From:	Garland, James (FTA)
To:	Webb, Kate (FTA); Day, Elizabeth (FTA); Borinsky, Susan (FTA); Rogers, Leslie (FTA); Steinmann, Richard (FTA)
CC:	Griffo, Paul (FTA); Welbes, Matt (FTA); Bausch, Carl (FTA); Ryan, James (FTA); Goodman, Charles (FTA); Riklin, Sherry (FTA)
Sent:	10/29/2009 10:49:58 AM
Subject:	RE: Quick Honolulu project question from Rep. Abercrombie's office

Hi Kate-

23 CFR 450.316 outlines the requirements for MPOs regarding public participation. I've discussed this with Sherry Riklin, and we both agreed that this section of the planning regulations is most relevant for this issue. I've copied this portion of the planning regulations for you (please see below). Please let me know if you have any further questions.

Thanks,
James

§ 450.316 Interested parties, participation, and consultation.

(a) The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

(1) The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

(i) Providing adequate public notice of public participation activities and time for public review and comment at key

decision points, including but not limited to a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;
(ii) Providing timely notice and reasonable access to information about transportation issues and processes;
(iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;
(iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
(v) Holding any public meetings at convenient and accessible locations and times;
(vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;
(vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
(viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;
(ix) Coordinating with the statewide

transportation planning public involvement and consultation processes under subpart B of this part; and
(x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

From: Webb, Kate (FTA)
Sent: Thursday, October 29, 2009 4:18 PM
To: Day, Elizabeth (FTA); Borinsky, Susan (FTA); Rogers, Leslie (FTA); Steinmann, Richard (FTA)
Cc: Griffo, Paul (FTA); Welbes, Matt (FTA); Bausch, Carl (FTA); Ryan, James (FTA); Garland, James (FTA)
Subject: RE: Quick Honolulu project question from Rep. Abercrombie's office

Thanks very much Beth....very helpful. James if you are have a written description of the public participation requirements that would be very helpful.....for this as well as future inquiries. Thanks!

Kate

From: Day, Elizabeth (FTA)
Sent: Thursday, October 29, 2009 4:12 PM
To: Webb, Kate (FTA); Borinsky, Susan (FTA); Rogers, Leslie (FTA); Steinmann, Richard (FTA)
Cc: Griffo, Paul (FTA); Welbes, Matt (FTA); Bausch, Carl (FTA); Ryan, James (FTA); Garland, James (FTA)
Subject: RE: Quick Honolulu project question from Rep. Abercrombie's office

Hi Kate
James Garland in TPE-10 is really the best person to describe the public participation requirements. He is copied on this email and will provide the regulations that describe the requirements. The Honolulu project is still undergoing the NEPA review, which requires formalized public notice and comment periods. The DEIS notice and comment period, which requires formal public hearings, is over. The City is currently working on preparing the FEIS, which will also have a public notice and comment period (although no hearing requirements). As you stated Kate, nothing in Federal requirements states that costly television broadcasts are required

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From: Webb, Kate (FTA)
Sent: Thursday, October 29, 2009 3:51 PM
To: Borinsky, Susan (FTA); Rogers, Leslie (FTA); Steinmann, Richard (FTA); Day, Elizabeth (FTA)
Cc: Griffo, Paul (FTA); Welbes, Matt (FTA)
Subject: Quick Honolulu project question from Rep. Abercrombie's office
Importance: High

Hi all,

I just received a call from Rep. Abercrombie's office inquiring about the Federal requirements for outreach to the public on transit projects...such as the broadcast noted below. I told her there were Federal requirements for public participation and outreach....particularly during the AA and NEPA process but what the broadcast noted below would NOT be due to any Federal requirement. Could one of you please confirm that for me?

Also, in general when public notice is required we are not prescriptive on how they do that...i.e. we would not require that they have expensive TV broadcasts...correct?

Thanks!

Kate

From: Clerinx, Wendy [mailto:Wendy.Clerinx@mail.house.gov]
Sent: Thursday, October 29, 2009 2:53 PM
To: Webb, Kate (FTA)
Cc: Tabilas, Melvin
Subject: Honolulu transit article

Hi Kate,
Thank you so much for responding so quickly! Here's the article from the Honolulu Advertiser:

October 29, 2009

Honolulu mayor buys $10,000 in TV time for speech on rail transit

Tax Foundation blasts decision to spend $10,000 to air speech

By Sean Hao
Advertiser Staff Writer

Honolulu Mayor Mufi Hannemann will deliver a "State of the Rail" address today to about 200 invited guests, and the city will pay $10,000 for 30 minutes of the speech to be broadcast tonight on local TV.

The speech will be delivered at the Mission Memorial Auditorium on the civic center grounds at 1:30 p.m., and will be broadcast from 6:30 to 7 p.m. on KGMB9 and KHNL. KFVE will rebroadcast the speech on Friday from 9:30 to 10 p.m.

City spokesman Bill Brennan said the $10,000 cost for broadcasting the speech is part of the city's public involvement effort. The total cost of the event wasn't immediately available.

The city has spent more than $5.6 million since August 2005 on informing the public about Honolulu's planned $5.5 billion rail project.

"The Honolulu Rail Transit Project is one of the most significant infrastructure projects in city history and will provide jobs and a boost to the state economy," Hannemann said in a statement yesterday.

"My administration is committed to keep the public informed about the project's progress, and now is an excellent time to let the public know what to expect in the coming months."

Lowell Kalapa, director of the Tax Foundation of Hawaii, said the $10,000 expenditure was a waste of taxpayer money.

"At this point, no matter which side (of the rail debate) you're on, why do you need to tell me more by spending money?" he said. "All you have to do is hold a news conference. It's a news item in itself. It's not like all the news reporters in town have ignored him and there is no news coverage of it."

The broadcast could rile some taxpayers who would rather see the money spent on more pressing social needs, Kalapa added.

"I would like to take $1,000 and put it in the Food Bank," he said.

Most — about $3 million — of the city's spending on its rail-related information campaign came since June 30, 2008, and included a ramped-up effort ahead of last November's vote on the project.

Voters approved the East Kapolei to Ala Moana rail project by a 51 percent to 46 percent margin. The city plans to start construction of the 20-mile elevated rail line in December.

The city has said its information campaign is part of a federally required public involvement effort.

The federal government is expected to contribute $1.4 billion to $1.7 billion of the Honolulu transit system's cost.

Additional Facts

Watch online

See live streaming video of mayor's "State of the Rail" speech at 1:30 p.m. today at www.HonoluluAdvertiser.com

Thank you for your help!
Wendy
225-0007

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Wendy Clerinx
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