

**Queen Ka'ahumanu Highway Intersection Improvements for the Kaloko-Honokohau National Park and the Queen Ka'ahumanu Highway Widening, Kailua to Ke'ahole
Section 106 Mitigation Status - 2023 2nd Quarter**

Stipulation #	Item	Summary Description	Comment	Responsible Party	Date Due	Activities														Evidence of Completion
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STIPULATIONS REQUIRING COMPLETION																				
5b	NATIVE HAWAIIAN CULTURAL OUTREACH AND EDUCATION	NATIVE HAWAIIAN CULTURAL OUTREACH AND EDUCATION. The HDOT and the University of Hawaii at Hilo (UHH) have entered into a Memorandum of Understanding (MOU) to provide cultural programs and education to support Native Hawaiian Studies (See Attachment 4, UHH MOU, 2019). The FHWA and HDOT shall ensure that the MOU between HDOT and UHH to provide cultural programs is fully implemented over the duration of the MOU. The MOU includes the Kohala Center, as requested by Makani Hou, to help facilitate the contract and to provide a mechanism to better include local representation. UHH will provide annual reports documenting the activities of the past calendar year. HDOT will make the reports available to all consulting parties. If any activities were not accomplished, UHH will so note, including reasons goals were not met. HDOT and the CPs shall consult with UH on alternative timeframes and means to meet the goals of this stipulation if the activities could not be accomplished. FHWA will continue to report annual progress of Stipulation 5.B as required in Stipulation 19-MONITORING AND REPORTING of the 2015 MOA. By March 31, 2021, the HDOT and the UHH shall provide a timeline for the delivery of the first year of the five project areas of the MOU. The timeline will be distributed to consulting parties. Future timelines will be developed by UHH and HDOT annually to accommodate any need changes to tasks or schedule.		HDOT/UH Hilo	10/1/24	12/2016 HDOT in consultation with UH-Hilo to discuss action plan	4/7/17 Makani Hou expressed on interest in whether TKC or others may be interested and have the capacity to implement some of the outreach and educational programs. If so, there may be a possibility of TKC being a subcontractor under UHH. HDOT will await the results of the discussions	4/26/17 MOU distributed and posted on share site	9/2017 HDOT met with UH Hilo and the Kohala Center-The Kohala Center and UH Hilo will collaborate to fulfill the MOU stipulations	HDOT and UH Hilo have agreed to terms for partial funding of the project. Currently working on the transfer of funds	HDOT met with the Kohala Center and UH Hilo to continue collaborating on the MOU stipulations.	Draft MOU Amendment sent to UH by HDOT	Revised MOU including additional funds and the Kohala Center has been reviewed by attorney general and UH. Language is being finalized and funding being secured.	7/28/19 Per Makani Hou request, Don Smith distributed draft MOU to CPs via email and requested comments to the MOU by 8/23/19. No comments received	7/23/2019 UH signed revised MOU	9/2019 HDOT signed MOU	12/3/19 UHH met with Makani Hou to discuss scope of MOU	CONTINUED BELOW		
5b	NATIVE HAWAIIAN CULTURAL OUTREACH AND EDUCATION (CONTINUED FROM ABOVE)					03/10/20 Received UHH budget.	06/12/20 HDOT submitted Task Agreement to UHH for execution.	06/30/2020 HDOT/UHH executed task agreement. HDOT is in process of issuing a Purchase Order for the Task Agreement.	07/28/20 HDOT approved UHH Purchase Order; Effective Date of NTP is 07/01/20.	11/6/2020 Kick-Off Meeting was held with CPs.	2/2/21 Final notes from 11/6/2020 meeting distributed by HDOT to CPs.	3/31/21 Timeline for delivery of the first year of the five project areas of the MOU per Amendment 2 distributed by HDOT to CPs.	6/23/21 The UHH hired a Project Manager and graduate students for the oral history project and work on the Barrera collection. The subaward with the Kohala Center is being finalized and anticipated for July 2021.	7/30/21 UHH submitted its first Annual Report to HDOT for review.	9/26/21 HDOT posted the UHH annual report to the HDOT Website; on 9/28/21 Harry Takiue emailed the report and website link to CPs.	1/2/22 Project Manager has left UH 3/29/22 Project manager position is at RCUH to advertise.	6/30/22 UH is in the process of hiring a new project manager	CONTINUED BELOW		
5b	NATIVE HAWAIIAN CULTURAL OUTREACH AND EDUCATION (CONTINUED FROM ABOVE)					9/15/22 Harry Takiue emailed the 2022 report. It was posted to the HDOT website.	3/31/23 Barrera files have been scanned and UH is exploring a publicly available place to electronically store them.													
11	INTERPRETIVE SIGNS	INTERPRETIVE SIGN(S). The HDOT shall fund the NPS to research, design, and produce mutually agreed upon interpretive signs in consultation with NHOs relating to the history of the trails identified in the Queen Ka'ahumanu Highway Widening, Phase 2 Kealakehe Parkway to Ke'ahole Airport Road Project ROW near the Kaloko-Honokohau National Historic Park. The NPS will install these signs within the boundaries of the Kaloko-Honokohau National Historic Park and will also consult with NHOs on location.		HDOT/NPS	MOA between NPS, FHWA and HDOT for interpretive signs expires 5/2/22	2/10/17 Consultation with NPS	4/2017 Consultation with NPS	9/2017 The NPS proposed to FHWA and HDOT that the NPS Harper's Ferry Group design, manufacture and install sign(s). FHWA and HDOT are agreeable	11/2017 NPS staff at Kaloko-Honokohau (KAHO) in discussions with Harper's Ferry group on concepts for interpretive panel(s) for the visitor center.	3/13/2018 Concept proposed by NPS approved by HDOT/FHWA. Signs to be located at visitor center	6/20/2018 NPS and FHWA met to discuss details of agreement for designing and manufacturing signs and fund transfer	9/30/2018 FHWA drafted MOA for NPS to design, manufacture and install interpretive signs. Currently under legal/NPS/HDOT review	11/2/2018 Legal review by NPS complete	5/2/19 MOA executed for NPS to design, manufacture and install interpretive sign	7/2019 Fund transfer per MOA	8/2/2019 Harper's Ferry designers performed first site visit	11/2019 NPS is working with NPS regional office to transfer funds to Kaloko-Honokohau National Historic Park	3/6/2020 KAHOU staff and Makani Hou met to consult on interpretive sign concepts	CONTINUED BELOW	
11	INTERPRETIVE SIGNS (CONTINUED FROM ABOVE)			HDOT/NPS	5/2/2024	9/17/2020 KAHOU staff, ALKA staff, and NHOs met regarding possibility of silhouette signs in KAHOU park	9/17/2020 KAHOU staff, ALKA staff, and NHOs met regarding possibility of silhouette signs in KAHOU park	11/12/2020 NPS Harper's Ferry group completed Design Exploration Summary	2/11/2021 On site meeting held with CPs regarding interpretive signs	4/21/21 FHWA distributed Amendment to FHWA/NPS/HDOT MOA for interpretive signs extending MOA to CPs for comments due 5/5/21. No comments received	5/11/21 Amendment to MOA Executed until November 2, 2024	6/1/2021 Meeting notes distributed via email by HDOT	8/31/21 NPS initiated Section 106 consultation with their consulting parties for the installation of signs along trails within the Kaloko-Honokohau National Historic Park	3/5/22 Meeting was held to go over sign design on site.	7/1/22 Keola with NPS emailed draft schematic and cost estimate for silhouette sign project. Draft schematic included with 2nd quarter report. Comments are due 7/25/22	8/25/22 Meeting held at KAHOU park about interpretive sign project.				

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19	MONITORING AND REPORTING	Provide summary report at the end of each calendar year		FHWA		2/24/2017 2016 Annual Report	4/28/2017 2015 Annual Report	1/2/2018 2017 Annual Report	1/2/2019 2018 Annual Report sent out	1/8/2020 2019 Annual Report distributed via email	2/8/2020 Paper copy of 2019 Annual Report available at meeting	1/8/2021 2020 Annual Report provided to CPs via email by FHWA	1/6/2022 2021 Annual Report provided to CPs via email by FHWA	1/13/2023 Annual Report provided to CPs via email by FHWA								
27 A.	PRESERVATION PLAN FOR 2,500 FEET OF THE MAMALAHOA TRAIL	HDOT Shall identify trail, create 30' wide buffers, consult with NHOs and CPs, and in consultation with CPs create a preservation plan. Preservation plan will include synthesis of available documentation, archeological documentation, vegetation clearing plan, maintenance plan, paved parking lot, interpretation of the site, plan for permanent markers, preservation provisions for portion of Mamalahoa Trail near park and entrance and for the Road to the Sea and document their current conditions, and include a report on the buffer breaches and note that the buffers for SIHP #s 50-10-27-19947, -28783 and -28811 will remain the same.		HDOT	3/17/2026	3/30/2021 HDOT is determining the best contracting mechanism to hire a consultant for the effort.	4/23/21 HDOT consulted with Na Ala Hele and confirmed selection of Honua Consulting	6/14/21 HDOT Issued Notice to Proceed to Honua Consulting	6/18/21 HDOT Informed Consulting Parties of Honua Selection	6/20/21 emailed record of consultation with Na Ala Hele	8/12/21 Makani Hou requested copy of Honua contract-HDOT sent requested document via email.	11/6/2021 Kickoff meeting held with CPs. Draft meeting minutes distributed 11/11 and 12/9/21 final meeting minutes emailed.	11/11/21 Draft vegetation removal plan distributed to CPs to comment and submitted to SHPD via HICRIS. Comments were received from Na Ala Hele and Makani Hou.	12/9/21 Vegetation removal plan finalized	12/12/21 meeting held on site with CPs before crews began clearing and documenting trail the week of 12/13/21	2/26/22 Meeting held with CPs to provide update on status of trail clearing, kick off for vision of preservation plan, and request additional parties to invite to consultation	3/28/22 Vegetation removal for trail is complete and archeological field work is complete	3/29/22 Responses to the invite to participate in the consultation for the trail preservation include Aha Moku (Charlie Young), Royal Order of Kamehameha, Kona Chapter (Russell Paio); E Mau na Alahele (Deborah Chang)			CONTINUED BELOW	
27 A.	PRESERVATION PLAN FOR 2,500 FEET OF THE MAMALAHOA TRAIL (CONTINUED FROM ABOVE)			HDOT	3/17/2026	4/28/2022 Meeting Held with CPs archeology report contents were previewed, maintenance plan discussed and parking lot discussed. Vegetation portion of plan complete and arch documentation field portion complete	5/26/22 Draft meeting notes from 2/26/22 meeting distributed by Harry Takiue for comment. Follow up email by Harry 7/27/22.	7/18/22 Final meeting minutes from February meeting distributed by Harry Takiue and posted on the HDOT website	7/27/22 Draft meeting notes from April 2022 meeting distributed for comment.	7/28/22 Meeting held with CPs July and focused on context study findings and parking area.	10/3/22 Final meeting minutes from 4/28/22 emailed by Harry Takiue	10/31/22 Final meeting minutes from 7/28/22 emailed by Harry Takiue	11/1/22 Meeting held with CPs to review context study findings, parking area and signage. Draft notes sent for comment on April 13, no comments received, final notes posted on website.	3/31/23 HDOT emailed draft maintenance plan for CP review along with poll of possible meeting dates for next meeting to be held in May	4/27/23 HDOT emailed the draft maintenance plan again asking for comments by 5/29/23.	5/9/23 Meeting was held with CPs. Discussed parking area, maintenance plan, signage and went through the requirements of Stipulation 27	6/29/2023 Meeting held with CPs. Discussed signage high level content and signage and parking area layouts.					
27 B.	PRESERVATION PLAN SUBMITTALS TO SHPD	1. HDOT shall submit the pre-final PP to SHPD for their review and comment. SHPD shall have 30 calendar days to provide comment unless SHPD requests more time in writing, including e-mail. 2. HDOT will address all SHPD comments received within 30 calendar days and submit a final PP for SHPD's written concurrence. SHPD shall respond within 30 calendar days unless it requests additional time in writing. If SHPD does not respond within the agreed upon period, the HDOT may assume SHPD's acceptance of the PP.		HDOT	3/17/2026																	
27 C.	PRESERVE 2,500 FEET OF THE MAMALAHOA TRAIL	Once HDOT receives SHPD's acceptance of the PP, HDOT will implement the PP provisions for preserving the 2,500-foot section of the Māmalahoa Trail and the portion of the Māmalahoa Trail (SIHP #50-10-27-00002) near the park entrance and for the Road to the Sea, also known as Trail to Kohanaiki, (SIHP #50-10-27-10714).		HDOT	3/17/2026																	
27 D.	TRANSFER TRAIL TO DLNR NA ALA HELE	D. The section of the Māmalahoa Trail discussed above is considered a public Trail under the Highways Act of 1892. As such, it is already under the jurisdiction of the State of Hawaii Board of Land and Natural Resources (BLNR). At such time when it is feasible for both parties, HDOT shall formally transfer the trail, including responsibility for compliance with the PP, parking, any structures erected to interpret the trail and any related documentation to the Department of Land and Natural Resources (DLNR) Na Ala Hele Program. A metes and bounds survey of the trail, buffers, and any appurtenant structures (including parking) will be done and recorded with the Bureau of Conveyances as a part of the transfer to Na Ala Hele, along with a copy of the PP.		HDOT/DLNR	n/a																	
STIPULATIONS COMPLETE																						
1	ON SITE POINT OF CONTACT	The FHWA in coordination with the HDOT shall designate an on-site point of contact (POC) and provide electronic copies of documents upon request by any consulting party to this MOA. Consulting parties to this MOA shall identify a POC for their respective organizations and transmit contact information to the FHWA and HDOT who shall maintain a current POC list.		HDOT		4/8/2017 Email sent with current POC's requesting all parties respond with any updates.	4/28/2017 Updates incorporated	1/2/2018 Current POC's distributed in annual report	12/2018 'POC is now Don Smith.	9/5/19 FHWA requested via email any updates to POC list. HDOT POC is now Harry Takiue	1/6/19 Updated POC distributed in annual report											

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2	AREA OF POTENTIAL EFFECT (APE)	AREA OF POTENTIAL EFFECT. The Area of Potential Effect (APE) for the Queen Ka'ahumanu Highway Widening, Phase 2 Kealakehe Parkway to Ke'ahole Airport Road Project (Attachment 1) includes the following: a. The 300-foot Right-of-Way (ROW) of the Queen Ka'ahumanu Highway; b. The Honokohau Settlement National Historic Landmark; c. The Kaloko-Honokohau National Historic Park; d. Trails that are immediately adjacent to and traverse the Queen Ka'ahumanu Highway Widening, Phase 2 Kealakehe Parkway to Ke'ahole Airport Road project area that have been identified as significant to the Ala Kahakai National Historic Trail corridor (Attachment 2 of 2015 MOA), including the Māmalahoa Trail e. All improved intersections and stub-outs [A-F1, F2, G, I, J, K, and L]; f. Staging Areas (portions of areas C and K); and g. Construction Office (Area H)	During investigation of site breaches which occurred in Summer 2016, it was determined the APE did not include work on side roads, outside the 300-ft. HDOT ROW.	HDOT		1/6/2017 SHPD approves expanded APE	3/9/2017 SHPD approval of supplemental AIS for expanded APE	5/5/2017 Site Visit with Native Hawaiian Organizations (NHOs) to expanded APE.	5/19/2017 Deadline for comments -No comments received	8/3/2017 FHWA issued Notification of Adverse Effect for Damaged Sites which included expanded APE	3/12/2020 Amendment 1 incorporates expanded APE with revised maps per CP request.											SHPD Concurred with expanded APE January 6, 2017 Log No. 2016.02942 Doc. No. 1701SL01 Amendment 1 incorporates expanded APE
3	PROFESSIONAL STANDARDS	The HDOT shall ensure that all work carried out and documents prepared under this MOA are consistent with the recommendations of the August 2012 AIS and professional standards and guidelines. Work shall be carried out by person or persons meeting the professional qualification for archeology. The HDOT shall provide, upon request, the documents identified in this MOA.	Cultural Surveys Hawaii is performing all work pertaining to the identification and treatment of archeological resources. The President, Principal of Firm, Dr. Hallett Hammatt, meets the professional qualification requirements.	HDOT																		Cultural Surveys Hawaii is performing all work pertaining to the identification and treatment of archeological resources. The President, Principal of Firm, Dr. Hallett Hammatt, meets the professional qualification requirements.
4	ARCHAEOLOGICAL PRESERVATION AND MITIGATION PLAN	ARCHAEOLOGICAL PRESERVATION AND MITIGATION PLAN (APMP, APRIL 2014), DATA RECOVERY AND PRESERVATION PLAN (DRPP, OCTOBER 2012), ARCHAEOLOGICAL MONITORING PLAN (AMP OCTOBER 2012) and BURIAL TREATMENT PLAN (BTP, OCTOBER 2012). a. FHWA will ensure that HDOT complies with the implementation of the APMP, AMP, DRPP, and BTP and its compliance with the conditions of approval stipulated by SHPD. b. The HDOT shall provide the parties to this MOA a copy of the findings of the APMP, AMP and DRPP activities. c. Further, construction, including ground-disturbing activities will not commence until the data recovery fieldwork has been completed and a data recovery end of fieldwork report has been drafted and approved by SHPD. d. The end of fieldwork report shall be submitted to all parties of this MOA and NHOs who participated in the consultation process. e. The Data Recovery Final Report shall be submitted to SHPD for their approval.	(1) Copies of the subject plans are available on RMTC share site https://share.rmtowill.com/index.php/s/bTqGBKwEjB72eC (2) Due to the narrowing of the hwy median, the retaining wall shown in the BTP is no longer required. An Amendment dated January 2019 was submitted and approved by SHPD	HDOT		6/25/2015 End of fieldwork letter sent from CSH to SHPD	7/16/2015 SHPD determination that field work complete for data recovery and preservation phases	3/1/2017 Supplemental AIS for revised APE submitted to SHPD. SHPD acceptance March 9, 2017 Log 2017.00322, Doc 1703SL06	4/8/2017 Archeological Reports posted on shared site for reference of all parties of MOA	5/26/2017 Draft Data Recovery Report (Vol. I to III) submitted to HDOT for review	3/21/2018 HDOT submitted Data Recovery Final Report (Vol. I to III) to SHPD Log 2018.00708	12/12/2018 Burial Treatment Plan Addendum Submitted to SHPD. SHPD acceptance 2/5/2019 Log 2019.00021, Doc1902JC01	11/23/2019 Hard copies of all plans were available at meeting	11/25/2019 Revised Archeological Monitoring Report (AMR) received from Contractor	3/2/2020 AMR Submitted to SHPD (Log 2020.00498) 3/23/2020 distributed to CPs via email	5/20/2020 Draft closeout memo for Stipulation 4 distributed by HDOT via email	5/29/2020 CP Meeting held to solicit feedback on draft closeout memos. Closeout memos available for download in webroom.	9/2/2020 FHWA letter to ACHP: complete per Closeout Memo distributed 5/20/20 and discussed during meeting on 5/29/20. Further comments received after the meeting were addressed via email to CPs on 7/2/20.	Final Version of closeout memo posted on HDOT's website	Copies of subject plans are available on RMTC share site. 3/16/2018 HDOT submitted Data Recovery Final Report (Vol. I to III) to SHPD on 3/16/18 and AMR on 3/2/2020.		
5a	PROJECT REDESIGN	Redesign south portion of project to minimize impacts to historic properties.	Project Design - Construction plans for the area between Kealakehe Parkway and Hinalani Street are complete and construction is ongoing.	HDOT	Complete																	Signed final plans dated 8/2016 available at HDOT district office
6	CULTURAL MONITORS	Provide cultural monitors to (a) serve as community liaison, (b) provide cultural education for construction workers, (c) prevent and minimize impacts to historic and cultural resources, (d) monitor construction, and e) prepare daily reports.	Cultural monitoring ongoing with construction	HDOT	Construction Project Completion	Construction monitors contracted 4/15/2015, 8/31/2015, 9/2/2015, and 10/5/2015	May/June 2015, Cultural Monitors present for data recovery work. September 2015 Cultural Monitors on site during grading activities	9/2017 Cultural monitors present for data recovery work.	Ongoing- Cultural monitors present for construction activities	11/2018 Cultural monitoring complete												Construction is complete, no need for further monitoring
7	STREET LIGHTING	Street lighting shall only be provided at signalized intersections. Luminaire will not direct light skyward	Project plans have been completed by the project contractor and reviewed and approved by HDOT. Contractor will install per plan.	HDOT	Construction Project Completion	6/2015 NPS concurs with lighting plan changes	7/2019 Lighting at intersections has been installed per requirements of MOA	Street light installation completed in 11/2018.														Photo of completed street lighting attached to 2018 Annual Report

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8	NOISE STUDY	Complete noise impact study and make available to consulting parties of MOA	Noise Study Final Report completed on February 2015 and is within the 4(f) document.	HDOT	Complete	2/2015 Noise Study Final Report Complete	4/8/2017 4(f) document containing noise study posted on share site	5/20/2020 Draft closeout memo for Stipulation 8 distributed by HDOT via email.	5/29/2020 CP Meeting held to solicit feedback on draft closeout memos	9/2/2020 FHWA letter to ACHP: complete per Closeout Memo distributed 5/20/20 and discussed during meeting on 5/29/20.	Final Version of closeout memo will be posted on HDOT's website									Noise study on file with HDOT - Hawai'i District Office
9	HIGHWAY DRAINAGE	Install drainage control (drywells) from 1,000 feet north of Hinalani Street to immediate south of Kealahou Parkway Intersection and report of maintenance to NPS/MOA parties and consulting NHO's	Incorporation of filtering devices into the construction plans has been done, the drywells shall be constructed per plan with filtering devices. Reporting requirements will become effective after installation as required.	HDOT	Construction Project Completion	9/2019 Drywells have been installed. Filter baskets have been installed at all but one location.	10/2018 Last filter basket which required special fabrication to be installed (southbound lane north of Hinalani).	11/2019 Annual Filter inspection was completed in November and recommended replacement of all filters.	1/20/2020 Contractor was terminated due to incomplete documentation and resulted in further inspection to determine which media needs replacing	03/27/20 Filter material arrived and is being installed with anticipated completion on 4/30/20. Annual report expected to be submitted in May 2020.	6/4/2020 Draft annual report distributed to CPs via email by Harry Takiue	10/19/20 Final 2019 Annual Report distributed to NPS and CPs via email by Harry Takiue. Annual maintenance inspection will be conducted in November with Final Report submittal December of each year.	3/18/2021 Harry Takiue distributed Final 2020 Annual Report via email.	9/16/21 HDOT is on track to order materials, set-up equipment/man power/report documentation for annual inspection.	11/15/2021 Inspection and filter replacement work is complete. HDOT drafting annual report.	12/29/2021 Annual report sent to NPS and CPs by HDOT via email	12/2022 Filter replacement is in process. Delayed due to Mauna Loa eruption and Kona low storm.	1/30/23 Annual Maintenance Report was distributed to NPS and CPs by HDOT.	Photo of completed Highway Drainage attached to 2018 Annual Report	
10a.	PEDESTRIAN CROSSINGS	The HDOT shall provide at-grade pedestrian crossing at the following three locations: at the intersections of Hinalani Street, Lanihau Street/Park Entrance, and Kealahou Parkway. These crossings shall incorporate pedestrian refuges (where feasible) in the highway median where there is adequate space available for the pedestrian refuge, and will accommodate bicycle users.	Pedestrian crossings have been designed as required and will be open at the completion of the project, or sooner if feasible from a safety standpoint.	HDOT	Construction Project Completion	8/2016 Final plans incorporate at-grade pedestrian crossings	8/2018 Construction of pedestrian crossings complete	Construction of pedestrian crossings completed in 11/2018.												Photo of completed at-grade pedestrian crossings attached to 2018 Annual Report
10b.	PEDESTRIAN CROSSINGS UNDERPASS FEASIBILITY STUDY	The HDOT shall conduct a feasibility study with the objective of facilitating safe pedestrian access across the Queen Ka'ahumanu Highway at the "Trail to Honokohau." The study will examine at-grade crossing locations, the installation of a pedestrian tunnel crossing, and the modification of existing culverts for pedestrian-bicycle use. The study shall seek examples and policies regarding use of existing pedestrian tunnels and modified culverts in Hawai'i and other States. Subsurface crossing(s) shall include provisions for a third party organization to take responsibility for maintenance, security and liability for the crossing(s) as has been the policy of HDOT for more than a decade. The HDOT shall identify and select a qualified independent third party to conduct the study. As part of the study, HDOT shall consult with NPS to identify community organizations who may be invited to participate in the feasibility study. Organizations that may be invited to participate include: signatories to this MOA, NHOs, Peoples Advocacy Trails Hawai'i (PATH), County of Hawai'i, local primary and secondary school officials, universities, community groups, the Royal Order of Kamehameha, and the Association of Hawaiian Civic Clubs. As part of the feasibility study the HDOT shall convene a community meeting that has as its objective the development of design guidelines for future Queen Ka'ahumanu Highway expansion projects that includes provisions for trail connectivity and pedestrian crossings under the Queen Ka'ahumanu Highway as well as paralleling the highway. The HDOT shall transmit the findings of the feasibility study (inclusive of any documents or written testimony from the community meeting above) to parties participating in the feasibility study prior to the expiration of this MOA.		HDOT		10/2015 Began Underpass Feasibility Study	1/30/17 Consultation with NPS	4/18/17 Completed NPS coordination for community meeting invite	7/25/2017 Community Meeting #1 held to discuss preliminary considerations for design of the underpasses	12/7/2017 Community Meeting #2 to discuss Draft Feasibility Study and Conceptual Design, and Design Guidelines	Draft Underpass Feasibility and Draft Guidelines are being finalized at HDOT	(Q1 2019) HDOT currently reviewing Final Study	6/17/19 Final feasibility study complete	6/26/19 Final feasibility study including design guidelines (in appendix) distributed at meeting	5/20/2020 Draft closeout memo for Stipulation 10b distributed by HDOT via email.	5/29/2020 CP Meeting held to solicit feedback on draft closeout memos. Closeout memos available for download in webroom.	9/2/2020 FHWA letter to ACHP: complete per Closeout Memo distributed 5/20/20 and discussed during meeting on 5/29/20. Further comments received after the meeting were addressed via email to CPs on 7/2/20.	Final Version of closeout memo are posted on HDOT's website	Copies of subject underpass feasibility study available on RMTC share site	
12	AHUPUA'A SIGNS	The HDOT shall install ahupua'a markers within the project limits following the guidelines of the HDOT's Ahupua'a Marker Program. The markers (ahu or sign on posts) shall be designed and installed in consultation with community groups and NHOs as prescribed by the Ahupua'a Marker Program. A notice of the proposed installation shall be published in the West Hawai'i Today newspaper. The markers shall be installed as part of the highway widening project.	The current draft of the HDOT Ahupua'a Marker Program will serve as the basis for the planned development of the ahupua'a markers.	HDOT	Construction Project Completion	12/7/17 Consult with NHOs on Ahupua'a boundaries at terrain model meeting #3	1/29/2018 Notice of proposed installation in West Hawaii Today newspaper	9/2018 Signs manufactured on Oahu	11/2018 Installation of signs completed	8/13/2019 Makani Hou objection asked for two signs to be replaced. HDOT agreed to replace signs.	3/12/2019 Makani Hou reviewed and approved sign mock ups	5/12/2020 Honokohau Nui and Honokohau Iki Signs replaced previous signs	5/20/2020 Draft closeout memo for Stipulation 12 distributed by HDOT via email	5/29/2020 CP Meeting held to solicit feedback on draft closeout memos.	9/2/2020 FHWA letter to ACHP: complete per Closeout Memo distributed 5/20/20 and discussed during meeting on 5/29/20.	Final Version of closeout memo will be posted on HDOT's website			Photo of completed Ahupua'a signs attached to 2018 Annual Report	

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13	LANDSCAPING PLANS	Coordinate landscaping plans with the NPS in areas within the ROW fronting the National Historic Park. Consult with NHO's on plant species.	Landscaping plans submitted to and approved by NPS. Plans submitted to NHOs and comments on plant species received and implemented.	HDOT	Construction Project Completion	8/19/2015 Meeting with NPS to discuss draft landscape plans	9/25/2015 NPS comments provided on landscape plans	12/20/2016 Plans submitted to NHOs and comments received 1/28/17 from Kona Hawaiian Civic Club and 2/16/2017 from Makani Hou on replacing bougainvillea with a native plant	5/9/17 HDOT Confirmed that 450-3 gallon bougainvillea will be replaced with 450-3 gallon naupaka	9/2018 Construction of landscaping ongoing and 70% complete	10/2018 Complete landscaping by installing Ilima & Pili grass at Honokohau Intersection and Airport Intersection	11/2018 Completed landscaping by installing Ilima & Pili grass at Honokohau Intersection and Airport Intersection. Maintenance period ongoing until 8/2019									Photo of completed landscaping attached to 2018 Annual Report
14	RELATIONSHIP BUILDING WORKSHOP	Statewide one day relationship building workshop within 24 months of the execution of the MOA		HDOT	March 2017	2016 Preliminary planning, facilitators and meeting participants identified	6/8/2017 Save the date (August 29, 2017) email sent out	8/29/2017 Relationship Building Workshop held with Hawaii Island NHOs	12/28/2017 Summary notes for Hawaii Island Workshop distributed	3/15/2018 Invitation to Maui Relationship Building Workshop distributed	4/9/2018 Relationship Building Workshop held on Maui	6/18/2018 Invitation to Oahu Relationship Building Workshop distributed	7/27/2018 Relationship Building Workshop held on Oahu	7/27/2018 Stipulation is complete	11/5/2018 HDOT distributed Summary Report of Workshops	11/14/18 HDOT presented at the Annual Conference for the Association of Hawaiian Civic Clubs	2/8/2019 DOT held a debrief and future plan of action meeting to engage and build relationships with NHO's.	5/20/2020 Draft closeout memo for Stipulation 14 distributed by HDOT	5/29/2020 CP Meeting held to solicit feedback on draft closeout memos		Summary report of relationship building workshop was distributed 11/5/2018
15	TERRAIN MODEL	The HDOT shall commission the construction of a terrain model depicting the lands of Kekaha (between Kailua and Anaeohomalua) in consultation with Makani Hou o Kaloko-Honokohau. The model shall incorporate topographic relief, traditional place names, historic trails, settlement locations, interpretive signs, and other important landmarks, to be determined.		HDOT		9/2015 Began terrain model planning for scope and fee for model	2/10/2017 & 2/22/2017 Consultation with NPS and NHOs	4/6/2017 Collected terrain data, physical, and digital model layout info. and distributed 3D model to grp for comment	12/7/2017 Meeting #3 to confirm and finalize physical terrain model content, aesthetics and overall dimensions	2/2018 Digital terrain model distributed to attendees of Meeting #3 for final comment	2/2018 Supplier of terrain model selected and HDOT in discussions for production and delivery	12/26/18 Physical Terrain model shipped to HDOT. Estimated delivery week of 1/7/19	1/2019 HDOT received physical terrain model and built cabinet for model.	Final physical terrain model was available for viewing at 6/26/19 CPmeeting	5/20/2020 Draft closeout memo for Stipulation 15 distributed by HDOT	5/29/2020 CP Meeting held to solicit feedback on draft closeout memos	9/2/2020 FHWA letter to ACHP: complete per Closeout Memo distributed 5/20/20 and discussed during meeting on 5/29/20. Further comments received after the meeting were addressed via email to CPs on 7/2/20.	Final Version of closeout memo will be posted on HDOT's website		Terrain model is complete and resides at HDOT Hawaii District office.	
		The model may be housed at the Kaloko-Honokohau National Historical Park under the auspices of the Hawai'i Pacific Parks Association. The model shall be of such scale that it can be transported to other locations and be used as a teaching tool.				At 4/7/2017 meeting, NHOs suggested putting the terrain model in a higher trafficked location such as Kona airport or Palama Niu campus	4/2017 Approval in concept given from DOT Director for terrain model placement at Kona airport	12/7/2017 Participants at Meeting #3 determined the model should not be housed at the Kona airport	HDOT met with West Hawaii UH about the possibility of housing the physical model	HDOT Built a display case for terrain model	6/15/2020 UH Palamanui does not have space to house the physical terrain model	8/3/2020 Kekoa Nazara researched housing terrain model at Kalaemano Interpretive Center	8/13/2020 Housing terrain model at Kalaemano was discussed. Makani Hou expressed concerns. Fred Cachola will research possibility of Kamehameha Schools	9/17/2020 KAHO may have room to house terrain model as originally planned.	Working on a date with Kaloko to view the model. Sent an email to if they want to view and house the model on October 1, 2021 and sent a follow up email January 4, 2021	3/19/2021 Terrain model was delivered to Hawaii Civic Center in Kona.	8/9/21 Makani Hou emailed asking for ownership certificate of the physical terrain model. HDOT is checking with AG on how best to do this.	3/17/22 Transfer of property completed between HDOT and Makani Hou for transferring physical terrain model ownership.		The Kaloko-Honokohau National Historical Park can no longer house the model. It is housed at the the Hawaii Civic Center in Kona. Ownership of the physical terrain model has been transferred to Makani Hou from HDOT.	
		A second digital model will also be developed and include similar information as the terrain model.	Digital terrain model to be developed in combination with physical model			2/21/2017 Meeting: Draft digital Terrain model delivered to model group.	2/2018 Digital terrain model distributed to attendees of Meeting #3 for final comment	(2018) Physical and digital Terrain model delivered-model group final meeting	1/2019 HDOT received digital terrain model.	6/26/19 Digital terrain model available at meeting	Paka requested another format for digital terrain model	2/25/2020 FHWA distributed terrain model put in PDF format and modern features removed.	5/29/2020 Digital terrain model presented via webinar by HDOT at CP Meeting.	9/29/2020 HDOT distributed instructional video for loading and using the digital terrain model						Link for the digital terrain model was distributed by Mr. Donald Smith in email on June 22, 2019.	
16	ARCHEOLOGICAL MATERIALS AND RECORDS	Discoveries as a result of the project housed and curated by HDOT	Archaeological materials under curation by HDOT and are available for viewing by the public upon request. HDOT to continue monitoring and management of archaeological materials.	HDOT		6/2015 Data recovery artifacts curated by CSH	HDOT in discussions with UH about possibility of UH curating/ displaying archeological artifacts	6/21/21 Makani Hou asked about status of curation. HDOT responded still with CSH	8/6/21 & 9/16/21 HDOT asked Makani Hou if they had a curation location in mind	9/24/21 HDOT emailed Makani Hou an excerpt from the Data Recovery Report describing the two artifacts										Archeological materials will be curated by HDOT until another curating/display opportunity becomes available.	

**Queen Ka'ahumanu Highway Intersection Improvements for the Kaloko-Honokohau National Park and the Queen Ka'ahumanu Highway Widening, Kailua to Ke'ahole
Section 106 Mitigation Status - 2023 2nd Quarter**

Stipulation #	Item	Summary Description	Comment	Responsible Party	Date Due	Activities														Evidence of Completion
						Blue Highlight=Activities this Quarter														
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17	POST-REVIEW DISCOVERIES	Actions required for previously unknown potential historic properties or unanticipated effects on identified historic properties				7/28/2016 HDOT was notified of possible site encroachments during construction at the mauka termini of the mauka-makai trail of Site 10714 Features A and C	8/23/2017 SHPO was notified	8/24/2017 & 8/25/2017 HDOT with SHPPD and project contractors' site visit confirms Site 10714 as well as Site 00002 were encroached upon	9/30/2016 NHOs notified in email and in meeting and site visit on 12/2/16	5/5/2017 Site Visit with NHOs to expanded APE.	5/19/2017 Deadline for comments on any additional sites in SAIS - No comments received	5/23/2017 Mitigation consultation meeting held with NHOs and other Consulting Parties (CPs)	8/3/2017 FHWA issued Notification of Adverse Effect for Damaged Sites	6/26/2019 Meeting held regarding HDOT mitigating breached sites. Palamanui presented as an option	11/26/2019 Consultation Meeting held to discuss Amendment to MOA and CP proposal for mitigation for breached sites	2/4/2020 Draft Amendment 2 distributed to CPs by FHWA	2/8/2020 Mitigation proposal for damaged sites presented at in person meeting by HDOT	CONTINUED BELOW		
17	POST-REVIEW DISCOVERIES (CONTINUED FROM ABOVE)					3/4/2020 Draft meeting notes sent.	2/13/2020 SHPD Concurrence on adverse effect to sites damaged during construction	4/2/2020 Final notes from November 23, 2019 and Feb 8, 2020 meeting sent to CPs.	5/29/2020 Update on AAA was provided to CPs	12/17/2020 After the Action Analysis (AAA) team provided an update to the CPs. Interviews are complete and final report is being drafted	1/29/2021 The After Action Analysis was distributed to consulting parties. Meeting was held to present the findings of the AAA team.	Mitigation for Breached Sites incorporated in Amendment 2- See Stipulation 27	Deadline for comments on the After-Action Analysis is extended until 3 weeks after FOIA materials distributed to Makani Hou						Construction is complete. Adverse effect for trails damaged during construction will be mitigated through Stipulation 27	
18	DISPUTE RESOLUTION	DISPUTE RESOLUTION. Should any signatory, invited signatory, or consulting party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the objecting party shall submit its objection in writing to both the Hawaii Division Administrator and the Federal Preservation Officer for FHWA, and also notify all Consulting Parties. Both officials of FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will: A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the ACHP. The ACHP shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision. B. Make a final decision on the dispute and proceed accordingly if the ACHP does not provide its advice regarding the dispute within the thirty (30) daytime period. Prior to reaching such a final decision, the FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA and provides them and the ACHP with a copy of such written response. C. Be responsible to carry out all other actions, subject to the terms of the MOA that are not the subject of the dispute.		FHWA		8/13/19 Fred Cachola of Makani Hou o Kaloko-Honokohau filed objection via email to FHWA	8/21/19 Lisa Powell of FHWA responded via email to objection in addition to offering in person meeting	10/25/19 In person meeting with representatives from Makani Hou, FHWA, SHPD and HDOT was held in Waimea to discuss objection and possible resolutions	11/22/2019 Draft meeting minutes distributed by FHWA	12/17 Finalized notes from 10/25/19 distributed to participants with understanding that written response will follow	1/21/2020 FHWA/HDOT responses to objection distributed	2/8/2020 In person meeting with FHWA, HDOT, ACHP (by phone) and consulting parties at NELHA.	2/29/2020 Meeting held via video on Makani Hou objection and FHWA responses- Makani Hou responded that no objections have been resolved	3/13/2020 Draft meeting notes sent. Comments requested by March 27.	4/1/2020 Finalized minutes distributed by FHWA.	5/29/2020 CP meeting to discuss stipulation 4, 8, and 10B as was requested in Makani Hou objection and draft closeout memos for Stipulation 4, 8, 10B, 12, 14, and 15.	6/9/2020 Draft meeting notes distributed via e-mail. Responses requested by June 23, 2020. The KMZ file for the digital terrain map as well as links to the close-out memo were provided in this e-mail (also provided with agenda)	CONTINUED BELOW	Final FHWA decision sent 9/2/2020	
18	DISPUTE RESOLUTION (CONTINUED FROM ABOVE)					7/2/2020 Final meeting notes from 5/29/20 meeting distributed along with responses to comments received	7/8/2020 FHWA determined objection could not be resolved and forwarded to ACHP for advice	8/20/2020 ACHP Responded with advice on objection	9/2/2020 FHWA provided final decision on dispute. FHWA and HDOT will be developing NHO consultation protocols	9/24/2020 Meeting held with ACHP, FHWA, SHPD, CPs on ACHPs advice and FHWA response to objection	10/16/20 Final 09/24/19 Meeting Notes were distributed.									
21	AMENDMENTS	Any signatory, invited signatory, or concurring party to this MOA may request that it be amended.	Amendment required to expand APE to include side roads, include mitigation for damaged sites, acknowledge schedule relationship building workshop timeline not met, allow for the NPS to design, manufacture and install interpretive signs, and extend duration of MOA.	HDOT/FHWA		3/2019 Draft Amendment submitted to FHWA by HDOT and is currently under review at FHWA	6/26/2019 Meeting held discussing mitigation to breached sites	11/15/2019 HDOT/FHWA propose two amendments. Draft Amendment One sent to CPs.	11/23/19 Consultation meeting held for Amendment 1 and damaged site mitigation	1/15/2020 Revised Draft Amendment 1 distributed to CPs	2/4/2020 Draft Amendment 2 sent via email to CPs	2/8/2020 In person consultation meeting held for Amendment 1 and Amendment 2 HDOT mitigation proposal	3/2/2020 Finalized Amendment 1 sent for signature	3/12/2020 Amendment 1 executed by ACHP which incorporates expanded APE, allows NPS to do interpretive signs and Extends MOA to 3/17/21	4/4/2020 CP Meeting held via webinar to gather further comments on Draft Amendment 2 and After Action Analysis Plan	4/16/2020 CP Meeting held via webinar to gather further comments on Draft Amendment 2 and proposed mitigation for the breached sites.	5/29/2020 CP Meeting via webinar to give update of AAA, solicit feedback on stipulation status attachment to Amendment 2 and closeout memos	CONTINUED BELOW		

**Queen Ka'ahumanu Highway Intersection Improvements for the Kaloko-Honokohau National Park and the Queen Ka'ahumanu Highway Widening, Kailua to Ke'ahole
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21	AMENDMENTS (CONTINUED FROM ABOVE)					7/30/2020 Draft Amendment 2 and attachments distributed	8/13/2020 CP meeting held via webinar to discuss draft Amendment 2 clause by clause	8/24/2020 Draft notes distributed. Final comments on Amendment 2 requested by 9/23/2020	9/15/2020 Final notes for 8/13/20 meeting distributed.	9/29/2020 Comments on Draft Amendment 2 due 10/15/2020	12/3/2020 Harry Takiue emailed revised Draft Amendment 2 and responses to Consulting Parties	12/17/2020 Meeting held via webinar to go over changes incorporated into Amendment 2 and comments not incorporated	1/22/2021 Final notes for 12/17/2020 meeting distributed	2/4/2021 Pre-final Amendment 2 and consultation comment table distributed by HDOT.	3/1/2021 Amendment 2 distributed for signature via email by FHWA	3/17/2021 ACHP distributed executed Amendment 2. Amendment 2 extends the MOA to March 17, 2026, and includes mitigation for the additional adverse effect to trails damaged during construction (Stipulation 27)				Amendment 1 Executed 3/12/2020 and Amendment 2 executed 3/17/2021
25	CONSULTATION SCHEDULE	The HDOT and FHWA shall develop a draft consultation schedule for developing Amendment Two including timelines, tasks, and areas of responsibilities in order to complete consultation and execute Amendment Two no later than March 17, 2021. HDOT/FHWA shall distribute the draft consultation schedule to Signatories and Consulting Parties (hereafter "Parties") via email no later than April 2, 2020. Any comments received by FHWA/HDOT from Parties within fourteen (14) days of date sent by email shall be considered by FHWA/HDOT in developing the final consultation schedule. The consultation schedule will be finalized no later than April 30, 2020.	Archaeological materials under curation by HDOT and are available for viewing by the public upon request. HDOT to continue monitoring and management of archaeological materials.	HDOT		3/10/2020 Draft consultation schedule distributed via email to CPs with request for comments by 3/24/2020	3/27/2020 Final consultation schedule distributed via email 3/27/2020													Consultation schedule distributed via email. Amendment 2 was executed 3/17/2021
26	AFTER-ACTION ANALYSIS SCHEDULE	HDOT and FHWA will provide a draft schedule and scope to develop an "After-Action Analysis" report on how the project failed to protect historic properties and proposed action items to address these issues to Parties via email by April 2, 2020. Any comments on the draft schedule and scope received from Parties within fourteen (14) days of date sent by email shall be considered by FHWA/HDOT in developing the final schedule. The after-action analysis schedule and scope will be finalized no later than May 7, 2020.	Archaeological materials under curation by HDOT and are available for viewing by the public upon request. HDOT to continue monitoring and management of archaeological materials.	HDOT		4/2/2020 Draft After-Action Analysis scope and schedule distributed via email to CPs	4/4/2020 Meeting held with CPs on After-Action Analysis scope and schedule	5/7/2020 Final After-Action Analysis scope and schedule distributed via email	6/17/2021 Final After-Action Analysis including comments distributed by FHWA via email											After-Action Analysis schedule distributed via email. Final After-Action Analysis Report distributed 1/29/2021. Report including comments distributed 6/17/21