MEMORANDUM

TO: Peter Rogoff, Administrator
FROM: Leslie T. Rogers, Region IX Administrator
DATE: October 8, 2010
RE: Meeting with Mayor Peter Carlisle and Honolulu Transit Division Staff to discuss Honolulu High Capacity Transit Corridor Project

MEETING OVERVIEW

- **Date of Meeting:**
  Friday October 15, 2010, 1:30 PM to 2:00 PM
- **Meeting Attendees:**
  Mayor Peter Carlisle, City of Honolulu
  City and County of Honolulu Department of Transportation Services, Rapid Transit Division (RTD) Staff

TOPIC OF MEETING

- Newly elected Mayor Carlisle wished to introduce himself and provide assurances that the City will continue to pursue the High Capacity Transit Corridor project as currently planned.
- **Status of Environmental Review:**
  - The comment period for the Final Environmental Impact Statement (FEIS) closed on August 26, 2010. FTA is reviewing the comment and draft responses.
  - FTA and RTD are working with signatories, including Hawaii State Historic Preservation and the Advisory Council on Historic Preservation, to finalize the Section 4(f) programmatic agreement. The consultation has narrowed to a single outstanding issue regarding mitigation for long term project impacts to historic resources.
  - FTA is reviewing information submitted by the RTD regarding the environmental process required for the pre-cast yard site. The contractor had selected a site, per the contract, but FTA has yet to determine what environmental process should be pursued for an environmental clearance under NEPA.
  - The Governor's Office has selected a contractor who has started work on an independent review of the project finances. The review is scheduled to be completed in early December. The Governor may not act to approve the FEIS prior to her leaving office in December.
- **Status of Project Preliminary Engineering:**
  - FTA continues to have concerns over the project schedule and schedule for issuing of Notices to Proceed. The City may be generating claims by its

contractors due to the inability of the project to advance according to the City's schedule.

- FTA has expressed concerns over certain contracts that lack federal clauses. The City's position is that these are locally funded sections of the project and the federal clauses are not necessary. Discussion continues on this issue.

FTA POSITION

- FTA understands that Mayor Carlisle intends to have the project proceed as currently planned and implemented. FTA also continues to support the project.
- FTA continues to have concerns that the project implementation schedule is overly aggressive and will lead to claims against the City by its contractors if the timeline is not met.
- FTA continues to have concerns over the contracting procedures related to the project.
- The issue of the Governor's approval of the FEIS needs to be addressed before the project can move forward.
- FTA is aware that there is a high probability that a lawsuit to stop the project on environmental grounds will be filed upon release of the Record of Decision.