
From: Matley, Ted <FTA>
To: Rogers, Leslie <FTA>; Day, Elizabeth <FTA>; Flanigon, Mike <FTA>
CC: Nutakor, Chris <FTA>; James, Aaron <FTA>; Carranza, Edward <FTA>; Luu, Catherine <FTA>; Tahir, Nadeem <FTA>; McElveen, Lavern <FTA>; Sukys, Raymond <FTA>
Sent: 3/6/2009 2:22:02 PM
Subject: RE: SSO for Hawaii

Tad works for the Hawaii State DOT. The only previous conversation I had with him on the topic was to answer his question if FTA had a formula program that funded the creation and ongoing operation of a SSO program. I did suggest they discuss with the City the use of project funds but he sounded hesitant because of the politics. Tad isn't that high up in the DOT and I don't know if he discussed this with his superiors and they also rejected any discussions with the City because of the politics.

Ted Matley
FTA Region IX

From: Rogers, Leslie <FTA>
Sent: Fri 3/6/2009 11:33 AM
To: Day, Elizabeth <FTA>; Flanigon, Mike <FTA>
Cc: Nutakor, Chris <FTA>; James, Aaron <FTA>; Carranza, Edward <FTA>; Luu, Catherine <FTA>; Tahir, Nadeem <FTA>; McElveen, Lavern <FTA>; Matley, Ted <FTA>; Sukys, Raymond <FTA>
Subject: RE: SSO for Hawaii

Greetings All:

To add our two cents from the west coast, let me ask do we know which entity of the Hawaii state government this guy Tad is with? While the question of who pays for the costs associated with implementation and operation of the SSO program is relevant, let's remember that FTA's letter to the Governor first directs her to identify the cognizant state agency that will serve as the SSOA. While this designation typically is to the State DOT, it is at the Governor's discretion.

I should note that states generally (and perhaps rightfully so) consider FTA's SSOA requirements as an unfunded federal mandate. At this time, the Honolulu rail project includes no funding from the state and (Republican) Governor Lingle and the Hawaii DOT Director have voiced their apprehensions that in the future the state may be approached to provide funding for the project.

Lavern's earlier point is correct that for a new SSO program, the state can use funds from the project until the revenue service date. This is the case with the Phoenix LRT project and even now that the system is open, I believe the grantee will continue to fund the costs of the state's SSO program with local funds. Typically, in our PE approval letter to the project sponsor we note the SSOA requirements that commit the grantee to work with the SSOA to develop a compliance plan with all the requirements of Part 659 and this becomes a PE deliverable.

Region IX is available to participate in further internal FTA discussions and with the Hawaii representatives. Thanks!

Leslie

-----Original Message-----

From: Day, Elizabeth <FTA>
Sent: Friday, March 06, 2009 10:45 AM
To: Flanigon, Mike <FTA>; Rogers, Leslie <FTA>; Carranza, Edward <FTA>
Cc: Nutakor, Chris <FTA>; James, Aaron <FTA>; James, Aaron <FTA>
Subject: RE: SSO for Hawaii

I may have misunderstood the question Mike. After seeing the email chain, I see that the question was specifically related to State Safety Oversight of the project and the State's ability to fund that oversight (rather than the local project sponsor's ability to fund the project as I had thought). TRO9 may be able to help inform you about the local politics (Mayor vs. Governor), which would be useful to know before you call Tad back. However, your office should probably do the contacting. Can't we just say that if the project moves into FTA's New Starts pipeline we can work with the state on its oversight responsibilities?

-----Original Message-----

From: Flanigon, Mike <FTA>
Sent: Friday, March 06, 2009 1:42 PM

AR00139697

To: Rogers, Leslie <FTA>; Carranza, Edward <FTA>
Cc: Nutakor, Chris <FTA>; James, Aaron <FTA>; James, Aaron <FTA>; Day, Elizabeth <FTA>
Subject: RE: SSO for Hawaii

Aloha Leslie & Ed:

Beth Day suggested that you might be the best people to contact Tad on his question, particularly about use of project funds. I'm happy to dial in if you think it would be helpful.

Thanks,

Mike

-----Original Message-----

From: James, Aaron <FTA>
Sent: Monday, March 02, 2009 10:49 AM
To: Flanigon, Mike <FTA>
Cc: Nutakor, Chris <FTA>
Subject: RE: SSO for Hawaii

Mike,

I think they are both out today but Chris will follow up, who is acting for me. I'm on unscheduled leave also. Chris can probably research the question you have asked. Unfortunately, I don't know the answer but it makes me nervous that Hawaii is broke and Honolulu is trying to build a rail system which will require state and local funds.

Aaron C. James, Sr.
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Washington, DC 20590
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Fax: (202) 366-3394

-----Original Message-----

From: Flanigon, Mike <FTA>
Sent: Monday, March 02, 2009 10:43 AM
To: Nguyen, Kim <FTA>; Garay, Carlos <FTA>
Cc: James, Aaron <FTA>; McElveen, Levern <FTA>
Subject: FW: SSO for Hawaii

Kim/Carlos:

Before calling, I want to have a conversation with you so we are on the same wave length. Will you be in today?

Mike

-----Original Message-----

From: McElveen, Levern <FTA>
Sent: Monday, March 02, 2009 9:32 AM
To: Flanigon, Mike <FTA>
Subject: RE: SSO for Hawaii

It is my understanding that for a new SSO program, the state can use funds from the project until the revenue service date.

----- Original Message -----

From: McElveen, Levern <FTA>
To: Flanigon, Mike <FTA>
Sent: Mon Mar 02 09:05:28 2009

AR00139698

Subject: SSO for Hawaii

Mike,

I received a call from Tad with the State of Hawaii. He had a couple of questions regarding the letter received on the development of the SSO program. Specifically, he stated the State of Hawaii is broke and doesn't have funds to stand up an SSO program. Secondly, he wanted to know if there are funds available to set up the program using contractual support. Perhaps, you should be the one to return his call. His phone number is 808-587-2353.

Thanks

Levern McElveen

Senior Safety and Security Specialist

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