From: Laura.Thielen@hawaii.gov
To: Zelasko, Elizabeth (FTA)
Sent: 6/14/2010 4:24:39 PM
Subject: RE: Honolulu High Capacity Transit Corridor Project

Liz,

Thanks for the communication. I was getting questions about whether the consultation was completed, so I have shared with folks that the FTA has confirmed that consultation is not completed and the FTA is working to bring the parties together for further discussion.

On another note, I would appreciate if you could provide me with some overview of the process at this point. I'm less familiar with the federal EIS process than the state process, and it appears the two processes are "finalized" in slightly different manners.

My understanding is the FTA will be sending the Governor the EIS for her review. I have been assuming that the Governor needs to sign the EIS for it to be final, but when we spoke last week, you mentioned that under the federal process there is no final decision until the FTA issues a Record of Decision. Is the EIS finalized by the Governor's signature? Or is it finalized by the FTA Record of Decision?

If I recall correctly, you also said the programmatic agreement could either be appended to the EIS, or run on a parallel track. However, the FTA could not issue a final record of decision until it had the final EIS and final programmatic agreement. Is this accurate?

Lastly, I have also been assuming that the programmatic agreement isn't finalized until the signatory parties all sign. Is that accurate, or is it possible under FTA authority to finalize a programmatic agreement without all signatory parties?

Thanks for any clarification you can provide. I know Annette is working with you on scheduling the next call. Let me know if there is anything else I can do to assist.

Laura H. Thielen
Chairperson
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<elizabeth.zelasko@dot.gov>

06/11/2010 05:59 AM

To <Laura.Thielen@hawaii.gov>

cc <Annette.L.Kahalewai@hawaii.gov>, <Leslie.Rogers@dot.gov>, <Ted.Matley@dot.gov>, <bsemmer@achp.gov>, <elaine_jackson-retondo@nps.gov>, <fmiyamoto@honolulu.gov>, <Susan.Borinsky@dot.gov>, <Carl.Bausch1111@dot.gov>, <Nancy.A.McMahon@hawaii.gov>, <Pua.Aiu@hawaii.gov>, <Raymond.Sukys@dot.gov>

Subject RE: Honolulu High Capacity Transit Corridor Project

Laura,

Late on Tuesday, the City forwarded FTA a copy of letter that they sent to you dated June 8th. FTA was not

consulted by the City in the development of this letter and FTA does not agree with the perspective of the City that the Section 106 consultation process has been concluded. We do not consider consultation under Section 106 to be finalized until the PA is executed. With some outstanding comments made by your office and NPS for FTA to consider and discuss, the PA is in draft form and not ready for signature.

We would like to apologize for any confusion caused this letter and would like to make clear that any communication requesting signature on the PA will come from FTA and not the City. The City may at their discretion decide consult with your office on matters outside of the Honolulu Transit Project undertaking.

We will be contacting you shortly to set up a teleconference to further discuss the PA.

Thank you,

Liz

From: Annette.L.Kahalewai@hawaii.gov [mailto:Annette.L.Kahalewai@hawaii.gov]
Sent: Thursday, June 10, 2010 2:30 PM
To: Zelasko, Elizabeth (FTA); Rogers, Leslie (FTA); Matley, Ted (FTA)
Subject: Honolulu High Capacity Transit Corridor Project

Good Morning All:

Attached please find:

1) Letter from Mr. Kirk Caldwell, Managing Director for the City and County of Honolulu - received at the Chairperson's office on June 9, 2010
2) Response to Mr. Caldwell from the Chairperson dated June 10, 2010.

If there are any questions, please feel free to contact Laura Thielen at 808-587-0401. Thank you.

Annette L. Kahalewai, Secretary to the Chairperson
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Honolulu, Hawaii 96813
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Fax: (808) 587-0390 [attachment "Letter to Kirk Caldwell.pdf" deleted by Laura H Thielen/DLNR/StateHiUS] [attachment "Letter from Kirk Caldwell.pdf" deleted by Laura H Thielen/DLNR/StateHiUS]