From: Zelasko, Elizabeth (FTA)
To: Marler, Renee (FTA); Barr, James (FTA); Matley, Ted (FTA)
CC: Sukys, Raymond (FTA); Bausch, Carl (FTA); VanWyk, Christopher (FTA)
Sent: 4/7/2010 10:38:01 AM
Subject: FW: Section 106 Programmatic Agreement
Attachments: FTA PA Draft Final Revise 3_29_10_clean.doc

In response to Renee's questions from Monday:

I have not made any changes to a draft PA. The latest version is attached. As I indicated below and did not hear any feedback on, I think that the name of the building should be changed, but SHPD should be left in throughout the document.

According to Joe, the ACHP does not like to sign MOAs or PAs until they see FTA's signature. So I am not sure that the separate signature page would work for the signatories. However, prior to the FEIS, we should have the four signatories sign the PA and then while the FEIS is being prepared and distributed we can circulate the PA to the consulting parties and perhaps do the separate signing pages.

Regarding the public opportunity for review and comment (800.14(b)(iv), it should be sufficient to have the executed PA as an appendix to the FEIS. In publishing the availability of the FEIS in newspapers and press releases, we should have the City specifically mention the Section 106 PA's availability.

Who in Region 9 will or is taking the lead in getting the PA circulated for signature?

Liz

From: Zelasko, Elizabeth (FTA)
Sent: Friday, April 02, 2010 2:53 PM
To: 'Blythe Semmer'; 'Pua.Aiu@hawaii.gov'; 'Nancy.A.McMahon@hawaii.gov'; 'cvaughn@achp.gov'
Cc: Bausch, Carl (FTA); Barr, James (FTA); VanWyk, Christopher (FTA); Sukys, Raymond (FTA); Borinsky, Susan (FTA)
Subject: FW: Section 106 Programmatic Agreement

Good afternoon,

Our Region 9 office shared the draft PA with the City and County of Honolulu. The City shared some minor comments below. I am inclined to edit the name of the CINCPAC building, but leave the term SHPD throughout the PA.

Attached for your convenience is a clean version of the draft PA. FTA will be in touch next week regarding the next steps in executing the PA.

Have good weekends!

Liz

Elizabeth Zelasko
Federal Transit Administration
Office of Planning and Environment
elizabeth.zelasko@dot.gov
(202) 366-0244

From: Sukys, Raymond (FTA)
Sent: Friday, April 02, 2010 2:23 PM
To: Zelasko, Elizabeth (FTA); Barr, James (FTA)
Subject: FW: Section 106 Programmatic Agreement

From: Souki, Jesse K. [mailto:jsouki@honolulu.gov]
Sent: Thursday, April 01, 2010 7:20 PM
To: Marler, Renee (FTA)
Cc: Sukys, Raymond (FTA); VanWyk, Christopher (FTA); Woo, Donna M
Subject: RE: Section 106 Programmatic Agreement

Renee,

I have concluded my review of FTA's version of the Honolulu High-Capacity Transit Corridor Project's ("Project") Section 106 programmatic agreement ("PA"). My review included comparing FTA's version of the PA with the version of the PA that the City Council authorized the Director of the Department of Transportation Services ("DTS") to sign under Resolution 09-306, CD1, dated October 20, 2009.

After reviewing the FTA's version of the PA, I conclude that it is in "substantially the same form" as the PA the City Council authorized DTS to sign. I note that text has been rearranged, regulatory language and references have been added, and non-material clarifications were made throughout the document. However, those changes did not add any new obligations upon the City or any agency thereof.

In addition, I have the following minor comments for your consideration:

- On Page 2, our consultant notes that the National Register determination lists the "CINCPAC" building. Colloquially, the Navy now calls it the "COMPACFLT HQ." Since this is a Section 106 document, would it not be more appropriate to match the National Register listing—i.e., "CINCPAC"?

- I also noticed that FTA changed SHPO (state historic preservation officer) to SHPD (Hawaii State Historic Preservation Division) throughout the PA. Section 106 consultation included consultation with the SHPO (as required under 36 CFR 800) through the Deputy SHPO and SHPD staff, all whom fall under the Hawaii SHPO.

I believe that the Project's Section 106 PA is ready for signature. Please let me know how we can help facilitate that process.

Sincerely,
Jesse K. Souki
Deputy Corporation Counsel
City and County of Honolulu
Tel.: (808) 768-5135

This e-mail is intended solely for the person or entity to which it is addressed and may contain **confidential and/or privileged information**. Any review, dissemination, copying, printing or other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the sender immediately and delete the material from any computer.

From: Renee.Marler@dot.gov [mailto:Renee.Marler@dot.gov]
Sent: Tuesday, March 30, 2010 1:12 PM
To: Souki, Jesse K.
Cc: Raymond.Sukys@dot.gov; Christopher.VanWyk@dot.gov
Subject: Section 106 Programmatic Agreement

Jesse,

Please find attached a final draft of the PA. It incorporates the last round of comments from the parties and is believed to be ready for signatures. Please advise us immediately of any concerns, noting that material changes will require us to go back to the signatories for further discussion.

Renee

Renee Marler
Regional Counsel
Federal Transit Administration, TRO-IX
201 Mission Street, Suite 1650
San Francisco, CA 94105
415-744-3133