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**From:** Borinsky, Susan (FTA)  
**To:** Carranza, Edward (FTA)  
**CC:** Ryan, James (FTA); Day, Elizabeth (FTA); Rogers, Leslie (FTA); Marler, Renee (FTA); Zusman, Nancy-Ellen (FTA); Sukys, Raymond (FTA); Bausch, Carl (FTA); Barr, James (FTA)  
**Sent:** 2/22/2010 1:45:49 PM  
**Subject:** FW: Honolulu - NTP#1A  
**Attachments:** Honolulu - NTP#1A questions (jr) (3).doc

Please see suggestions for slight modifications to the letter in first paragraph.

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**From:** Carranza, Edward (FTA)  
**Sent:** Monday, February 22, 2010 6:24 PM  
**To:** Borinsky, Susan (FTA)  
**Cc:** Ryan, James (FTA); Day, Elizabeth (FTA); Rogers, Leslie (FTA); Marler, Renee (FTA); Zusman, Nancy-Ellen (FTA); Sukys, Raymond (FTA)  
**Subject:** RE: Honolulu - NTP#1A

OK – first off we should get Renee involved now that’s she’s back from leave and considering her name is on the bottom of the letter (I guess as suggested by Nancy-Ellen who has provided deep input to this document). Secondly, we need another look at this document now that the 22<sup>nd</sup> has come and gone before it goes to Peter. Allow me to follow up with Jim R, Leslie (of you can read it tonight for any thoughts) and Renee tomorrow morning unless you have an alternate plan. I’ve attached the latest draft with suggested substitution in the third paragraph by Susan B.

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**From:** Borinsky, Susan (FTA)  
**Sent:** Monday, February 22, 2010 3:00 PM  
**To:** Carranza, Edward (FTA)  
**Cc:** Ryan, James (FTA); Day, Elizabeth (FTA)  
**Subject:** RE: Honolulu - NTP#1A

Ed, who has the action on this letter? Did Leslie get to talk with Peter last week about this? I was expecting some feedback from Leslie. Should we (TPE or TCC?) give the letter to Peter here in HQ and set up a briefing? Susan

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**From:** Carranza, Edward (FTA)  
**Sent:** Monday, February 22, 2010 5:16 PM  
**To:** Borinsky, Susan (FTA)  
**Subject:** RE: Honolulu - NTP#1A

Susan: Any traction on this letter? If not, we have got to change it again, for it’s dated after today.

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**From:** Carranza, Edward (FTA)  
**Sent:** Friday, February 19, 2010 4:45 PM  
**To:** Borinsky, Susan (FTA)  
**Subject:** RE: Honolulu - NTP#1A

Susan: You sound as tired as I probably feel. We are with you on all this, and btw, I have briefed Therese while she’s in town here in our SF office just keeping her apprised on the Honolulu experience – have a nice relaxing weekend.

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**From:** Borinsky, Susan (FTA)  
**Sent:** Friday, February 19, 2010 4:40 PM  
**To:** Carranza, Edward (FTA)  
**Subject:** RE: Honolulu - NTP#1A

Ed--Sorry this has taken so long. I don’t know what the outcome of all this effort will be, but hopefully it will work out for FTA, NEPA and maybe even the project. I think that if there are potential problem areas, they will be identified and avoided. Another approach would have been to handle this at the next PMOC meeting, and that’s still a possibility if Leslie prefers. In any case, let’s see what Monday brings. Susan

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**From:** Carranza, Edward (FTA)  
**Sent:** Friday, February 19, 2010 7:31 PM  
**To:** Borinsky, Susan (FTA); Rogers, Leslie (FTA)  
**Cc:** Sukys, Raymond (FTA); Ryan, James (FTA); Zusman, Nancy-Ellen (FTA); Tahir, Nadeem (FTA); Luu, Catherine (FTA); Marler, Renee (FTA)  
**Subject:** RE: Honolulu - NTP#1A

Susan: Agree with your interpretation, and yes, we are very aware of communications protocol on the Honolulu project.

Leslie, I believe you mentioned to me this afternoon you would review this latest cut over the weekend and we'll discuss Monday morning after our respective opening conference remarks. See you Monday.

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**From:** Borinsky, Susan (FTA)  
**Sent:** Friday, February 19, 2010 4:16 PM  
**To:** Carranza, Edward (FTA); Ryan, James (FTA); Zusman, Nancy-Ellen (FTA)  
**Cc:** Rogers, Leslie (FTA); Sukys, Raymond (FTA); Tahir, Nadeem (FTA); Luu, Catherine (FTA); Marler, Renee (FTA)  
**Subject:** RE: Honolulu - NTP#1A

Nadeem added: Please provide a description of the specific activities that would be authorized in this activity in detail sufficient to demonstrate that they would remain within the bounds of the Preliminary Engineering (PE) approval you have received from the FTA.

This is offered as a substitute for Jim's wording: Please provide a description of the specific activities that would be authorized in this activity in detail sufficient to demonstrate that they would remain within the bounds set by the applicable Federal Register (FR) notice.

Nadeem's wording seems to be referring the City to the PE approval letter. I thought the specific question on the table is whether the activities underway and proposed (in the contract and 2 NTPs) are consistent with FTA guidance on what may occur in D-B contracts before NEPA completion. The Federal Register notice has been viewed as a more "forward leaning" than the traditional approach on what is permitted before the completion of NEPA, although the applicant sponsor still may not impinge on the NEPA process under the FR guidance.

Either wording is OK with me, but I think we have to assess the activities for which we have requested clarification on the basis of the FR notice, as we said we would in the Dec. 1 memo.

Peter Rogoff has said that he wants to see all communications with Honolulu before they are sent.

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**From:** Carranza, Edward (FTA)  
**Sent:** Friday, February 19, 2010 5:56 PM  
**To:** Borinsky, Susan (FTA); Ryan, James (FTA); Zusman, Nancy-Ellen (FTA)  
**Cc:** Rogers, Leslie (FTA); Sukys, Raymond (FTA); Tahir, Nadeem (FTA); Luu, Catherine (FTA); Marler, Renee (FTA)  
**Subject:** FW: Honolulu - NTP#1A

Do note Nadeem's suggestion to elaborate on the actual PE approval. Are we letting it rest until Monday morning?

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**From:** Carranza, Edward (FTA)  
**Sent:** Friday, February 19, 2010 1:15 PM  
**To:** Luu, Catherine (FTA); Tahir, Nadeem (FTA); Nguyen, Kim (FTA)  
**Cc:** Marler, Renee (FTA); Sukys, Raymond (FTA); Rogers, Leslie (FTA)  
**Subject:** FW: Honolulu - NTP#1A

OK – we've heard from counsel which relieves us some of its urgency, but I'm still interested to hear your take on what we got and didn't get.

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**From:** Zusman, Nancy-Ellen (FTA)  
**Sent:** Friday, February 19, 2010 1:11 PM  
**To:** Borinsky, Susan (FTA); Sukys, Raymond (FTA); Barr, James (FTA); Bausch, Carl (FTA); Day, Elizabeth (FTA); Rogers, Leslie (FTA); Carranza, Edward (FTA); Matley, Ted (FTA)  
**Subject:** Re: Honolulu - NTP#1A

**Redacted**

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**From:** Borinsky, Susan (FTA)  
**To:** Zusman, Nancy-Ellen (FTA); Sukys, Raymond (FTA); Barr, James (FTA); Bausch, Carl (FTA); Day, Elizabeth (FTA); Rogers, Leslie (FTA); Carranza, Edward (FTA); Matley, Ted (FTA)  
**Sent:** Fri Feb 19 15:23:16 2010  
**Subject:** FW: Honolulu - NTP#1A

**Redacted**

# Redacted

**From:** Ryan, James (FTA)  
**Sent:** Friday, February 19, 2010 2:54 PM  
**To:** Borinsky, Susan (FTA)  
**Subject:** RE: Honolulu - NTP#1A

Susan:

Here's my attempt at this. It's a complete rewrite so I abandoned the "track changes" mode.

I think that someone had better call Toru and tell him what's up with this. Otherwise, I'm guessing that they will go ahead with NTP #1A on Monday and we'll have a new situation to sort out.

Jim

**From:** Zusman, Nancy-Ellen (FTA)  
**Sent:** Thursday, February 18, 2010 12:15 PM  
**To:** Sukys, Raymond (FTA); Borinsky, Susan (FTA); Barr, James (FTA); Rogers, Leslie (FTA)  
**Cc:** Carranza, Edward (FTA); Matley, Ted (FTA)  
**Subject:** RE: Honolulu - NTP#1A

# Redacted

**From:** Sukys, Raymond (FTA)  
**Sent:** Thursday, February 18, 2010 10:06 AM  
**To:** Zusman, Nancy-Ellen (FTA)  
**Cc:** Carranza, Edward (FTA); Matley, Ted (FTA)  
**Subject:** Honolulu - NTP#1A

hi Nancy,

Sorry about the delay, but we had an ARRA crisis lingering from the OAC decision here yesterday. I took a broader, higher level approach because I was having difficulty with a detailed approach. Also, I think it will be easier to get it through Peter. My cell is 415 517-3213.

Ray