From: Borinsky, Susan (FTA)
To: Sukys, Raymond (FTA)
CC: Bausch, Carl (FTA); Barr, James (FTA); Ryan, James (FTA); Day, Elizabeth (FTA); Rogers, Leslie (FTA); Carranza, Edward (FTA)
Sent: 10/19/2009 8:12:39 AM
Subject: FAA Agreement: Honolulu Project

Ray,
We (Rogers, Carranza, Bausch, Barr, Ryan and Borinsky) had a conference call today about the City of Honolulu's plan to present a letter from the City to FAA identifying the scope of mitigations under consideration at the airport for the Honolulu project, with the intent of obtaining FAA's written concurrence about those mitigations on the letter itself. We discussed this within FTA and suggest the following approach in your meeting today re the FAA agreement:

1. Normally agreements of this sort are between the NEPA lead agency and the affected agency, not the affected agency and the sponsor.
2. However, if FAA were to agree to the terms in the letter and were willing to sign it today, for the sake of efficiency and since no laws, regulations, or guidance would be violated, the City's proposed approach would be acceptable--with the caveat that the agreement between FAA and the City is subject to FTA's subsequent review and concurrence. FTA's concurrence would take the form of adding wording onto the City's FAA-signed letter itself, or could be in the form of another letter or an addendum to the City's letter. (N.B. FTA has not had the opportunity to review the City's letter yet, and it would be difficult for you to do so on the spot today. You will probably need to run the contents by FTA environmental specialists.)
3. If FAA does not sign today and a new letter has to be prepared to reflect FAA's position, FAA should prepare an agreement (in the form of a letter to FTA on FAA letterhead), identifying the scope of mitigation terms to which FAA agrees. FTA Regional and HQ environmental staff is available to work with FAA and the City in finalizing such an agreement.

Ray, please call Ed Carranza to get more information about the discussions in FTA today. You can also call me at 202-366-0789. Susan