project.

FTA acknowledges that only one potential TCP, Po`ohilo, was identified within the Honouliuli ahupua`a. However, mapping research indicated that Po`ohilo was located outside the APE of the Project and, thus, will not be affected by the Project.

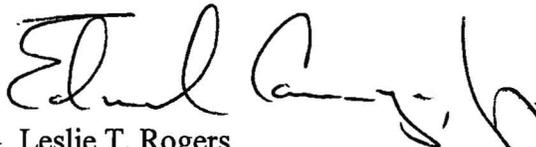
Moreover, FTA appreciates that SHPD commented on possible effects Project construction in Kapolei may have on water sources related to limu gathering at Oneula. However, based on geotechnical evaluations of the Project corridor and recent excavations, it is unlikely the Project will affect water sources related to limu gathering at Oneula.

Furthermore, FTA recognizes that portions of the Leina District are located within the Honouliuli ahupua`a. However, the pathway of the Leina District does not cross the APE of the Project within the Honouliuli ahupua`a. The Leina District does cross the APE of the Project further along the guideway of the Project outside the Honouliuli ahupua`a. The Leina District will be further evaluated in subsequent geographic subdivisions where it crosses the guideway of the Project.

As the Project will have no effect on historic properties within the Honouliuli ahupua`a, and given that HART has complied with the prerequisites set forth in the PA related to construction within the Honouliuli ahupua`a, FTA authorizes HART to commence construction activities in Honouliuli ahupua`a only. All construction activities within the Honouliuli ahupua`a must fall squarely within the scope of the Letter of No Prejudice, dated February 6, 2012.

Should you wish to discuss any of these issues, please contact Ted Matley, Community Planner, at (415) 744-2590.

Sincerely,


for Leslie T. Rogers
Regional Administrator