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**From:** Marler, Renee (FTA)  
**To:** Zusman, Nancy-Ellen (FTA); Biehl, Scott (FTA); VanWyk, Christopher (FTA)  
**CC:** Borinsky, Susan (FTA); Zelasko, Elizabeth (FTA); Rogers, Leslie (FTA); Bausch, Carl (FTA)  
**Sent:** 4/27/2010 6:36:09 AM  
**Subject:** HonoluluTraffic.org and Sensitive Traffic Alternatives and Resources, Inc.- blog

## TheLATEST NEWS:

Our friends at [www.honolulutraffic.org](http://www.honolulutraffic.org) included the following on their website on April 24, 2010. They describe themselves as “a citizen group concerned with the unnecessary waste of taxpayer funds that would be incurred through the construction of a rail transit line in Honolulu together with the blight that would be visited on our city by an elevated noisy rail line snaking right through it. We operate as a Hawaii non-profit corporation, Sensible Traffic Alternatives and Resources, Inc., formerly dba The Alliance for Traffic Alternatives, and for the last four years dba HonoluluTraffic.com.”

### ***The long, long road to rail construction:***

We dealt briefly a month ago with the lengthy procedures yet to be dealt with before rail can be built. Here we enumerate them in more detail:

First, the Council must pass the budget bill including \$1.3 billion for rail and also authorize the first bond issue for rail. The Council must be reminded that if they authorize construction funding for rail they are really authorizing the entire \$5.3 billion. Once construction on rail lines is started they are always finished.

The City Administration must settle the airport situation to the satisfaction of the Federal Aviation Administration, the Federal Transit Administration and the State of Hawaii Airports Division. Council Chair Todd Apo said this might take three to six months. It may take longer if the FTA decides that a Supplemental Draft EIS is needed.

The City Administration must make sufficient changes to the Programmatic Agreement, which is required to be a supplemental part of the FEIS. We understand that still to be resolved are the dispute over surveying of the Hawaiian burial grounds that almost certainly lie along the rail route, the impacts on historic properties, and the city ordinance protecting mauka/makai view planes.

If all this occurs the City and the FTA will produce a Draft Final EIS, together with the financial plan that is part of its application for entry into the Final Design phase. We question whether this plan can be made “robust” enough (see April 23 entry below) to satisfy FTA, let alone the Governor.

Next would be the Governor’s approval of the Draft FEIS. The Governor’s office has said that this should take about three months to complete this work. Financially “robust” means that the analysis has to take into account the likelihood that the Environmental Protection Agency (EPA) will make the City bear the cost of a new \$1.2 billion sewage plant to bring the system into EPA compliance and the detrimental effects that the Akaka Bill will have on City finances if it passes this year (see April 22 below). In addition what must be weighed is the almost certainty of cost overruns for rail’s construction and operations. All this will have to be weighed against the State’s own fragile financial situation and the current \$6 billion unfunded liability in the State’s public worker pension fund.

In the unlikely event that the Governor finds the financial plan reasonable then she would sign off and the City and FTA would issue the Final EIS. After this there will be a thirty day period for public comments, and then another thirty days for the FTA to respond to the comments before it issues its Record of Decision (ROD).

Once the ROD issues the project is then legally “ripe” for a lawsuit to be filed, which we will do immediately.

Even when the ROD issues it still does not mean that the city can begin construction of the elevated rail line. Councilmember Cachola filed a formal report (see April 2 entry) to the Council after the delegation returned from Washington and he tells us that FTA was quite clear that, “No construction shall be done until the Full Funding Grant Agreement (FFGA) is signed, except for portions of the project to be constructed after receiving a Letter of No Prejudice (LONP). The City can only work on portions of the project as spelled out in the LONP.”