



U.S. Department
of Transportation

Federal Transit
Administration

The Administrator

1200 New Jersey Avenue, SE
Washington, D.C. 20590

Mufi Hannemann
Mayor
City and County of Honolulu
530 South King Street, Room 300
Honolulu, HI 96813

DEC 31 2009

Dear Mayor Hannemann:

Thank you for your letter dated December 11, 2009, in which you review the status of several unresolved issues associated with the environmental process for the Honolulu High-Capacity Transit Corridor Project. In your letter, you stated your expectation that each of the outstanding issues would be resolved by or before the end of this month, at which point the Final Environmental Impact Statement (FEIS) could be made available to the public. It is now the end of the month and there are several issues still outstanding. As such, I thought I would take this opportunity to review with you my understanding on where things stand.

Although the Federal Transit Administration's (FTA) staff is working diligently to expedite resolution of all outstanding environmental issues, final resolution of some issues requires the active and timely input from other parties under the National Environmental Policy Act (NEPA). Two examples of this process are the provisions of Section 106 of the National Historic Preservation Act (Section 106) and the requirements of the Federal Aviation Administration (FAA) for projects proposed on airport properties.

Regarding Section 106, signatories to the programmatic agreement did not concur with the contents of the agreement on December 15th, as you anticipated they would in your letter. Rather, on December 18th, FTA received a request from the Advisory Council on Historic Preservation seeking clarification of the U.S. Navy's role and responsibilities in the consultation process under Section 106, as well as additional information. Consequently, the Section 106 consultation process, including execution of the programmatic agreement, has not yet been completed.

Regarding FAA requirements, FTA is awaiting the results of FAA discussions with the Hawaii Department of Transportation's Airports Division on an array of potential Project impacts at Honolulu International Airport. FAA intends to inform FTA about its conclusions regarding potential airport impacts, mitigations, analysis, and documentation. We hope to receive this information some time next month. Upon receipt of the FAA letter, FTA will have a clearer understanding of any additional steps needed to bring closure to airport-related issues in the FEIS.

Both of these topics illustrate well the uncertainties that FTA and the City face as we seek to complete the FEIS in a manner this is consistent with all pertinent laws and regulations. I cannot and will not predict the completion dates for the FEIS in particular or the NEPA process in general. It would not be fair or appropriate for me to do so especially since I cannot predict the concerns or responsiveness of all the non-FTA partners in the process. FTA knows how important this project is to the City and County of Honolulu as well as to the people of Oahu and the entire State of Hawaii. We very much share your desire to move the project forward. All parties have worked diligently to get to this point in the Section 106, airport, and NEPA proceedings. However, I cannot allow those processes to be truncated to meet any artificial deadline.

I also want to take this opportunity to direct your attention to another project-related issue. FTA issued its FY 2011 New Starts Financial Assessment to City staff on December 17, 2009, which identified financial capacity issues that must be addressed in the near term. As noted in the Assessment and our letter of October 16, 2009 which approved the project into preliminary engineering, it is imperative that the current financial plan be strengthened to support future FTA project approval actions including entry into final design and any potential requests for a Letter of No Prejudice.

Again, my staff is working hard to expedite resolution of all outstanding environmental issues. I am confident that the environmental process will be completed as swiftly as possible but I cannot commit to completing that process by a specific date. Should you have any questions or concerns regarding the above, please feel free to contact me or Leslie Rogers in FTA Region IX.

I hope you and your family have a restful holiday and that the New Year brings great progress in advancing public transportation in Hawaii.

Sincerely,



Peter Rogoff

Cc: Mr. Kenneth (Toru) Hamayasu
Honolulu Department of Transportation Services