From: Bausch, Carl (FTA)
To: Rogers, Leslie (FTA); Borinsky, Susan (FTA); Marler, Renee (FTA); Sukys, Raymond (FTA); Zusman, Nancy-Ellen (FTA); VanWyk, Christopher (FTA); Ryan, James (FTA); Zelasko, Elizabeth (FTA)
CC: Carter, Dorval (FTA)
Sent: 4/15/2010 3:52:47 AM
Subject: FAA NEPA Impact Review Categories: HNL Rail Project

Susan suggested that we discuss the issue developed in my note (below) during a conference call this afternoon; our calendars look pretty free from 2 o'clock to 4 o'clock (EDT). Please let me know what would be a convenient time for you and we'll get a meeting notice out with call-in numbers. Many thanks.

From: Bausch, Carl (FTA)
To: Borinsky, Susan (FTA)
Cc: Zelasko, Elizabeth (FTA)
Sent: Thu Apr 15 06:40:33 2010
Subject: FW: FAA NEPA Impact Review Categories: HNL Rail Project

Here is another reason to let FAA go its own way with NEPA:

We are no longer dealing with a modest adjustment in alignment of the transit way, a change that does not require supplementation of the impact statement; we are now expected to include in the final impact statement analysis of the airport layout plan, a type of plan—a major Federal action—for which FAA has in the past prepared an impact statement. See *City of Grapevine v. Department of Transportation*, 17 F.3d 1502 (D.C. Cir. 1994). In the circumstances, a strong argument could be made that the impact statement must be supplemented, not because of the shift in the alignment, but because we are introducing for the first time analysis of another major Federal action that the public has not had an opportunity to consider and address. We know we're going to get sued; what is the sense of giving prospective plaintiffs a winning issue on a silver platter? The FAA seems willing to issue its own supplement (see highlighted passage below); let's cut FAA free—we have ample justification for doing so.

From: Sukys, Raymond (FTA)
Sent: Wednesday, April 14, 2010 6:57 PM
To: Zelasko, Elizabeth (FTA); Bausch, Carl (FTA); Zusman, Nancy-Ellen (FTA)
Cc: Marler, Renee (FTA); Matley, Ted (FTA)
Subject: FW: FAA NEPA Impact Review Categories: HNL Rail Project

Here is an e-mail from the FAA about procedural steps.

From: Pete.Ciesla@faa.gov [mailto:Pete.Ciesla@faa.gov]
Sent: Wednesday, April 14, 2010 8:03 AM
To: Sukys, Raymond (FTA)
Cc: Matley, Ted (FTA); Dave.Kessler@faa.gov; debbie.roth@faa.gov; Steve.May@faa.gov; Mia.Ratcliff@faa.gov; Steve.Wong@faa.gov
Subject: FAA NEPA Impact Review Categories: HNL Rail Project

Hi Ray,

Per our discussion yesterday on the HNL transit rail project, below is a list of NEPA impact categories we evaluate for an airport project from Appendix A of FAA Order 1050.1E, *Environmental Impacts, Policies and Procedures*.

I've also attached our ROD for the Oakland Airport BART Connection Project to show how we prepared the FAA ROD using FTA's Oakland BART EIS.

Here are the FAA procedural steps we'll be following before we can adopt the FTA EIS and issue an FAA ROD for the HNL rail project:

- Independently review the information contained in the FTA Rail EIS

- Determine if the information adequately addresses airport development needs and the requirements of FAA environmental orders 1050.1E and 5050.4B - *NEPA Implementing Instructions for Airport Actions*

- Request FTA to make any changes needed to address FAA requirements

- FAA can adopt in whole or part of the FTA's EIS, taking responsibility for the scope and content that addresses FAA actions

- Notify EPA by written notice that the FAA plans to adopt the FTA EIS, and EPA to publish in the Federal Register*

- If all of the required airport/FAA information is not available in the FTA EIS, then FAA would need to publish and circulate a supplement to the EIS before we can issue a ROD

* Note: FAA wouldn't need to recirculate the FTA EIS as we did for the Oakland Airport BART Connector Project, since we are a Cooperating Agency on the Honolulu Rail EIS.

Also could you send me a copy of the draft internal schedule for actions to prepare the Final EIS, so we can review and provide any needed feedback.

Pete

Peter F. Ciesla
Regional Environmental Protection Specialist
FAA, Airports Division, Western-Pacific Region
Office: (310) 725-3612
Fax: (310) 725-6847

APPENDIX A. ANALYSIS OF ENVIRONMENTAL IMPACT CATEGORIES

SECTION 1. BACKGROUND AND HOW TO USE THIS APPENDIX

1.1 This appendix summarizes the requirements and procedures to be used in environmental impact analysis according to resource impact category. Executive Orders, FAA and DOT Orders, and Memoranda & Guidance documents described in Appendix C may also contain requirements that apply.

1.2 The potential impact categories, presented in sections, are as follows:

section	*Impact Categories*	page
2	*Air Quality*	A-3
3	*Coastal Resources*	A-10
4	*Compatible Land Use*	A-13
5	*Construction Impacts*	A-18
6	*Department of Transportation Act: Sec. 4(f)*	A-19
7	*Farmlands*	A-23
8	*Fish, Wildlife, and Plants*	A-25
9	*Floodplains*	A-32
10	*Hazardous Materials, Pollution Prevention, and Solid Waste*	A-35
11	*Historical, Architectural, Archeological, and Cultural Resources*	A-41
12	*Light Emissions and Visual Impacts*	A-56
13	*Natural Resources and Energy Supply*	A-58
14	*Noise*	A-60
15	*Secondary (Induced) Impacts*	A-68
16	*Socioeconomic Impacts, Environmental Justice, and Children's Environmental Health and Safety Risks*	A-69
17	*Water Quality*	A-74
18	*Wetlands*	A-77
19	*Wild and Scenic Rivers*	A-81