From: Ossi, Joseph (FTA)
To: Matley, Ted (FTA)
CC: Sukys, Raymond (FTA); Barr, James (FTA)
Sent: 6/10/2009 11:54:46 AM
Subject: RE: Section 106 Process for Honolulu Project
Attachments: Draft Honolulu MOA 2.doc

Please consider the attached changes to the MOA. I tried to make the whereas's more accurate and closer to what ACHP recommends; I tried to make the stipulations clearer with respect to responsibilities; and I tried to make the general stipulations (e.g. amendment, dispute resolution) closer to what ACHP recommends. It will still need to be cleaned up after changes are accepted, and possibly further revision along the same lines.

By the way, with all of the historic buildings being demolished and strong local opposition to the project, I hope that we have a good solid section 4(f) evaluation of each one.

Joe Ossi
FTA Office of Planning and Environment
(202) 366-1613

From: Matley, Ted (FTA)
Sent: Monday, June 08, 2009 1:10 PM
To: Ossi, Joseph (FTA)
Subject: FW: Section 106 Process for Honolulu Project

Hi Joe,

Please see the report from Honolulu staff re the comments of the ACHP on FTA role and activities. Have you ever seen anything like this?
Any ideas on a response? Obviously we can sends letter and attend conference calls I don't know that will add a great deal of value to the process, and it is very difficult for us to be the lead in a consultation that is happening 3000 miles away. Also, I don't know that we've lost "control" since we have made it clear we want a consensus reached and that Honolulu will not get a ROD until we have that and we are or woll review the results of the discussions, such as MOA's, etc..

Thanks,

Ted Matley
Region IX

From: Miyamoto, Faith [mailto:fmiyamoto@honolulu.gov]
Sent: Friday, June 05, 2009 7:29 PM
To: Matley, Ted (FTA); Sukys, Raymond (FTA)
Cc: Aranda@infraconsultllc.com; Spurgeon, Lawrence; Hogan, Steven
Subject: Section 106 Process for Honolulu Project

Hi Ted and Ray –

This morning, we met with Charlene Dwin Vaughn from the Advisory Council on Historic Preservation. Charlene is the Assistant Director of the Federal Permitting, Licensing and Assistance Section and was in Honolulu to teach two classes on Section 106. Since she was here, I asked the SHPD Administrator if we could have some time to speak with her. The intent was to brief her on our project. The meeting turned out to be a discussion on how our project was handling the Section 106 process. The bottom line was that she told us that at the point in the process that we are at (developing the MOA), there should be greater involvement by FTA. We have developed a draft MOA (copy attached) that we have been discussing with the Oahu Island Burial Council. She felt that we should not be circulating a draft MOA. Instead, she recommended that we have a series of large group meetings that all consulting parties are invited to to develop the MOA. Despite the fact that we have been delegated the

authority to carry out the Section 106 process, FTA needs to be in control of the consultation. This can be demonstrated by FTA sending out the invitation letters, attendance at the meetings, or participating in the meetings via conference calls.

I would like to discuss this matter with you. Please let me know when we can talk. I would like to include our consultant staff in this discussion. If you would like to include Jim Barr, we can arrange for a conference call. The sooner we can talk, the better.

Thanks.

Faith Miyamoto
Department of Transportation Services
City & County of Honolulu
(808) 768-8350
fmiyamoto@honolulu.gov