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U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
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American Samoa,
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Mufi Hannemann
Mayor
City and County of Honolulu
530 South King Street
Room 300 Honolulu, HI 96813

Dear Mayor Hannemann:

On behalf of Administrator Rogoff, I am responding to your letter addressed to the Federal Transit Administration (FTA) dated December 11, 2009, in which you review the status of several unresolved issues associated with the environmental process for the Honolulu High-Capacity Transit Corridor Project (the "Project"). In the view of the City and County of Honolulu (the City) each of the outstanding issues will be resolved by or before the end of this month, at which point the Final Environmental Impact Statement (FEIS) could be made available to the public.

Although FTA staff is working diligently to expedite resolution of all outstanding environmental issues, final resolution of some issues requires input from other parties ~~to the process~~ as required under the National Environmental Policy Act (NEPA). Two examples of this reality are the provisions of Section 106 of the National Historic Preservation Act (Section 106) and the requirements of the Federal Aviation Administration (FAA) for projects proposed on airport properties.

Regarding Section 106, the signatories to programmatic agreement did not concur with the contents of the agreement on December 15th, as ~~speculated~~ anticipated in your letter. Rather, on December 18th, FTA received a request from the Advisory Council on Historic Preservation seeking clarification of the U.S. Navy's role and responsibilities in the consultation process under Section 106, as well as additional information. Consequently, it is highly improbable that the Section 106 consultation process, including execution of the programmatic agreement, can be completed by the end of the month.

Regarding FAA requirements, FTA is awaiting the results of FAA discussions with the Hawaii Department of Transportation's Airports Division on an array of potential impacts of the ~~project on the~~ Project~~'s impacts~~ at Honolulu International Airport. FAA intends to inform FTA by letter, early in January 2010, about its conclusions regarding potential airport impacts, mitigations, analysis, and documentation. Upon receipt of the FAA letter, FTA will have a clearer understanding of any additional steps needed to bring closure to airport-related issues in the FEIS.

Both of these topics well illustrate the uncertainties that FTA and the City face in completing the FEIS. Consequently, FTA cannot predict the completion dates for the FEIS in particular or the NEPA process in general. ~~FTA regrets the late start in initiating the Section 106 process that is~~

~~normally underway at the Draft Environmental Impact Statement stage. FTA also regrets the late start in addressing airport-related issues that were discovered by an FTA contractor in June 2009.~~

FTA knows how important this project is to the City and County of Honolulu. All parties have worked diligently to get to this point in the Section 106, airport, and NEPA proceedings. FTA is concerned that those processes not be truncated to meet a ~~n unattainable~~ schedule that has become unattainable.

Again, FTA staff is working hard to expedite resolution of all outstanding environmental issues. I am confident that the environmental process will be completed as swiftly as possible but cannot commit to completing that process by a specific date and certainly not by the end of the month.

Sincerely,

Leslie T. Rogers
Regional Administrator