FTA Review Comments: Honolulu High-Capacity Transit Corridor Project Review Draft Final EIS dated April 28, 2010

(Compiled from 5-20-2010 Word document)

Only responses applicable to Chapters 1, 2, 6, 7, and 8 are included in this Version (5/27/2010)

Comment #	Page #	Section #	Comment	Responsible Party	Response	√√
			Overview of Comments			
1			The chapter 2 language needs to be clearer on New Starts terminology versus NEPA terminology. See specific comment below and suggested definition language to include in the Chapter 2 to explain the differences of both. The FEIS needs to identify a NEPA preferred alternative for the alignment, maintenance facility, and how the City plans to operate (manual versus automatic) of the LRT system.	LES	See response to individual comments below.	
2			We have detailed comments on the Section 4(f) chapter that are in a separate PDF file. In general, the constructive use analysis needs to be more developed. There are resources that we believe could be Section 4(f) properties that are not identified in the chapter. We have previously asked a question about the Keehi Lagoon Memorial and we are seeking more information on that property as a potential Section 4(f) resource. There are also concerns about terminology. Please see the specific comments in the PDF document.	AZ	Comments on the Section 4(f) Evaluation are provided in a separate matrix.	
3			In our review of the Section 4(f) chapter, we developed some questions on the noise analysis of the proposed maintenance facility adjacent to the community college. It is not apparent that the noise analysis for the facility followed our noise guidance. We are concerned that impacts to the high school and the community college were not properly	AZ/LES	The noise impacts were discussed with FTA in follow up meetings to address these comments and by email with Joe Ossi. Also per discussion the following text will be added to address MSF noise analysis: Three noise sensitive sites are within 1,000 feet of the preferred maintenance and	

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			identified. These resources may also contain Section 4(f) properties that also do not appear to be evaluated.		storage site: Leeward Community College, Waipahu High School, and the Pearl Harbor Bike Path. All of these sites are Category 3 (Table 4-17). The maximum daytime operations at the MSF site would occur when vehicles are taken in or out of service to accommodate the change in headways. The maximum noise exposure level at the Waipahu High School football field, the nearest use to the maintenance and storage site, would be 62 dBA Leq(h). That is less than the impact criteria of 67 dBA Leq(h) at that site. The maximum noise exposure level at the tennis courts at Leeward Community College, would be 55 dBA Leq(h). That is less than the impact criteria of 66 dBA Leq(h) at that site. The maximum noise exposure level at the Pearl Harbor Bike Path, would be 52 dBA Leq(h). That is less than the lowest FTA impact criteria of 57 dBA Leq(h) that is applicable to quiet sites. Addendum 01 t the Noise and Vibration Technical Report, June 1, 2010 documents these results. The results are summarized in Chapter 4.10 of the Final EIS.	
4			In our review of the noise analysis, it did not appear that the analysis of the traction power substations followed our guidance. We request more information on the analysis that was completed.	LES	The traction power sub-stations (TPSS), will be designed to be fully enclosed. State noise regulations require stationary sources to meet a property-line maximum sound level of either 45 or 50 dBA at night. The TPSS buildings will be designed to meet this requirement. The greatest exterior noise will be air conditioning systems. All of the TPSS sites near residential areas are sited at major highways or arterials, where	

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					air-conditioning equipment noise will not be audible over background traffic noise.	
5			It is unclear from our review where the proposed traction power substations would be located. We need more information on how these facilities were evaluated in the EIS (wetlands, ESA, cultural resources, Section 4(f) and so on). In July 2009, FTA provided a comment requesting that the design of traction power substations be discussed with community groups.	LES/PMG	All TPSS are identified in Appendix B. Impacts of TPSS are included in Chapter 4 for this Final EIS in the applicable sections. Analysis of traction power substations were performed for the following resources: Land Use, Visual, Noise, Hazardous Materials, Floodplain, Cultural, Historic, and Archaeological, and were also analyzed for Construction-related effects. Per comment 61, notes have been added to Appendix B and C sheets where TPSS have been eliminated, to explain why numbering is not sequential.	
6			We are concerned about the quality and consistency of the responses to comments both in how they relate to the FEIS and how they are consistent with one another. Although it is likely too late to change the approach now, FTA's preferred method of responding to comments is to organize the comments by issue and have responses to that issue rather than reply to each individual letter. We understand that the City is required to respond to comments this way under Hawaii law. In our review of the response to comments, there appear to be a number of holes in the responses where items mention in the comment were not addressed in the response or were unclear. Please see comments in specific letters.		Revisions have been made to the comment letters based on FTA comments and are being returned to FTA for review.	
7			In the responses to the comments, a number of specific mitigation commitments are made. The		See Appendix I, which contains a summary of the mitigation and commitments.	

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			detail of the mitigation commitments does not consistently seem to be described in the FEIS or among the letters. We would like the City to develop a mitigation table, which is more detailed than the one already provided in Chapter 4, that lists out all the mitigation commitments described in the comment letters. The table should reference where in the FEIS this mitigation commitment is discussed and the letter that the mitigation commitment is described. FTA's practice is to require such detailed mitigation tables for records of decision. Because this project is so large and the responses to comments are so complicated, we need this mitigation table for the FEIS. The mitigation commitment table needs to be organized by impact category.			
8			The responses to comments should often reference back to specific sections, tables, and figures in the FEIS where the comment is addressed. In places we have seen quotations from the FEIS included in a response, but the response needs to instead or in addition cite the FEIS.	LES	State requirements for response to comments on the Draft EIS say that the response to comments shall include a discussion of the validity, significance, and relevance of comments; discussion as to how each comment was evaluated and considered in planning the proposed action; response letters reproduced in the final EIS shall indicate verbatim changes that have been made to the draft EIS, reasons why specific comments were not accepted. References to tables, figures and sections of the Final EIS were added to the letters as applicable.	
9			All language, such as the third paragraph on Page ii,	LES		

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			referencing advancing portions of the project without Federal funding should be deleted.			
10			Section 7 ESA process requires written documentation from USFWS in that no formal consultation is needed. FTA sent a letter requesting this documentation from USFWS but the response does not appear in the appendix of the FEIS. Also, correspondence among USFWS, the City, and FTA indicates the intention to secure a certificate for the Habitat Conservation Plan from HDOT. Why has this not been taken care of yet? There is not response from USFWS on the DEIS or in response to this letter. Also in this letter from USFWS it says that "your concerns regarding the proximity of the East Kapolei Station to the Kooloaula contingency reserved established by the HCP include risk associated with increased access to the contingency reserve, increased risk of fire, and increased risk of invasive plants. I do not see this reflected in the current version of the administrative FEIS.	AZ	USFWS did not respond to FTA's letter. A response is not required under Section 7 ESA. The City is working to obtain a Certificate on Inclusion in the HCP. Surveys completed in February and May 2010 indicates that there is no impact to the Koooaula from the guideway. This was confirmed by the State biologist from the Division of Land and Natural Resources (DLNR) based on a field investigation on May 21, 2010. Impacts to the Kooloaula contingency reserve established by the HCP include risk associated with increased access to the contingency reserve, increased risk of fire, and increased risk of invasive plants. The mitigation measures to minimize impact to the HCP during construction are included in Section 4.18.8 of the FEIS.	
11			The Natural Resources technical report mentions the O'opu nakea as a Special Species of Concern by the American Fisheries Society. This section goes on to say "the U.S. Army Corps of Engineer process would require formal consultation with the USFWS and the National Marine Fishers Service and may require a Biological Assessment for the o'opu." Where is this discussed in the FEIS? I know that some fish and aquatic life discussion is in the Water section, but I am having a hard time finding this.	AZ	The Natural Resources Technical Report was completed for a broad study area. On-going coordination with the natural resource agencies, including the USFWS has occurred. No comments were received from the USFWS or National Marine Fisheries Services regarding impacts to the O`opu nakea or other species of 'o'opu. The City's biologist (AECOS, Eric Guinther) has reviewed the technical report and the Final EIS language. In his opinion, 'o'opu nakea was mentioned only because it is	

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					"listed" by the American Fisheries Society (2008). This listing is perhaps a mistake by the Society, which notes in their presentation of the listing rationale (Fisheries, 33(8): p.377) that "four Hawaiian gobies were omitted due to extracontinental distribution." Since there are only four native gobies in Hawai'i (and one stream eleotrid) and three are still listed by the Society (two being our rarest species and deserving of special consideration), the listing of 'o'opu nakea seems to be a typographical error. 'O'opu nakea is not unique to Hawaii (is native elsewhere in the Pacific and is one of the more common gobies in our lowland streams; 'o'opu nakea is still fished in some of the larger streams. The Project does not interfere with 'o'opu migrations in area streams, therefore, it does not need to be included in the Final EIS. The City will prepare a memorandum to the file for our administrative record to document this.	
12			Technical support documents do not appear to be consistent with the EIS text or at least they are slightly outdated. Has FTA reviewed the technical addendums to the technical reports? Has the city provided these addendums to FTA?		Support documents reflect the time at which they were prepared. They have been superseded by EIS information. Where additional information beyond what is in the EIS was needed (traffic, noise, historic, for example) supplemental reports were prepared. Technical addendums will be provided to FTA.	
13			Environmental consequences from operating minimal operable segments should be evaluated.	AZ/PMG		
14			Consultation with the National Marine Fisheries Service should be reflected in the ecosystems	AZ	The City received a letter from the NOAA NMFS in 2008 (prior to the DEIS) that	

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			section. Individuals looking for a discussion on aquatic ecosystems should be directed to the water resources section.		stated that no marine ESA listed species under their jurisdiction occur in the project area (this letter is in Appendix F of the Final EIS). The City did not receive any comments from this agency on the DEIS. Since there is no impact to species under their jurisdiction there has not been consultation, so there is nothing to add to the Final EIS. Table 4-24 lists the threatened, endangered and protected species evaluated along the Study Corridor.	
			Front Pages			
15	ii		Two NOIs were published for this project.	LES		
16	ii		Address how the EIS can be published and circulated consistent with Hawaii statute 343 requirements. Specifically address how a joint Hawaii statute 343/FEIS can be issued prior to Governor approval required under 343. . Address the steps for approval of the Hawaii document relative to the FEIS process.	LES		
17	ii		Delete the paragraph that begins with, "Should any construction phase of this Project explicitly proceed without Federal funding, the mitigation measures contained in this document and the subsequent Record of Decision for that phase of the Project may not be enforceable by FTA." Delete any reference in the FEIS to locally funded construction of the Project.	LES		
			Summary			
18	S7		This section states that the project is consistent with land use objectives including views and vistas yet we know that there are identified adverse effects on protected mauka/makai view corridors. Please clarify.	LES/AZ/MS		
19	S1		Identify maintenance facility for FEIS. This should	LES		

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	1		be resolved but is listed as an unresolved issue on the Summary Sheet. An alternate site may remain. This is defined in some locations. However, it is unclear in maps and figures.			
			Chapter 1			
20	1-4		FTA's notice of intent in 2005 was to prepare an EIS. While the NOI does include language about the AA, we don't issue NOIs for AAs.	LES	Revised to state Alternatives Analysis and Draft EIS.	
			Chapter 2			
21			Chapter 2, it's unclear what exactly is the LPA versus the project. The text suggests that Salt Lake alignment is still part of the LPA (2-19, last paragraph). Need to clarify better what is the LPA and what is the City Council designation of the preferred alternative, and what the term "the project" is relative to the LPA. Be careful when using NEPA and New Starts terminology. The New Starts Locally Preferred Alternative has a different meaning than the NEPA preferred alternative. The NEPA Alternatives are more specific.	LES/AZ	Text boxes with definitions added to Chapter 2 (page 2-4): The **Locally Preferred Alternative** was identified by City Council at the conclusion of the Alternative Analysis process. It represents the City's long range plan for the rail system including the Project and the potential extensions. The **NEPA Preferred Alternative**, referred to in this Final EIS as **the Project**, is the City's proposed first phase to begin implementation of the Locally Preferred Alternative. The Project is the in the May 2007 ORTP 2030 long range plan. The Project includes the construction and operation of a fixed guideway transit system between East Kapolei and Ala Moana Center via the Airport.	
22		Fig 2.1	Figure 2.1, With the line-up of solicitations and the award of the Kiewet contract, it is clear that the City does not intend to wait for an FFGA prior to beginning work. There is no discussion of optional approaches such as a request for a Letter of No Prejudice to advance work and mention of FTA's pre-award authority for long lead items.	LES	The following text added to page 2-2: FTA interim guidance on Design-Build Project Delivery (FTA 2000), allows for a variation to the final steps in Figure 2-1. The City intends to pursue the design-build project delivery model for early contracts.	

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					After approval to enter Final Design, the FTA may issue a letter of no prejudice that authorizes specific design-build activities prior to completion of the Full Funding Grant Agreement. The FTA also may grant pre-award spending authority that would allow the City to incur costs using non-FTA funds prior to the Full Funding Grant Agreement.	
23	2-6		Please re-write the following sentence, "In addition, electrically powered trains are quieter than buses and because trains only come every few minutes rather than constantly, as buses and automobiles do, pedestrians and motorists are often unaware of their approach."	LES	Because trains come every few minutes and are quieter than cars and buses, pedestrians and motorists are often unaware of their approach.	
24	2-22		Add *new* to "Although there are existing buildings within its limits, *new* objects and activities are discouraged from being added to the controlled activity area of the runway protection zone." The FAA made this point in numerous meetings. I think it would be relevant to mention that there were potentially substantial impacts associated with proposals considering moving the runway to keep the alignment in the current location. If they are not discussed here, there should at least be a reference back to the materials the FAA prepared.	LES	The word "new" added. Also, this section (2.4.1 Refinement of the Preferred Alternative) was re-revised using language provided by FAA, including discussion of impact to the Airport that would have resulted from an Aolele alignment. This section also includes a reference to Appendix K.	
25	2-28		The FEIS should identify the corresponding year for the peak fleet requirement in the last paragraph.	LES	"in 2030" added as reference to Table 2-5 on pages 2-29 and 2-30. Table 2-5 differentiates the no-build from year 2030.	
26	2-29		The FEIS indicates that the system may be "manually operated by a driver or fully automated (driverless). However, this is misleading since manual operation will only occur under unusual circumstances. Clarify by indicating that the system is being designed to operate as an automatic operator-less system which means no operators on board.	LES	The vehicles are designed for fully automated (driverless) operation, but may carry a driver and are capable of manual operation.	

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27	2-32	Fig 2-14	Figure 2-14, The side platform with concourse configuration shows a platform level extending out to the station entrance structures on the outside of the roadway, which would be unnecessary if a set of elevators (from concourse to platform) could be placed within the footprint of the functional parts of the platforms. The placement of elevators in the station entrance buildings is less convenient than it could be, causing longer travel paths for those with disabilities. It should be noted that these issues were subjects of the VE study completed in April 2010.	LES	The Value Engineering (VE) process is an on-going process and the results will not be included in this Final EIS.	
28	2-43		Identify the location of the maintenance facility. The FEIS states two alternate sites for the MSF are being considered: a 44-acre site near Leeward Community College (Navy Drum Site); and the 41-acre site in Hoopili. However, the PMP states that the MSF will be constructed on 43 acres of land at the Navy Drum site. The PMP does not mention an alternate site for the MSF.	LES	LCC Site noted as preferred site option in all maps. Page 2-44 already indicated that LCC was the preferred site option and Hoopili an alternative.	
			Chapter 3			
29			General comment chapter 3, use of City, DTS, and RTD seems to be used interchangeably in some places throughout the document, it others it appears that a distinction is being made. Review and make sure there is a clear usage and consistent usage of the designation.	MNG		
30	3-3		Is this statement correct, "As the Project complies with Federal Aviation Administration regulations and will not result in long-term adverse effects on Honolulu International Airport, no mitigation measures are planned. Is not the design refinement a mitigation measure for impacts to the airport. Also, what about the encroachment of H1 near the proposed Mauka Terminal as a mitigation.	MNG		
31	3-9		Page 3.9 identify acronyms to VHS, VMT, VHD	MNG		
32	3-		Page 3-59 refers to being coordinated to the 1995	MNG		

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	59		airport layout plan, clarify the airport layout plans status and the use of the updated ALP.			
33	3-65		The following never was adequately resolved in the DEIS and should be removed because temporary impacts are not identified: "the Project will be constructed in phases and opened as each phase is completed. As a result, there will be stations where fixed-guideway service will temporarily end while the next phase is under construction. This phased opening approach will require interim changes to bus transit service to complement the fixed guideway service. This could have a short-term effect at station areas as bus routes are temporarily moved to connect with fixed-guideway stations. This includes additional buses traveling near certain fixed-guideway stations and associated traffic and pedestrian effects from the bus service. A plan to accommodate the use of phased openings will be developed in advance."	MNG		
34	3-71		Page 3-71, Same as 3-65, The following never was adequately resolved in the DEIS and should be removed because temporary impacts are not identified: "As discussed in Chapter 2, the Project will be constructed and opened in phases over several years. A plan to accommodate the phased openings will be developed in advance. As the stations are completed and opened, rail service will be extended and feeder bus service from surrounding neighborhoods will be implemented."	MNG		
			Comments on the Chapter 4			
35	4-6		Where does the document acknowledge the specific local policy that "protects" certain view corridors? Note, this statement, "The Project will block views in several areas of the corridor, including protected mauka-makai views."	AZ/MS		
36	4-7	4.10	The statement "although a 3-foot parapet wall is	LES		

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			included in the project, there will be no vibration impacts." The walls should be mitigation for noise from the wheels. Do not believe that the walls serve as mitigation for vibration. The revision does not make sense.			
37		4.8	Section 4.8 refers often to "protected" viewsheds, as well as other designations for the viewsheds. What is a protected viewshed and what prohibitions, if any, exist, other than a general sensitivity to impacts on the viewsheds? This should be clarified.	AZ/MS		
38	4-39		Use acronym RTD before defining it later in the paragraph	AZ		
39	4-28		Chapter 4, acronym DPP I used before identified on 4-28.	AZ		
40	4-110	11.5.2 and 11.5.4	Planting Design states "During construction the City will maintain all landscape areas to HDOT standards." The FEIS should clarify if the landscape maintenance to be performed by the City is outside the construction limits. Typically construction contractors maintain landscaping during construction.	AZ/MS		
41	4-179		Identify PE in "use PE plans"	AZ		
42			Chapter 4, do summary of total impacts to land use include the two options for the maintenance facilities? If all summaries of impacts are based on the preferred site, this should be stated somewhere for clarity.	AZ		
43	4-178		Second column first paragraph Where is says a copy of correspondence from the SHPO dated February 4, 2008, concurring with the APE… should mention the second concurrence of the APE for the minor shift in alignment at the	AZ		

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			airport.			
44	4-179		We should provide an update on the AIS plan. The first phase has been completed.	AZ		
45	4-179		Should mention that there has been disagreement on the AIS plan for phase IV. Should here or another place in the document mention our response or thought process on why more evaluation was not completed prior to the completion of the FEIS and Phase IV. But these studies will be included in a programmatic agreement. Need to include somewhere the response that I sent the NPS explaining why archeological investigations were not completed for phase IV.	AZ		
46	4-182		Update the following to include additional information request in May and expected concurrence, "In April 2010, FTA submitted a request for SHPO concurrence of eligibility and effect for properties on Ualena Street."	AZ		
47	4-182		First column, paragraph that starts "While only one aspect.." Remove the entire paragraph. It is confusing and unnecessary.	AZ		
48	4-182		Traditional cultural properties, was this added in response to a comment on the DEIS? This is something that is described and negotiated in the programmatic agreement. That should be mentioned here and the process for evaluating them. The phrase "If TCPS are found to be.." should be revised to "If FTA determines that the TCPs are eligible for the NRHP…"	AZ		
49	4-183		First column. There was a lot of work and changes that occurred from the preliminary determinations in	AZ		

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			the draft EIS and this final EIS. A description of why and how things changed should be mentioned here. In the second paragraph, revise the sentence "The PA includes stipulations that.." to "The PA includes stipulations that describe the roles and responsibilities of the signatories, which are the FTA, ACHP, and the SHPD and invited signatories of the NPS and the City. "			
50	4-183		I think it is relevant somewhere in this discussion to mention the outstanding areas of disagreement or at least mention that the OIBC has indicated that they do not plan to sign the PA.	AZ		
51	4-196		Select a maintenance facility and keep alternate in document.	PMG		
52	4-199		The FEIS should include a paragraph generally describing the construction process for a typical portion of line segment and a typical station, as well as the typical expected duration of each major phase of activity (not just discrete activities such "drilled shaft foundation can be completed in one week" as indicated on p. E-2). The affected parties along the alignment should know how long they will be impacted during construction. Neither the text nor Appendix E provides any information on this.	AZ/PMG		
53	4-199		Construction Effects section, The FEIS is fairly silent on borrow or waste disposal. The high number of deep bores for the guideway piers will produce a high volume of waste dirt. If there is a plan for reuse or disposal of this material, it should be discussed in the FEIS. Something similar to the following could be considered for inclusion in the FEIS: "BMPs will	AZ		

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			be used in the construction of this project to minimize impacts related to borrow and waste disposal activities. The location of borrow and waste disposal sites may not be known until the project is let for construction. In general practice the contractor selects the sites based on free market economics (i.e., negotiations with property owners). Solid waste generated by clearing and grubbing, demolition, or other construction practices will be removed from the location and properly disposed. Contractors must comply with all permitting requirements for borrow locations, and follow other applicable contract specifications. (continued)			
53 cont.	4-199		(continued from above) Prior to their use, these sites would be assessed for impacts to resources such as archaeological and historical resources, wetlands, etc., and appropriate measures would be employed to avoid or minimize impacts, if any. Where impacts would warrant, the contractor, with City oversight, would obtain required permits. Due to the cost of required mitigation when permits are needed, contractors often select other sites that do not require permitting. Solid waste generation resulting from construction should be short-term and confined to the vicinity of the project area. In many cases, and where available, the construction contractors use existing agricultural fields near the construction sites for borrow/waste sites. They are much easier to use and have lower			

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			potential to impact protected environmental resources."			
54	4-205		In exception to the following, a noise protocol should be developed now and not later, "The noise and vibration construction mitigation plan will be prepared to establish a protocol to monitor noise during construction and a plan to mitigate for impacts as required. The City will implement the mitigation measures defined in this Final EIS, construction plan, and HDOH noise permit requirements.	LES		
55	4-205		Overall the FEIS is silent on the placement and impacts of traction power substations .			
			Chapter 5, Section 4(f)			
56		Table 5.1	It would be extremely helpful for the reader for you to add a column to table 5.1 that has the page numbers of where these resources are mentioned in the chapter. They are not easy to find especially if they are discussed in multiple sections.	AZ		
57			See 4(f) comments in PDF document.			
			Chapter 6			
58	6-2	Tables 6-1 and 6-2	Tables 6-1 and 6-2 do not match SCC Workbook dated January 6, 2010 provided by the City. SCC Workbook indicates Total Project Cost (excluding financing) of $5.057B. FEIS indicates Total Project Cost (excluding financing) of $5.115B.	Hogan	The total project costs have been revised in Chapter 6.	
			Chapter 8			
59	8-6		Page 8-6, note date when DEIS comment period was extended to, and the reason why (request from commenter's for additional time)	LES	This was already included in Section 8.5. It has been added in Section 8.2.5	
			List of EIS Recipients			
60			Federal Agencies list should include correct name for Federal Transit Administration, not "Division."	LES	FTA being listed as recipient for state process.	

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			Appendices			
61		App B	Appendices B (Preliminary Alignment Plans and Profiles) and C (Preliminary Right-of-Way Plans) are missing substation numbers 7, 13, 14, 15, 16, 17, 18. There are also no substations shown for the MSF, which may require two substations.	LES	Notes have been added to Appendix B & C sheets where TPSS numbers are not sequential. During Preliminary Engineering, the need for several sites has been eliminated (including all sites along Salt Lake).	
			Comments and Responses			
62			All letters should be updated to reflect a date consistent with the issuance of the FEIS.			
63			For all letters, remove the very last phrase "and will conclude the environmental review process for this Project."			
64			See attached comments on the responses to the document.		Letters have been revised based on FTA comments.	
65			All responses to comments should include a general reference to a new mitigation table in the FEIS at the end of Chapter 4. Every specific mitigation in a letter response should be identified in this table, organized by impact category and referencing the comment letter or section of the FEIS containing the specifics of the mitigation. This new mitigation table should be in a searchable format for ease of review and in preparation for inclusion as an attachment to the ROD.		The comment responses will not be universally changed to reference.	
66		App A	Appendix A. PDF Page 274, "The Current HCP does not include all affected lands or current planned activities within the rail transit corridor. Activities and lands within the HCP area can be included by an additional Certificate of Inclusion, but activities outside the HCP area will need an amendment or new HCP." **Does the HCP need to be amended or has the City obtained a Certificate of Inclusion? The City's response to**			

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			the comment was "If a HCP is needed or if the existing HCP needs to be amended, the City will implement the measures outline of the USFWS in the new or amended HCP." Does the HCP include the mitigation measure of prior to grubbing and clearing, the area will be surveyed. Is this a mitigation measure that is included in the HCP? If not, it needs to be in the text of the FEIS and included in any mitigation tables that would be prepared for the project if FTA decides to move forward with a Record of Decision.			
67			**Follow up on the Keehi-Lagoon Memorial.**		See separate e-mail from Faith Miyamoto.	
68			PDF Page 667, Second Paragraph, Response to Dale Evans The response discusses the proper treatment of Native Hawaiian burials. I do not think that it is characterized properly. The City and FTA have been coordinating with the burial council and a process that outlines further coordination has been established, but it is not a process that is complete. I think it could also be appropriate to mention that the project is divided into phases and prior to construction of any one phase that the City will be conducting archeological studies to identify Native Hawaiian burials. The Programmatic Agreement has more signatories than just the SHPD and the FTA. The City should be mentioned in that list with the National Park Service. Make sure that this is consistent throughout the comment/response document.			

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