



U.S. Department  
Of Transportation  
Federal Transit  
Administration

Region II  
Connecticut (Rail Operators)  
New York  
New Jersey

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July 15, 2009

Mark Aesch  
Chief Executive Officer  
Rochester-Genesee Regional Transportation Authority  
1372 East Main Street  
Rochester, NY 14609

RE: Renaissance Square Center Project

Dear Mark:

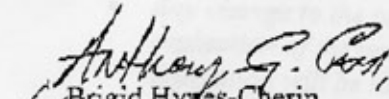
In an effort to assist the Rochester-Genesee Regional Transportation Authority (RGRTA) in progressing the Renaissance Square Center Project (Project) the Federal Transit Administration (FTA) is responding to the three questions raised by the (RGRTA) in the July 13<sup>th</sup> letter to this office.

1. Would a change to the Project to exclude the Staging Parcel require the FTA and RGRTA to undertake additional environmental analysis?
  - *Any change to the project, including the exclusion of the Staging Parcel, will require a re-evaluation of the project under NEPA. In order for FTA to determine what level of a re-evaluation will be required RGRTA must submit the following:*
    - *A description of the proposed change to the project in addition to what will change in the existing document along with an analysis of potential impacts that could occur as a result of the change, any condemnation that may no longer occur, any mitigation measures that will no longer or new ones that will be required, and what parcels will or will not be affected.*
  - *RGRTA will also be expected to contact any resource agencies having an interest in potential changes to the project. For example, if the new staging area or potential redesign of the project were to affect historic properties in the area, the New York State Historic Preservation Officer will be asked to consider if such changes generate an adverse effect to any of the properties.*
2. If so, is there any way that RGRTA and the FTA could complete that additional environmental analysis in a time frame that would make possible the preservation of the federal grant funds that are scheduled to expire on September 30, 2009?

- *FTA requires that grantees anticipating the receipt of federal funds by September 30, 2009 must submit a complete grant application by July 24, 2009. As the completed NEPA action is part of a complete application it will depend on what level of a NEPA re-evaluation is required and completed and receiving an FTA determination on the re-evaluation prior to assigning a grant number in the TEAM system.*
- 3. Have we been accurately describing the time constraints that both the FTA and RGRTA are operating under and, in particular:
  - a. Whether DOL review can take up to 64 days;
  - b. Whether TEAM is scheduled to be closed on or about September 30;
  - c. Whether there is a possibility that the expiring funds will be available after September 30 if the grants are not obligated by the FTA by the time TEAM closes.
- *The DOL review can take up to 64 days. FTA has indicated to our grantees that TEAM will likely be shut down by September 25, 2009 thus, the need to have a complete application in by July 24<sup>th</sup>. Finally, as you are aware those funds designated for specific Bus Program projects remain available for obligation for three fiscal years—which includes the fiscal year in which the amount is made available or appropriated plus two additional years. Bus and Bus-Related Facilities funds not obligated in a FTA grant for their original purpose by the end of this period will generally be made available for other projects. As such FTA does not have the authority to preserve funds that are scheduled to lapse at the end of their final year of eligibility.*

Please contact James Goveia of my staff at 212-668-2325 with any additional questions.

Sincerely,

  
for Brigid Hynes-Cherin  
Regional Administrator