

# **EXHIBIT 12**

**Adams, Matthew**

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**From:** NancyEllen.Zusman@dot.gov  
**Sent:** Monday, November 26, 2012 12:17 PM  
**To:** Adams, Matthew; David.Glazer@usdoj.gov  
**Cc:** tim.goodman@dot.gov; Joonsik.Maing@dot.gov; Renee.Marler@dot.gov  
**Subject:** RE: HT.com – Full Funding Agreement:

Matt:

The Full Funding Grant Agreement (FFGA) is currently under review by Congress, it has not been executed by either party. Yes, the proposed FFGA was based on the January 18, 2011 ROD.

Nancy-Elen

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**From:** Adams, Matthew [mailto:matthew.adams@snrdenton.com]  
**Sent:** Monday, November 26, 2012 1:46 PM  
**To:** Zusman, Nancy-Ellen (FTA); David.Glazer@usdoj.gov  
**Cc:** Goodman, Tim (OST); Maing, Joonsik (FTA); Marler, Renee (FTA)  
**Subject:** RE: HT.com -- Full Funding Agreement:

Thank you, Nancy and David.

Just to be sure we are on the same page, my message to David on the 21st concerned the FFGA approval recently announced for the Honolulu rail project: For purposes of NEPA and/or 4(f), was the Honolulu FFGA approval based solely on the Jan 18, 2011 ROD and the AR prepared for that ROD? Or was the Honolulu FFGA approval also based on other NEPA and/or 4(f) material?

Many thanks,

Matt Adams

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**From:** NancyEllen.Zusman@dot.gov [mailto:NancyEllen.Zusman@dot.gov]  
**Sent:** Sunday, November 25, 2012 1:33 PM  
**To:** David.Glazer@usdoj.gov; Adams, Matthew  
**Cc:** tim.goodman@dot.gov; Joonsik.Maing@dot.gov; Renee.Marler@dot.gov  
**Subject:** Re: HT.com -- Full Funding Agreement:

Matt:

There is only one AR and that is the NEPA AR for the ROD. The FFGA is a contract and does not have an AR  
Nancy-Elen

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**From:** Glazer, David (ENRD) [<mailto:David.Glazer@usdoj.gov>]  
**Sent:** Sunday, November 25, 2012 03:27 PM  
**To:** 'matthew.adams@snrdenton.com' <[matthew.adams@snrdenton.com](mailto:matthew.adams@snrdenton.com)>  
**Cc:** Goodman, Tim (OST); Zusman, Nancy-Ellen (FTA); Maing, Joonsik (FTA); Marler, Renee (FTA)  
**Subject:** HT.com -- Full Funding Agreement:

Matt:

In response to your inquiry, my understanding is that there is no separate AR for the FFA. If that is not correct, one of my agency colleagues can set the matter straight. (I'm on travel for a hearing tomorrow.)

*David B. Glazer*  
*Natural Resources Section*  
*San Francisco Field Office*

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