From: Borinsky, Susan (FTA)
To: Rogers, Leslie (FTA); Carranza, Edward (FTA)
CC: VanWyk, Christopher (FTA); Marler, Renee (FTA); Zusman, Nancy-Ellen (FTA); Ryan, James (FTA); Day, Elizabeth (FTA)
Sent: 3/2/2010 1:58:48 PM
Subject: FW: PMOC Assessment of Honolulu's NTP #1 and NTP #1A

Ed, this is a response to your voice message today.

I debriefed Leslie by phone after Peter's meeting with the Mayor et al on Friday. At that time, I repeated essentially what I said in my e-mail below. My impression is that the Region/TCC should revise the letter as you indicated below, run it quickly by Peter, and, with Peter's approval, send it to the City.

At the Friday meeting, Mr. Hamayasu asked about the NTP letter. Peter said that he was not fully aware of all the specifics. Mr. Hamayasu called me today to ask where the letter is and I said I would contact the Region. He said that the City is in jeopardy of claims since the NTP was supposed to be in Feb. The city would like an answer as soon as possible.

One final thought: Leslie and I discussed the issue of the approval of DB contracts issued pre-NEPA in general and in the case of Honolulu. We can discuss this later, although it could be handled in the letter or by e-mail.

From: Borinsky, Susan (FTA)
Sent: Friday, February 26, 2010 11:45 AM
To: Carranza, Edward (FTA); Ryan, James (FTA)
Cc: Sukys, Raymond (FTA); Tahir, Nadeem (FTA); Luu, Catherine (FTA); Barr, James (FTA); Day, Elizabeth (FTA); Rogers, Leslie (FTA); Marler, Renee (FTA); Zusman, Nancy-Ellen (FTA); VanWyk, Christopher (FTA)
Subject: RE: PMOC Assessment of Honolulu's NTP #1 and NTP #1A

Ed, Have you gotten indication from the New Starts HQ and Regional Team Members whether they concur with the PMOC's recommendations to FTA that the Honolulu-Kiewit contract and NTPs are essentially consistent with FTA guidance on pre-NEPA DB contract activities. (I recognize that the PMOC notes the absence of pre-contract and pre-RFP concurrences and the need for additional information on certain activities. The Region questioned whether these activities were consistent with NEPA/FTA guidance and, for the most part, the PMOC recommends a finding that the City's actions either were acceptable or need clarification. Ultimately this is a call for the Regional Administrator under his NEPA authority.

If the Team and the Region consider the PMOC recommendations to be correct , and Leslie agrees, I agree that TCC should recast the letter. Leslie and I will need to mention this to Peter at 12:30 today.

Regarding the lack of FTA concurrence before the City signed the contract, or issued NTP#1 or the RFPs: Is this is a real problem at this point? I indicted my thinking on this matter in a recent phone call. We should discuss if anyone thinks any action is necessary on this matter. Susan

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From: Carranza, Edward (FTA)
Sent: Thursday, February 25, 2010 1:56 PM
To: Ryan, James (FTA); Borinsky, Susan (FTA)
Cc: Sukys, Raymond (FTA); Tahir, Nadeem (FTA); Luu, Catherine (FTA); Barr, James (FTA); Day, Elizabeth (FTA); Rogers, Leslie (FTA); Marler, Renee (FTA); Zusman, Nancy-Ellen (FTA); VanWyk, Christopher (FTA)
Subject: RE: PMOC Assessment of Honolulu's NTP #1 and NTP #1A

Susan/Jim: Please note the attached assessments of both NTP #1 and NTP #1A as recently "informally" submitted by the Honolulu project sponsor. This is very timely and will require a rewrite of our draft letter currently with the Administrator. To focus your attention, I point you to page 6 of the first attachment which addresses the PMOC's conclusions, and which are for the most part favorable towards meeting the 1/19/07 DB FR for pre-NEPA completion authority AND the intent of our PE approval of 10/16/09. I believe Renee and Nancy-Ellen had in mind a more simpler "acknowledgement/thank you/stick to the 2007 Federal Register" response letter to Honolulu in light of this weeks most

recent submittals. Please advise of suggested next steps.