From: James.Barr@dot.gov
To: Miyamoto, Faith
Sent: 9/30/2009 9:11:38 AM
Subject: RE: Honolulu Rail Section 4(f) Evaluation

Faith:
Add whatever you can live with.
Cite the Construction Vibration Damage Criteria from Table 12-3 of the 2006 guidance.
I recommend that you not go beyond FTA guidance in developing metrics.
Jim

During final design, the Department of Transportation Services, in cooperation with its contractors, will create and carry out a Construction Mitigation Plan (CMP). The CMP will include a Noise and Vibration Mitigation Plan using any and all of the mitigation measures defined in the FEIS and the FTA Noise & Vibration Impact Assessment (2006) guidance. Numeric limits and monitoring measures will be developed to minimize noise and vibration impacts. Noise and vibration mitigation strategies will be included in the Construction Noise and Vibration Mitigation Plan.

From: Miyamoto, Faith [mailto:fmiyamoto@honolulu.gov]
Sent: Tuesday, September 29, 2009 2:07 PM
To: Barr, James (FTA)
Subject: RE: Honolulu Rail Section 4(f) Evaluation

Hi Jim –

Thanks.

Faith

From: James.Barr@dot.gov [mailto:James.Barr@dot.gov]
Sent: Tuesday, September 29, 2009 2:17 AM
To: Miyamoto, Faith
Cc: Spurgeon@pbworld.com; Aranda@infraconsultllc.com; Ted.Matley@dot.gov
Subject: RE: Honolulu Rail Section 4(f) Evaluation

FYI
http://www.nps.gov/history/nR/publications/bulletins/pdfs/nrb41.pdf

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From: Miyamoto, Faith [mailto:fmiyamoto@honolulu.gov]
Sent: Monday, September 28, 2009 9:35 PM
To: Matley, Ted (FTA); Sukys, Raymond (FTA); Barr, James (FTA)
Cc: Spurgeon, Lawrence; Judy Aranda
Subject: FW: Honolulu Rail Section 4(f) Evaluation

Hi FTA Guys –

We will be doing the conference call without Leland, our facilitator.

Frank from NPS related that their question has to do with when the Section 4(f) evaluation will be provided to them for their review. According to our reading of the law, FTA is responsible for the Section 4(f) process and that the Section 106 consulting parties need to be informed of any de minimus determinations, and that is the extent of our specific responsibilities to NPS. They will see the final Section 4(f) evaluation when it appears in the FEIS. However, the Section 106 process needs to be concluded prior to the Section 4(f) process being concluded with the release of the final Section 4(f) evaluation. NPS feels that the Section 4(f) process informs the Section 106 process, rather than vice versa. We are reluctant to release any of the final Section 4(f) evaluations at this time because we feel that it would "muddy" the Section 106 process.

We feel that the NPS has taken roles that are beyond their statutory responsibilities and ask FTA if you could question NPS as to what it sees its role in the Section 106 and 4(f) processes. NPS is the keeper of the National Register of Historic Places, but does that also mean that it has an advocacy role regarding preservation of those resources on the register? Just what are the limits of their authority?

Just wanted to let you know what our thoughts are regarding the topic of tomorrow's conference call. If you want to talk earlier, I will try to be in by 8:00 a.m.

Faith

From: Miyamoto, Faith [mailto:fmiyamoto@honolulu.gov]
Sent: Friday, September 25, 2009 2:01 PM
To: Frank_Hays@nps.gov; James.Barr@dot.gov; Ted.Matley@dot.gov; Sukys, Raymond (TRO-09); Pua.Aiu@hawaii.gov; bsemmer@achp.gov; Spurgeon, Lawrence; Souki, Jesse K.; Hogan, Steven; Judy Aranda; Zaref, Amy; Leland Chang; Elaine_Jackson-Retondo@nps.gov
Subject: RE: Honolulu Rail Section 4(f) Evaluation

Hi Everyone –

Monday, September 28th will not work for this conference call. I am now proposing Tuesday, September 29th, at 8:30 a.m. (Hawaii), 11:30 a.m. (Pacific) and 2:30 p.m. (Eastern). Please let me know ASAP if you will be able to participate.

The call in information remains the same:

Call in number: 1-888-742-8686
Conference ID: 1657330

Hope you are all available at that time.

Faith

From: Miyamoto, Faith
Sent: Friday, September 25, 2009 12:00 PM
To: Frank_Hays@nps.gov; James.Barr@dot.gov; Ted.Matley@dot.gov; Sukys, Raymond (TRO-09); 'Pua.Aiu@hawaii.gov'; Blythe Semmer (bsemmer@achp.gov); Spurgeon, Lawrence; Souki, Jesse K.; Hogan, Steven; 'Judy Aranda'; Zaref, Amy; Leland Chang
Subject: Honolulu Rail Section 4(f) Evaluation

Hi Everyone –

The Section 4(f) Evaluation for the project has been raised during several meetings of the Section 106 Consulting Parties by the National Park Service. In order to respond to this, I have scheduled a conference call for Monday, September 28th, 8:30 a.m. The call in information is as follows:

Call in number: 1-888-742-8686

Conference ID: 1657330

My understanding is that the concern of NPS is regarding the schedule for their review of the Section 4(f) evaluation and how that relates to the completion of the Section 106 Programmatic Agreement.

Hope you can participate in the phone call.

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