FTA PRELIMINARY COMMENTS HONOLULU TRANSIT AFEIS 7-31-09

General Process Point Comments:

In response to agency comments, please send an underlined/strikeout copy in track changes mode to FTA HQ for review. An electronic version is acceptable.

Do not forget to:

- Include a transmittal letter for EPA filing after the doc is signed.
- Distribute copies to the DOI
- Post the signed FEIS and Appendices on the HRT website.
- The title should read: Final Environmental Impact Statement and 4(f) Evaluation
- Include a one page Abstract right after the signed page which includes a maximum of two paragraphs of text; dates, times and places of the associated public hearings and HRT and FTA contact info.
- Barr rejoinder to response in edit mode 9/24.
- **Final document review 10/16.**

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Document Comments:

Comment No.	Page	Section	Category	Comment	Responsible Party	Response Code	Response	√√
Response Code: A=Agree and will comply B= Will investigate and Comment C= Clarification Needed D= Disagree for reasons noted E=No action needed								
1	General	General	Design	The AFEIS contains a level of specificity not supported by the plans provided. While the plans in Appendices B (Preliminary Alignment Plans and Profiles) and C (Preliminary Right-of-Way Plans) show only minimal information about the guideway, the AFEIS contains discussion regarding street widening, locations of columns, turn lanes, station configurations, etc., that is not shown in any detail on the plans provided. The right-of-way drawings typically show only the easements and takings along with the locations of tracks, platforms and substations. The alignment plan and profile shown in Appendix B shows the track centerlines, track profiles, curve points (for Koko-Head bound track only), stationing, crossovers, curve radii, substations, station footprints and a minimal amount of road improvements.			Additional design detail is provided in the Final EIS for elements where that detail is needed (such as close-up maps of project stations). The maps in Appendix B provide general project design (plan and profile) and in Appendix C all right-of-way needed. No change proposed.	

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2	General	General	Design	The PMOC previously identified concerns with the proximity of the guideway to end of the runways at the Honolulu International Airport specifically with regard to the Runway Protection Zone, Part 77 Approach surface, the runway departure surface, and the One Engine Inoperative Surface. The PMOC understands the Project staff has been coordinating with the Airports Division of Hawaii Department of Transportation (HDOT) with regard to the portion of the fixed guideway near the airport. We also understand that a coordination meeting is to be held that involves both HDOT and the Federal Aviation Administration. However, the AFEIS does not indicate that there is an issue with the flight path zones approaching Honolulu International Airport. In fact, there is little discussion at all in the AFEIS about airport related issues.			Regular coordination meetings are being held between Project staff and HDOT-Airports to address issues raised by the proximity of the Project to the airport. Additional language has been added to the Final EIS, Chapter 4, concerning potential effects to the Airport. In a recent meeting with Airport Operations concerning runway clearance issues, the following key points were established: • The runway clearance diagram we have been using is correct. • The 1:40 slope requirements are not relevant, as runways 22L and 22R are not used for large plane departures. • The 1700 ft. Runway Protective Zone does apply to runway 22L/4R due to type of aircraft using the runway. • A portion of the guideway and Lagoon Station will fall within the RPZ, requiring a wavier from the FAA. Airport staff believes that a wavier is attainable and they will support us in our application. • The project will need wavier from freight rail clearance requirement. The 29 ft clearance from top of rail in the FAA regs is not applicable to transit vehicles and goes is well beyond our proposed vehicle. • Airport staff recommends that we commence wavier application process as soon as possible.	

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3	General		Document Design	When describing specific mitigation measures that will be included in the ROD, identify the individual measures through alphabetization and number. E.g. the individual mitigation measures for noise and vibration should be N&V-1, N&V-2, etc. This facilitates creation of the ROD. At the discretion of the grantee, the numbering, alphabetization and specific language of each mitigation measure may be placed in an appendix with the general mitigation language remaining in the bulk of the document. Mitigation language must be clear as it will be rolled directly into the ROD.			Being done. Will be added to an Appendix. They will send. Design elements that are mitigation measures will be included. We will review.	
4	2-1 thru 2-3	Introduction	Scope, Cost and Schedule	Grantee discusses the planning and design process followed by FTA, and as it relates to the NEPA requirements, even including a graphic (Fig. 2.1, pg. 2-2) which clearly shows FTA process diagram with PE and preparation of FEIS. On pg. 2-3, the following sentence is misleading since the FTA has not yet approved the Project for entry into PE: "This Final EIS addresses the Build Alternative approved by FTA for PE." Fig. 2.1 should be updated to indicate the current status. The PMOC is also concerned that the Project has advanced sufficiently to presume this AFEIS has adequately addressed the comments/concerns expressed by those that reviewed the DEIS.			Project will be in PE prior to EIS issuance. Comments on Draft EIS have all been addressed in Appendix A.	
5	Preface			Page i, at the end of the first paragraph insert language: "Approval of this EIS is not an Administrative Action (as defined by 23 CFR 771.107)) and does not commit the FTA to approve any future grant request to fund the preferred alternative."	L.S.		Insert made **OK**	
6	Preface			Page ii, at the end of the second paragraph: Change "~~At least~~…" to "No sooner than…"	L.S.		Replacement made **OK**	

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7	Preface			Page ii, after the second paragraph, add a new paragraph: "Should any construction phase of this project explicitly proceed without Federal funding, the mitigation measures contained in this document and the subsequent ROD for that phase of the project may be for information purposes only and may not be enforceable by FTA. However, it is true that Congress seeks to foster in public transportation law the development and revitalization of public transportation systems that, among other goals, "minimize environmental impacts." Development and revitalization of public transportation systems is seen as including the minimization of environmental impacts, as a shared responsibility among Federal, State and local governments and the people."	L.S.		The measures would be enforceable under state law. The following language was inserted: Should any construction phase of this project explicitly proceed without Federal funding, the mitigation measures contained in this document and the subsequent Record of Decision for that phase of the project may not be enforceable by FTA. However, it is true that Congress seeks to foster in public transportation law the development and revitalization of public transportation systems that, among other goals, "minimize environmental impacts." Development and revitalization of public transportation systems is seen as including the minimization of environmental impacts, as a shared responsibility among Federal, State and local governments and the people. The mitigation measures contained in this document would continue to be enforceable under Hawai'i State Law. **OK Added language in red.**	
8	Preface			Page ii, final paragraph: Technical appendices and documents should be compiled on CDs and be available to anyone who asks. Post them on the HRT website alongside the FEIS.	L.S.		Website added as location of availability. **OK**	
9	Executive Summary			Page S-4, next to last paragraph: The text in this paragraph states that the Maintenance and Storage facility will be located at either of two places. However, the text on page 4-178, states that the 44 acre site in Waipahu near the CC has been chosen as the LPA. Modify the text in the Executive Summary.			Will identify preferred site. **OK**	
10	Executive Summary			Page S-6, next to last paragraph: Change text to read: "Even with mitigation ~~there will be substantial~~ the Project will have significant adverse effects on ~~to~~ visual and aesthetic resources in the corridor."	L.S.		Replacement made **P. S-7** **In the Visual and Aesthetic section, remove the last paragraph. Add the paragraph to the left word-for-word.**	

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11	Chapter 2			The public comments on the DEIS were informative here. We could be vulnerable here for not "…objective(ly) evaluate(ing) all reasonable alternatives…" (Sec.1502.14(a)) Consequently, this chapter has to be bullet-proof because we need a convincing rationale for all, "…alternatives which were eliminated from detailed study (Sec.1502.14(a)) including environmental rationales." CEQ FAQ 2(a) says, "reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant." If the P&N is so finely crafted as to preclude all other reasonable alternatives except the preferred alternative – we could also be vulnerable. In this case, the P&N appear to be all about "improved transit travel times" and "level of performance." At the start of this process, HRT was requested to, at a minimum, craft one environmentally preferable alternative. This has not been done. See CEQ FAQ 6(a), "Section 1505.2(b) requires that, in cases where an EIS has been prepared, the Record of Decision (ROD) must identify all alternatives that were considered, . . . specifying the alternative or alternatives which were considered to be environmentally preferable." The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101.			Proposed text: While the Build Alternative would be environmentally preferable regarding air quality, energy use, and water quality, the No Build Alternative is the environmentally preferable alternative based on overall consideration of the criteria listed in Title 40 part 1505.2(b) of the Code of Federal Regulations. The No Build Alternative would directly affect fewer historic and cultural resources, waters of the U.S., have no direct visual impact, and cause no displacements. **This language is acceptable, but I have been unable to locate this language. Also, there is no screening data in the summary that supports all of the above statements. (see new Table 2-3)** In the ROD we will add the explanation that the NO Build does not meet the Purpose of the Project; therefore, it is not selected. Figure 2-1 – Modify entry into PE from September to October. **OK**	

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12	Chapter 2			2.2 Alternatives Screening and Selection Process Beef-up the discussion of environmental screening in this section. Include a table of various alternatives and the environmental screening criteria or environmental scores that demonstrated why they were not selected for further environmental review. This should include the "broad range of alternatives" and the "alternatives considered in the alternatives analysis."			The description has been enhanced with new text from the opening paragraph of the Chapter through Section 2.2. Pages attached. I don't see an environmental screening table. The original FEIS has a table (2-1) with all of the N/S criteria for the project as a "Summary of A/A Findings" – where is the "Summary of Environmental Screening?" **Table 2-3 needs to be broadened to include other resource areas.**	
13	Chapter 2			Page 2-2, Figure 2, Planning and Project Development Process The permission to Enter PE date will have to change.			Project will be in PE prior to EIS issuance. PE date updated.	
14	Chapter 2			Page 2-2, Figure 2, Planning and Project Development Process The permission to Enter PE date will have to change.			Project will be in PE prior to EIS issuance. PE date updated.	

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15	Chapter 2			Page 2-3, first paragraph Neither the NEPA process nor the alternatives analysis for this document are governed by the procedural steps for the New Starts process. Under NEPA, and FTA requirements (23 CFR 771 et. seq.) the evaluation shall, "not restrict consideration of alternatives…" Also, see CEQ1502.14(a): "Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." Integrate a discussion of NEPA rules with New Starts guidance.			23 CFR 771.111 f(3) states that the action evaluated shall: *Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.* The proposed project does not preclude other planned actions (i.e. other projects in the ORTP). To specifically address the points of CEQ Sec. 1502.14 the following changes have been made. New sentence added Page 2-1: As summarized in Section 2.2 of this Chapter, the Alternatives Analysis process and the Draft EIS rigorously explored and objectively evaluated all reasonable alternatives. First paragraph has been re-written as: This chapter summarizes the alternatives considered for the Honolulu High-Capacity Transit Corridor Project. Sections 2.2 and 2.3 of this Chapter discuss each alternative that has been considered in detail and the reasons that other alternatives were eliminated from detailed study, including alternatives not within the jurisdiction of FTA and the City. The No Build Alternative is included in the consideration. As described in Section 2.4, the preferred alternative identified in Section 2.5 and evaluated throughout this Final Environmental Impact Statement (EIS) resulted from a rigorous process involving compliance with and response to the Hawai'i Revised Statutes (HRS) Chapter 343 EIS preparation notice comment period, alternatives analysis, National Environmental Policy Act (NEPA) scoping process, and comments received during the public review of the Draft EIS. **OK**	

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16	Chapter 2			p. 2-3, first paragraph Modify language: "…that will conclude ~~PE and~~ the Federal…"	L.S.		Deletion made OK	
17	Chapter 2			page 2-41, Project Phasing The narrative describes the Project as being constructed in four phases and cites Figure 2-41. On page 2-42, Figure 2-41 describes five Project phases. The Project is either four phases or five phases – align the narrative with the timeline in the Figure.			The project is four phases, schedule graphic is being modified to reflect. OK	
18	2-3	2.1 thru 2.3	Design	Essentially the discussion matches PMOC current understanding of the Project. Figures used and Plans included in Appendices B & C generally replicate what the Project has been described as, but in a number of areas there is more discussion about particular design solutions than evidenced from the Plans provided. Where warranted, the Plans in Appendices (and possibly some of the figures as well) should be updated with PE-level design work apparently completed by the Grantee.	L.S.		No Change made	
19	2-19	2.4	Design and Scope	The AFEIS states that the Airport Alternative will require less ROW than the Salt Lake Alternative. It is difficult to fully assess in this AFEIS the full extent of the ROW requirements and the analysis thereof. Appendix C is not easily assessable to complete this assessment. Nonetheless, this information appears to match the PMOC's understanding of the Project.			No Change made, Right of way specifics were provided in the Draft EIS.	
20	2-19 thru 2-25	2.5	Scope	Generally matches the PMOC's understanding of the Project.			No Change made	
21	2-25	2.5.1	Scope	The fleet size requirements of 75 (2019 peak) and 85 (2030 peak) vehicles identified in the AFEIS match the vehicle quantities as presented in City's "Fixed Guideway Fleet Sizing Report" June 2009. The PMOC confirmed the fleet sizing is adequate per the guidelines of Transit Cooperative Research Program Report 100.			No Change made	
22	2-26	2.5.2	Design	The AFEIS indicates that the system may be "manually operated by a driver or fully automated (driverless)". However, the PMOC has been informed by the Grantee that the vehicles will be fully automated with manual operation possible only through a hostler panel.			The system is capable of manual operation, the operating plan is to use automated operation.	

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23	2-26 & 2-27	2.5.1 and 2.5.3	Design	Section 2.5.1 indicates that the fare system proposed for the Project will be proof of payment. However, Section 2.5.3 states that the stations will "accommodate fare gates and station manager's booths". The PMOC understands from discussion with the City that the system will be proof of payment. It is unclear why fare gates would then be required.			Fare system will be proof of payment. City reserves the right and has designed for changing the system at some point in the future.	
24	2-30	Alternatives Considered	Design	Figures 2-14 and 2-15 labels are reversed: Figure 2-14 shows a typical center platform with a concourse and Figure 2-15 shows typical side platforms with a concourse. It is worth noting that the side platform with concourse configuration shows a platform level extending out to the station entrance structures on the outside of the roadway, which would be unnecessary if a set of elevators (from concourse to platform) could be placed within the footprint of the functional parts of the platforms. The placement of elevators in the station entrance buildings is less convenient than it could be, causing longer travel paths for those with disabilities.			Figure 2-15 shows Center Platform. In the June 18 version. Design comment noted. The current design eliminates a second elevator system that would not extend to ground level. The current design has lower long-term O&M costs and lesser structural requirements. While travel path would be greater for some users, it is shortened (single elevator ride) for others.	
25	2-39	2.5.8	Scope	The AFEIS states that the Vehicle Maintenance and Storage Facility (MSF) will "store up to 100 vehicles." The Project Management Plan (PMP) states that the MSF will accommodate up to 150 vehicles.			Replacement made with 150	
26	2-39	2.5.8	Scope	The AFEIS states two alternate sites for the MSF are being considered: a 44-acre site near Leeward Community College (Navy Drum Site); and the 41-acre site in Hoopili. However, the PMP states that the MSF will be constructed on 43 acres of land at the Navy Drum site. If the decision has been made for one site, the FEIS should reflect this.			The City does not have control of the preferred LCC site. The Hoopili site remains a fall-back should the LCC site not become available.	
27	2-41	2.5.9	Design	The AFEIS should clarify whether the TPSS sites will require any aesthetic treatment based on community input.			None will be required. Landscaping will be included.	
28	2-41	2.5.10	Scope	The statement that "Construction of stations in under-developed areas may be deferred until those areas are developed" had not previously been discussed with the PMOC. It is PMOC's understanding that all stations shown on the drawings are to be constructed in their entirety and operated as part of the Project.			Issue was discussed with FTA and added at their suggestion. No Change made. I don't recall having any of these discussions until recently. **I have advised staff again of this stipulation.**	

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29	2-42	Fig. 2-41	Construction Methodology	The PMOC was provided a DRAFT Contract Packaging Plan (Revision 2) dated February 5, 2009 and preliminary contract documents that demonstrate a fairly advanced contract packaging methodology that would include Design-Bid-Build, Design-Build, and Design-Build-Operate-Maintain.. However, the AFEIS is fairly silent on this fact, particularly given that procurement activities are underway for three construction or equipment procurement contracts. The AFEIS could provide more detail of the contracting methodology in Appendix E and discuss the implications of the various methods of contracting that would allow for greater transparency.			Proposed addition to Section 2.5.10: The method of contracting the individual construction contracts will vary for the various phases of construction. The first construction phase will utilize a design-build contract where both design and construction are included in a single contract package. Later phases may use this method, or the design and construction may be completed under separate contracts. The contract method will not change the effects of the Project as described in this Final EIS.	
30	2-42	2.5.10	Design	Under *Construction Schedule*, the AFEIS states "Preliminary Engineering for the Project is underway…" This statement is not currently accurate, although it likely will be by the time the FEIS is made available for public comment.			Will be underway at time of issue of Final EIS.	
31	Chapter 3	Transportation	Construction Impacts/ Mitigations	Generally the construction methodology described in the AFEIS is consistent with the PMOC understanding as presented by the City.			No Change made	
32	Chapter 4			Page 4-7, Table 4-1 Under Visual and Aesthetic Conditions, Section 4.8, describe the environmental effects as "significant" as related to the sector development plans and the "viewer response" to the DEIS. Describe the probable unavoidable adverse environmental effects as "significant and unavoidable."	MS	A	Revised as requested Check sub chapter. **Comments elsewhere.**	

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33	Chapter 4			Page 4-7, Table 4-1 Under Noise and Vibration, Section 4.10, describe the environmental effect of the project as having "moderate noise impacts." Do not describe mitigation here. Under mitigation measures, describe vehicle skirts; move the parapet wall discussion to the mitigation section; describe project start-up noise testing and potential mitigation.			Reference to project design elements deleted from table. All mitigation is discussed under Mitigation Measures. Check sub chapter. **Submitted draft chapter is the same as bound October Draft. OK**	
34	Chapter 4			Page 4-9, Table 4-1 Expand the Archaeological, Cultural and Historic Resources section of the table and describe environmental effects, mitigation measures and probable adverse effects to parklands affected by the project.			Parklands are discussed in Sections 4.5 and in Chapter 5. This section only considers Archaeological, Historic, and Cultural resources – not recreational. OK	
35	Chapter 4			Page 4-9, Section 4.8 Modify language, "…with surroundings, and discussion of probable significant and unavoidable adverse environmental effects was added."			Revised as requested Check subchapter.	
36	Chapter 4			Page 4-10, Section 4.10 Modify language, "…after mitigation ~~there will be~~ no impact is expected from the project.			Revised as requested Check subchapter.	
37	Chapter 4			Page 4-27, Mitigation The DEIS describes property owners as being compensated, "…in accordance with the Real Estate Acquisition Management Plan (RTD 2008q)." Is this no longer the case? Describe the alternative plan.			Revised to reference Uniform Relocation Act Check subchapter.	
38	Chapter 4			. Page 4-56, Mitigation Cite or reference the standard mitigation measures in Section 4.4.			Mitigation listed in Section 4.4.3 is cross-referenced.	

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39	Chapter 4			4.7 Visual and Aesthetic Conditions Both the DEIS and AFEIS cite the DOT criteria for determining visual impacts. I.e. Visual Impact = Visual Resource Change + Viewer Response. Based upon the response to the DEIS by interested organizations, stakeholders and concerned citizens the Viewer Response to the proposed project would have to characterized as overwhelmingly negative. Both documents characterize the Visual Resource Change as "high." Despite the viewer response to the DEIS, the FEIS softens the language of the visual impacts in some areas when it should have taken the opposite view. The environmental analysis in this section must link the visual elements of the sector development plans with the opinions of the many commenters. Describe the consistency between the visual elements of the plans and the commenter's views. Describe the project as having a significant visual impact based upon plans/policies, resource change and viewer response. The visual and aesthetic impacts of this project are "significant" in terms of context and intensity (Sec. 1508.27). As currently envisioned, these adverse effects cannot by-and-large be mitigated. The nature of the beast is that it is a beast. Please change the nature of the narrative in this section to reflect this reality. In this case the impacts are significant and mitigation efforts will be marginal at best.	MS	A	Revised as requested. The visual impact rating for the following downtown views has been revised from moderate to significant: Viewpoint12, Viewpoint 14, and Viewpoint 15. Text explaining that the revisions were in part due to comments received on the Draft EIS has been added. Check subchapter. Will send. **Comments elsewhere.**	
40	Chapter 4			Page 4-57, fourth paragraph In the DEIS, the Waikiki Special District (Section 21-9.80) was described as being a special district related to preservation and enhancement. Is this no longer the case?	MS	A	The Waikiki Special District has been removed from the Final EIS as it is not within the Project Area. OK	
41	Chapter 4			Page 4-57, modify language "…guidance specific to transit projects. When determining visual impacts, DOT guidance requires equating the visual impact with 1. the change in visual resource or view plane, plus 2.) the viewer response. Viewer response to the visual impact in the DEIS to the proposed project was overwhelmingly negative. (followed by new paragraph)	MS	A	Revised as requested. Check subchapter. **Comments elsewhere.**	

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42	Chapter 4			Page 4-63, ~~High~~ Significant Environmental Consequences This is a NEPA document. Use "significant' in place of "high." (See the discussion above on 1508.27) Describe the effects in terms of "context" and "intensity" in order to reflect CEQ language.	MS	A	Revised as requested. Check subchapter. **Comments elsewhere.**	
43	Chapter 4			Page 4-64, The Project Viewer groups and interested individuals have weighed in their perceptions of the visual impacts of the project. Significant impacts are not a matter of conjecture. Modify the text accordingly. Page 4-65, Table 4-9 Change the measure of existing visual quality from "high" to "significant." Modify the narrative in the assessment to reflect viewer input and protections afforded by sector development plans.	MS	A	Revised as requested, except that the measure of existing visual quality is accurately noted as low, moderate or high. Changing high to significant in this context would not be appropriate. **Comments elsewhere.**	
44	Chapter 4			4.10 Noise and Vibration Page 4-113 Environmental Consequences and Mitigation The text must first describe the environmental consequences of the proposed project based upon FTA guidance and modeling results. Unfortunately, the Project Noise section conflates mitigation and consequences. The "integrated noise blocking parapet" is not part of an initial noise modeling assessment – it is part of the mitigation. Similarly, "wheel skirts" are not identified in the FTA guidance as part of a noise assessment – they are a mitigation measure. Both can be found in Table 6-12, Transit Sound Noise Mitigation Measures on page 6-37 of the FTA guidance. Please modify the environmental consequences section following FTA guidance. Describe predicted noise impacts from an elevated heavy rail project using standard source reference sound exposure levels found on page 6-10 of the FTA N&V guidance. Identify resources modeled where moderate or severe impacts are predicted to occur. Do not include the effects of mitigation measures in the initial computation of noise exposure levels. Modify the accompanying map accordingly. Include a map identifying the probable locations of TPSS.			Section has been reviewed to delete any suggestion that the parapet walls or skirts are a noise mitigation. Both of those items are project features. Parapet walls provide improved aesthetics and safety compared to a wire barrier in addition to providing noise benefit. Likewise, wheel skirts are included in vehicle specifications to ensure a modern sleek-looking system vehicle. TPSS locations have been restored to Figures 4-53 through 4-56. See separate comments HTS Noise. **N&V OK.**	

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45	Chapter 4			Page 4-113 First paragraph: The DEIS describes noise measurements as taking place at, "…upper floors of residential buildings with open lanais." (p. 4-99) The text here states that noise testing was done on, "…upper floors of residential buildings." Please clarify.			Reference to open lanais was re-inserted. Check subchapter. **N&V OK.**	
46	Chapter 4			Page 4-113 Under Project Noise The DEIS identifies 18 moderate noise impacts on the Airport alternative. Please explain how these 18 predicted impacts in the DEIS were reduced to three moderate impacts in the FEIS.			Existing noise measurement data for the Kauhale Site in the Draft EIS (representing 14 units) was questionable. When we re-checked it and realized that it was estimated from a short-term measurement, the measurement was re-taken at 99-002 Lele Street using a 24-hour reading. The resulting existing Ldn was 20 dBA higher than the previous estimate and consistent with other nearby measurements (> 70 dBA Ldn in the first row). In any event, these readings may be super-ceded by describing noise impacts of an elevated heavy rail train without mitigation measures. **N&V OK.**	
47	Chapter 4			Page 4-114 Under Noise Mitigation Describe proposed mitigation measures. Identify any receptors with modeled noise impacts after mitigation. Under Noise Mitigation change language: Upon project start-up, field measurements at noise impacted (elevated?) structures will be completed. Should noise impacts exceed FTA noise impact levels, further treatment mitigation may be carried out on the receivers with the authorization of the property owners. ~~Once the Project is operating, noise levels will be re-measured to confirm that there are no project noise impacts.~~			Language replaced with: Once the Project is operating, noise measurements will be completed at representative sites. Should the Project's noise exposure exceed the FTA noise impact criteria, further treatment mitigation may be carried out on the receivers with the authorization of the property owners. Change to "noise impacted structures". This language will be inserted in the ROD by FTA. **N&V OK.**	

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48	Chapter 4			Page 4-117 third paragraph Explain how the Honolulu High-Capacity Transit Corridor Project Hazardous Materials Technical Report (RTD 2008i) differs from a Phase 1 Environmental Site Assessment.			The Technical Report is an initial assessment of properties where Phase 1 Environmental Site Assessments may be required. Mitigation p. 4-123 How will the City complete a Phase I ESA on a site controlled by the original property owner without the consent of the property owner? Why would a property owner accept the position of perp in any case? The City would have to buy the property and remediate at its own expense.	
49	Chapter 4			Page 4-134 second paragraph Were white terns observed in any of the trees scheduled for trimming or removal?			No white turns were observed. A survey will be conducted prior to construction as stated on page 4-189 of the Admin Final EIS	
50	Chapter 4			Page 4-173 second paragraph The DEIS describes burials within the study corridor as "documented." Are the Native Hawaiian burials no longer documented?			This was incorrect in the Draft EIS. There are no documented (i.e. known) burials within the archaeological APE. There are areas where burials are highly likely. This is stated in the Final EIS, and addressed in the PA.	
51	Chapter 4			Page 4-177 Archaeological, Cultural and Historic Resources Include a discussion on the adverse effects to the Dillingham Building.			Descriptions of effects to historic resources has been added for adversely effected resources.	

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52	Chapter 4			4.18 Construction Phase Effects Change "may" to "will" and "could" to "will" in all narrative on commitments to mitigation. Identify the parties responsible for enforcing all Construction mitigation plans. The responsible party is the project sponsor not the individual contractor.			Language in the Final EIS has been clarified to strengthen mitigation commitments. The City is responsible for ensuring mitigation commitments are followed during final design and construction. This language has been clarified in the Final EIS. Add language. The language will go in the ROD. - Temporary construction noise and vibration impacts are anticipated at sensitive receptors along the corridor. During final design, the City and County of Honolulu, in cooperation with its contractors, will create and carry out a Construction Noise and Vibration Mitigation Plan using any and all of the mitigation measures defined in the FEIS and recommended by FTA in its Transit Noise and Vibration Impact Assessment guidance (2006). Numeric limits and monitoring measures will be developed to minimize noise vibration impacts. Vibration mitigation strategies will be included in the Construction Noise and Vibration Mitigation Plan.	
53	Chapter 4	Environmental Analysis, Consequences and Mitigation	Construction Impacts/ Mitigations	For an elevated railroad in a scenic area, it would seem that "Visual & Aesthetics" should be a major issue. While it's difficult to quantify subjective observations, such as moderate or severe effects on mauka or makai views, perhaps such degradations at receptor locations could be identified and counted. More renderings showing the changing of views could be included. Unlike impacts such as noise and vibration, mitigations are less available for visual and aesthetic effects.			This is addressed in Section 4.8. Section 4.18.3 is limited to construction-phase effects.	

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54	4-6	Environmental Analysis, Consequences and Mitigation	Construction Impacts/ Mitigations	The AFEIS does not define the relocation of the Banana Patch community as an environmental justice issue. Since the community is 100% minority and relies at least partially on subsistence farming in an area with no water or sewer service, the subject of justice can only be addressed after the adequacy of compensation and accommodation or dismantlement of this community is known.			The text has been revised to state that the residents living in the Banana Patch will be compensated in compliance with Federal and State laws and will follow the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act. Review sub chapter.	
55	4-134	4.14	Design	EPA Comments to the DEIS, dated February 12, 2009, had concerns that quantitative information was not included in the DEIS with respect to all water impacts. The AFEIS still contains no quantitative information regarding impacts to floodplains, streams, or riparian areas.			Section 4.14 of the Final EIS has been revised to include impacts to Waters of the U.S.	
56	Chapter 05 4(f) Evaluation			Page 5-14, Ke'ehi Lagoon Beach Park Is there written concurrence from the officials with jurisdiction over the park that the project will have no adverse effect on the parks' activities, features, and attributes? Include narrative in the section. Include agreement letter in an appendix.			Concurrence with officials with jurisdiction over Ke`ehi Lagoon Beach Park is not required as this is not a de minimis impact. The City has scheduled a coordination meeting with the park owners to discuss mitigation. This coordination will be documented in the Final EIS. OK	
57	Chapter 05 4(f) Evaluation			Page 5-18, Historic Sites Identify all officials with jurisdiction.			The signatories of the PA are the agencies with jurisdiction over historic resources and are included in the Chapter 5, Section 4(f) Evaluation. Chapter 5.5.2 Historic Sites In an appendix, include all correspondence with officials or individuals in control of historic sites or parklands where de mimimis determinations have been made.	

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58	5-35	Section 4F Evaluation	Design	The AFEIS presents photos showing the Dillingham Transportation Building and the outdoor plaza which connects it to the Pacific Guardian Building to its east. The guideway is planned to pass near the historic Dillingham Building but will require 2400 square feet of the lush plaza for a station entrance building. While the document discusses optional alignments, its lack of detailed plans for the station makes its arguments ineffective.			The figures in the Final EIS are intended to be schematic representation of the avoidance alternatives. Detailed plans have been prepared to the level of detail needed to demonstrate that they are not feasible and prudent. Detailed engineering drawings will not be included in the Final EIS.	
59	5-53	Section 4F Evaluation	Construction Impacts/ Mitigations	The AFEIS claims minimal visual impact when evaluating the Project's effect on views from Mother Waldron Park but ignores the devastating effects on makai views of and over the park from mid-rise structures immediately north of the guideway.			The Visual section of the FEIS states that affects on Mother Waldron Park would be significant (high). See Table 4-9 of the Final EIS, Viewpoints 18 and 18, and related simulations for these views-Figures 4-37 and 4-38.	
60	Chapter 06 Cost and Financial Analysis			Page 6-1, Changes to This Chapter since the DEIS This project will enter New Starts preliminary engineering prior to completion of the FEIS. The FTA letter to HRT permitting entry to PE will include descriptors of the latest information concerning cost, financing, project phasing, etc. Generally describe the stipulations in the PE letter here. If necessary, change project related capital and O&M costs throughout the chapter to reflect most recent estimates contained in the FTA letter. Based upon the contents of the PE letter, modify other chapters accordingly.			Chapters 6 and 7 to be updated to match PE letter. Check subchapter.	
61	6-3	6.3.1	Cost	Tables 6-1 and 6-2 do not match the information provided in June 2009 to PMOC (within the SCC workbook). The differences are not significant, but the AFEIS table should contain the most current data.			Tables updated to values resulting from PMOC review of PE application.	
62	07 Evaluation of the Project			Page 7-4, Table 7-3 Are you saying that in the no-build condition people have no "predictable travel time?" Or are you saying that people riding on fixed guideways are not subject to travel delays? Is this the best you can do to evaluate travel reliability?			Both of these cases are mostly true.	
63	07 Evaluation of the Project			Page 7-4, Table 7-4 This table makes no sense since you are comparing something (station area pop. and employment) to nothing (no station areas).			Table deleted	

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64	07 Evaluation of the Project			Page 7-6, Table 7-5 Again, you are comparing something with nothing.			Table deleted.	
65	Chapter 8 Comments and Coordination			Page 8-14 8.6.6 Visual This chapter does not adequately characterize commenter's concerns regarding visual and aesthetic impacts. Modify substantially.			This section of the Final EIS has been revised to include a summary of commenter's concerns regarding visual and aesthetic impacts. The analysis was modified to reflect comments raised by the public. Review sub chapter.	
66	Chapter 8 Comments and Coordination			Page 8-15 8.6.7 Noise Remove the third sentence regarding bus noise.			Done.	
67	Chapter 8 Comments and Coordination			Page 8-16 8.6.9 Construction Phasing The issue of construction phasing remains a concern, and FTA leadership will have to weigh in on this issue. Changes may have to be made to Chapter 2 prior to publication.			No Change made. Awaiting further direction from FTA leadership.	
68	Chapter 8 Comments and Coordination			Third paragraph – remove the "key reason," ~~access to the maintenance and storage facility~~. The choice of the 44 acre site in Waipahu near the CC will allow for construction of phase one between Pearl Highlands and Aloha Stadium.			No Change made, as described above, two sites remain under consideration. OK	
69	Appendix A			No additional comments			No Change made	
70	Appendix B			No additional comments			No Change made	
71	Appendix C			No additional comments			No Change made	
72	Appendix D			No comments			No Change made	
73	Appendix E			No additional comments			No Change made	

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74	Appendix E			All references to Draft EIS, including the footer, should be updated to reflect "Final Environmental Impact Statement".			Change made	
75	Appendix F			No comments			No Change made	
76	Appendix G			No comments			No Change made	
77	Appendix H			Programmatic Agreement is not included in this appendix.			To be included when executed.	