

Sample Letter of Section 106 Consultation Comment
From: An Organization With a Demonstrated Interest in the Undertaking
To: An Agency Proposing A Project With The Potential To Affect Historic Properties
Regarding: An Undertaking Which Is Funded in Whole or in Part
Under the Direct or Indirect Jurisdiction of a Federal Agency

[Date]

Mr. Donald Smith
Acting District Engineer, Kaua'i
Department of Transportation
Highways Division – Kaua'i District
1720 Haleukana Street
Līhu'e, Hawai'i 96766

[Name]
[Title]
[Agency]

Re: Kuhio Highway, Replacement of Hanamaulu (Kapaia) Stream Bridge
District of Līhu'e, Island of Kaua'i, Hanamaulu Ahupua'a
Federal Aid Project No. BR-05601(48)
Tax Map Key(s): (4)3-8-002:999 (Por.), 001 (Por.), 012; (4)3-7-001:001 (Por.); (4)3-7-004:009 (Por.); (4)3-8-006:999 (Por.)
HDOT Reference: HWY-K 4.150391

Dear Mr. Smith, [Mr./Ms Agency Official]

Thank you for referring the above mentioned project to Historic Hawai'i Foundation (HHF) under Section 106 of the National Preservation Act (NHPA). HHF received Hawai'i Department of Transportation (HDOT) letter of [date] opening consultation, containing the scope of work and attached exhibits. We appreciate being consulted about this undertaking and are providing comments below.

[Describe organization and identify standing]

Historic Hawai'i Foundation is a statewide organization established in 1974 to encourage the preservation of sites, buildings, structures, objects and districts that are significant to the history of Hawai'i. HHF is a consulting party to the Federal Highway Administration and its state and local partners pursuant to the implementing regulations of the NHPA at 36 Part 800.2(c)(5) as an organization with a demonstrated interest in the undertaking and a concern for the effects on historic properties.

HHF accepts the invitation to participate in the consultation for the Hanamaulu (Kapaia) Stream Bridge and efforts to avoid, minimize and mitigate adverse effects on historic properties.

Undertaking: The project would replace the existing Hanamaulu (Kapaia) Stream Bridge (built in 1933). The proposed new bridge may either be located in the same location as the existing bridge or adjacent to the existing bridge.

APE: The Area of Potential Effect (APE) includes the HDOT right-of-way and encompasses the area of the various alternatives as indicated on the maps submitted.

Identification of Historic Properties: HDOT determined that the Hanamaulu (Kapaia) Stream Bridge is eligible for listing on the National Register of Historic Places (NRHP) under Criterion 'C' as associated with early developments in concrete bridge construction in Hawai'i, and as a good example of a 1930's reinforced concrete girder bridge (Hawai'i State Historic Bridge Inventory & Evaluation 2013).

The “Archaeological and Cultural Resources” map submitted shows 12 cultural resources within the APE, six of which are designated “Historic” on the chart of identified cultural resources contained in the letter, including the Hanamaulu (Kapaia) Stream Bridge. The remaining six are listed as “indeterminate” for reasons that are not stated.

Determination of Effect: HDOT did not provide a determination of effect for the undertaking. However, per the regulations of the NHPA, demolition of an eligible historic resource is, by definition, an adverse effect. [36 CFR 800.5]

Historic Hawai‘i Foundation finds the proposed undertaking would be an adverse effect to the Hanamaulu (Kapaia) Stream Bridge.

Consideration of Alternatives: The National Historic Preservation Act (NHPA) requires:

The agency official [to] consult with the SHPO/THPO and other consulting parties, including Indian tribes and Native Hawaiian organizations, to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties. [36 CFR 800.6(a)]

Some alternatives to be considered for discussion include:

- Preservation of the Hanamaulu (Kapaia) Stream Bridge with repairs and rehabilitation consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties;
- Restoration of lost/altered character-defining features of the historic bridge;
- Structural rehabilitation of the existing structure;
- Develop a prototype in-kind replacement railing that meets both historic preservation standards and engineering requirements for use on the bridge.

Thank you for the opportunity to comment on this undertaking under the National Historic Preservation Act Section 106 and we look forward to continuing consultation to resolve the outstanding issues and adverse effects.

Very truly yours,

Kiersten Faulkner, AICP
Executive Director

Copies via email:

FHWA:	Federal Agency Contact
HDOT:	Local Agency Delegated to Consult
SHPD:	Architecture/Archaeology/Culture Branch, as appropriate