DONE = Green(do not make green until changed and checked in EIS) Need to Discuss with FTA = Yellow Need further DTS Discussion = Blue

FTA Comments on ADEIS, Honolulu High Capacity Transit Corridor Project
September 18, 2008

Key	No.	Location	COMMENT	Response
X	1	General – Alternative Analysis	Alternatives Analysis This project has a potential for litigation. It is important that the environmental record accurately reflect the required NEPA process. As noted by the CEQ, the alternatives analysis section of the DEIS is the heart of the environmental impact statement. It should "…sharply [define] the issues and [provide] a clear basis for choice among options by the decision-maker and the public." (40 CFR 1502.14) Alternatives eliminated from further treatment should be briefly discussed in the DEIS including the reasons for their having been eliminated. Several alternatives for the travel corridor were evaluated in the Honolulu High-Capacity Transit Corridor Project Alternatives Analysis Report (2006) including a TSM alternative. As a result of the AA, the Honolulu City Council selected a fixed guideway transit LPA. Under ordinary circumstances, limiting the discussion of alternatives and environmental scrutiny in the DEIS to the No-build alternative and three fixed guideway transit alternatives could be seen as meeting the criteria of "incorporating alternatives by reference" as described in 23 CFR 771.123(c). FTA believes that in the case of a mega-project with a potential for litigation, an appropriate course would be to identify an environmentally preferable alternative as required by 40 CFR 1505.2(b). The alternatives currently under review may not meet this test. The identification of an environmentally preferable alternative is not required until an environmental decision is made. Please revise the discussion in the Preface, Executive Summary and Alternatives Considered sections with the goal in mind of identifying an environmentally preferable alternative. Presumably, the TSM alternative discarded in the 2006 AA would be the alternative with the smallest environmental footprint. Review the earlier environmental documentation for the TSM. If the TSM can meet project purpose and need, elevate the discussion of the TSM in these introductory chapters. Discuss the TSM in the fashion of environmental screening to determine if it is the alternative that will cause the least damage to the biological and physical environment. It is important that the document identify the environmentally preferable alternative.	The TSM Alternative failed to meet Purpose and Need in the Alternatives Analysis. The No Build Alternative is equal in consideration to the TSM as environmentally preferable. In some elements the Build Alternatives are preferable; therefore, identifying consequence of all alternatives as preferable is being being added in text and call-out box to Chapter 4: As required by Code of Federal Regulations Title 40 Part 1505.2(b), both the No Build and Build Alternatives are considered to be environmentally preferable, depending on the factors considered. The No Build Alternative would best protect historic and cultural resources, while the Build Alternatives would cause the least damage to the biological and physical environment and best preserve natural resources because they would result in reduced transportation energy consumption, air pollution, and water pollution. Considerations for the Environmentally Preferable Alternatives Considered Resource / No Build Alternative / Build Alternatives Biological Environment / / X Physical Environment / / X Historic resources / X / Cultural Resources / X / Natural Resources / / X X= Alternative causes least damage, or best protects, preserves, or enhances resource. Page 4-4
X	49	Pg. 4-12	The Future Land Use Plans and Policies section mentions three statewide and local plans that call for the promotion of transit-supportive development and objectives. Text states that the project is consistent with these local and state transportation plans as well as the land use policies. Note the general comments above on project phasing and logical termini. Expanding on the "'Ewa Development Plan" area in Figure 4-2, and demonstrate through graphics and narrative how project-related TOD would be supported by adopted future land use plans.	The text discussion was expanded to clarify the planned development that is occurring in the Ewa Development Area and clarification was made in the section that the development plan supports transit oriented development. Several of the larger planned developments are included on Figure 4-9. Figure 4-2 was not changed since this figure provides a general overview of the planning areas.
X	50	Pg. 4-22, Section 4.3 - ROW Acquisition:	Anticipated construction methodology is further advanced than portrayed in ADEIS. ADEIS may not have adequately addressed temporary construction easements.	Temporary construction easements are not anticipated at the current time and therefore, are not addressed in the DEIS.

AR00143247

X	**51**	Pg. 4-22, Section 4.3 - ROW Acquisition:	Concern over "economic remainder" particularly for properties along Dillingham where partial takes are prevalent. Business owners may claim harm to business or property value as a result. Full takes may then be required.	Text was clarified to explain that if right-of-way changes the function of the commercial property full or partial acquisition was considered. The term "economic remainder" was not added to the text since this is not a term that the public would understand. The statement refers to the Project, not just Dillingham since this situation could occur in other locations. An additional bullet was added to the mitigation section stating that the City would provide relocation advisory services if business was substantially affected. P 4-25
X	**52**	Pg. 4-33	In the Community Facilities narrative, identify the types of facilities that would be displaced. 1 "what" would be displaced by the project? 14 "what" would be partially acquired?	The text was revised to clarify that 1 church would be displaced and 14 community facilities would be partially acquired. P4-35
X	**53**	Pg. 4-36, Section 4.5 Neighborhoods	The intent of this discussion should be to identify adverse impacts on neighborhoods. This section concludes with the determination that there are no adverse effects on any neighborhoods. The most geographically distinct neighborhood – the Banana Patch – would be effectively extirpated by the project. • Discuss the nuances of the Banana Patch neighborhood. • Discuss impacts and propose mitigation.	A brief discussion of the Banana Patch community was added to the Pearl City neighborhood. The Banana Patch community is discussed in more detail in section 4.6 as a community of concern. P 4-40 and p 4-54
X	**54**	Pg. 4-43, Section 4.6 Environmental Justice	On March 28, 2006, FTA HQ, TRO-9, DTS and its consultants had a conference call to discuss the general approach to the environmental justice issue in a majority-minority area such as Oahu. DTS was to "…focus more on linguistically isolated and low-income populations, and secondary assessment analysis to determine communities of concern." FTA also expressed its concern that smaller communities within census tracts could be overlooked. • Using the methodology developed for the evaluation, determine if the Banana Patch community can be defined as a "low-income or minority population." • Discuss the particulars of the Banana Patch community either in the Environmental Justice section. Recall that improving transportation equity is one of the four goals and objectives of the P&N for this project. • Discuss the various project phases in relation to which socio-economic groups will benefit first. Which socio-economic groups will benefit last. • Discuss how spending hundreds of millions of dollars in a green-fields for a demonstration project while the most disadvantaged population has to wait 10 years for improved transit service could be perceived to be an economic justice impact and yet still meets the projects purpose and need.	The Banana Patch community is not a low income or minority community based on the OMPO method used to identify impacts to Environmental Justice populations. However, this neighborhood has been identified as a community of concern as a result of public involvement activities. The City has and will continue to meet with this community to provide them information about the project. This information has been added to Section 4.6 of the DEIS. Supplemental analysis has shown the community is an EJ population, this has been added as a new seciton in 4.6. Comments regarding equity and phasing are addressed in the response to comment 2. P 4-54
	55	Pg. 4-49	Note that the Alpha Omega Christian Fellowship is in the Banana Patch, a geographically identifiable, isolated (possibly low-income) neighborhood scheduled for demolition. The Banana Patch is an EJ neighborhood.	See 54
X	**56**	Pg. 4-53, Section 4.7 Visual and Aesthetic Conditions:	Along Salt Lake Boulevard, elevated structure will be built in front of multi-story residential buildings. It is not clear that impacts have been adequately addressed.	The text in paragraphs 3 and 4 under the Salt Lake Alternative heading discusses visual impacts for apartments, condominiums and military housing multi-story buildings which include contrasts with residential character, view obstructions, and increased light and glare. The discussion also mentions that impacts would be greatest from fourth and fifth floor windows. The text has been revised to specifically reference multi-story buildings. P4-64 and P4-90
X	**57**	Pg. 4-53, Section 4.7 Visual and Aesthetic Conditions	The Mitigation sub-section (p. 4-87) discusses ongoing consultation with the public and local design community as a mitigation measure. This consultation should be formalized in a group of interested stakeholders that meets with some degree of regularity under DTS auspices to discuss design issues. Formally establish a local group made up of interested and members of the public to advise on aspects of project design visual mitigation. The advisory team may include members of neighborhood associations.	Will have community input of station interfaces/design elements, but this will be neighborhood by neighborhood, not using a systemwide design committee.The mitigation section has been revised to state that the RTD will consult with the communities surrounding each station for input on station design elements.

AR00143248

X	**58**	Pg. 4-53 Section 4.7 – Visual impacts	If there are protected viewsheds impacts by the project, they should be identified, and the appropriate agency for consultation and consultation undertaken should be identified	Protected views as defined by County of Honolulu Revised Ordnance, Section 24-1.4 are public views, which include views along streets and highways, mauka-makai view corridors, panoramic and significant landmark views from public places, views of natural features, heritage resources and other landmarks, and view corridors between significant landmarks. The County's General Urban Design Principals and controls state that "Such public views shall be protected by appropriate building heights, setbacks, design and siting controls" and that "These controls shall be determined by the particular needs of each view and applied to public streets and to both public and private structures." The significant protected views that are identified in policy documents such as the Ewa, Central Oahu, and Primary Urban Center development plans are now listed. The text throughout this section has also been revised to call out significant "protected" view impacts. It is noted that these impacts would vary in that viewpoints that are not close to the alignment would generally be less sensitive to changes in the visual environment because they would take in a longer more expansive landscape (visual effects would depend on the viewer's position and location). Text has been added to reflect this. P 4-64
X	**59**	Pg. 4-92, Section 4.9 Noise and Vibration	Note that FTA N&V guidance requires that all noise impacts be identified in the DEIS and a list of proposed mitigation measures may be proposed. Adequate mitigation measures must be identified in the FEIS. • Update the N&V Technical Report and send to HQ for review. • Modify the N&V section as follows.	N&V technical report will be updated and sent to FTA for review by mid-October.
X	**60**	Pg. 4-93	The ADEIS and the N&V technical documentation incorrectly characterize FTA definition of a "severe" noise impact. The documentation states that "noise mitigation will normally be specified for severe impact areas unless there is no practical method of mitigating noise." Similarly, the description of a "moderate" noise increase does not accurately reflect the intent of language in the FTA's N&V guidance. Please review §3.2.4 of FTA's N&V guidance (2006) and modify language in the document regarding noise mitigation policy considerations.	Section rewritten to : Severe noise impacts are considered significant within the context of NEPA. Severe noise impacts require the evaluation of alternative locations/alignments to avoid severe impacts altogether. If it is not practical to avoid severe impacts by changing the location of the project, mitigation measures must be considered and incorporated in the project unless there are truly extenuating circumstances which prevent it. Moderate noise impacts also require consideration and adoption of mitigation measures when it is reasonable. The mitigation of moderate impacts should consider the predicted increase over existing noise levels, the type and number of noise-sensitive land uses affected, existing outdoor/indoor sound insulation, community views, special protection provided by law and the cost-effectiveness of mitigating noise to more acceptable levels. P 4-98
X	**61**	Pg. 4-94	Please state that all noise measurements used to determine baseline noise levels in the corridor were taken at ground level. If measurements were taken at elevation, please describe locations and separate ground level background level measurements from elevated measurements. Note that FTA guidance says nothing about "open windows" as being necessary for noise impacts to occur. The presence of a receptor is all that is necessary. Modify the section accordingly.	Noted in text that measurements were taken at ground-level, and separately at upper floors. Figures 4-39 through 4-42 now state at what level measurements were taken/maximum impact would occur. P4-99
X	**62**	Pg. 4-95	No Build Alternative- After the introductory sentence, simply state that no noise impacts are predicted for the No Build Alternative.	Text added: Under the No Build Alternative, the Project would not be built and the only source of future noise levels would be traffic movements on local streets and highways. The Project would not generate any new noise impacts. Similarly, no new vibration sources would occur in the absence of the Project. Although the projects in the ORTP would be built, their environmental impacts would be studied in separate documents. P4-100

AR00143249

X	**63**	Pg. 4-95	Mitigation Common to all Alternatives Do not conflate environmental impacts with mitigation. For example, Figures 4-39 through 4-42 imply that noise impacts would be minimal; post-mitigation, this may indeed be the case. However, the purpose of the DEIS is to demonstrate probable impacts. • Clearly demonstrate the noise impacts of the project under Environmental Impacts. • Follow that with a demonstration of possible mitigation measures and demonstrate the degree of mitigation employing those measures. In the Environmental Consequences section, include a table showing: distinct areas of noise impacts; category (1,2 or 3) of receptors; number of impacted receptors; existing noise level; projected project noise level and degree of noise impact (moderate or severe). • Describe elevation of impacts. Use language from the N&V Technical study; first bullet, page S-3 and state, "The LRT and rapid rail technologies would generate severe and moderate noise impacts. The Airport & Salt Lake Alternative with planned extensions employing LRT or rapid rail would result in 399 moderate and 236…etc" In the Environmental Mitigation section, include a table showing: distinct areas of noise impacts after mitigation; category (1, 2 or 3) of receptors; projected project noise level after mitigation and degree of noise impact after mitigation (moderate or severe). • Describe elevation of impacts and type of mitigation. • Modify description of ground-level in other areas of the document (e.g., p. 7-8) as appropriate.	Technical report being re-written to reflect the current project design, including parapet walls and wheel skirts. The language previously in the technical report does not correctly reflect the project design.
X	**64**	Pg. 4-96	Add pertinent language from "Build Alternatives" on page S-4 of the N&V technical doc., "In areas with high rise apartments and hotels…" Note that "…a detailed analysis of the noise barrier design…" must be undertaken as a part of project preliminary engineering and completed as a part of the FEIS process. • Noise impacts to elevated structures must be estimated as part of the DEIS process and appropriate mitigation determined in the FEIS and contained in the ROD. • Remove language about "open windows" and include language reflecting FTA's N&V guidance on adjacent noise receptors.	Completed evaluation of impacts to high-rise residential structures. Removed language about "open windows". FTA's N&V guidance does not use the term "adjacent noise receptors". Changed language to say mitigation detailed during preliminary engineering. It is unclear at this time if additional barriers (tall ones) would be used, or a combination of geometry and sound absorptive materials in high-rise residential areas would work with the parapet and wheel skirts to eliminate the remaining moderate impacts.p4-101 and graphics.
X	**65**	Pg. 4-101, Section 4.10 Energy and Electric and Magnetic Fields	Adverse impacts are determined and evaluated in the DEIS. Table 4-17 identifies the location of potential EMF receptors within 200 feet of the project. Determine if EMF will affect any sensitive receptors adjacent to the project.	The 20 sites identified that COULD have equipment that might be affected by project EMF, have now been contacted and one site remains where further review will be needed during Preliminary Engineering. P4-107
X	**66**	Pg. 4-103, Section 4.11 – Hazardous Waste and Material	ADEIS assumes Navy Drum property for potential VMF site will be mitigated prior to use for project. However, given significant amount of earthwork that will be required, this is an unsound assumption. Greater clarity on the environmental status/mitigation of hazardous waste for the Navy property proposed for the maintenance facility should be added.	Added reference to 2000 report and 2005 report from Department of Health and Human Services. Text discusses the results of these reports and concludes that the site is clean P4-112
X	**67**	Pg. 4-121, Section 4.13 Water	There is no discussion of the determination of jurisdictional wetlands. Information should be developed that includes a formal jurisdictional delineation of wetlands, functional assessment of those wetlands and mitigation proposals. DTS submits a permit to the USACE, which initiates a public comment period, and notifies US EPA of the application. US EPA reviews the application and has the authority to deny a permit. • Discuss in the DEIS wetlands delineation. Assess wetlands function. Notify ASACE of your wetlands determination. • In the event of sufficient wetlands impact, DTS must apply for a 404 Permit prior to completion of the FEIS.	Letter sent to COE with technical report asking for JD. Will reference letter and add to Appendix D. In the research for the DEIS, wetlands in the project corridor were assessed and their functions and values evaluated using the 1987 Wetlands Delineation Manual. No impacts to wetlands are expected as much of the area is urban and previously existing wetlands destroyed or severely degraded. We have received a Jurisdictional Determination letter from the USACE (Sept 16, 2008). A reply has been sent to them addressing their comments and asking for concurrence that the project will not impact any wetlands. If it is determined that there will be a sufficient wetland impact, we will apply for a 404 permit prior to completing the FEIS. Language added to DEIS referencing wetlands study, the letter to the Corp, and jurisdictional concurrence. P4-128

X	**68**	Pg. 4-131, section 4.15 Archeological , Cultural and Historic Resources	General comment: A review of the Historic Resources Technical Report (Section 2.2 Coordination to Date) reveals that while DTS has been in contact with SHPD staff and SHPD staff have visited the alignment, there is no indication that SHPD has agreed with either the methodology used by DTS to determine historic significance or integrity or that SHPD has agreed to the extent of the APE. The purpose of the DEIS is to, at the very least, determine eligibility of resources. While an effects determination can be made during FEIS preparation, eligibility and preliminary effects determination must be made by the SHPD for DEIS circulation.	Have APE letter, added the reference and add letter to appendix D. Eligibility letter was received on Oct. 3, 2008. Proposed effects have been shared with SHPD. The eligibility letter was referenced in text and added to Appendix D. Revisions made to address SHPD comments in their review of technical report. The inventory of affected historic resources will be finalized following receipt of the Determination of Effect from SHPD. Changes through Seciton 4.15
X	**69**	Pg. 4-142	Consider providing interim NTPs and milestones within each construction contract to control the work phase for each contract. In essence, limiting the number of areas a contractor can simultaneously work in.	Sentence added to DEIS: Construction work details will be developed during preliminary and final design. P4-150
X	**70**	Pg. 4-142	4.16 Construction Phase Effects: Add language: "As a pre-construction activity, DTS commits to requiring its project contractor to create and carry out a Construction Noise and Vibration Mitigation Plan using mitigation strategies to be defined in the FEIS and committed to in the Record of Decision. The plan will be developed with the active participation of all of the affected municipalities. Construction noise and vibration monitors may be included as a part of this plan."	See response to #74
X	**71**	Pg. 4-142, Section 4.16 - Construction Phase Affects:	There will be significant impacts (access to business, traffic, noise) along Dillingham Boulevard due to construction activity. The ADEIS provides general mitigations but will need to be substantially augmented. For example, if I am a business owner along the corridor, the ADEIS does not provide sufficient detail to adequately address my concerns regarding access for delivery and customers.	Text has been added pertaining to access to businesses and mitigation with the MOT Plan and that access to all businesses will be maintained during construction; also added text referencing a public involvement plan to notify business owners of construction activity and schedule Traffic effects from construction are discussed in 3.5 – Construction-related Effects on Transportation Noise effects from construction are discussed in Section 4.16.5 p4-151
X	**72**	Pg. 4-142, Section 4.16 - Construction Phase Affects:	Utility impacts and required easements appear to be greater than portrayed in ADEIS	A section on utility impacts has been added to pg. 4-~~145~~ 153 under Communities and Neighborhoods. Text also addresses comment #72.
X	**73**	Utilities (general)	Relocation of overhead utilities has been addressed for construction and normal operation. However, there is concern that sufficient clearance has been planned for maintenance of way, service of transit vehicles, emergency service access, and utility company access due to the close proximity of the overhead utility lines	Utility section added for comment #72 also addresses this comment. Coordination will occur with utility companies and emergency services to assure their needs are met and that sufficient clearance is provided.p4-153
X	**74**	Pg. 4-145	Limiting the areas where construction equipment can be used and the length of time equipment remains on a parcel may be of some concern to contractors. Consider requiring the contract to submit mitigation measures for noise sensitive areas, ex. Noise blankets, etc.	Text added under 4.16.5. Contractor would be required to obtain approved Community Noise Variance from HDOH. Community noise monitors could be required.p4-155
X	**75**	Pg. 4-145	Temporary barrier walls should be required around schools, parks and recreational areas in an effort to keep kids out of the construction area.	Reference to temporary barriers and fences has been added to the last paragraph of the Schools, parks, and recreational areas section p4-153
X	**76**	Pg. 4-145	Consider limiting the times that construction lighting can be used in residential areas.	A bullet was added under Visual and Aesthetic Conditions p4-154
X	77	Pg. 4-147	Vibration – Consider having the Contractor perform a video survey of the immediate area prior to the start of any construction activity where vibration levels may be high enough to effect surrounding structures.	Text was added on pg. 4-~~147~~156
X	**78**	Pg. 4-163, Section 4.18 Anticipated Permits and Approvals	Be sure that NPS (Washington DC office) receives a copy of the DEIS.	NPS is on the DEIS distribution list

Key:
A = Advice needed to understand comment, first priority
B = Basic understanding of issue, need to confirm approach
C = Concept complete, need to finish revision
X = Addressed

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