

Meeting Name: HHCTCP – Meeting with FTA – Region IX
Date: May 1, 2009 Time: 3:30 pm
Location: HHCTCP Alii Place Lobby Conference Room
Organizers: Faith Miyamoto/Lawrence Spurgeon
Attendees: Ray Sukys (FTA), Ted Matley (FTA), Lawrence Spurgeon, Amy Zaref, Mark Garrity, Faith Miyamoto, Judy Aranda, Phyllis Kurio, Laura Assum-Dahleen
Notes prepared by: Laura Assum-Dahleen Approved by:

Meeting Summary:

The following summarizes items discussed:

1. FEIS Project – East Kapolei to Ala Moana Center [Faith Miyamoto]
 - a. Ms. Miyamoto stated that RTD was hoping to get a letter of confirmation from the FTA wherein it is stated that the FTA concurs with the current focus of the project (i.e. Airport alignment) and that no alternatives were eliminated prematurely. RTD has concerns about protection from lawsuit as the EPA had commented that alternatives were not adequately presented in the DEIS. FTA noted that until a NEPA finding is made project cannot be subject to a lawsuit.
 - b. FTA concluded that AA was sufficient in 2006 and issued the DEIS; therefore *implying/affirming* their agreement with the current focus of the project
 - c. FTA expressed concerns about the financial plan and the \$5.5 billion PMO risk assessment.
 - d. FTA ultimately agreed to consider signing a letter of confirmation/agreement as drafted by Ms. Miyamoto and forwarded to them for review
2. Dillingham Transportation Building [Lawrence Spurgeon]
 - a. The current working layout drawings were presented for review. The actual platform has been moved Koko Head looking through the breezeway to minimize the line of sight. The platform length is now at 240’.
 - b. The Property Management Company for the Dillingham Transportation Building sent a letter asking if we would want to use the end of the building and we responded that the intent is to minimize the impact to Historic Resources.
 - c. FTA agreed that, based on our current alignment, we have no other choice than to use the place the station touch down in the plaza next to the Dillingham Transportation Building as detailed in the current layout. (i.e Cannot be avoided without radical departure from the concept).
 - d. The Honolulu AIA position of wanting the Chinatown/Downtown section of the project to be at-grade was discussed next. The AIA called the FTA and requested a meeting and the FTA declined. AIA next contacted EPA who did meet with them and in-turn requested a meeting with FTA, AIA and EPA. FTA has not responded to their request and may or may not accept the invitation.
 - i. Issues created by consideration of an at-grade section include;
 1. Entire operation plan is based on no other traffic/interference
 2. Project is committed to not eliminating traffic lanes. At-grade would require the removal of perhaps three (3) traffic lanes.
 3. Where would a transition from elevated to at-grade take place?
 4. At-grade travel greatly diminishes efficiency and capacity
 5. Project would require a place to store trains where the transition from elevated to at-grade occurs.
 6. If project comes to at-grade prior to Chinatown, would stay at-grade all the way to Ala Moana
3. Army COE [Faith Miyamoto]

- a. There have been four (4) previous meetings with the COE; with two (2) more scheduled. COE has been every cooperative.
 - b. COE has emailed concerns to FTA and they intend to respond
 - c. COE reviewed the Admin Draft and offered comments
 - d. May not have the Wetlands jurisdictional determination before the FEIS goes to RTD for review on May 20.
 - e. (3) Streams are impacted by the project.
 - f. We could offer to complete necessary forms for the COE to assist them and speed the process.
4. Section 106 (Faith Miyamoto)
- a. Historic Effects Report went to SHPD on April 17, 2009.
 - b. Faith Miyamoto spoke to the Department Head this week and was informed that they have not yet performed their review.
 - c. We expect direct concurrence with the report with only a few comments.
 - d. We are waiting for FTA guidance on the ACHD letter (Coordination with consulting parties). Ted Matley will follow up and advise.
 - e. Lawrence Spurgeon reported that the draft MOA should be going to the City next week for review. SHPD and FTA are the known signatories.
 - i. FTA would prefer RTD to be a signatories, but in the interest of not involving the entire city council (which would be required for the signatory) RTD can simply concur
 - ii. OHA requested in writing to be invited to become a signatory as they claim that they are representatives of the Native Hawaiian people
 - 1. There is no precedent for OHA having been a signatory on HDOT/FHWA projects
 - 2. OHA has no listed responsibility in the project
 - 3. We prefer to concur with all Native Hawaiian groups and to not single out any one group.
 - iii. OIBC made a verbal request to be invited as a signatory
 - 1. FTA suggested that a response be written as if this request was a comment
 - 2. Faith Miyamoto will draft the response and forward to FTA for review and signature
 - f. Burial treatment plan – when well into PE column locations may change
5. Federal Building – GSA
- a. GSA is not identified as a participating agency
 - b. RTD met with GSA to address their concerns (“institutional paranoia”)
 - i. Alignment is now at 50’ from the building structure which meets their safety requirements
 - ii. US Judges expressed their concern that they are not protected by design
 - iii. Mitigation offered included screening at platform and noise reduction
 - c. FTA recommends that we address their security and safety concerns as all comments are addressed and possibly over additional mitigation techniques such as allowing them to install surveillance cameras on the platform.
 - d. NOTE: Project is facing security issues at three (3) locations
 - i. Federal Building – GSA
 - ii. Airport
 - iii. Navy Base
 - 1. Station access issues
 - 2. Moving the fence triggers additional federal restrictions
 - e. Consider offering GSA to become a participating agency
6. U. S. Postal Service
- a. Draft EIS did not reflect any impact.
 - b. Alignment was moved in response to FAA and FTA comments which result in impact on the airport Post Office complex
 - c. Should a mainland planning group be consulted? (Ray Sukys)

- d. Meeting scheduled with USPS on May 12
 - i. Property rights will be needed
 - ii. Consider offering USPS Honolulu to become a participating agency
 - iii. RTD will advise FTA of meeting outcome
- 7. U. S. Fish and Wildlife Service [Amy Zaref]
 - a. Do we know if they will concur with 'no effect'?
 - b. RTD has requested letter needed from them for COE
 - c. Ted Matley agreed to follow up
- 8. FEIS Schedule – Early review of new sections – Chapter 2 and Section 4(f) [Lawrence Spurgeon]
 - a. If there is a need for Supplemental EIS we want to ensure that it is completed before the NEPA (ROD) finding
 - b. Schedule presented as attachment to meeting
- 9. Section 4(f) and EIS Review Items
 - a. FTA interested in early review of Chapters 2 and 5 (Section 4(f)) and the section on noise. Provide once city has Admin Final.
 - b. Set up call with Joe Ossi once FTA has Chapter 5 to go over 4(f).
 - c. Meet with FTA in San Francisco on July 6 or 7 to address FTA questions on Final EIS; FTA will confirm date and invite legal staff to address their concerns to a portion of the meeting.

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- Attachments:
- 1. HHCTCP Draft Summary of Effect Determinations and 4(f) Use
 - 2. Honolulu High Capacity Transit Project (HHCTP) Final EIS/Section 4(f) Evaluation Approach to Section 4(f) Evaluation for Final EIS
 - 3. May 1, 2009 – EIS Schedule Working Dates