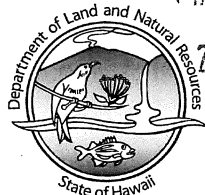
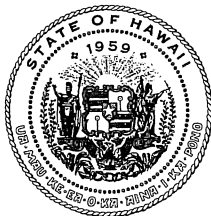


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



RECEIVED
DOT-HWYS
MAUI DISTRICT OFFICE

2011 AUG 24 PM 2:03



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

August 22, 2011

Ferdinand Cajigal, District Engineer, Maui
State of Hawaii, Department of Transportation
650 Palapala Drive
Kahului, Hawaii 96732

LOG NO: 2011.1932
DOC NO: 1108MD22
Archaeology
History & Culture

Dear Mr. Cajigal:

**SUBJECT: National Historic Preservation Act (NHPA) Section 106 Review –
Haleakala Crater Road Bicycle Pullout Areas, Federal-Aid Project No. STP-0378(2)
Pūlehu Nui Ahupua‘a, Makawao District, Island of Maui
TMK: (2) 2-3-005:003 (por., ROW)**

Thank you for the opportunity to comment on the aforementioned undertaking, which we received on July 18, 2011. We apologize for the delay in our reply. This project qualifies as an undertaking pursuant to 36 CFR § 800 due to the use of federal funds. The lead agency for this project is the Federal Highway Administration.

State Road 378 was originally constructed as a 10' wide highway in 1929. In the 1960s the road was widened to 20'. In 1992 it was resurfaced again with 2-4' wide paved shoulders added, and resurfaced again in 2004. For the proposed project, paved shoulder pullouts will be created at four spots for the use by downhill bicyclists and escort vans to the park, rest, and allow vehicular traffic to flow unobstructed. Pavement thickness for paved shoulder pullouts will be 8" and 8' wide by lengths ranging from 180' to 400' (see below).

The area of potential effect (APE) for the undertaking as a whole will be 0.20 acres, within four locations:

1. Located between mile markers three and four, mile post equivalent 3.015;
2. Located between mile markers three and four, mile post equivalent 4.028;
3. Located between mile markers four and five, mile post equivalent 4.43; and
4. Located at mile marker seven, milepost equivalent 6.97.

State Road 378 is an historic property. Road 378 is included under a programmatic agreement (PA) among the National Science Foundation, the National Park Service, the Advisory Council on Historic Preservation, the Hawaii State Historic Preservation Officer, the Association of Universities for Research in Astronomy, and the University of Hawaii (for the benefit of its Institute for Astronomy) Regarding the Advanced Technology Solar Telescope Project, Haleakala, Maui, Hawaii (effective November 13, 2009). Under this PA (IIM, State Road 378, NSF [National Science Foundation] Area of Responsibility) a survey of the Road will occur as follows:

M. State Road 378

NSF, through AURA/NSO [the Association of Universities for Research in Astronomy/National Solar Observatory], will fund an assessment of historic properties

2187

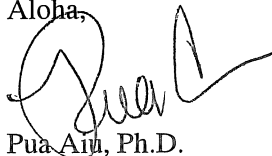
associated with State Road 378 similar to the assessment entitled, "Historic American Engineering Record Haleakala Highway HAER No. HI-52" that was done for the Park road. The scope of work for this assessment shall be developed by AURA/NSO in consultation with the SHPO. Prior to the construction of the ATST project (if approved), AURA/NSO will ensure that all historic properties along State Road 378 are photographed and documented. In addition, AURA/NSO will avoid adverse effects to and preserve the integrity of State Road 378 during the construction phase of the proposed ATST Project to the extent feasible. Where adverse effects cannot be avoided, AURA/NSO, in consultation with the SHPO and the Hawaii State Department of Transportation, will develop and ensure the implementation of a SHPO approved scope of work to repair any damage caused by the proposed ATST Project.

The current project proposal is situated within the current historic Road 378 right-of-way. Bicycle tours currently use unimproved pull-outs, pull-outs that will become even more necessary if and when the proposed ATST construction begins. Although we concur that it is unlikely that historic properties will be encountered within the four proposed locations, we understand that this project may be planned prior to the PA survey. With that understanding, a project-specific archaeological monitoring plan will need to be created to address incorporating any historic properties which might be encountered during the construction of the bicycle pull-outs. As State DOT and SHPD are both signatories to the PA, I suggest that the monitoring plan call for a halt to work if *any* historic properties are encountered so that SHPD can determine how best to proceed.

Based on the information above, we concur that there will be **no adverse effect to historic properties** by this proposed undertaking pursuant to 36 CFR § 800 as long as mitigation in the form of an approved archaeological monitoring plan occurs. A draft archaeological monitoring plan should be submitted to SHPD for review and approval prior pursuant to HAR §13-279 prior to the start of this project.

If you have questions about this letter please contact Morgan Davis at (808) 243-5169 or via email to: morgan.e.davis@hawaii.gov.

Aloha,

A handwritten signature in black ink, appearing to read 'Pua Aiu', is written over the printed name.

Pua Aiu, Ph.D.

Administrator

State Historic Preservation Division