From:	Barr, James (FTA)
To:	Matley, Ted (FTA)
CC:	Ossi, Joseph (FTA); Ryan, James (FTA); Marler, Renee (FTA); Sukys, Raymond (FTA); VanWyk, Christopher (FTA)
Sent:	11/18/2009 7:09:07 AM
Subject:	FW: Honolulu FEIS 4(f) comments questions/responses
Attachments:	4.8_Updated090409.pdf; HonoluluFEIS Section 4 8VisualAesthetics FTA comments and questions.doc; V&A line by line.doc

Attached is my line by line on the V& A chapter of October 9 AFEIS and the same chapter delivered as a pdf on October 2. For reference, the October 2 pdf is attached.
Also attached is the HTS query and response on why they changed the October 2 pdf version and why didn't we like their October 9 AFEIS version. Here, I have highlighted the relevant portion of the text.

From: Matley, Ted (FTA)
Sent: Tuesday, November 10, 2009 1:30 AM
To: Barr, James (FTA); Ossi, Joseph (FTA); Ryan, James (FTA); Marler, Renee (FTA); Sukys, Raymond (FTA); VanWyk, Christopher (FTA)
Subject: Honolulu FEIS 4(f) comments questions/responses

All,

Attached are three documents from the Honolulu NEPA team, in response to FTA comments. One relates to comments on Chapter 2, one on Chapter 4, and one on the 4(f) chapter.

They have responded as they are seeking clarity and/or additional guidance as how to proceed, as well as confirmation that their response is sufficient in some cases..

On Chapter 2, these are seeking clarity as to two comments (see above document.

On Chapter 4, they have noted the draft dated 10/2/09 (which Jim Barr liked) was changed at the direction of their Counsel and legal consultants (Jim didn't like the changes). They are saying their Counsel and legal Consultants wants them to keep the changes to the 10/2/09 document. They basically want confirmation we are directing them to ignore their legal advice. See above document on Chapter 4.

On the 4(f) section, there is feedback on our extensive 4(f) comments. In some cases, they note the difference between our comments and their legal advice. See FTA FEIS comments 10-31 document attached.

They have indicated they have shared our comments with their legal Counsel and their legal counsel remain unswayed.

As some folks are out this week, I'd like to suggest we have a conference call next Monday 11/16 at 9 AM Pacific 12 eastern on how/if to respond to Honolulu.

I'm also open to other ideas if folks don't believe a phone call is necessary.

We could just review their questions and just tell them to do what we tell them.

Thanks,

Ted