
From: Borinsky, Susan (FTA)
To: Taylor, Yvette (FTA); Hynes-Cherin, Brigid (FTA); Thomson, Tom (FTA); Carr, Anthony (FTA); Rosapep, Terry (FTA); Knighton, Charmaine (FTA); Rogers, Leslie (FTA); Carranza, Edward (FTA); Marler, Renee (FTA); Patrick, Robert (FTA); Uribe, Blas (FTA); Krochalis, Rick (FTA); Gehrke, Linda (FTA)
CC: Day, Elizabeth (FTA); Ossi, Joseph (FTA); VanWyk, Christopher (FTA); Zusman, Nancy-Ellen (FTA)
Sent: 4/6/2010 11:31:28 AM
Subject: FW: Bi-weekly NS meeting tomorrow -- agenda items

We will have a preparatory meeting (Wed., April 7, at 11 AM Eastern time) for the Bi-Weekly New Starts meeting with TOA, which is scheduled for 2 PM (Eastern time) on Wed. afternoon.

Below are the agenda items that we expect to cover at both meetings. Some of the items have "hanging" issues, but we may be able to iron some of these out in the prep meeting.

If you have questions or suggestions you want to discuss before the prep meeting, please call Beth Day (202-366-5159) or me (202-366-0789). Susan

From: Borinsky, Susan (FTA)
Sent: Tuesday, April 06, 2010 5:21 PM
To: Lynch, Ryan (FTA)
Subject: Bi-weekly NS meeting tomorrow -- agenda items
Importance: High

Following are the agenda topics for the Bi-Weekly New Starts Meeting on Wednesday, April 7, at 2:00 PM.

Orlando Central Florida Commuter Rail Transit (CFCRT) Project

The purpose of the discussion is to provide you with an update on recent conversations with FDOT on the CFCRT project. Several issues have arisen that will require future discussions with you once FTA obtains more information. However, we want to give you a heads up now. These items include:

1. Jurisdiction of Surface Transportation Board (STB): FDOT informed FTA that prior to closing on the purchase and sale agreement with CSX, STB will need to decide if they have jurisdiction over the project. FDOT stated that STB's review prior to issuing a decision normally takes 3-4 months. Although FDOT believes that STB will rule that it does not have jurisdiction, the need for STB action introduces a new potential risk to the project's ability to execute the rail agreements with CSX.
2. Amtrak's Request for Liability Provisions Identical to that Provided to CSX: Amtrak formally rescinded its MOU with FDOT and requested that Amtrak receive the same liability provisions as CSX. FDOT is instead proposing that CSX provide the liability provision directly to Amtrak and that the CSX and FDOT agreements will incorporate that agreement by reference. FTA is asking FDOT to provide a legal opinion that this is possible under current State law. FDOT is requesting that FTA not require an operating agreement between FDOT and Amtrak.
3. Positive Train Control (PTC): PTC has not been included in the cost estimate for the project. Because the PTC requirement was enacted after the project entered into Final Design, FDOT would like FTA consider contributing additional New Starts funds to the project to help pay for PTC.

Financial Plan for the Access to the Region's Core (ARC) Project

The purpose of the discussion is to get your thoughts on a few key items related to the financial plan for the project including the amount of annual New Starts funds assumed in the ARC Financial Plan, the Portal Bridge funding plan, the NJ Transportation Trust Fund assumptions, and whether FTA wants to require a Capital Reserve Account. We also want to update you on the draft OIG report on ARC.

Denver Final Design Approvals

The Denver Final Design approval packages are circulating for FTA EMT review and approval. The 10 day notice to the Hill was sent last Wednesday (March 30th). We would like to discuss the DBE goals included in the RFP.

Honolulu NEPA

FTA received the requested information from the City on the airport avoidance alignment. Initial staff review indicates that the information appears to be satisfactory and that it may be possible to go directly to an FEIS, instead of requiring an interim supplemental environmental document. However, additional ongoing legal review is necessary to determine a final recommendation to you on this subject. Accordingly, until the FTA review is completed and you have been briefed, FTA will not provide any information back to the City. The Mayor is hoping to hear from FTA by Wednesday, April 7, before the Transportation Committee of the City Council holds a meeting at which “the Department of Transportation Services [will brief the Committee] on recent discussions with FAA and the Hawaii DOT relating to the City’s rail project and the airport’s runway protection zone.”

Houston FFGAs

The FFGA packages will soon be circulating for FTA EMT review. OST-B staff (Sue Fedor) requested briefings for OST in advance of the FFGA packages being sent to OST since this is the first FFGA for this Administration. She mentioned being particularly interested in the financing aspect of the projects. FTA has assumed concurrent OST/OMB reviews for the packages. You may want to discuss with OST their willingness to do concurrent reviews.

Portland Milwaukie

TriMet is looking for feedback from FTA on the appropriate level of annual New Starts funding to assume in the financial plan they will soon be submitting for entry into Final Design. Staff recommends that we allow TriMet to assume \$150 million in annual New Starts funding and seeks your concurrence with this suggestion.