
From: Ted.Matley@dot.gov
To: Miyamoto, Faith; Raymond.Sukys@dot.gov; James.Barr@dot.gov; Carl.Bausch1111@dot.gov
CC: Hogan@pbworld.com; Spurgeon@pbworld.com; Aranda@infraconsultllc.com; Foell@pbworld.com; Souki, Jesse K.
Sent: 11/10/2009 7:23:53 PM
Subject: RE: Honolulu Rail Project Section 106 PA

Hi Faith,

If parties provide further substantive comments on Friday, we will have to determine a course of action based on the nature of the comments and the discussion at the meeting.

You should emphasize to your facilitator to state that we hoped that after much discussion and input from consulting parties, this draft is a document that reflects the comments of the consulting parties to the extent that their comments could be incorporated. If new comments are raised Friday we will discuss and consider them as appropriate.

Also, given that SHPO seems to have surprised you with comments after you thought they were finished commenting, you should have your facilitator ask on Friday if there are any parties who are planning to provide more comments at a date later than Friday. We hope this is not the case and that we have received all the comments, or will have done so by Friday. If any parties indicate that they are still considering providing comments, FTA will have to consult with ACHP to establish a final date by which we will accept comments. We can't have an open ended period to receive comments.

Our hope is that after Friday's meeting, the signatories could consult and finalize the document, with the consulting parties notified of any changes through email. We had discussed this approach informally with ACHP and remain hopeful that this will be the path forward. We will determine if this is still appropriate after Friday's meeting in consultation with ACHP

FTA will not commit to or endorse the idea that FTA will declare the consultation terminated on Friday.

Please call me on Thursday if you need me to clarify our guidance.

Ted

From: Miyamoto, Faith [mailto:fmiyamoto@honolulu.gov]
Sent: Tue 11/10/2009 6:39 PM
To: Matley, Ted (FTA); Sukys, Raymond (FTA)
Cc: Hogan@pbworld.com; Spurgeon@pbworld.com; Aranda@infraconsultllc.com; Foell, Stephanie; Souki, Jesse K.
Subject: Honolulu Rail Project Section 106 PA

Hi Ted and Ray -

Today, the SHPD Administrator sent me an email message that provided additional comments on the Section 106 PA. I was able to have her agree that the comments she was making are already included in the stipulations/or that a minor wording change could address her concern. However, at the Oahu Island Burial Council meeting later today, the SHPD Administrator and Deputy SHPO stated that they have comments on the Section 106 PA that we are considering final.

We need to discuss the strategy that we will be following on Friday. Can we talk on Thursday? Let me know when would be good for you. I am nervous that SHPD may be proposing changes that would bring us back to square one. Would FTA be able to say that we have had enough consultation, that the SHPD had a chance to provide comments and that the PA is final? Would

AR00123482

FTA entertain the possibility of terminating consultation?

We need to discuss this matter on Thursday.

Faith Miyamoto
Department of Transportation Services
City & County of Honolulu
(808) 768-8350
fmiyamoto@honolulu.gov